Safety

U.S. Army Explosives Safety Program

Headquarters
Department of the Army
Washington, DC
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UNCLASSIFIED

SUMMARY of CHANGE

AR 385-64

U.S. Army Explosives Safety Program

This revision--

- o Establishes an Executive Director for Explosives Safety (para 1-4c).
- o Establishes the U.S. Army Technical Center for Explosive Safety to provide technical services for the Army (para 1-4c).
- o Establishes a Fuze Safety Board (para 1-4e).
- o Establishes the Department of the Army Explosives Safety Council (para 2-1a).
- o Describes coordination between the Department of the Army and the Department of Defense Explosives Safety Board (paras 3-1 and 3-2).
- o Provides contractor safety requirements for ammunition and explosives (para 4-2).
- o Provides guidelines for transportation (paras 5-1, 5-2, and 5-3).
- o Provides guidelines for site plans and licensing (paras 6-2, 6-3, and 6-4).
- o Establishes requirements for waivers, exemptions, and certificates of compelling reasons (paras 7-2, 7-3, and 7-4).
- o Provides guidance for the remediation of active and Formerly Used Defense Sites contaminated with ammunition and explosives (chap 8).

Effective 31 December 1997

Safety

U.S. Army Explosives Safety Program



History. This is a complete revision of AR 385-64, Ammunition and Explosives Safety Standards.

Summary. This regulation provides force protection guidance for commanders with an ammunition or explosives mission. It sets explosives safety standards to protect military and civilian Army employees, the public, and the environment. It is to be used with DA Pam 385-64. It implements DOD 6055.9

STD. This regulation establishes the Department of the Army Explosives Safety Council (DAESC). It also sets forth procedures for transporting ammunition or explosives over the public highway.

Applicability. This regulation applies to the active Army, the Army National Guard (ARNG), and the U.S. Army Reserve (USAR), Government owned, contractor operated (GOCO) facilities, and contractor operations on Government property. It also applies to U.S. owned ammunition and explosives stored in or by a host country.

Proponent and exception authority. The proponent of this regulation is the Chief of Staff, Army. The proponent has the authority to approve exceptions to this regulation that are consistent with controlling law and regulation. Proponents may delegate approval authority, in writing, to a division chief under their supervision within the proponent agency who holds the grade of colonel or civilian equivalent.

Army management control process. This regulation is subject to the requirements

of AR 11-2. It contains internal control provisions but does not contain checklists for conducting internal control reviews.

Supplementation. Supplementation of this regulation and establishment of command and local forms is prohibited without prior approval from HQDA Army Safety Office (DACS-SF), 200 Army Pentagon, Washington, DC 20310-0200.

Suggested Improvements. Users are invited to send comments and suggestions for improvement on DA Form 2028 (Recommended Changes to Publications and Blank Forms) to HQDA Army Safety Office, DACS-SF, 200 Army Pentagon, Washington, DC 20310-0200.

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^{*}This regulation supersedes AR 385-26, 10 October 1967; AR 385-60, 1 January 1982; AR 385-64, 22 May 1987; and AR 385-65, 15 April 1983.

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Chapter 1 General

1-1. Purpose

- a. This regulation provides force protection guidance for commanders with an ammunition and/or explosives mission. It sets explosives safety standards to protect soldiers, civilian employees, family members, contractors, the general public, and the environment. This regulation prescribes Department of the Army (DA) safety policy, standards, responsibilities, and procedures for implementing and maintaining the U.S. Army Explosives Safety Program.
- b. The explosives safety standards prescribed in DA Pam 385–64 will be used together with this regulation.
- c. Explosives storage must conform with Department of Defense (DOD) and Army standards for explosives safety unless the use of other criteria (such as those of the North Atlantic Treaty Organization (NATO) or host nation have been agreed to or are mandatory. A copy of all agreements will be made a permanent part of the real property records.
- d. This regulation applies to ammunition and explosives during peacetime, wartime, contingency operations, training, exercises, and research, development, testing and evaluation (RDTE).

1-2. References

Required and related publications and prescribed and referenced forms are listed in appendix A.

1-3. Explanation of abbreviations and terms

Abbreviations and special terms used in this regulation are explained in the glossary.

1-4. Responsibilities

- a. The Assistant Secretary of the Army (Installations, Logistics, and Environment (ASA(IL&E)), establishes overall Army policy to ensure compliance with applicable safety, environmental, and occupational health laws and regulations.
- b. The Assistant Secretary of the Army (Research, Development, and Acquisition)[ASA(RD&A)] oversees the materiel acquisition management of the Army Industrial Safety Program for ammunition.
- c. The Director of Army Safety (DASAF), Office of the Chief of Staff, U.S. Army (OCSA), administers and directs the U.S. Army Explosive Safety Program as an integral part of the overall Army Safety Program specified in AR 385–10. The DASAF will—
- (1) Establish and promulgate explosives safety policy and standards in coordination with Chief of Staff, U.S. Army (CSA) and ASA(IL&E).
- (2) Approve all actions that imply or establish a DA explosives safety position.
- (3) Advise the Secretary of the Army, CSA, Executive Director for Explosives Safety (EDES), and DOD agencies on all matters concerning the U.S. Army Explosives Safety Program.
- (4) Coordinate and chair the activities of the DA Explosives Safety Council (DAESC).
- (5) Serve as the Headquarters, Department of the Army (HQDA) focal point for integration and coordination of explosives safety activities within the Army Staff (ARSTAF).
- (6) Provide direction and tasking to the Director, U.S. Army Technical Center for Explosives Safety (USATCES), on explosives safety matters.
 - (7) Serve as proponent for Army explosives safety training.
- (8) Represent HQDA at national and international explosives safety meetings and conferences.
- (9) Establish procedures to investigate explosives accidents as specified in AR 385-40.
- (10) Recommend approval or disapproval to ASA(IL&E) of major Army command (MACOM) explosives safety exemption requests.
- (11) Submit recommendations for the Army member, alternate member, and permanent Army representative to the Department of

- Defense Explosives Safety Board (DDESB). Recommendations will be approved by the ASA (IL&E).
- (12) Monitor the status of MACOM exemption requests and corrective actions resulting from DDESB surveys.
- (13) Review and approve plans for leasing, transferring, or disposing of Army real property and Formerly Used Defense Sites (FUDS) where ammunition, explosives, or chemical warfare materiel contamination exist or are suspected.
 - d. The Deputy Chief of Staff of Logistics (DCSLOG) will-
- (1) Develop logistics policy and guidance for the safe surveillance, transportation, storage, maintenance, packaging, and demilitarization of ammunition and explosives.
- (2) Ensure the integration of explosives safety requirements into ammunition and explosives construction programs.
- e. The Commanding General, U.S. Army Materiel Command (CG, AMC), will—
- (1) Develop and maintain explosives safety standards for AMC industrial operations and the ammunition production base.
 - (2) Appoint an Executive Director for Explosives Safety.
- (3) Establish a Fuze Safety Board to ensure that fuzing systems provide an optimum degree of safety. The board will—
- (a) Serve as the technical authority for fuze safety of all Army nonnuclear munitions.
 - (b) Issue or withdraw interim and/or final safety certifications.
- (c) Review system safety risk assessments to determine the level of risk during the fuze lifecycle.
- (d) Establish and review design safety criteria and safety requirements for all Army nonnuclear fuzes and safety and arming devices.
- f. The Commanding General, U.S. Army Corps of Engineers (USACE), will establish procedures to ensure that ammunition and explosives facilities are designed and constructed to comply with applicable Federal, State, DOD, and DA statutory and regulatory standards.
- g. MACOM commanders will establish and operate an explosives safety program, as a part of their overall safety program, to include the following:
- (1) Appoint an Occupational Safety and Health Manager in accordance with AR 385–10, qualified under Office of Personnel Management standards, as the single point of contact for all aspects of the MACOM Safety Program, including management of the explosives safety program.
 - (2) Comply with AR 385-10 and this regulation.
- (3) Ensure subordinate organizations maintain an effective explosives safety program.
- (4) Designate, in writing, subordinate officials authorized to exercise waiver and exemption approval authority. (See chap 7.)
- (5) Review and approve memorandums of agreement (MOAs) concerning the storage or disposal of non-DOD hazardous materials on Army real estate, consistent with the requirements of 10 USC 2692 and with any delegation of authority necessary under 10 USC 2692.
- h. The EDES develops and executes the Army Explosives Safety Program pursuant to policies established by DOD and DASAF. The EDES will—
- (1) Plan, program, and budget the resources necessary to accomplish the EDES and USATCES mission and to assist HQDA and MACOMs in executing the U.S. Army Explosives Safety Program, including assistance to eliminate safety waivers and exemptions.
- (2) Establish priorities, based upon guidance from the DAESC and DASAF, for the technical support functions provided by USATCES.
- (3) Exercise executive management and operational control of USATCES.
- (4) Support the DASAF in representing Army views to the DDESB
- (5) Conduct special studies on explosives safety issues as directed by the DAESC, DASAF, or ARSTAF elements.
- *i.* The Director of USATCES will provide technical services to support and enhance the U.S. Army Explosives Safety Program. The Director of USATCES will—

- (1) Review and act as final Army approval authority for site and general construction plans.
- (2) Provide technical assistance and track explosives safety waivers or exemptions and Certificates of Compelling Reasons.
- (3) Provide technical support to the ARSTAF for budgetary planning on matters affecting explosives safety.
- (4) Provide explosives safety technical information and assistance in support of Army-wide operations.
- (5) Establish and maintain an explosives safety technical database and a comprehensive explosives safety technical library.
- (6) Maintain and execute the U.S. Army Explosives Safety Test Management Program to validate, establish, or modify explosives safety requirements
- (7) Promote research, development, promulgation, and application of explosives safety technology.
- (8) Analyze explosives accident data and track remedial actions to develop and recommend corrective measures to the DASAF.
 - (9) Provide explosives accident investigation assistance.
- (10) Track DDESB surveys to assist and support the MACOMs in accomplishing corrective measures required to comply with DA and DOD ammunition and explosives safety standards.
- (11) In coordination with the DASAF, identify explosives safety training requirements for the Army using the Defense Management Education and Training Program and the Army Training Requirements and Resources System.
- (12) Support explosives safety training requirements for the other military services as defined in this regulation and in the Single Manager for Conventional Ammunition charter. Training requirements will be continually assessed by the DASAF, EDES, USATCES, and MACOM to ensure explosives safety expertise is provided to support the Army mission as it relates to explosives safety.
- (13) Perform initial and periodic validation of explosives manufacturing and load, assemble, and pack processes and provide copies of validations to DASAF.
- (14) Assign hazard classification to explosives and ammunition and ensure proper coordination with DOD and the military services.
- (15) Conduct Specific Operation Assistance Reviews (SOARS) of ammunition activities as requested by HQDA or the MACOMs. The SOARS will be scheduled and coordinated with the MACOMs. Reports will be provided directly to the commander involved, and will contain observations, comments, and recommendations for improvements or changes to specific ammunition operations or processes to enhance safety.
- j. Commanders of installations and agencies with an ammunition or explosives mission will—
- (1) Establish a program to implement this regulation and DA Pam 385–64 which identifies the responsibilities of all organizations (including tenants) with an explosives mission.
- (2) Ensure the explosives safety program complies with this regulation and DA Pam 385-64.
- (3) Appoint an Occupational Safety and Health Manager in accordance with AR 385–10, who is qualified under Office of Personnel Management standards, as the single point of contact for all aspects of the safety program including management of the explosives safety program.
- (4) Ensure knowledgeable and qualified personnel review site plans, safety submissions, and facility designs.
- (5) Ensure qualified personnel review explosives safety waiver and exemption requests for facilities and equipment and provide the commander with essential risk data regarding the deficient situation.
- (6) Develop and maintain MOAs with non-DOD organizations for the storage of non-DOD ammunition and explosives on the installation. The Commander will submit MOAs through command channels to the MACOM for approval. The MOAs should, at a minimum, include:
- (a) The maximum explosives limits or quantity of explosives authorized for storage.

- (b) The requirement to inspect magazines to ensure that the explosives limits are being complied with, and that the ammunition does not present a hazardous condition.
- (c) An agreement on questions of liability in the event of an accidental detonation.
- k. Commanders of units with an ammunition mission will establish a unit explosives safety program to implement this regulation and DA Pam 385–64.

1-5. Policy and goal

- a. The DA explosives safety policy is—
- (1) To provide the maximum possible protection to people and property from the dangerous effects of accidents involving ammunition and explosives.
- (2) To limit exposure to a minimum number of persons, for a minimum amount of time, to the minimum quantity of ammunition and explosives consistent with safe and efficient operations.
- (3) To comply with DOD and Army ammunition and explosives safety standards.
- b. The goal of explosives safety is to protect personnel and property, and to improve combat readiness—
- (1) By developing, testing, manufacturing, transporting, maintaining, storing, using, handling, disposing of, and demilitarizing explosives in such a manner as to control their inherent hazards.
 - (2) By avoiding injuries and property damage.
 - (3) By minimizing explosives safety waivers and exemptions.

Chapter 2 Department of the Army Explosives Safety Council

2-1. Objectives

- a. The DAESC is organized as a standing Army council to discuss and resolve Army explosives safety policy issues. The council is established to give selected MACOMs a voice in the formation of Army explosives safety policy.
- b. The DAESC is chaired by the DASAF and composed of members from selected MACOMs.
- c. Primary DAESC members are appointed by the MACOM commander. Members will be in the rank of colonel or higher. The alternate member will be the MACOM Safety Director. Both primary and alternate members are encouraged to attend the semiannual DAESC meetings, although only one member may vote on any single issue.
- \emph{d} . The DAESC makes policy recommendations to the DASAF and CSA.
- e. The DAESC serves as a special investigation council for the DASAF on explosives issues, as required.
- f. The Office of the Secretary of the Army and the Army Staff may participate in council meetings at their request or at the request of the DAESC.
- g. The ASA(IL&E) will provide continuing representation in an advisory role.

2-2. Composition

- a. The DAESC wil report to the Chief of Staff, U. S. Army through the Director of Army Safety. The DAESC is chaired by the Director of Army Safety. The U.S. Army Materiel Command Deputy Chief of Staff for Ammunition is the altenatic chair.
 - b. Voting MACOMS and ARSTAF are as follows:
 - (1) U.S. Army, Europe and Seventh Army (USAREUR).
 - (2) Eighth U.S. Army (EUSA).
 - (3) U.S. Army South Command (USARSO).
 - (4) U.S. Army Pacific (USARPAC).
 - (5) U.S. Forces Command (FORSCOM).
 - (6) U.S. Army Training and Doctrine Command (TRADOC).
 - (7) National Guard Bureau (NGB).
 - (8) U.S. Army Materiel Command (AMC).
 - (9) U.S. Army Corps of Engineers (USACE).

2-3. Procedures

- a. On issues requiring a decision by the DAESC, a consensus of the voting MACOMS and ARSTAFF is required. A quorum is achieved when seven of the ten voting MACOMS and ARSTAF are in attendance. If a consensus cannot be reached the issue will voted on with the chair having the tie-breaking vote.
- b. When operational, logistical, or other considerations relating to the ARSTAF are to be discussed, a representative from the appropriate ARSTAF office must be informed and invited to attend. Other governmental agencies may be invited to participate when issues under review affect those agencies. Members may invite advisers and consultants who do not vote in the DAESC proceedings.
 - c. The DAESC will meet semiannually or at the call of the chair.
- d. Actions will be decided by majority vote. Actions that do not receive a majority may be resubmitted at a future meeting.
- e. When the meetings are not held at HQDA, the chairman or the host command will provide administrative support.
- f. Funding for participation of DAESC members will be provided by the respective command or agency.
- g. The USATCES will schedule meetings, identify agenda topics, prepare the agenda, present issues before the council, prepare and issue minutes, and monitor progress of DAESC action items.
- h. The DASAF will review proposed explosives safety policies prior to submission to the DAESC.

Chapter 3 Coordination with the Department of Defense Explosives Safety Board

3-1. Relationship with the Army

The DDESB is a joint service activity of the DOD. It is subject to the direction, authority, and control of the Secretary of Defense (SECDEF). The DDESB's jurisdiction includes all DOD components worldwide. This chapter provides a general description of the DDESB and the Army's relationship to the DDESB.

3-2. Functions of the Board

The Board-

- a. Provides advice to the SECDEF, the secretaries of the military departments, and directions to the defense agencies on—
- (1) Ammunition and explosives manufacturing, testing, handling, maintenance, developing, demilitarization, disposal, transportation, and storage.
- (2) The siting of facilities within the United States and overseas when under U.S. jurisdiction, or when planned or intended for U.S.-titled ammunition and explosives.
- b. Develops DOD safety standards for ammunition and explosives, which are implemented by this regulation and DA Pam 385-64.
- c. Maintains liaison with other Federal and State agencies, allied governments, and industries with interests or responsibilities in ammunition and explosives safety.
- d. Surveys, studies, and evaluates Army explosives safety performance to ensure compliance with DOD 6055.9–STD, and to detect conditions that may endanger life and property. Provides reports on violations of the standard and recommends corrective actions.
- e. Reviews and approves the explosives safety aspects of all plans for siting and construction or modification of fixed and movable ammunition and explosives facilities, including facilities in their proximity. Facilities being constructed under combat conditions or with the immediate expectations of combat conditions are exempt from this requirement.
- f. Reviews and approves plans for leasing, transferring, or otherwise disposing of Army real property where ammunition, explosives, chemical warfare materiel exist or are suspected.

- g. Reviews and comments on plans for response activities at Formerly Used Defense Sites (FUDS) where ammunition, explosives, or chemical warfare materiels exist or are suspected.
- h. Conducts programs for the investigation, research, study, and testing required to develop and maintain explosives safety standards.
- *i.* In coordination with DOD components, establishes joint procedures for explosives hazard classification and arbitrates or otherwise resolves differences resulting from or pertinent to the assignment of hazard classification.

3-3. Army relationship to the Board

HQDA provides administrative support for the DDESB and its secretariat to include budgeting, funding, civilian personnel, security, and any other required administrative services. The Army—

- a. Provides the Board with information and support needed to discharge its assigned responsibilities and functions.
- b. Submits plans for new construction or modification of existing facilities, outlining the type, character, and siting of the proposed construction or modification for review and approval.
- (1) This must be done before the project is included in proposed legislation for the current budget year or before NATO or host country approval of funds.
- (2) If plans provide less than the prescribed safety requirements, they will be accompanied by a certification that the siting is essential due to operational necessity or other compelling reasons. Such plans will be approved by the ASA (IL&E). An information copy will be forwarded to the DDESB upon DDESB request.
- c. Submits plans for leasing, transferring, or disposing of DOD real property where ammunition, explosives, or chemical warfare materiel exist, or are believed to exist, for review and approval. For FUDS, these plans are submitted for review and comment.
- d. Implements ammunition and explosives safety standards established by the DDESB.
- e. Keeps the DDESB informed on safety issues related to ammunition and explosives development, manufacturing, testing, handling, transportation, storage, maintenance, demilitarization, and disposal.
- f. Provides personnel for DDESB working groups as requested by the Chairman, DDESB.
- g. Performs those tests and evaluations necessary to assign explosives hazard classifications in accordance with TB 700–2. Unresolved differences between the Army and other Services related to these tests and evaluations will be submitted to the Chairman, DDESB, for resolution. The tests include—
 - (1) Military hazard classification and compatibility grouping.
- (2) Transportation hazard classification, commodity description, and markings.
- h. Submits all information, reports, and requests for DDESB assistance, through command safety channels, to Director, U.S. Army Technical Center for Explosives Safety for transmittal to the Board.

3-4. Explosives safety surveys and consultation

Representatives of the Board periodically visit Army installations to conduct explosives safety surveys and to provide explosives safety consultation. Local commanders will cooperate fully by providing support and assistance and by taking part in any exit briefing. The information requested by the DDESB survey announcement letter will be furnished to the Board representative on arrival. Items usually requested are:

- a. Name and location of the organization and installation.
- b. Name, rank, and telephone number of the commanding officer, executive officer, safety director or manager, and the weapons, ordnance, or munitions officer.
- c. Up-to-date map showing location of abandoned and in-use ammunition handling and storage areas, quantity-distance (QD) arcs, transport routes, demolition areas, and range impact areas. Aerial photographs of these installation areas will be furnished, if available.
 - d. Copy of current explosives storage license.
- e. List of waivers or exemptions. QD waivers or exemptions should indicate the following information:

- (1) Source. (List of waived net explosives weight and hazard class.)
- (2) Exposed site (ES). (Identify major ESs and approximate number of personnel exposed.)
 - (3) Distance. (To ES.)
 - (4) Required distance. (To ES.)
 - (5) Future plans to eliminate waivers or exemptions.
- f. List of current operations (if applicable) involving ammunition, explosives, and chemical warefare materiel, as well as demolition activities scheduled or in process during the survey.
- g. Brief summary of explosive accidents that have occurred within the past year. Give cause, damage, and corrective action.
- h. Future plans for modification or construction of new ammunition and explosives facilities.

3-5. Site survey reports

The DDESB provides site survey reports, with findings and recommendations, to Director, USATCES.

- a. The USATCES will identify those findings that affect the entire Army and recommend corrective action to the DASAF.
- b. The USATCES will forward the report to the MACOM, indicating the findings for which the MACOM will report corrective actions or justifications.
- c. After receipt of the survey findings, a report to DDSEB that includes corrective actions, taken or planned, in response to DDESB findings will be provided to USATCES for further transmittal to the DDESB within 90 day for a CONUS installation or 120 days for an OCONUS installation.

3-6. Reports of accidents and investigations

Reports of Army explosive accidents and investigations will be forwarded to the DDESB in accordance with AR 385-40.

Chapter 4 Contractor Safety Requirements for Ammunition and Explosives

4-1. Background

This chapter provides guidance for DA contracting activities managing contracts involving ammunition, explosives, or chemical warfare materiel. Additional guidance is contained in DOD Federal Acquisition Regulation Supplement (DFARS) Subpart 223.370, Safety Precautions for Ammunition and Explosives (A&E).

4-2. Contracting officer

- a. Contracting officers will, in accordance with DFARS Subpart 223.370, incorporate the mandatory A&E safety clauses of 252.223–7002, Safety Precautions for A&E, and 252.223–7003, Change in Place of Performance, A&E, into all contracts involving A&E. When contractual work is performed at Army-owned facilities, selected Army A&E safety standards and procedures may be substituted for, or used to supplement DOD 4145.26M, DOD Contractor's Safety Manual, as long as they are cited in the contracts.
- b. Contracting officers must coordinate with appropriate safety officials who administer contractual safety requirements involving A&E, to ensure the contract addresses A&E safety issues.
- c. Any contracts involving A&E will require a preaward survey that will determine compliance with the applicable A&E safety standards in the contract. If the prospective contractor proposes subcontracting any A&E work, the preaward will include an evaluation of the proposed subcontractors' compliance with applicable safety standards.
- d. Waivers, exemptions, site plans, and general construction plans pertaining to Army-owned facilities will be processed through safety and command channels in accordance with DA Pam 385–64. Guidance on processing items pertaining to contractor-owned facilities is contained in DOD 4145.26M, DOD Contractors' Safety Manual for Ammunition and Explosives.

- (1) The contractor will not begin constructing or modifying proposed facilities until receiving site and construction plan acceptance from the administrative contracting officer (ACO).
- (2) Modification or rehabilitation plans for existing facilities that are essentially minor, introduce no new hazards, and do not increase the net explosive capacity for which the facility was designed or sited, need not be submitted. The ACO will make the final determination as to whether a site plan is necessary.
- e. The Contracting Officer will coordinate with the ACO and responsible safety personnel to ascertain contractor compliance with contractual A&E safety requirements and to ensure that the contractor is taking timely and adequate corrective action.
- f. The ACO and responsible safety personnel will monitor contractor accident investigations to ensure that the cause or causes of the accident are identified.
- g. Contractor accident investigations will be monitored by the ACO and responsible safety personnel to ensure appropriate corrective measures are taken to prevent or minimize the impact of recurrence. Contractors are required to report mishaps to the ACO in accordance with DOD 4145.26M. Contracting Officers will be notified of contractor mishaps in accordance with Defense Logistics Agency Regulation (DLAR) 8200.4 by responsible DLA safety personnel.
- h. When necessary, a separate accident investigation may be directed by the Contracting Officer.

Chapter 5 Transportation

5-1. General requirements

- a. Shipments of DOD hazardous materials (including ammunition and explosives) must be made in compliance with all applicable laws and regulations.
- b. Shipments of explosives and other hazardous materials, when appropriate, will comply with—
- (1) Department of Transportation (DOT) regulations, Title 49, Code of Federal Regulations.
 - (2) United States Coast Guard regulations and instructions.
 - (3) Port and harbor regulations.
 - (4) State and municipal laws.
- (5) Federal Aviation Agency and Civil Aeronautics Board regulations relating to air transportation.
 - (6) Host nation regulations.

5-2. Hazard classification

Explosives and ammunition must have an interim hazard classification issued by authorized personnel, or the final hazard classification must be on file with the DOT prior to acceptance for transportation. The Joint Hazard Classification System (JHCS) is the official DOD database containing the items registered for shipment. Technical Bulletin (TB) 700–2, Department of Defense Explosives Hazard Classification Procedures, provides classification procedures and JHCS authority.

- a. Requests for final hazard classifications are submitted to the Director, U.S. Army Technical Center for Explosives Safety.
- b. Interim hazard classifications are granted by the Army developmental and research activities listed in TB 700–2. Additional assistance may be obtained from the Director, U.S. Army Technical Center for Explosives Safety.
 - c. Captured or other non-standard foreign ammunition.
- (1) Captured or other non-standard foreign ammunition acquired for intelligence exploitation or opposing forces training may not be shipped without an interim hazard classification (IHC).
- (2) The organization receiving the foreign ammunition will process an IHC for each type and configuration of ammunition. An IHC may be issued only by those organizations shown in Title 49 CFR. For the U.S. Army this is the Director, U.S. Army Technical Center for Explosives Safety.
 - (3) Captured or other non-standard foreign ammunition being

shipped from outside the continental United States (OCONUS) to locations in the continental United States (CONUS) will be certified safe for transport by Explosive Ordnance Disposal (EOD) personnel or other qualified authority prior to shipment. The authority certifying the ammunition "Safe for Shipment" will assign a hazard class, division, and group for transport purposes.

- (4) For shipments by military aircraft, a copy of the safety certification and shipper's declaration for dangerous goods assigning the hazard class, division, and group will be included with the manifest.
- (5) In addition, captured or other non-standard foreign ammunition acquired for intelligence exploitation or opposing forces training must meet Performance Oriented Packaging (POP) standards of Title 49 CFR 178.600 subpart M, prior to any further CONUS or OCONUS shipment. Foreign ammunition cannot be shipped using the provisions of Title 49 CFR 171.14 (b) (5), the "grandfather clause" since foreign ammunition containers do not conform to the requirements of 49 CFR in effect on September 30, 1991 as required by Title 49 CFR 171.14 (c).

5-3. Prohibited shipments

- a. Ammunition ithat has been subjected to undue or abnormal forces, for example, dropped or heated beyond acceptable limits, will not be offered for transportation unless a MACOM designated qualified individual certifies in writing that the item is safe for transport.
- b. Ammunition that has failed to function as intended and still retains its explosive properties will not be offered for transportation unless—
- (1) Safe-to-ship procedures are obtained from the appropriate MACOM.
 - (2) The item is determined safe to transport by EOD personnel.
- (3) The item is inspected and packaged in original or equivalent materials and clearly marked as unserviceable.

Chapter 6 Site Plans and Licensing

6-1. Background

The storage of ammunition and/or explosives must conform with Army standards as set forth in DA Pam 385–64 unless the use of other criteria (such as NATO or host nation) has been agreed to and documented. A copy of all such agreements will be made a permanent part of the real property records.

6-2. Site plans

- a. Site plans will be submitted in accordance with DA Pam 385–64.
- b. Installations, units, and contractor activities will forward site plans through engineering and safety channels to the MACOM as instructed by the MACOM. The MACOM approval authority will—
- (1) Indicate specifically in the letter of transmittal its approval of the proposal, along with changes, modifications, or specific precautionary measures considered necessary.
- (2) Submit correspondence and site plans in duplicate to the Director, U.S. Army Technical Center for Explosives Safety.
- c. Normally, notification of DDESB approval on properly prepared and submitted routine plans can be expected within 90 days. The MACOM must provide the following information to request priority reviews and approval:
 - (1) Date reply is required.
 - (2) Proposed contract award date.
 - (3) Reason priority action is needed.

6-3. Explosives licensing policy

a. The QD standards of DA Pam 385–64 form the basis of explosives licensing. Where easements or protective zones are established beyond installation boundaries, these additional distances may be used in the QD calculations.

b. Facilities that cannot meet ammunition and explosives safety standards will not be licensed unless covered by an approved waiver or exemption.

6-4. Explosives licensing procedures

- a. MACOMs will-
- (1) Develop an explosives storage license approval policy.
- (2) Design or approve the formats to be used for the recording of licensing data.
- b. Installation and unit commanders will ensure that ammunition and explosives are stored only in licensed locations. Quantities will not exceed the amounts authorized on the license.

Chapter 7 Waivers, Exemptions, and Certificates of Compelling Reasons

7-1. Goal

The goal of the Army Explosives Safety Program is to eliminate all waivers and exemptions, and to adhere to all safety standards.

7–2. General information

Ammunition and explosives safety standards are designed to protect against serious injury, loss of life, and damage to property, but are not intended to be so rigid as to prevent the Army from accomplishing its assigned mission. When deviating from the standards of this regulation or DA Pam 385–64, the proper authority (table 7–1) must weigh the added risk to personnel and property against the strategic and other compelling reasons that necessitate such deviations.

- a. A waiver is written authority that permits temporary deviation from these standards for strategic or other compelling reasons. Waivers are generally granted for a short period of time pending cancellation of the waiver or correction of the waived conditions. Waivers will—
- (1) Not be granted for periods exceeding 5 years. Exceptional situations may require time for completing corrective action or actions that exceed 5 years, in which case the waived conditions will be reviewed and approved by the next higher approval authority.
- (2) Be granted by officials assigned responsibilities consistent with the level of risk identified, the authority to control the resources required to accomplish corrective actions, and the type of deviation (waiver or exemption) (fig. 7–1 and table 7–1).
- (3) Be reviewed at least annually for relevancy and applicability of control measures.
- b. Exemptions are written authority that permits long-term non-compliance with these standards for strategic or other compelling reasons. Exemptions may be granted by law, by Congressional action, or by appropriate authority (fig 7–1 and table 7–1). Exemptions will be reviewed for applicability and currency at intervals not to exceed 5 years. Exemptions must meet all the following conditions:
 - (1) Be required by a strategic or compelling need.
- (2) Required for a long-term (exceeding 5 years) or permanent departure from the explosives safety standards of this regulation or DA Pam 385–64.
- (3) Immediate correction is impracticable (for example, where Congress has not yet authorized the purchase of additional real estate or where existing facilities cannot be relocated).
- c. A Certificate of Compelling Reason (CCR) is written authority, granted by the ASA(I,L&E), to build or perform a major modification on a structure that violates or will violate the provisions of this regulation or DA Pam 385–64. MACOM commanders must certify such projects are essential because of operational necessity or other compelling reasons. Expenditure of funds in violation of DA Pam 385–64 (new construction, modifications, and so forth) requires a CCR. A CCR is valid for the life of the facility provided:
- (1) The cited mandatory requirements of DOD and DA ammunition and explosives safety standards are still applicable.
 - (2) The facility was constructed as designed and approved.

(3) Utilization of the facility is as originally intended.

7-3. Requests for waivers, exemptions, and Certificates of Compelling Reason

- a. The determination to submit a request for waiver, exemption or CCR must be based on a complete analysis of the mission, explosives requirements, and facilities.
- (1) Ease of operation must not be the only reason for requesting a waiver or exemption.
- (2) All requests for waivers and exemptions require a risk assessment by safety personnel to determine the hazards involved and to identify exposure data, compensatory measures, and actions taken or programmed to correct the hazard or exposure (fig 7–1).
- b. The operational activity will submit requests for waivers, exemptions, and CCRs through the safety office. The safety officer will assist in preparing the request, staff the request, and forward the complete package to the installation commander with a safety recommendation.
- (1) The installation commander will recommend approval or disapproval of the request.
- (2) If approved, the request will be forwarded through the chain of command to the final approval authority, as appropriate (table 7-1).
- c. At each review level, the safety officer will coordinate the review and staffing of the request. Appropriate staff officers provide information or review information on operational necessity, cost of correction, and so forth. The commander at each level must approve the request before it may be forwarded to the next review level. Disapproval requires immediate action to terminate the request.
- d. Requests for waivers, exemptions, or CCRs involving offinstallation exposures in foreign nations will be coordinated with the host nations in accordance with applicable international treaties and status-of-forces agreements.

7-4. Required information

Each request for waiver, exemption, or CCR will contain the following:

- a. The location and condition waived, exempted, or in violation, and alternatives considered.
- b. The total explosives weight by hazard class or division at each potential explosives site (PES).
- c. Distance to each exposed site (ES) from each PES and a brief description of the ES to include type and estimated value of property, and if property is located on or off the installation.
- d. Estimated number of people on and off the installation located at the ES.
- e. If a corrective action is required, the corrective action planned, to include the expected date of completion, estimated cost, and military construction project number (if assigned).
- f. A drawing at a scale of one inch equals not more than 400 feet showing all PESs, ESs, and applicable quantity-distance arcs.
- g. A statement of the residual risk level, with an explanation of its derivation from the Decision Authority Matrix (fig 7–1). A risk assessment must be documented for each deviation. For deviations from quantity-distance (QD) requirements, the residual risk is the added risk attributable to the difference between the actual distance and the required distance. That risk is based solely on effect, and may not be reduced due to low event probability. In other words, for QD deviations, use only the left column of Figure 7–1. Estimate and record the increase in potential monetary loss, the number of personnel exposed, and the increase in potential injuries due to the deviation.

7-5. Submission procedures

Each request for waiver, exemption, or CCR will be prepared on DA Form 7319–R. This form may be reproduced locally. A copy for reproduction purposes appears at the end of this regulation. Instructions for completing DA Form 7319–R are in Appendix B.

a. Waiver requests approved at the MACOM level will be processed in accordance with MACOM instructions. MACOMs will

ensure that one copy of the DA Form 7319–R and all supporting documentation is sent to the U.S. Army Technical Center for Explosives Safety (USATCES) for all waivers of conditions in excess of one year.

- b. Exemption requests and waiver requests requiring approval above the MACOM level, will be forwarded through MACOM designated channels to USATCES. Three copies of DA Form 7319–R and all supporting documentation will be provided.
- c. Requests for CCRs will accompany the site plan safety submission package when forwarded to the USATCES. The total package will then be reviewed and provided to the ASA(I,L&E) to obtain a letter of certification.

7-6. Approval authority for waivers and exemptions

- a. The level of final approval authority depends upon the level of risk identified and the type of deviation.
- b. Table 7–1 specifies the level of command authorized to approve waivers and exemptions. Exemptions may also be granted by law or congressional resolution.
- c. The MACOM, requesting organization, and USATCES will each maintain a copy of all approved waivers, exemptions, and CCRs.
- d. The USATCES will establish and maintain an automated tracking system for waivers, exemptions, and CCRs. The USATCES will provide periodic reports to keep MACOM commanders and HQDA apprised of the status, impacts, and resource requirements for waivers, exemptions, and CCRs.

Table 7-1 Waiver and exemption approval authorities Risk Level Waivers Exemptions Extremely High Commander, MACOM ASA(IL&E) Commander, MSC High Commander, MACOM Medium Commander, MSC (*) Commander, MSC Low Commander, MSC (*) Commander, MSC (*)

Notes:

- * Authority may be delegated in writing to a lower command level (installation/activity/community) according to the level of risk.
- ¹ Waivers or exemptions of these standards for off-installation exposures outside the United States or United States territory will be coordinated with the host nation in accordance with applicable international treaties and status-of-forces agreements.
- Where the exposure would involve non- Army personnel or property (other than military, civilian employees, contractors, or family members) on an installation, and there is no Army MACOM in the operational chain of command, an official of equivalent level to the Army approval authority must review and approve the waiver/exemption.
- ³ The MACOM safety officer will coordinate the request with appropriate staff agencies to ensure the compelling reasons that necessitate the waiver/examption are included in the request.
- ⁴ If the affected areas beyond the easement is open and uninhabited, that fact may be used when determining explosives limits. However, approval must be based upon documented quarterly reviews of the waived area to verify that it remains open and uninhabited.
- $^{\rm 5}$ The MACOM Commander may delegate approval authority to the appropriate general officer.
- ⁶ Where exposures include military/family housing or nonmission-related structures of public assembly such as commissaries, main exchanges, schools, nurseries, hospitals, churches, theaters, bowling alleys, gymnasiums, and so forth, approval authority may not be delegated below General Officer level.
- When an explosives safety violation requiring waiver or exemption action occurs at a facility operated by U.S. Army forces, and no Army MACOM is present in the operational chain of command, the MACOM providing the operating forces will execute the waiver or exemption. The senior deployed U.S. commander and the overall allied commander in the operational chain of command must concur.

7-7. Reviews and renewals

A copy of the review of existing waivers and exemptions will be forwarded to the approving authority by the installation, activity, or other ammunition location not later than the anniversary date, or at a date set by the approving authority.

- a. Requests for renewal must be sent to the approving authority at least 60 days before the expiration date.
- b. The organization to which the waiver, exemption, or certificate has been issued will make every effort to reduce exposure and probability of occurrence.

7-8. Cancellation

When the need for a waiver, exemption, or certificate has been eliminated, the approving authority will be notified through channels and the waiver, exemption, or certificate will be canceled. Notification will be made to the USATCES.

7-9. Waivers, exemptions, or CCRS affecting tenant units

a. When the host installation is requesting a waiver, exemption, or CCR that affects a tenant unit, the host commander must coordinate the request with the tenant unit.

- b. If a tenant unit requires a waiver, exemption, or CCR, the tenant unit must coordinate with the host installation. The request must be processed through both the tenant unit and host installation chains of command to the appropriate approval authority. Each MACOM will then send either their approval or disapproval to USATCES for further action.
- c. The host installation's MACOM will make every attempt to resolve requests involving tenant units. If a resolution cannot be agreed upon, a consolidated request package will be submitted to the Director, USATCES. The consolidated request will include both positions. Once sufficient information is obtained, USATCES will forward the request package to the appropriate approval authority.

7-10. Assistance

The USATCES will assist in preparing requests for waivers, exemptions, and CCRs. Assistance requests will be coordinated through the applicable MACOM safety office.

Decision Authority Matrix

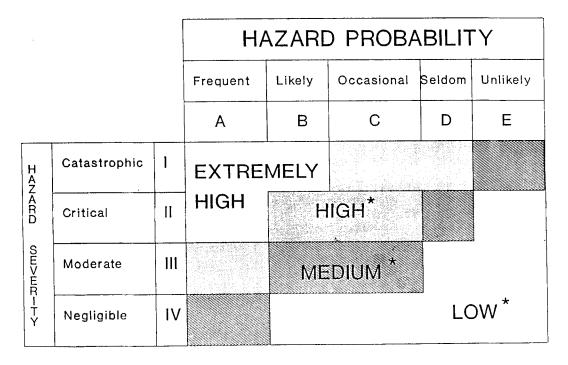


Figure 7-1. Decision Authority Matrix

Notes:

Hazard Severity. Hazard severity categories are defined to provide a qualitative measure of the worst credible mishap resulting from personnel error, environmental conditions, design inaccuracies, or

procedural deficiencies. Hazard severity categories may be defined as follows:

- a. Catastrophic Fatality, loss of facility, mission failure.
- b. Critical Serious injury, major facility damage, substantial interruption of mission capability.
- c. Moderate Minor injuries, minor facility or equipment damage, significant work interruption.
- d. Negligible No injury, no significant damage, no mission impact.

Hazard Probability. Hazard probability categories are defined to

reflect the likelihood that the worst credible mishap will occur. They may be expressed as the number of potential occurrences per unit time, per item, per person in a population.

- a. Frequent Occurs often in a facility or equipment service life.
- b. Likely Occurs several times in facility or equipment service life.
- c. Occasional Occurs infrequently or sporadically,or at some time in the facility or equipment service life.
- $\it d.$ Seldom Possible, but unlikely or remote chance of occurence in facility or equipment service life.
- e. Unlikely Not expected to occur in career/equipment service life.

Chapter 8 Real Property Contaminated with Ammunition and Explosives

The Department of Defense is drafting policies and procedures to minimize explosives safety risks and to ensure protection of human health and the environment in present and former DOD ranges. With respect to active and inactive ranges, the DOD Explosive Safety Board is staffing a directive that will address unexploded ordnance explosive safety issues. The Department is also engaged in rulemaking under the Administrative Procedures Act to address response activities on closed, transferred, and transferring ranges. Accordingly, Army policies and procedures in these areas will be provided when the DOD directive and DOD Range Rule are finalized. Until then, practitioners should consult technical and legal personnel for guidance.

Appendix A References

Section I Required Publications

AR 385-10

The Army Safety Program (Cited in paras 1-4c, 1-4g(1), 1-4g(2), and 1-4j(3)).

AR 385-40

Accident Reporting and Records (Cited in paras 1-4c(9) and 3-6).

DA Pam 385-64

Ammunition and Explosives Safety Standard (Cited in paras 1–1b, 1–4j(1), 1–4j(2), 1–4k, 3–2b, 4–2d, 6–1, 6–2a, and 6–3a).

DFARS

Department of Defense Federal Acquisition Regulations Supplement (Cited in paras 4-1 and 4-2a). This publication may be obtained from the Superintendent of Documents, Congressional Sales Office, U.S. Government Printing Office, Washington, D.C. 20402.

DOD 4145.26M

DOD Contractors' Safety Manual for Ammunition and Explosives (Cited in paras 4–2a, 4–2d, and 4–2g).

Section II Related Publications

TB 700-2

DOD Explosives Hazard Classification Procedures

Section III Prescribed Forms

DA Form 7319-R

Explosives Safety Waiver/Exemption Request (Cited in paras 7–5, 7–5a, and 7–5b.)

Section IV Referenced Forms

This section contains no entries.

Appendix B Instructions for completing DA Form 7319-R

B-1. Block 1.

Type of Request: Indicate whether the request is an initial or renewal by marking an "X" in the appropriate box. Similarly indicate whether the request is for a waiver or exemption.

B-2. Block 2.

Date: Enter the date in month, day, year sequence that the explosives waiver or exemption request (DA Form 7319–R is prepared; for example, 12/30/92.

B-3. Block 3.

Organization: List the name of the requesting installation, including the official mailing address and DSN or commercial phone number, for the office that will serve as point of contact on the request action.

B-4. Block 4.

Identification number: In the upper right-hand corner place the abbreviation for the responsible MACOM; for example, FORSCOM, AMC, and so forth. Below the MACOM abbreviation, enter the identification in the following sequence. Enter a "W" for a waiver, an "E" for an exemption, and a "C" for a CCR. followed by a

month/day/year and sequence number displayed in two numerical digits for that day; that is, if there were two waivers submitted for the 30th day of December 1992, the second waiver identification number would read "W12309202." The identification number block will be completed by the MACOM office responsible for controlling waiver submissions to prevent having submissions with the same identification number. Once initially assigned, this identification number will remain the same throughout the life of the waiver/exemption/CCR.

B-5. Block 5.

Projected time period required: In the "From:" block enter the date that the condition was or will be initially established. In the "To" block, enter the date by which the waiver/exemption/CCR is expected to no longer be needed. It is possible for exemptions/CCRs to have an "indefinite" date. Express all dates in month, day, year sequence; for example, 12/29/92.

B-6. Block 6.

Description of explosives safety provision violated: Indicate the specific paragraphs and the wording in DA Pam 385-64 which is being violated.

B-7. Block 7.

Information on the potential explosion site (PES).

- a. Block 7a. Site identification and description. Enter the building number or other identifier and description of the PES.
- b. Block 7b. Site function. Enter the function statement, definitive drawing number, and type of construction for the PES.
- c. Block 7c. NEW. Enter the NEW or the authorized high explosives equivalency, in pounds, for the total quantity of explosives involved.
 - d. Block 7d. HD. Enter the HD of all explosives involved.
- e. Block 7e. Estimated correction cost. Enter the estimated total cost, expressed in dollars, involved in correcting the violation.

B-8. Block 8.

Information on ESs. Enter the appropriate information for each exposed facility, site, or area shown on the site map. Enter the information for all onpost facilities in block 8a and offpost facilities in block 8b.

- a. Column 1. The site ID is a number that identifies the ES that correlates with the attached site map.
- b. Column 2. Give a word description of its function; for example, administrative building/area, storage/POL, storage/metal parts, maintenance/vehicle, and so forth. Show all ESs that do not meet required QD. For non QD waivers, show this exposure information for all potentially affected sites, normally the PES only. For site plans on new PESs, show all ESs within the PES Q-D arcs, regardless of QD.
- c. Column 3. Enter the required QD separation distance in feet. Leave this blank for submissions not involving QD.
- d. Column 4. Enter the actual separation in feet, that exists or is planned to be used. Leave this blank for submissions not involving QD.
- e. Column 5. Enter the maximum number of personnel estimated to be in the exposed site at any one time.
- f. Column 6. Enter the current estimated replacement cost of the ES expressed in dollars. If the ES would not be replaced, enter the estimated cost of the existing structure.
- g. Column 7. Enter the codes, found at the bottom of the front page of DA Form 7319-R, that best identify the violation/hazard.

B-9. Block 9

- a. Block 9a. Explain how the mission of the organization would be limited or hampered if the waiver, exemption, or CCR were not approved.
- b. Block 9b. Indicate the expected results (deaths/injuries, dollar loss, mission impact) resulting from the predicted MCE. Use the information in DA Pam 385–64, chapter 5, on effects of explosions at various distances as the basis for performing this risk assessment.

Attach the description of the predicted MCE and risk assessment as support documentation.

B-10. Block 10.

Enter the actions that are being and will be taken to ensure safe operations and correct the violations encountered. These actions will be explained in detail. The interim safety measures will be outlined in detail but will not be used to replace the permanent correction. Abatement plans will be included as support documentation. Information on MCA projects, for example, project number, funding status, and so forth, will be entered in this block.

B-11. Blocks 11 - 15.

Enter the appropriate office required for concurrence and approval action.

B-12. Block 16.

Indicate the appropriate level of final approval authority (based on the level of risk identified and the type of deviation). Additionally, the approval authority will enter the reason for disapproval (if necessary), conditions needed to obtain approval, or special conditions required for approval.

Glossary

Section I Abbreviations

AMC

United States Army Material Command

ARSTAF

Army staff

ASA(IL&E)

Assistant Secretary of the Army (Installations, Logistics, and Environment)

ASA(RDA)

Assistant Secretary of the Army (Research, Development, and Acquisition)

CG

Commanding General

CSA

Chief of Staff, United States Army

DA

Department of the Army

DCSLOG

Deputy Chief of Staff of Logistics

DFARS

Defense Federal Acquisition Regulation Supplement

DOD

Department of Defense

DOT

Department of Transportation

EOD

explosive ordnance disposal

EUSA

Eighth United States Army

FORSCOM

Forces Command

FUDS

formerly used defense sites

HODA

Headquarters, Department of the Army

MACOM

major Army command

MTMO

Military Traffic Management Command

NATO

North Atlantic Treaty Organization

NGB

National Guard Bureau

OCSA

Office of the Chief of Staff, United States Army

RDTE

research, development, test, and evaluation

SECDEF

Secretary of Defense

TB

technical bulletin

TRADOC

United States Army Training and Doctrine Command

USACE

United States Army Corps of Engineers

USAREUR

United States Army Europe

USARPAC

United States Army Pacific

USARSO

United States Army South

Section II

Terms

Ammunition and explosives

Includes (but is not limited to) all items of ammunition; propellants, liquid and solid; high and low explosives; guided missiles; warheads; devices; pyrotechnics; chemical agents; and components and substances associated therewith, presenting real or potential hazards to life and property.

Common carrier

A person who transports passengers or goods for a fee.

Easement

The right to make limited use of another person's real property.

Exemption

A written authority that permits a long-term deviation from a mandatory requirement of United States Army ammunition and explosives safety standards. Exemptions will be reviewed for applicability and currency at intervals not to exceed 5 years.

Explosive license

An installation-generated document which shows the allowable net explosives weight at each explosive site.

Hazard classification

An assignment of ammunition and explosives (class 1 substances) into one of six divisions for purposes of storage, transportation, and QD computations. These divisions are:

- a. 1.1 mass detonating
- b. 1.2 fragment producing
- c. 1.3 mass fire
- d. 1.4 moderate fire
- e. 1.5 very insensitive explosives and blasting agent (Used by the Army for trans-

portation only.)

f. 1.6 - extremely insensitive ammunition

Waiver

A written authority that permits a temporary deviation from a short-term (5 years or less) mandatory requirement of United States Army ammunition and explosives safety standards. (See exemption.)

Section III

Special Abbreviations and Terms

ACO

administrative contracting officer

A&E

ammunition and explosives

CCR

certificate of compelling reasons

DAESC

Department of the Army Explosives Safety Council

DASAF

Director of Army Safety

DDESB

Department of Defense Explosives Safety Board

EDES

Executive Director for Explosive Safety

ES

exposed site

OEW

Ordnance and explosives waste

DEC

potential explosives site

QD

quantity-distance

SOARS

Specific Operation Assistance Reviews

USATCES

United States Army Technical Center for Explosives Safety

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EXPLOSIVE WAIVER/EXEMPTION REQUEST					1. TYPE OF REQUEST			2. DATE				
For use of this form, see AR 385-64; the proponent												
	agency is (Initial	P	Renewal					
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6. DESCRIPTION OF EXPLOSIVES STANDARD VIOLATED (Include the paragraph number from DA Pam 385-64)												
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b. Of MCE (Death/Injury, Mission Impact)											
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