

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* Extension Reinstatement with Change of a Previously Approved Collection.

(2) *Title of the Form/Collection:* National Drug Threat Survey.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: NDIC Form # A-34j.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Federal, State, Tribal, and local law enforcement agencies. This survey is a critical component of the National Drug Threat Assessment and other reports and assessments produced by the National Drug Intelligence Center. It provides direct access to detailed drug threat data from State and local law enforcement agencies.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that approximately 3,500 respondents will complete a survey response within approximately 20 minutes.

(6) *An estimate of the total public burden (in hours) associated with the collection:* There are an estimated 1,167 total annual burden hours associated with this collection.

If additional information is required contact: Ms. Lynn Bryant, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Patrick Henry Building, Suite 1600, 601 D Street, NW., Washington, DC 20530.

Dated: December 21, 2009.

Lynn Bryant,

Department Clearance Officer, PRA, U.S. Department of Justice.

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DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms and Explosives

[Docket No. ATF 34N]

Commerce in Explosives; List of Explosive Materials (2009R-18T)

AGENCY: Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Department of Justice.

ACTION: Notice of list of explosive materials.

SUMMARY: Pursuant to 18 U.S.C. 841(d) and 27 CFR 555.23, the Department must publish and revise at least annually in the **Federal Register** a list of explosives determined to be within the coverage of 18 U.S.C. 841 *et seq.* The list covers not only explosives, but also blasting agents and detonators, all of which are defined as explosive materials in 18 U.S.C. 841(c). As a result of a recent court decision, ammonium perchlorate composite propellant (APCP) is no longer regulated under the Federal explosives laws. Therefore, APCP has been removed from the list of explosives. In addition, the Department is revising the list to include a parenthetical text after “ammonium perchlorate explosive mixtures” to clarify that this term excludes APCP. This notice publishes the 2009 List of Explosive Materials.

DATES: The list becomes effective upon publication of this notice on January 8, 2010.

FOR FURTHER INFORMATION CONTACT: Debra S. Satkowiak, Chief; Explosives Industry Programs Branch; Arson and Explosives Programs Division; Bureau of Alcohol, Tobacco, Firearms and Explosives; United States Department of Justice; 99 New York Avenue, NE., Washington, DC 20226 (202-648-7120).

SUPPLEMENTARY INFORMATION: The list is intended to include any and all mixtures containing any of the materials on the list. Materials constituting blasting agents are marked by an asterisk. While the list is comprehensive, it is not all-inclusive. The fact that an explosive material is not on the list does not mean that it is not within the coverage of the law if it otherwise meets the statutory definitions in 18 U.S.C. 841. Explosive materials are listed alphabetically by their common names followed, where applicable, by chemical names and synonyms in brackets.

The Department has not added any new terms to the list of explosive materials. However, ammonium perchlorate composite propellant

(APCP) has been removed from the list of explosive materials. On March 16, 2009, the United States District Court for the District of Columbia vacated the ATF classification of APCP as an explosive as defined under 18 U.S.C. 841(d). *Tripoli Rocketry Ass'n, Inc. v. ATF*, No. 00-0273 (March 16, 2009 Order). As a result of the court's decision, APCP is no longer regulated under the Federal explosives laws at 18 U.S.C. Chapter 40. Accordingly, APCP has been removed from the list of explosive materials. In addition, the Department is revising the list to include a parenthetical text after “ammonium perchlorate explosive mixtures” to clarify that the term excludes APCP.

This list supersedes the List of Explosive Materials dated December 31, 2008 (Docket No. ATF 28N, 73 FR 80428).

Notice of List of Explosive Materials

Pursuant to 18 U.S.C. 841(d) and 27 CFR 555.23, I hereby designate the following as explosive materials covered under 18 U.S.C. 841(c):

A

Acetylides of heavy metals.
Aluminum containing polymeric propellant.
Aluminum ophorite explosive.
Amatex.
Amatol.
Ammonal.
Ammonium nitrate explosive mixtures (cap sensitive).
* Ammonium nitrate explosive mixtures (non-cap sensitive).
Ammonium perchlorate having particle size less than 15 microns.
Ammonium perchlorate explosive mixtures (excluding ammonium perchlorate composite propellant (APCP)).
Ammonium picrate [picrate of ammonia, Explosive D].
Ammonium salt lattice with isomorphously substituted inorganic salts.
*ANFO [ammonium nitrate-fuel oil].
Aromatic nitro-compound explosive mixtures.
Azide explosives.

B

Baranol.
Baratol.
BEAF [1, 2-bis (2, 2-difluoro-2-nitroacetoxyethane)].
Black powder.
Black powder based explosive mixtures.
*Blasting agents, nitro-carbo-nitrates, including non-cap sensitive slurry and water gel explosives.
Blasting caps.
Blasting gelatin.
Blasting powder.
BTNEC [bis (trinitroethyl) carbonate].
BTNEN [bis (trinitroethyl) nitramine].
BTTN [1,2,4 butanetriol trinitrate].
Bulk salutes.
Butyl tetryl.

- C*
- Calcium nitrate explosive mixture.
 - Cellulose hexanitrate explosive mixture.
 - Chlorate explosive mixtures.
 - Composition A and variations.
 - Composition B and variations.
 - Composition C and variations.
 - Copper acetylde.
 - Cyanuric triazide.
 - Cyclonite [RDX].
 - Cyclotetramethylenetetranitramine [HMX].
 - Cyclotol.
 - Cyclotrimethylenetrinitramine [RDX].
- D*
- DATB [diaminotrinitrobenzene].
 - DDNP [diazodinitrophenol].
 - DEGDN [diethyleneglycol dinitrate].
 - Detonating cord.
 - Detonators.
 - Dimethylol dimethyl methane dinitrate composition.
 - Dinitroethyleneurea.
 - Dinitroglycerine [glycerol dinitrate].
 - Dinitrophenol.
 - Dinitrophenolates.
 - Dinitrophenyl hydrazine.
 - Dinitroresorcinol.
 - Dinitrotoluene-sodium nitrate explosive mixtures.
 - DIPAM [dipicramide; diaminohexanitrobiphenyl].
 - Dipicryl sulfone.
 - Dipicrylamine.
 - Display fireworks.
 - DNPA [2,2-dinitropropyl acrylate].
 - DNPD [dinitropentano nitrile].
 - Dynamite.
- E*
- EDDN [ethylene diamine dinitrate].
 - EDNA [ethylenedinitramine].
 - Ednatol.
 - EDNP [ethyl 4,4-dinitropentanoate].
 - EGDN [ethylene glycol dinitrate].
 - Erythritol tetranitrate explosives.
 - Esters of nitro-substituted alcohols.
 - Ethyl-tetryl.
 - Explosive conitrates.
 - Explosive gelatins.
 - Explosive liquids.
 - Explosive mixtures containing oxygen-releasing inorganic salts and hydrocarbons.
 - Explosive mixtures containing oxygen-releasing inorganic salts and nitro bodies.
 - Explosive mixtures containing oxygen-releasing inorganic salts and water insoluble fuels.
 - Explosive mixtures containing oxygen-releasing inorganic salts and water soluble fuels.
 - Explosive mixtures containing sensitized nitromethane.
 - Explosive mixtures containing tetranitromethane (nitroform).
 - Explosive nitro compounds of aromatic hydrocarbons.
 - Explosive organic nitrate mixtures.
 - Explosive powders.
- F*
- Flash powder.
 - Fulminate of mercury.
 - Fulminate of silver.
 - Fulminating gold.
 - Fulminating mercury.
- Fulminating platinum.
- Fulminating silver.
- G*
- Gelatinized nitrocellulose.
 - Gem-dinitro aliphatic explosive mixtures.
 - Guanyl nitrosamino guanyl tetrazene.
 - Guanyl nitrosamino guanylidene hydrazine.
 - Guncotton.
- H*
- Heavy metal azides.
 - Hexanite.
 - Hexanitrodiphenylamine.
 - Hexanitrostilbene.
 - Hexogen [RDX].
 - Hexogene or octogene and a nitrated N-methylaniline.
 - Hexolites.
 - HMTD [hexamethylenetriperoxidediamine].
 - HMX [cyclo-1,3,5,7-tetramethylene 2,4,6,8-tetranitramine; Octogen].
 - Hydrazinium nitrate/hydrazine/aluminum explosive system.
 - Hydrazoic acid.
- I*
- Igniter cord.
 - Igniters.
 - Initiating tube systems.
- K*
- KDNBF [potassium dinitrobenzo-furoxane].
- L*
- Lead azide.
 - Lead mannite.
 - Lead mononitroresorcinol.
 - Lead picrate.
 - Lead salts, explosive.
 - Lead styphnate [styphnate of lead, lead trinitroresorcinol].
 - Liquid nitrated polyol and trimethylolethane.
 - Liquid oxygen explosives.
- M*
- Magnesium ophorite explosives.
 - Mannitol hexanitrate.
 - MDNP [methyl 4,4-dinitropentanoate].
 - MEAN [monoethanolamine nitrate].
 - Mercuric fulminate.
 - Mercury oxalate.
 - Mercury tartrate.
 - Metriol trinitrate.
 - Minol-2 [40% TNT, 40% ammonium nitrate, 20% aluminum].
 - MMAN [monomethylamine nitrate; methylamine nitrate].
 - Mononitrotoluene-nitroglycerin mixture.
 - Monopropellants.
- N*
- NIBTN [nitroisobutametrial trinitrate].
 - Nitrate explosive mixtures.
 - Nitrate sensitized with gelled nitroparaffin.
 - Nitrated carbohydrate explosive.
 - Nitrated glucoside explosive.
 - Nitrated polyhydric alcohol explosives.
 - Nitric acid and a nitro aromatic compound explosive.
 - Nitric acid and carboxylic fuel explosive.
 - Nitric acid explosive mixtures.
 - Nitro aromatic explosive mixtures.
 - Nitro compounds of furane explosive mixtures.
 - Nitrocellulose explosive.
 - Nitroderivative of urea explosive mixture.
- Nitrogelatin explosive.
- Nitrogen trichloride.
- Nitrogen tri-iodide.
- Nitroglycerine [NG, RNG, nitro, glyceryl trinitrate, trinitroglycerine].
- Nitroglycide.
- Nitroglycol [ethylene glycol dinitrate, EGDN].
- Nitroguanidine explosives.
- Nitronium perchlorate propellant mixtures.
- Nitroparaffins Explosive Grade and ammonium nitrate mixtures.
- Nitrostarch.
- Nitro-substituted carboxylic acids.
- Nitrourea.
- O*
- Octogen [HMX].
 - Octol [75 percent HMX, 25 percent TNT].
 - Organic amine nitrates.
 - Organic nitramines.
- P*
- PBX [plastic bonded explosives].
 - Pellet powder.
 - Penthrinite composition.
 - Pentolite.
 - Perchlorate explosive mixtures.
 - Peroxide based explosive mixtures.
 - PETN [nitropentaerythrite, pentaerythrite tetranitrate, pentaerythritol tetranitrate].
 - Picramic acid and its salts.
 - Picramide.
 - Picrate explosives.
 - Picrate of potassium explosive mixtures.
 - Picratol.
 - Picric acid (manufactured as an explosive).
 - Picryl chloride.
 - Picryl fluoride.
 - PLX [95% nitromethane, 5% ethylenediamine].
 - Polynitro aliphatic compounds.
 - Polyolpolynitrate-nitrocellulose explosive gels.
 - Potassium chlorate and lead sulfocyanate explosive.
 - Potassium nitrate explosive mixtures.
 - Potassium nitroaminotetrazole.
 - Pyrotechnic compositions.
 - PYX [2,6-bis(picrylamino)] 3,5-dinitropyridine.
- R*
- RDX [cyclonite, hexogen, T4, cyclo-1,3,5-trimethylene-2,4,6-trinitramine; hexahydro-1,3,5-trinitro-S-triazine].
- S*
- Safety fuse.
 - Salts of organic amino sulfonic acid explosive mixture.
 - Salutes (bulk).
 - Silver acetylde.
 - Silver azide.
 - Silver fulminate.
 - Silver oxalate explosive mixtures.
 - Silver styphnate.
 - Silver tartrate explosive mixtures.
 - Silver tetrazene.
 - Slurried explosive mixtures of water, inorganic oxidizing salt, gelling agent, fuel, and sensitizer (cap sensitive).
 - Smokeless powder.
 - Sodatol.
 - Sodium amatol.
 - Sodium azide explosive mixture.
 - Sodium dinitro-ortho-cresolate.
 - Sodium nitrate explosive mixtures.

