



**For Immediate Release**

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**Pyrotechnics Industry Strongly Objects to Excessive Emergency Regulation of Explosives Licensees by the Commonwealth**

**Bethesda, Maryland, January 17, 2005** – The leading trade association of the fireworks industry today is urging Governor Rendell to put an immediate hold on the emergency amendments to Title 25, Pennsylvania Code, Chapter 211, relating to the handling, storage and use of explosives in the Commonwealth. The American Pyrotechnics Association (APA) is deeply troubled by the unjustified burdens the revised regulations would impose on the regulated explosives industry, including many fireworks entertainment companies based in Pennsylvania.

“While the APA is a strong proponent of safety and security, we cannot stand by and watch the new emergency amendments go forward without taking a strong stand against these arbitrary changes. The new amendments will significantly impact every explosives licensee in the Commonwealth and potentially drive these facilities to close their operations,” said Julie L. Heckman, APA’s Executive Director.

The state Office of Homeland Security, the Pennsylvania State Police, and the Department of Environmental Protection (DEP) developed emergency provisions intended to enhance public safety and strengthen security measures statewide. Their collective efforts were unveiled to the regulated explosives industry on December 7, 2004, as final regulations without any opportunity for input by the affected Pennsylvania businesses. The regulations call for sweeping changes, far in excess of current federal standards, particularly with respect to the installation of two rings of perimeter security around storage magazines akin to prisons or military sites. The regulations also require magazine inspections as frequent as twice a day, and other prescriptive, rather than performance based, requirements.

According to the APA, these hurried amendments are based upon arbitrary assumptions that will cost licensed facilities to invest \$10,000 - \$150,000 per site based on DEP estimates to retrofit facilities in order to achieve compliance. Heckman believes, based on industry estimates, that actual costs could easily be twice that amount. Yet, the loopholes that exist under current homeland security regulations will remain wide open. “In essence, the amendments do nothing but harm the regulated and licensed community, not hinder potential terrorists,” said Heckman.

The fireworks industry, along with the commercial explosives industry, has enjoyed an impeccable public safety and security record. That record is due to the fact that stringent federal regulations already exist to protect the public and that industry often follows even stricter voluntary measures. Increased security provisions have been promulgated by a host of federal regulatory agencies since 9-11, and industry has embraced these additional requirements fully in the spirit of cooperation. However, there comes a time when a business or trade group has to

step forward and say, enough is enough! For the fireworks industry, that time is now, “the emergency amendments are excessive and only serve to penalize the licensed explosives manufacturers, distributors, and users,” says Heckman. She urges Pennsylvania to study real potential threats by working closely with industry members to solve those security concerns, rather than impose a mish mash of arbitrary requirements on an already heavily regulated and licensed explosives community.

#### **About the American Pyrotechnics Association**

The APA is the leading trade association of the fireworks industry. Founded in 1948, the APA supports and promotes safety standards for all aspects of fireworks. The APA has a diverse membership including regulated and licensed manufacturers, distributors, wholesalers, retailers, importers and suppliers of fireworks, and professional display firms. Additional information about the fireworks industry, facts & figures, and state laws can be found on APA’s web site at [www.americanpyro.com](http://www.americanpyro.com)

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