



Department of Defense

DIRECTIVE

NUMBER 6055.9E
August 19, 2005

USD(AT&L)

SUBJECT: Explosives Safety Management and the DoD Explosives Safety Board

- References:
- (a) DoD Directive 6055.9, "DoD Explosives Safety Board (DDESB) and DoD Component Explosives Safety Responsibilities," July 29, 1996 (hereby canceled)
 - (b) Section 172 of title 10, United States Code
 - (c) DoD 6055.9-STD, "DoD Ammunition and Explosives Safety Standards," October 25, 2004
 - (d) DoD Instruction 4145.26, "DoD Contractor's Safety Requirements for Ammunition and Explosives," April 9, 2005
 - (e) through (l), see enclosure 1

1. REISSUANCE AND PURPOSE

This Directive:

1.1. Reissues reference (a); updates policies, authorities, and responsibilities for DoD Explosives Safety Management (ESM); implements reference (b) in the Department of Defense; and continues to operate the DoD Explosives Safety Board (DDESB) as a standing joint board.

1.2. Continues to authorize references (c) and (d), consistent with DoD 5025.1-M (reference (e)), and requisite DoD ESM guidance; and sets the requirement for developing, implementing, and maintaining effective DoD ESM.

1.3. Continues to designate the Secretary of the Army as the DoD Executive Agent for DoD emergency response to transportation mishaps involving DoD military munitions according to DoD Directive 5101.1 (reference (f)).

2. APPLICABILITY

This Directive applies to:

2.1. The Office of the Secretary of Defense (OSD), the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the Department of Defense (hereafter referred to collectively as the “DoD Components”). The term “Military Services,” as used herein, refers to the Army, the Navy, the Air Force, and the Marine Corps.

2.2. ESM associated with DoD operations, activities, and installations worldwide, including Government-owned/contractor-operated facilities, and where on-base or nearby non-DoD activities or operations encumber the Department of Defense.

3. DEFINITION

Explosives Safety Management. A cost-effective risk management process, including policies, procedures, standards, engineering, and resources, that addresses potential probabilities and consequences of mishaps involving DoD military munitions or other encumbering explosives or munitions, to sustain operational capabilities and readiness and to protect people, property, and the environment.

4. POLICY

Consistent with peacetime, contingency, or wartime operational requirements and corresponding DoD military munitions requirements, it is DoD policy to:

4.1. Provide the maximum possible protection to people and property from the potential damaging effects of DoD military munitions (explosive and chemical). According to reference (b) and consistent with the U.S. Attorney General Opinion of October 27, 1949 (reference (g)), the explosives safety standards promulgated by the Department of Defense are binding, minimum safety standards.

4.2. Comply with reference (c) and, when outside the United States, comply with host-nation, multinational, or U.S. explosives safety standards, whichever are more stringent unless standards applicability is mandated by international agreement.

4.3. Develop quantitative risk-based explosives safety assessment tools and criteria and utilize such as decision-making aids when appropriate.

4.4. Minimize exposures consistent with safe and efficient operations (i.e., expose the minimum number of people for the minimum time to the minimum amount of explosives or chemical agents).

4.5. Enhance readiness and mission capability by providing for ESM considerations throughout the military munitions life-cycle.

4.6. Implement and maintain effective ESM programs within the DoD Components.

4.7. Prohibit the disposal (e.g., burying, dumping) of DoD military munitions on land or in water except when specifically authorized by the Head of the DoD Component concerned or his or her designee. This prohibition does not preclude the covering of munitions with earth to control fragments and noise during authorized testing or destruction by detonation, or the use of in situ capping, when implemented as an engineered remedy under an authorized munitions response action.

4.8. Give precedence to ESM principles and requirements that provide for immediate protection of people and property while complying with applicable environmental regulations.

4.9. Conduct appropriate munitions response actions on real property that are known or suspected to contain munitions and explosives of concern, according to appropriate environmental law including Chapter 103 of title 42, United States Code, and Title 40, Code of Federal Regulations Part 300 (references (h) and (i)), using the most appropriate technology to ensure the protection of public safety, health, and the environment, consistent with the current land use or appropriate future use of the property.

5. RESPONSIBILITIES

5.1. The Deputy Under Secretary of Defense for Installations and Environment (DUSD(I&E)), under the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)), shall:

5.1.1. Establish objectives, guidance, and procedures for ESM, as authorized by DoD Directives 5134.1 and 4715.1E (references (j) and (k)).

5.1.2. Integrate ESM principles and values into DoD military munitions acquisition.

5.1.3. Recommend an individual to fill the OUSD(AT&L) Joint-credit DDESB Chairman's billet, from officers in the grade of O-6 or higher nominated by the Secretaries of the Military Departments or a civilian government employee equivalent, to the USD(AT&L). The position customarily rotates among the Military Departments when filled by an officer who serves a minimum 3-year term.

5.1.4. Promulgate ESM performance auditing, measurement, and reporting processes.

5.1.5. Establish DoD ESM priorities for use by the DoD Components in ESM planning, programming, and budgeting.

5.1.6. Continue to reissue reference (c) as necessary.

5.2. The Director of Defense Research and Engineering, under the USD(AT&L) shall ensure research and engineering (R&E) investments address ESM technology requirements in coordination with the DUSD(I&E); the Secretaries of the Military Services; and the Chairman, DDESB.

5.3. The Chairman, DDESB shall report to the DUSD(I&E) and on behalf of the USD(AT&L) and the DUSD(I&E), shall:

5.3.1. Continue to serve as the Department of Defense's principal executive representative and advisor on ESM matters.

5.3.2. Exercise DoD-wide executive-level management and oversight of DoD Component-level ESM programs to maintain effective DoD ESM, including performing programmatic or systemic reviews and installation-level compliance surveys.

5.3.3. Collaborate with the Military Service-appointed voting DDESB members to recommend ESM objectives and priorities, and ESM performance auditing, measurement, and reporting processes; maintain the explosives safety standards in reference (c); identify ESM technology requirements and programmatic and systemic ESM issues; and identify and analyze R&E, special study, and testing proposals for consideration for programming to maintain effective DoD ESM.

5.3.4. Provide advice and technical assistance on explosives and chemical agent issues throughout all DoD functional areas and activities.

5.3.5. Collect, aggregate, and assess data from the DoD Components and annually provide the Secretary of Defense and the Heads of the DoD Components a written report on the ESM posture in the Department of Defense.

5.4. The Director, Defense Contract Management Agency, under the USD(AT&L), shall:

5.4.1. Include requisite aspects of commercial endeavors connected with the DoD military munitions life-cycle, including pre-award and post-award contract monitoring, in his or her ESM program and in coordination with the Chairman, DDESB.

5.4.2. Support the DDESB as the agency technically responsible for maintaining reference (d) and DoD 4145.26-M (reference (l)). Maintain direct coordination with the Army Joint Munitions Command and the Joint Ordnance Commanders' Group Safety Subgroup on this effort.

5.5. The Heads of the DoD Components shall:

5.5.1. Implement this Directive and any implementing guidance.

5.5.2. Establish, resource, implement, and maintain effective DoD Component-level ESM programs. Annually audit their programs to assess efficacy and provide timely assessment reports to the Chairman, DDESB.

5.5.3. Implement DoD Component-level explosives safety standards consistent with reference (c) to ensure effective ESM while meeting mission requirements.

5.5.4. Accept risk greater than that afforded by the minimum explosives safety standards only when required by strategic or compelling operational necessity and when acceptance is supported by a written risk assessment leading to an informed management decision by an appropriate leadership authority. When a compelling necessity exists, documentation may occur after the risk acceptance decision has been made.

5.5.5. Submit timely copies of all DoD Component-approved waivers and exemptions from minimum explosives safety standards, including supporting rationale documentation, to the applicable Combatant Command and to the Chairman, DDESB.

5.5.6. Ensure fully informed ESM decisions by appropriate authorities are fully documented throughout the DoD military munitions life-cycle.

5.5.7. Develop and maintain coordinated DoD Component-level ESM R&E, special study, and testing programs overseen and coordinated by the Chairman, DDESB.

5.5.8. Address the Hazards of Electromagnetic Radiation to Ordnance (HERO) throughout the DoD military munitions life-cycle, consistent with DoD Directive 3222.3 (reference (m)).

5.5.9. Investigate and report all DoD military munitions mishaps to the Chairman, DDESB according to DoD Instruction 6055.7 (reference (n)).

5.5.10. Conduct appropriate munitions response actions on real property known or suspected to contain munitions and explosives of concern, according to appropriate environmental law including references (h) and (i), using the most appropriate technology to ensure the protection of public safety, health, and the environment, consistent with the current land use or appropriate future use of the property.

5.5.11. Submit all explosives and chemical agent safety provisions pursuant to early transfer or lease of real property from DoD control prior to cleanup and all requisite documentation to the Chairman, DDESB for review and approval.

5.5.12. Provide the DDESB with timely access to installations and facilities, requested programmatic information, and DoD military munitions mishap sites and data.

5.6. The Secretary of the Army shall:

5.6.1. Provide the Chairman, DDESB and associated staff with sufficient resources (e.g., budgeting, funding, civilian personnel, security, secure communications) and required administrative services, including special compartmented information billet support, to maintain effective DoD-wide executive-level ESM and oversight.

5.6.2. Facilitate timely access to DoD-wide ESM-related accident data and lessons learned; explosives safety waivers, exemptions, and certificates of compelling reasons; and joint hazard classification records.

5.6.3. Fund a DoD-level ESM R&E, special study, and testing program to maintain effective DoD ESM.

5.6.4. Assign one qualified (i.e., experienced in military munitions management and/or explosive ordnance disposal, and hereafter referred to as “qualified”) officer in the grade of O-6 to the DDESB staff on a full-time basis.

5.6.5. Appoint two additional qualified individuals (a primary and alternate) in the grade of O-6 or higher, or civilian government employee equivalent, to act as his or her DDESB voting members for maintaining reference (c).

5.6.6. Ensure Army career programs develop personnel qualified to serve as ESM subject matter experts.

5.6.7. Serve as the DoD Executive Agent for DoD emergency response to transportation mishaps involving DoD military munitions. Responsibilities are limited to developing command and control procedures; maintaining the DoD coordination center using the Defense Transportation Tracking System as the DoD focal point for initial notification of transportation mishaps involving DoD military munitions; establishing procedures, personnel qualifications, and training to ensure the safe commercial movement of DoD military munitions and the prevention of mishaps; and taking timely actions following a mishap by a commercial carrier involving the transportation of DoD military munitions.

5.7. The Secretary of the Navy and the Secretary of the Air Force shall each:

5.7.1. Assign one qualified officer in the grade of O-6 to the DDESB staff on a full-time basis.

5.7.2. Appoint two additional qualified individuals (a primary and alternate) in the grade of O-6 or higher, or civilian government employee equivalent, to act as their DDESB voting members for maintaining reference (c).

5.7.3. Ensure their Military Service career programs develop personnel qualified to serve as ESM subject matter experts.

5.8. The Secretary of the Navy shall also:

5.8.1. Assign one qualified officer in the grade of O-5 from the Marine Corps to the DDESB staff on a full-time basis.

5.8.2. Appoint two additional qualified individuals (a primary and alternate) in the grade of O-6 or higher, or civilian government employee equivalent, to act as his or her Marine Corps DDESB voting members for maintaining reference (c).

5.8.3. Ensure the Commandant of the U.S. Coast Guard agrees to use DoD ESM practices to enable seamless ESM transitions when Coast Guard units are assigned to operate as part of the Navy.

5.9. The Chairman of the Joint Chiefs of Staff shall:

5.9.1. Integrate ESM into operational and exercise planning.

5.9.2. Involve the DoD Components in ESM decision-making.

5.9.3. Facilitate timely DDESB access to installations and facilities, requested programmatic information, and DoD military munitions mishap sites and data.

5.10. The Commanders of the Combatant Commands (COCOM), through the Chairman of the Joint Chiefs of Staff, shall:

5.10.1. Integrate ESM into all phases of contingencies, warfighting, and training, including addressing HERO consistent with reference (m).

5.10.2. Review for approval applicable DoD Component-approved waivers and exemptions from minimum explosives safety standards. Submit timely copies of all COCOM-approved waivers and exemptions, including subordinate and supporting rationale documentation, to the Chairman, DDESB. Provide timely feedback to the submitting DoD Components.

5.10.3. Notify and coordinate ESM decisions with all affected commands and, as appropriate, affected local and host nation government officials and citizens, to ensure continual awareness of the potential damaging effects of DoD military munitions mishaps.

5.10.4. Provide the DDESB with timely access to installations and facilities, requested programmatic information, and DoD military munitions mishap sites and data.

5.10.5. Involve the DoD Components in ESM decision-making.

5.11. The Commander, U.S. Transportation Command, through the Chairman of the Joint Chiefs of Staff, shall:

5.11.1. Include the requisite aspects of DoD military munitions transportation, terminal, and yard operations, for all modes of commercial carriage within the United States or from points of U.S. origin through aerial and sea ports of embarkation and debarkation worldwide, in his or her ESM program.

5.11.2. Obtain coordination with the Chairman, DDESB and the Secretary of Transportation regarding ESM matters related to transporting DoD military munitions.

5.11.3. Develop, coordinate, and maintain, in concert with the Military Services and the DDESB, requisite allowances, authorities, or preapprovals to be immediately activated when necessary to allow the expedited movement of DoD military munitions during periods of national emergency, contingency, or wartime. Inform the Chairman, DDESB when any activations occur.

6. EFFECTIVE DATE

This Directive is effective immediately.



Gordon England
Acting Deputy Secretary of Defense

Enclosure - 1

E1. References, continued

E1. ENCLOSURE 1

REFERENCES, continued

- (e) DoD 5025.1-M, "DoD Directives System Procedures," March 5, 2003
- (f) DoD Directive 5101.1, "DoD Executive Agent," September 3, 2002
- (g) U.S. Attorney General Opinion of October 27, 1949 (41 Op. Atty. Gen. 38 (1949))
- (h) Chapter 103 of title 42, United States Code
- (i) Title 40, Code of Federal Regulations, Part 300, "National Oil and Hazardous Substances Pollution Contingency Plan," current edition
- (j) DoD Directive 5134.1, "Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L))," April 21, 2000
- (k) DoD Directive 4715.1E, "Environment, Safety, and Occupational Health" March 19, 2005
- (l) DoD 4145.26-M, "DoD Contractors' Safety Manual for Ammunition and Explosives," September 1997
- (m) DoD Directive 3222.3, "DoD Electromagnetic Environmental Effects (E3) Program," September 8, 2004
- (n) DoD Instruction 6055.7, "Accident Investigation, Reporting, and Record Keeping," October 3, 2000