**Section 200.920 Enforcement Actions**

a) Pursuant to Sections 2011, 3002, 3004, 5001 and 5006 of the Act, the Department is authorized to take the following enforcement actions:

1) refuse to issue or renew an explosives license, a temporary explosives license, or a storage certificate, as set forth in Subparts B and C;

2) suspend or revoke an explosives license, a temporary explosives license, or a storage certificate with notice of a hearing;

3) summarily suspend or revoke an explosives license, a temporary explosives license, or a storage certificate without notice of a hearing when the Department finds that a condition or practice exists that could reasonably be expected to cause death, serious physical harm, or property damage;

4) cancellation of a storage certificate for storage of explosive materials in excess of the amount authorized by the certificate or change in physical conditions surrounding the magazine, as set forth in Subpart I;

5) imposition of fines not to exceed $5,000 per occurrence;

6) issuance of a notice of violation;

7) imposition of temporary or permanent conditions on a license or storage certificate;

8) any other disciplinary action the Department may deem proper;

9) apply for an administrative search warrant; and

10) issuance of a violation to any individual/person possessing, using, acquiring, transferring, handling, disposing, or storage explosive materials in a manner that endangers the public health, safety, or welfare (public endangerment) pursuant to 225 ILCS 210 and this Part.

b) Term of Suspension or Revocation

In those instances in which the Department suspends or revokes a license or certificate, the term of the suspension or revocation shall not exceed 5 years.

c) Death of Magazine Keeper

If a licensee or magazine keeper dies, an additional magazine keeper listed on the storage certificate paperwork will become the magazine keeper. If no qualified licensees or magazine keeper exists, the explosives shall be seized through its agents and/or local law enforcement for public safety purposes (see 225 ILCS 210).

d) Bankruptcy

If a licensee or storage certificate holder enters bankruptcy, liquidation or receivership or has a receiving order made against it, then any receiver, trustee in bankruptcy, or liquidator shall be treated as being the licensee, or magazine keeper, and must possess and/or store explosive material in compliance with the Act and this Part. If no qualified licensee or magazine keeper exists, the explosives shall be seized through its agents and/or local law enforcement for public safety purposes.

e) Bankruptcy of Licensee's Business

If a licensee's business is put in the hands of a receivership or a liquidator, the license and/or storage responsibilities automatically transfer with the business. The receiver or liquidator therefore becomes responsible for the licensing requirements and/or storage requirements of the explosive materials while the business and/or business assets is in their hands. If no qualified licensees or magazine keepers exist, the explosives shall be seized through its agents and/or local law enforcement for public safety purposes.

(Source: Amended at 48 Ill. Reg. 9600, effective June 24, 2024)