

Brothers, Sheila

From: Cramer, Aaron
Sent: Friday, April 19, 2019 7:48 PM
To: Bird-Pollan, Jennifer; Brothers, Sheila; Ett-Mims, Joanie
Cc: Silva Castro, Jhon
Subject: NEW GC: Explosives and Blasting
Attachments: Blasting Graduate Certificate final version 4_4_17_2019.pdf

Proposed New Graduate Certificate: Explosives and Blasting

This is a recommendation that the University Senate approve the establishment of a new Graduate Certificate: Explosives and Blasting, in the Department of Mining Engineering within the College of Engineering.

Rationale: The proposed nine-hour certificate program is for industry professionals seeking to advance their careers. The program consists of coursework in advanced blast design and technology, instrumentation for blasting and blast mitigation, and environmental aspects of blasting and federal and state regulations. There are very few national offerings in this area, but the need for more qualified engineers (primarily mining and civil engineers) with explosives and blasting knowledge is growing as a result of mining and needed renovation and enhancement of current infrastructure. Initial enrollment of 10 students growing to 25 students is anticipated.

Aaron

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NEW GRADUATE CERTIFICATE

Certificate Description. A graduate certificate shall have a clear and focused academic topic or competency as its subject, meet a clearly defined educational need of a constituency group, such as required continuing-education or accreditation for a particular profession, respond to a specific state mandate or provide a basic competency in an emerging (preferably interdisciplinary) topic. Certificates are minimally nine graduate credit hours but typically no more than 15.

Approval process. Once approved at the college level, your college will send the proposal to the appropriate Senate academic council (possibly HCCC and/or UC) for review and approval. Once approved at the academic council level, the academic council will send your proposal to the Senate Council office for additional review via a committee and then to the SC and University Senate. (The contact person listed on the form will be informed when the proposal has been sent to committee and other times as appropriate.) The last step in the process is Senate approval; upon Senate approval, students can enroll in the new certificate.

By default, graduate certificates shall be approved for a period of six (6) years. Re-approvals are also for six years.

1. GENERAL INFORMATION			
1a	Home college: <i>Engineering</i>		
1b	Home educational unit (department, school, college ¹): <i>Mining Engineering Department</i>		
1c	Office of Strategic Planning and Institutional Effectiveness (OSPIE) (Please contact OSPIE (OSPIE@L.uky.edu) for help with questions in this section.)		
	Date of contact with OSPIE: January 22, 2019		
	<input checked="" type="checkbox"/> Appended to the end of this form is a PDF of the reply from OSPIE.		
	<input checked="" type="checkbox"/> Appended to the end of this form is a letter(s) of administrative feasibility from dean(s) of the college(s) offering the certificate.		
	CIP Code (confirmed by OSPIE): 14.2101		
1d	Proposed certificate name: <i>Graduate Certificate in Explosives and Blasting</i>		
1e	Requested effective date:	<input checked="" type="checkbox"/> Fall semester following approval.	OR <input type="checkbox"/> Specific Date ² : <i>Fall 20</i>
1f	Contact person name: <i>Jhon Silva</i>	Email: <i>jhon.silva@uky.edu</i>	Phone: <i>8592571173</i>
2. OVERVIEW			
2a	Provide a brief description of the proposed new graduate certificate. (300 word limit)		
	<p><i>The Department of Mining Engineering at the University of Kentucky will offer an explosives and blasting online/hybrid certificate for industry professionals wanting to advance their careers. Students will learn by accessing online lectures and through directed self-study. The certificate consists of three core courses [9 total credit hours]:</i></p> <ul style="list-style-type: none"> • <i>Advanced Blast Design and Technology [Online]</i> • <i>Instrumentation for Blasting and Blast Mitigation [Online with a 2 day in-person lab]</i> • <i>Environmental Aspects of Blasting/Federal and State Regulations [Online]</i> 		

¹ Only cross-disciplinary graduate certificates may be homed at the college level.

² Certificates are typically made effective for the semester following approval. No program will be made effective unless all approvals, up through and including University Senate approval, are received.

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	<i>The Instrumentation class includes a required laboratory component comprising a one- to two-day session held at the University of Kentucky Explosive Research Team Lab (UKERT lab).</i>	
2b	This proposed graduate certificate (check all that apply):	
	<input checked="" type="checkbox"/> Has a clear and focused academic competency as its subject.	
	<input checked="" type="checkbox"/> Meets a clearly defined educational need of a constituency group (e.g. continuing education or licensing)	
	<input type="checkbox"/> Responds to a specific state mandate.	
	<input type="checkbox"/> Provides a basic competency in an emerging, preferably interdisciplinary, topic.	
2c	Affiliation. Is the graduate certificate affiliated with a degree program? (<i>related to 3c</i>)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	If “yes,” include a brief statement of how it will complement the program. If “no,” incorporate a statement as to how it will provide an opportunity for a student to gain knowledge or skills not already available at UK. (300 word limit)	
	<i>This program will target mining and civil engineers; however, other engineering or related professionals may have the need to increase their knowledge in explosives and blasting. There is a definite need for industry professionals with expertise in blasting to participate in mining or civil projects or to serve as third party intermediary in the complex relationships between communities and operating mines, specifically in urban centers.</i>	
2d	Duplication. Are there similar regional or national offerings?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	If “Yes,” explain how the proposed certificate will or will not compete with similar regional or national offerings.	
	<i>Missouri S&T offers a master degree in explosives technology. This is the only national program offering such program.</i>	
2e	Rationale and Demand. State the rationale for the new graduate certificate and explain the need for it (e.g. market demand, student requests, state mandate, interdisciplinary topic). (400 word limit)	
	<i>The most up to date statistics (2015) indicate that slightly less than 4.5 billion pounds of explosives were used in the U.S. for mining and rock blasting for road and infrastructure construction. It is expected that this amount will increase as a result of needed renovation and enhancement of current infrastructure. This need will require more qualified engineers (mining and civil professionals) with explosives and blasting knowledge both now and well into the future.</i>	
2f	Target student population. Check the box(es) that apply to the target student population.	
	<input type="checkbox"/> Currently enrolled graduate students.	
	<input checked="" type="checkbox"/> Post-baccalaureate students.	
2g	Describe the demographics of the intended audience. (150 word limit)	
	<i>Mining and civil engineers; however, other engineering or related professionals may have the need to increase their knowledge in explosives and blasting. Because of the potential misuse of the explosives knowledge acquired through the online certificate program, each applicant must submit to a background check and hold a relevant engineering or related degree prior to enrolling in the program.</i>	

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2h Projected enrollment. What are the enrollment projections for the first three years?				
		<i>Year 1</i>	<i>Year 2 (Yr. 1 continuing + new entering)</i>	<i>Year 3 (Yrs. 1 and 2 continuing + new entering)</i>
	<i>Number of Students</i>	<i>10</i>	<i>15</i>	<i>25</i>
2i Distance learning (DL). Initially, will any portion of the graduate certificate be offered via DL? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>				
If "Yes," please indicate below the percentage of the certificate that will be offered via DL.				
	1% - 24% <input type="checkbox"/>	25% - 49% <input type="checkbox"/>	50% - 74% <input type="checkbox"/>	75 - 99% <input checked="" type="checkbox"/>
100% <input type="checkbox"/>				
If "Yes," describe the DL course(s) in detail, including the number of required DL courses. (300 word limit)				
<p><i>There are three (3) required courses. All courses will meet in an asynchronous learning format (Canvas). The MNG 531- Advanced Blast design and Technology/Detonation theory and applications in mining engineering - This course review the detonation theories for mining applications. The course also includes the study of detonation of mining accidents in a methane coal dust scenario.</i></p> <p><i>MNG 621 - Instrumentation for Blasting and Blast Mitigation- This course includes the instrumentation for day-to-day blasting applications and instrumentation used for research. Students will have access to material to elaborate lab reports and one in-person day at the campus of the University of Kentucky to use the equipment.</i></p> <p><i>MNG 625 - Environmental Aspects of Blasting/Federal and State Regulations - This course will cover non-desire effects of blasting for mining including ground vibrations, fly rock events. The course also will introduce the students the federal and state regulations regarding blasting for mining and civil projects.</i></p> <p><i>Students without an equivalent course in the theory of explosives in the Bachelor's degree will be required to take MNG 331 – Explosives and Blasting as a pre-requisite/co-requisite.</i></p>				
3. ADMINISTRATION AND RESOURCES				
3a Administration. Describe how the proposed graduate certificate will be administered, including admissions, student advising, retention, etc. (150 word limit)				
<p><i>The certificate director, with advice from the Chair of Mining Engineering, will administer the proposed certificate program. The certificate director will review applications with the support of the corresponding UK office or certified third-party who will conduct background checks for the applicants. A positive answer in questions 18 to 24, or the lack of prove citizenship will keep applicants to be admitted. Please see attachment. Admitted students will receive individualized advising from the certificate director to guarantee the students achieve their expected educational outcomes. If needed the certificate director will provide academic advising to keep the retention in the program. GPAs will be monitored as part of the individualized advising with the certificate director and must be a 3.0 or greater.</i></p>				
3b Faculty of Record and Certificate Director. (related to 2c) The initial faculty of record will be Dr. Tom Novak, Dr. Jhon Silva (the initial certificate director), and Dr. Josh Calnan. The faculty of record will establish policies for adding and removing members as appropriate who should demonstrate practical and theoretical experience in blasting for mining and have produced publications and/or research related to the topics covered in the program. Subsequent certificate directors will be selected by the chair of the Department of Mining Engineering in consultation with the faculty of record. At least three members of the graduate certificate's faculty of record must be members of the Graduate Faculty. The Chair of Mining Engineering will appoint new members based on their qualifications and experience with Blasting. If a faculty member no longer wants to serve as a faculty of record, they will make the request to the Chair of Mining Engineering.				
The graduate certificate is affiliated with a degree program.				Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

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	If “Yes,” list the name of the affiliated degree program below. If “No,” describe below the process for identifying the faculty of record and the certificate director, including selection criteria, term of service, and method for adding and removing members. <i>(150 word limit)</i>		
	Dr. Tom Novak as chair of the mining department will be involved in the certificate program. He will provide advice and guidance to the certificate director. The certificate director will be Dr. Jhon Silva. Dr. Silva’s expertise in blasting is fundamental for the academic organization of the online certificate. The three core courses included in the certificate are classes previously taught by Dr. Silva in the Mining Department. Dr. Josh Calnan, who has extensive teaching experience in blasting, will also be involved in teaching courses. Members of the online program should demonstrate practical and theoretical experience in blasting for mining, have produced publications and/or research related to the topics covered in the program.		
3c	Course utilization. Will this graduate certificate include courses from another unit(s)?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	If “Yes,” two pieces of supporting documentation are required.		
	<input type="checkbox"/> Check to confirm that appended to the end of this form is a letter of support from the other units’ chair/director ³ from which individual courses will be used. The letter must include demonstration of true collaboration between multiple units ⁴ and impact on the course’s use on the home educational unit.		
	<input type="checkbox"/> Check to confirm that appended to the end of this form is verification that the chair/director of the other unit has consent from the faculty members of the unit. This typically takes the form of meeting minutes.		
3d	Financial Resources. What are the (non-course) resource implications for the proposed graduate certificate, including any projected budget needs? <i>(300 word limit)</i>		
	<i>It is estimated that the modification of existing course material and the development of new material will require one faculty member, one staff member, and one graduate student. Also, a budget for supplies required for material development will be needed. The proposed certificate director Dr. Silva, was awarded with funds as part of the Provost initiative to increase offerings via UK online.</i>		
3e	Other Resources. Will the proposed certificate utilize resources (e.g. departmentally controlled equipment or lab space) from additional units/programs?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	If “Yes,” identify the other resources that will be shared. <i>(150 word limit)</i>		
	If “Yes,” two pieces of supporting documentation are required.		
	<input type="checkbox"/> Check to confirm that appended to the end of this form is a letter of support from the appropriate chair/director ⁴ of the unit whose “other resources” will be used.		
	<input type="checkbox"/> Check to confirm that appended to the end of this form is verification that the chair/director of the other unit has consent from the faculty members of the unit. This typically takes the form of meeting minutes.		
4. IMPACT			
4a	Other related programs. Are there any related UK programs and certificates?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	If “Yes,” describe how the new certificate will complement these existing UK offerings. <i>(250 word limit)</i>		

³ A dean may submit a letter only when there is no educational unit below the college level, i.e. there is no department/school.

⁴ Show evidence of detailed collaborative consultation with such units early in the process.

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If “Yes,” two pieces of supporting documentation are required.

Check to confirm that appended to the end of this form is a letter of support from each potentially-affected academic unit administrators.

Check to confirm that appended to the end of this form is verification that the chair/director has input from the faculty members of the unit. This typically takes the form of meeting minutes.

5. ADMISSIONS CRITERIA AND CURRICULUM STRUCTURE

5a Admissions criteria. List the admissions criteria for the proposed graduate certificate. (150 word limit)

Applicants for admission to the proposed graduate certificate must hold, at least, a Bachelor’s Degree in Mining or Civil Engineering or other related degree prior to enrolling in the program. Applicants without an equivalent course in the theory of explosives in their coursework will be required to take MNG 331 – Explosives and Blasting as a pre-requisite/co-requisite depending on which certificate courses are offered for the semester to which they seek to enroll. Applicants must submit to and pass a background check prior to being admitted into the program because of the potential misuse of the explosives knowledge. The certificate director will make final decisions regarding whether prior coursework and related degree counts towards meeting admissions requirements.

5b Core courses. List the required core courses below.

Prefix & Number	Course Title	Credit Hrs	Course Status ⁵
MNG 625	Identification, Mitigation, and Control of the Environmental Aspects of Blasting	3	New
MNG 531	Advanced blast design and technology/detonation theory and applications in mining engineering	3	Change
MNG 621	Instrumentation for blasting and blast mitigation	3	Change
			Select one....
			Select one....
<i>Total Credit Hours of Core Courses:</i>			

5c Elective courses. List the electives below.

Prefix & Number	Course Title	Credit Hrs	Course Status ⁶
			Select one....
			Select one....
			Select one....
			Select one....
			Select one....

⁵ Use the drop-down list to indicate if the course is a new course (“new”), an existing course that will change (“change”), or if the course is an existing course that will not change (“no change”).

⁶ Use the drop-down list to indicate if the course is a new course (“new”), an existing course that will change (“change”), or if the course is an existing course that will not change (“no change”).

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		Select one....
5d	Are there any other requirements for the graduate certificate? If "Yes," note below. (150 word limit)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	<i>MNG 621 will have a laboratory component that requires students to attend a two-day face-to-face session conducted at the University of Kentucky Explosive Research Team Lab (UKERT lab). The in-person meeting can be scheduled in synchrony with the online course or be completed the semester after MNG 621 is taken. The student will receive an incomplete until this requirement is fulfilled. In either situation, this face-to-face laboratory session must be completed for successful completion of the certificate. Students must earn a GPA of 3.0 or greater for all courses taken in pursuit of the certificate.</i>	
5e	Is there any other narrative about the graduate certificate that should be included in the Bulletin? If "Yes," please note below. (300 word limit)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
6. ASSESSMENT		
6a	Student learning outcomes. Please provide the student learning outcomes for the graduate certificate. List the knowledge, competencies, and skills (learning outcomes) students will be able to do upon completion. (Use action verbs, not simply "understand.") (250 word limit)	
	<i>Students will be able to use explosives for mining or civil engineering applications. Students will understand the different detonation theories and its practical implementation in the field to optimize the required energy to break the rock. Students will acquire skills to measure and control secondary effects of the use of explosives such as air-blast and vibrations through the use and study of monitoring equipment and design practices for such propose.</i>	
6b	Student learning outcome (SLO) assessment. How and when will student learning outcomes be assessed? Please map proposed measures to the SLOs they are intended to assess. Do not use grades or indirect measures (e.g. focus groups, surveys) as the sole method. Measures likely include artifacts such as course-embedded assessment (e.g., portfolios, research papers or oral presentations); and course-embedded test items (embedded test questions, licensure/certification testing, nationally or state-normed exams). (300 word limit)	
	<i>Courses will be structured around learning modules in Canvas to meet student learning outcomes [SLOs]. At the end of each learning module, students will be required to pass an online quiz related to the topic under study. Some courses will require students to compose essays, research papers or create blast designs that include assessment of environmental impact as part of their assignments to meet SLOs. Students will upload assignments and homework into Canvas on specific dates. Appropriate and relevant questions from tests as well as key assignments will be selected as artifacts to assess the SLOs. The students should complete a successfully blast design including the assessment of its environmental effects.</i>	
6c	Certificate outcome assessment⁷. Describe evaluation procedures for the proposed graduate certificate. Include how the faculty of record will determine whether the program is a success or a failure. List the benchmarks, the assessment tools, and the plan of action if the program does not meet its objectives. (250 word limit)	

⁷ This is a plan of how the certificate will be assessed, which is different from assessing student learning outcomes.

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An evaluation survey will be distribute at the end of each module for the students to review and comment the relevance and quality of the topics covered in each module. The evaluation survey will include topics such as recruitment, enrollment, retention, student performance and students satisfaction.

7. OTHER INFORMATION

7a Is there any other information about the graduate certificate to add? *(150 word limit)*
 This certificate fills a need within Mining Engineering, specifically the blasting and explosives community to provide highly-skilled engineers who are capable of conducting controlled blasting, mitigating the environmental impact involved in the use of explosives, and working as an intermediary between community leaders mine operators, and other stakeholders. This certificate will be the second nationally offered program, which extends UK’s existing reputation as a leader in mining engineering. This certificate benefits our students’ ability to maintain their competitive advantage and increase their earnings and supports the University’s mission to strengthen the quality and distinctiveness of our graduate programs to transform our students into accomplished scholars and professionals who contribute to the Commonwealth, the nation, and the world.

8. APPROVALS/REVIEWS

Information below does not supersede the requirement for individual letters of support from educational unit administrators and verification of faculty support (typically takes the form of meeting minutes).

	Reviewing Group Name	Date Approved	Contact Person Name/Phone/Email
8a	<i>(Within College) In addition to the information below, attach documentation of department and college approval. This typically takes the form of meeting minutes but may also be an email from the unit head reporting department- and college-level votes.</i>		
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8b	(Collaborating and/or Affected Units)		
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8c	(Senate Academic Council)	Date Approved	Contact Person Name
	Health Care Colleges Council (if applicable)		
	Graduate Council		

From: [Pearson, RaeAnne](#)
To: [Brandenburg, Barbara](#)
Cc: [Weber, Annie](#)
Subject: Notification of intent for Graduate Certificate in Explosives and Blasting, GCERT1, Post-baccalaureate Certificate (14.2101)
Date: Tuesday, January 22, 2019 10:09:19 AM

Dear Barbara Brandenburg ,

Thank you for submitting a Notification of intent for **Graduate Certificate in Explosives and Blasting, GCERT1, Post-baccalaureate Certificate (14.2101)**.

My email will serve 2 purposes: 1.) Next steps for SACSCOC, and 2.) Verification and notification that you have contacted OSPIE—a Senate requirement for proposal approval.

1. **Next steps for SACSCOC:** None required
2. **Verification that OSPIE has reviewed the proposal:** Based on the documentation presented the proposed program does not constitute a substantive change as defined by the University or SACSCOC, the university's regional accreditor. Therefore, no additional information is required by the Office of Strategic Planning & Institutional Effectiveness at this time. The proposed program change(s) may move forward in accordance with college and university-level approval processes.

IMPORTANT: *Certificates (undergraduate and graduate) will be added to the CPE Inventory once they have been approved by the University Senate. For degree programs, an NOI will be submitted by the Office of Strategic Planning and Institutional Effectiveness to CPE and you will need to work closely with our office to ensure that your proposal meets all external CPE requirements and deadlines.*

Should you have any questions or concerns about UK's substantive change policy and its procedures, please do not hesitate to contact our office.

Office of Strategic Planning & Institutional Effectiveness
University of Kentucky
[Visit the Office of Strategic Planning and Institutional Effectiveness Website](#)

From: [Novak, Thomas](#)
To: [Brandenburg, Barbara](#)
Cc: [Silva Castro, Jhon](#)
Subject: RE: Explosives and Blasting
Date: Monday, January 28, 2019 3:30:07 PM

Barbara,

The faculty approved the on-line Certificate in Explosives and Blasting on 12/18/2018.

Tom Novak

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Thomas Novak, Ph.D., P.E.
Professor and Department Chair
Alliance Coal Academic Chair
Department of Mining Engineering
University of Kentucky
230 Mining & Mineral Resources Bldg
504 Rose Street
Lexington, KY 40506-0107
Phone: 859-257-3818
Fax: 859-323-1962
E-mail: Thomas.Novak@uky.edu

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From: Brandenburg, Barbara
Sent: Monday, January 28, 2019 2:28 PM
To: Silva Castro, Jhon; Novak, Thomas
Subject: Explosives and Blasting

Hi Drs. Silva and Novak,

I was getting the packet ready for the certificate to be sent out and realized I don't have an email where the faculty approved the certificate.

Dr. Novak, if you could send me an email with the date the faculty approved it, that would be great. Once I get the approval, it will leave the college.

Thanks,

BJ

BJ Brandenburg
College of Engineering
Director of Student Records
355-S F. Paul Anderson Tower



University of Kentucky
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January 28, 2019

To Whom It May Concern:

This letter is to confirm that the faculty of the College of Engineering has reviewed and approved the attached proposal for the graduate certificate in Explosives and Blasting. The faculty reviewed the proposal documents via email and there were no concerns raised.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kimberly W. Anderson', with a long horizontal flourish extending to the right.

Kimberly Anderson, Ph.D.
Associate Dean for Administration and Academic Affairs

see blue.

An Equal Opportunity University

Instructions

- 1. Who must fill out and complete this form?** EACH employee possessor, as defined below, MUST personally complete this questionnaire form and certify that the answers are true, correct, and complete. This form is not required to be completed by Employee Possessors whose sole responsibility is transporting explosives in commerce.
- 2. To whom do I submit this form?** You must complete and submit this form to your employer (*applicant for license/permit*). The employer will submit this form, along with the application, to ATF. If this form is being submitted AFTER a license or permit has been issued in order to ADD you as an employee possessor, then the form must be accompanied by a signed letter from the licensee or permittee requesting that you be added as an employee possessor. If this form is being submitted for at least a second time, in relation to the same license/permit renewal, the employee possessor may follow instructions 3 below and the form should be sent to: ATF, Federal Explosives Licensing Center, 244 Needy Road, Martinsburg, WV 25405.
- 3. Resubmission of form upon 3-year renewal of license/permit.** The person completing the form may choose to resubmit a photocopy of their original ATF Form 5400.28 provided the information has not changed. You must certify that all the answers are still true, accurate and complete by signing and dating the form.
- 4. Why is this form required?** 18 U.S.C., Chapter 40, was amended by the Safe Explosives Act of 2002 (the Act). The Act made it unlawful for certain persons to ship, transport, receive, or possess explosive materials. The Act also made it unlawful to distribute explosive materials to certain persons. Information you provide on this form will allow ATF to determine whether you, an employee possessor in the explosives business or operations, are prohibited from shipping, transporting, receiving, or possessing explosive materials. 18 U.S.C. § 842(d), (i).
- 5. Should documentation be attached to clarify a response to a question or item?** Providing additional documentation to clarify a response to a specific question or item on the front of this form could help prevent a delay in processing your Employer Possessor Questionnaire. Please ensure that your name is on any attached documents(s). In addition, if your employer is renewing a Federal explosives license or permit, ensure that the employer's current license or permit number is on any attached documents.
- 6. How do I obtain additional forms?** The form can be downloaded from ATF's website in Adobe PDF format at www.atf.gov/forms/index.htm. The form can be ordered using ATF's Online Distribution Center Order Form at www.atf.gov/dcof/index.htm. The form can also be ordered by calling ATF's Distribution Center at (301) 583-4696.
- 7. What do I do if I am prohibited from possessing explosives as indicated above?** If you are prohibited from possessing explosives, you may request relief from your Federal explosives disability by filing an ATF Form 5400.29, Application for Restoration of Explosives Privileges. This form can be downloaded from ATF's website at www.atf.gov/forms/index.htm or may be obtained by calling (202) 648-7110. Please be advised that you cannot possess explosives until such time that relief from Federal explosive disabilities may be granted. For example, if you are a nonimmigrant alien, you should answer "yes" to question 25, and you are prohibited from possessing explosives. You may file a relief application, but you cannot possess explosives until such time that ATF may grant you relief.
- 8. Need assistance in completing the form?** Please review information online concerning this form at www.atf.gov, contact the National Licensing Center at (404) 417-2750, or contact your local ATF office.

ATF Form 5400.28 is used to determine the eligibility of the employee possessor to possess explosive materials. Under Federal explosives laws it is unlawful for certain prohibited persons to possess explosives. See 18 U.S.C. § 842(d) and (i). 18 U.S.C. § 845 (a)(1) provides that these prohibitions do not apply to any "aspects of transportation of explosive materials via railroad, water, highway, or air that pertain to safety, including security, and are regulated by the United States Department of Transportation or the Department of Homeland Security." The Department of Transportation and the Transportation Security Administration have exercised their regulatory authority concerning employee qualifications to transport explosive materials. Accordingly, ATF does not have to determine the eligibility to possess explosives of Employee Possessors who fall within this exception.

Definitions

- 1. Under Indictment or Information or Convicted in Any Court.** An indictment, information, or conviction in any Federal, State, or local court.
- 2. Employee Possessor.** An employee possessor is an individual who has **actual or constructive possession** of explosive materials during the course of his employment. **Actual possession** exists when a person is in immediate possession or control of explosive materials (*e.g., an employee who physically handles explosive materials as part of the production process; or an employee, such as a blaster, who actually uses explosive materials*). **Constructive possession** exists when an employee lacks direct physical control over explosive materials, but exercises dominion and control over the explosive materials, either directly or indirectly through others (*e.g., an employee at a construction site who keeps keys for magazines in which explosive materials are stored, or who directs the use of explosive materials by other employees; or an employee transporting explosive materials from a licensee to a purchaser*).
- 3. Alien.** An alien in the United States means any person who is not a citizen or national of the United States.

Exceptions

- A person who has been convicted of a felony, or any other crime, for which the judge could have imprisoned the person for more than one year, is not prohibited from shipping, transporting, possessing, or receiving explosives if: (1) the conviction was properly invalidated by a court on the basis that the conviction was unconstitutional; (2) in the case of a Federal conviction, the person received a Presidential pardon; or (3) ATF granted relief from Federal explosives disabilities under 18 U.S.C. § 845(b), 27 CFR 555.142.
- Purposes of this form, aliens can be employee possessors if they are lawful permanent residents. 18 U.S.C. § 842(d)(7); (i)(5).

Privacy Act Information

The following information is provided pursuant to Section 3 of the Privacy Act of 1974, 5 U.S.C. § 552a(e)(3):

- 1. Authority.** Solicitation of this information is made pursuant to 18 U.S.C. §§ 842, 843. Disclosure of this information by the employee possessor is mandatory if the employee possessor wishes to possess explosives.
- 2. Purpose.** To determine the eligibility of the employee possessor to possess explosive materials.
- 3. Routine Uses.** The information will be used by ATF to make determinations set forth in paragraph 2. In addition, information may be disclosed to other Federal, State, foreign, and local law enforcement and regulatory agency personnel to verify information on the employee possessor questionnaire and to aid in the performance of their duties with respect to the regulation of explosives unless such disclosure is prohibited by law. Finally, the information may be disclosed to members of the public in order to verify the information on the questionnaire when such disclosure is not prohibited by law.
- 4. Effects of not supplying the requested information.** Failure to supply complete information will delay processing and may cause denial of the application.
- 5. Disclosure of social security number.** Disclosure of the individual's social security number is voluntary. Under 18 U.S.C. §§ 842(f), 843, and Executive Order 9397, November 22, 1943, ATF has the authority to solicit an individual's social security number. The number may be used to verify the individual's identity.

Paperwork Reduction Act Notice

This request is in accordance with the Paperwork Reduction Act of 1995. The purpose of this information collection is to determine the eligibility of the employee possessor to engage in certain operations. The information requested is required to obtain or retain a benefit and is mandatory by statute 18 U.S.C. 843.

The estimated average burden associated with this collection is 20 minutes per respondent, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be addressed to Reports Management Officer, Document Services Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, Washington, DC 20226.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.



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April 10, 2019

Re: Letter of support for proposed online graduate certificate in Explosives and Blasting

To Whom It May Concern:

The College of Engineering has reviewed the proposal for the online graduate certificate in Explosives and Blasting. This review included the educational aspects and administrative feasibility of the proposed structure. I confirm that the proposal is administratively feasible and it has the support of our college.

Sincerely,

A handwritten signature in black ink that reads 'Rudy Buchheit'.

Rudy Buchheit
Dean, College of Engineering