

**WHATCOM COUNTY
SHERIFF'S OFFICE**
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Sheriff



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TO: Satpal Sidhu, County Executive

FROM: Donnell Tanksley, Sheriff

DATE: May 27, 2026

SUBJECT: Summary and Rationale for Interlocal Agreement on Explosives Storage

This memorandum provides an overview of the operational background, legal requirements, and public safety rationale supporting an interlocal agreement between the Bellingham Police Department (BPD) and the Whatcom County Sheriff's Office (WCSO) for the placement and shared use of state-licensed explosives storage magazines.

BACKGROUND:

The Bellingham Police Department Hazardous Devices Unit (HDU) is a regionally deployed bomb squad staffed by nationally certified bomb technicians. These personnel respond to explosive threats, suspicious packages, and hazardous materials incidents throughout Whatcom County and northern Skagit County. They also hold Hazmat Technician certifications and participate in specialized regional response programs. The HDU typically manages 25 to 40 hazardous device incidents each year, many of which require rapid access to properly stored explosives and specialized tools.

In addition to the HDU, both BPD and WCSO maintain explosive breaching programs within their respective Special Weapons and Tactics (SWAT) and Special Response Unit (SRU) teams. Explosive breaching is a highly controlled, legally regulated technique used during high-risk operations such as barricaded subjects, hostage rescues, and situations where traditional entry methods are unsafe or ineffective. Only trained and certified personnel are authorized to use these tools, and their deployment is governed by strict safety, legal, and operational standards.

PURPOSE AND NEED:

The safe storage, handling, and licensing of explosives are essential components of both bomb disposal and explosive breaching operations. Washington State law requires that all explosives be stored in L&I-licensed magazines that meet specific construction, placement, and security standards. These requirements are codified in WAC 296-52 and include annual inspections, strict access controls, and mandatory licensing for individuals who handle or transport explosives.

A compliant storage solution is not optional; it is a legal requirement. Failure to maintain proper storage exposes both agencies and, by extension, the County to regulatory penalties, civil liability, and operational risk. Proper storage also ensures that bomb technicians and breachers can respond quickly to life-threatening incidents without delays caused by distant or inaccessible storage locations.

PROPOSAL SUMMARY:

The proposed interlocal agreement authorizes the placement of a Type 2 explosives storage magazine and a Type 4 detonator storage magazine at the Whatcom County Central Shop located at 901 W. Smith Road. These magazines will be licensed through Washington State L&I and maintained in full compliance with WAC 296-52. The magazines will serve as a shared resource for authorized personnel from both BPD and WCSO, including bomb technicians and explosive breachers.

BPD's Special Operations Lieutenant, or their designee, will take over the inventorying of the explosives and manage all licensing, recordkeeping, and annual inspections. This includes oversight of Explosive Handler Licenses (EHLs), which are required for individuals accessing the magazines unless exempt under emergency provisions. BPD will pay all associated licensing fees, including magazine licensing and EHL fees. Compliance issues or facility concerns will be jointly reported to BPD's Special Operations Lieutenant and WCSO's SRU Lieutenant to ensure transparency and shared oversight.

The agreement includes a 30-day written termination clause, allowing either agency to withdraw without penalty. Should the agreement end, each agency would resume responsibility for its own storage and licensing costs.

LIABILITY AND RISK MANAGEMENT CONSIDERATIONS:

From a legal and risk-management perspective, the proposed agreement reduces exposure for both agencies and the County. Centralized, compliant storage ensures adherence to state regulations, minimizes the risk of unauthorized access, and provides a clear chain of responsibility for licensing and inspections. The agreement also establishes a documented framework that demonstrates proactive compliance, an important factor in defending against claims of negligence or inadequate supervision.

Operationally, the availability of properly stored explosives enhances the safety of officers and the public during high-risk incidents. Delays or non-compliant storage can increase danger, prolong critical incidents, and create avoidable liability. By establishing a shared, centrally

located storage solution, the County supports faster, safer, and more effective emergency response.

CONCLUSION:

The proposed interlocal agreement provides a legally compliant, operationally necessary, and cost-neutral solution for explosives storage. It strengthens regional emergency response capabilities, ensures adherence to Washington State regulatory requirements, and reduces liability exposure for both agencies and the County. The magazines will serve as a shared resource for authorized personnel from BPD and WCSO, supporting critical life-safety missions at no cost to Whatcom County.

FUNDING AMOUNT AND SOURCE:

The proposal is no cost to Whatcom County and is designed to ensure compliance with Washington State Labor & Industries (L&I) regulations while supporting critical life-safety missions carried out by both agencies. Council authorization is required pursuant to RCW 39.34.030(2) for agreements between public agencies.

If you have questions, please contact Lieutenant Magnus Gervol at extension 6727.

Enclosures