**DEPARTMENT OF JUSTICE**

**Bureau of Alcohol, Tobacco, Firearms, and Explosives**

[Docket No. 2017R–19]

**Commerce in Explosives; 2017 Annual List of Explosive Materials**

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

**ACTION:** Notice of List of Explosive Materials.

**SUMMARY:** Pursuant to Federal law, the Department of Justice must publish and revise at least annually in the Federal Register a list of explosives determined to be explosive materials. The list covers not only explosives, but also blasting agents and detonators, all of which are defined as “explosive materials.” This notice contains the 2017 Annual List of Explosive Materials, which remains unchanged from the 2016 Annual List of Explosives.

**DATES:** The list becomes effective December 28, 2017.

**FOR FURTHER INFORMATION CONTACT:** William E. Frye Jr., Chief, Explosives Industry Programs Branch; Firearms and Explosives Industry 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:** Each material listed, as well as all mixtures containing any of these materials, constitute “explosive materials” under 18 U.S.C. 841(c). 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 definition in 18 U.S.C. 841. Explosive materials are listed alphabetically and, where applicable, followed by their common names, chemical names, and/or synonyms in brackets.

This list supersedes the List of Explosive Materials published in the Federal Register on November 16, 2016 (Docket No. 2016R–02, 81 FR 80684).

**Notice of the 2017 Annual 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):

<table>
<thead>
<tr>
<th>Class</th>
<th>Example</th>
</tr>
</thead>
</table>
Liquid nitroated polyl and trimethyleneethane.

Liquid oxygen explosives.

M

Magnesium orthophosphate explosives.
Mannitol hexanitrate.
MDNP [methyl 4,4-dinitropropanoate].
MEAN [monoethanolamine nitrate].
Mercure 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

NITBTN [nitroisobutaminate tri trinitrate].
Nitrate explosive mixtures.
Nitrate sensitized with gelled nitroparaffin. Nitrated carbohydrate explosive.
Nitrated glucose 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].
Nitroglyceride.
Nitroglycerol [ethylene glycol dinitrate, EGDN].
Nitroguanidine explosives.
Nitronium perchlorate propellant mixtures.
Nitroparaffins Explosive Grade and ammonium nitrate mixtures.
Nitrostarch.
Nitro-substituted carboxylic acids.
Nitro urea.

O

Octogen [HMX].
Octol [75 percent HMX, 25 percent TNT].
Organic amine nitrates.
Organic nitramines.

P

PBX [plastic bonded explosives].
Pellet powder.
Penthrine composition.
Pentolite.
Perchlorate explosive mixtures.
Peroxide based explosive mixtures.
PETN [nitropentaerythrite, pentaerythrite tetranitrate, pentaerythritol tetranitrate].
Picric acid and its salts.
Picramide.
Picrate explosives.
Picrate of potassium explosive mixtures.
Picratol.
Polyester (manufactured as an explosive).
Picryl chloride.
Picryl fluoride.
PLX [95% nitromethane, 5% ethylenediamine].
Polyisobutyl aliphatic compounds.
Polyisopropylnitrate-nitrocellulose explosive gels.

Potassium chloride and lead sulfo cyanate explosive.
Potassium nitrate explosive mixtures.
Potassium nitroanitrotetrazole.
Pyrotechnic compositions.
Pyrotechnic fuses.
PYX [2,5-bis(picycramino) 3,5-dinitrotriazoline].

R

RDX (cyclonite, hexogen, T4, cyclo-c-1,3,5,7-trimethylene-2,4,6-trinitramine; hexahydro-1,3,5-trinitro-5-triazine].
Safety fuse.
Salts of organic amino sulfonic acid explosive mixture.
Salutes (bulk).
Silver acetylide.
Silver azide.
Silver fulminate.
Silver oxide.
Silver stearate.
Silver trinitrate.
Slurred explosive mixtures of water, inorganic oxidizing salt, gelling agent, fuel, and sensitizer (cap sensitive).
Smokeless powder.
Sodium azide explosive mixture.
Sodium chlorate.
Sodium azide explosive mixture.
Sodium dinitro-ortho-cresolate.
Sodium nitrate explosive mixtures.
Sodium nitrate-potassium nitrate explosive mixture.
Sodium picramate.
Squirs.
Styphnic acid explosives.

T

TAC [tetranitro-2,3,5,6-dibenzo-1,3a,4,6a tetrazapentalen]
TATB [triaminotri nitrobenzene].
TATP [triacetonetriperoxide].
TETDN [triethylene glycol dinitrate].
Tetryl [2,4,6 tetranitro-N-methylamine].
Tetryl.
Thickened inorganic oxidizer salt slurried explosive mixture.
TMETN [trimethylol ethane trinitrate].
TNEF [trinitroethyle pyroxal].
TNEOC [trinitroethyle orthocarbonate].
TNEOF [trinitroethyle orthofinate].
TNT [trinitrotoluene, trityl, tritile, triton].

Trisilicate.
Triton X-100.

U

Urea nitrate.

W

Water-bearing explosives having salts of oxidizing acids and nitrogen bases, sulfates, or sulfamates (cap sensitive).
Water-in-oil emulsion explosive compositions.

X

Xanthomonas hydrophilic colloid explosive mixture.

Thomas E. Brandon,
Deputy Director.
[FR Doc. 2017–28010 Filed 12–27–17; 8:45 am]

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Clean Air Act

On December 20, 2017, the Department of Justice lodged a proposed consent decree with the United States District Court for the District of Arizona in the lawsuit entitled United States v. Apache Nitrogen Products, Inc., Civil Action No. 4:17–cv–00612–RCC.

The proposed consent decree resolves claims set forth in a filed complaint for civil penalties and injunctive relief against Apache Nitrogen Products, Inc. (“Apache” or “ANPI”) for allegedly violating the Arizona State Implementation Plan (the “Arizona SIP”), including the requirements for the Prevention of Significant Deterioration (“PSD”), as set forth in Arizona Administrative Code (“AAC”), which has been approved by the Environmental Protection Agency (“EPA”) under Section 110 of the Clean Air Act, 42 U.S.C. 7410, and for allegedly violating a federal standard of performance for new sources (“NSPS”) for nitric acid plants (40 CFR part 60, subpart G) promulgated under Section 111 of the Clean Air Act, 42 U.S.C. 7441.

Under the decree, Apache will perform a computer-simulated air flow study for a nitric acid production unit called “AO7–4” to determine, at a minimum, the feasibility of Selective Catalytic Reduction as a control technology. The results of the study will be submitted to Arizona Department of Environmental Quality (“ADEQ”), the permitting authority under the Arizona SIP, and ADEQ will make a Best Available Control Technology determination and issue an appropriate permit based on its finding. Under the proposed consent decree, Apache also will pay a civil penalty of $600,000.

The publication of this notice opens a period for public comment on the consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, United States Department of Justice, Washington, D.C. 20530.

Notice of Lodging of Proposed Consent Decree Under the Clean Air Act

Notice of Lodging of Proposed Consent Decree Under the Clean Air Act