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OPNAVINST 8020.15A
MCO 8020.13A
N41/CMC (I&L)
27 Feb 08

OPNAV INSTRUCTION 8020.15A
MARINE CORPS ORDER 8020.13A

From: Chief of Naval Operations
Commandant of the Marine Corps

Subj: EXPLOSIVES SAFETY REVIEW, OVERSIGHT, AND VERIFICATION OF
MUNITIONS RESPONSES

Ref: (a) DoDD 6055.9E of 19 Aug 05
(b) DoD 6055.9-STD of 5 Oct 04
(c) NAVSEA OP 5 Volume I
(d) CNO ltr Ser N457F/452-98 of 27 Jul 98 (NOTAL)
(e) OPNAVINST 5090.1C
(f) MCO P5090.2A
(g) NOSSAINST 8020.15A

Encl: (1) Glossary of Terms

1. Purpose. To provide policy, define authority and assign responsibilities for the explosives safety aspects of munitions responses.

2. Cancellation. OPNAVINST 8020.15/MCO 8020.13.

3. Background. A munitions response is action taken to address explosives safety, human health, or environmental risks presented by munitions and explosives of concern (MEC) which include unexploded ordnance (UXO), discarded military munitions (DMM) or munitions constituents (MC). The response may include investigation, removal and remedial action that can be as simple as implementing administrative or legal controls to preserve compatible land use (i.e., institutional controls) or as complicated as a long-term response action involving sophisticated technology, specialized expertise, and significant resources.

4. Scope. This policy applies to all Department of the Navy (DON) munitions responses that involve MEC and occur at sites other than operational ranges. The exception would be a pre-existing burial site located on an operational range. The burial site would be subject to this policy while the overall operational range is not.

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5. Terms and definitions. See enclosure (1).

6. Policy. References (a) and (b) require the Navy and Marine Corps to address the explosives safety hazards associated with real property known or suspected to contain military munitions. Explosives safety hazards must be addressed prior to conducting a munitions response, changing land use to a use that is incompatible with the degree of MEC potentially present, or transferring or leasing such property from DoD control. Explosives Safety Submissions (ESSs) and land disposal or transfer documentation must be submitted to the Department of Defense Explosives Safety Board (DDESB) for review and approval.

a. Chief of Naval Operations (CNO)/Commandant of the Marine Corps (CMC), through their designated agents, shall provide oversight for the implementation of munitions responses and, upon completion of these munitions responses, verify that appropriate explosives safety actions were properly taken.

b. All munitions responses at real property known or suspected to contain MEC shall have approved plans and/or appropriate documentation in accordance with paragraph 7 and reference (c).

c. All explosives or munitions emergency responses (i.e., Level I and Level II as defined in reference (d)) involving military munitions at other than operational ranges, shall be documented and forwarded to the Naval Ordnance Safety and Security Activity (NOSSA) or Marine Corps Systems Command (MARCORSYSCOM), as appropriate, to be maintained indefinitely in an explosives safety repository.

d. To the extent practical and in accordance with references (e) and (f), other human health and environmental responses will be integrated with those addressing explosives safety, as required.

e. For explosives or munitions emergency responses, this policy requires that documentation of each response be provided to the appropriate Service Headquarters.

7. Responsibilities

a. CNO

(1) The Deputy Chief of Naval Operations (DCNO) for Fleet Readiness and Logistics (N4) shall provide overall direction and resources for DON explosives safety review, oversight, and verification functions.

(2) The Supply, Ordnance and Logistics Operations Division (N41) shall administer the oversight and verification of the functions outlined in this instruction.

(3) N41 and Environmental Readiness (N45) shall program resources required for Navy activities to execute required munitions responses.

b. CMC

(1) Deputy Commandant for Installations and Logistics (DC I&L Code LPC-2) will provide coordination of policy and guidance for Marine Corps munitions responses involving military munitions.

(2) Safety Division and delegated agent shall provide overall direction and resources for Marine Corps explosives safety review, oversight, and verification functions.

c. Commander, Naval Sea Systems Command (COMNAVSEASYSKOM), through the NOSSA as delineated in reference (g), shall:

(1) Develop and maintain a repository for Navy explosives or munitions emergency responses and munitions response notifications.

(2) Provide guidance for the preparation of ESSs for munitions responses.

(3) Provide guidance for addressing the explosives safety concerns in health and safety plan development/execution, personnel qualification, and quality assessment.

(4) Review/approve Navy and applicable Marine Corps submitted ESSs and forward them, when appropriate, to the DDESB or other entities.

(5) Develop an oversight and verification process addressing the implementation of explosives safety principles in munitions responses.

(6) Oversee explosives safety of ongoing munitions responses to include, at a minimum, ESS compliance, health and safety plan execution, personnel qualification, and quality assessment.

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(7) Review/approve ESS amendments and forward them to the DDESB or other entities, as appropriate.

(8) Review and approve site-specific After Action Reports (AARs), submitted by Naval Facilities Engineering Command (NAVFACENGCOM) or others, to verify that required explosives safety actions were completed in accordance with the selected munitions response and associated ESSs, including any ESS amendments, and forward to the DDESB.

(9) Respond to requests for formal verification that the final munitions response was completed in accordance with the approved explosives safety documentation.

d. MARCORSYSCOM, for the Marine Corps, shall:

(1) Coordinate all issues, plans and reports for munitions responses with DC I&L prior to approving and forwarding to DDESB. Coordination will ensure that explosives safety, land use, remediation, and other relevant issues are addressed.

(2) Develop and maintain a repository of Marine Corps explosives or munitions emergency response and munitions response notifications.

(3) Provide guidance for the preparation of ESSs for munitions responses.

(4) Provide guidance for addressing the explosives safety concerns in health and safety plan development/execution, personnel qualification, and quality assessment.

(5) Review/approve ESSs and associated corrections and amendments, and forward to NOSSA for technical review and then to the DDESB or other entities, as appropriate.

(6) Develop an oversight and verification process addressing the implementation of explosives safety principles in munitions responses.

(7) Oversee explosives safety of ongoing munitions responses to include, at a minimum, ESS compliance, health and safety plan execution, personnel qualification, and quality assessment.

(8) Review/approve ESS amendments and forward them to the NOSSA/DDESB or other entities, as appropriate.

(9) Review and approve site-specific AARs, submitted by NAVFACENGCOM or others, to verify that required explosives safety actions were completed in accordance with the selected munitions response and associated ESS, including any ESS amendments, and forward to the DDESB.

(10) Respond to requests for formal verification that the final munitions response was completed in accordance with the approved explosives safety documentation.

e. NAVFACENGCOM, for all munitions responses under their cognizance, shall:

(1) Provide initial written notification of MEC discoveries to NOSSA/MARCORSYSCOM, as appropriate.

(2) Develop ESSs for NOSSA/MARCORSYSCOM review and endorsement to the DDESB. The distribution of Navy ESSs is limited to Navy personnel until the document is finalized.

(3) Develop safety and health plans, personnel qualification documentation, and quality assessment/control procedures that address explosives safety.

(4) As appropriate, provide additional supporting information, such as legal documents, to NOSSA/MARCORSYSCOM.

(5) Coordinate munitions responses with the appropriate Explosives Safety Officer (ESO) and, when applicable, supporting Explosive Ordnance Disposal (EOD) personnel.

(6) Conduct munitions responses in accordance with the approved ESS.

(7) Amend, as appropriate, approved ESSs to reflect changes in the selected munitions response and submit the amendments, via NOSSA/MARCORSYSCOM to the DDESB.

(8) Prepare AARs for the selected or amended munitions response and provide to NOSSA/COMMARCORSYSCOM for review and submission to the DDESB or other entities, as appropriate.

(9) Prepare proposed language for deeds, activity master plans, or other land use controls in collaboration with NOSSA/MARCORSYSCOM, as appropriate.

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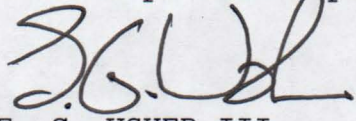
f. Major Commands/Claimants/Installations/Activities, for all munitions responses under their cognizance, shall follow the requirements of Paragraph 7.e.

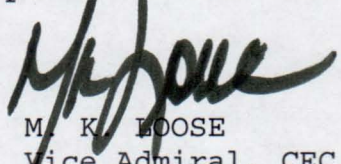
g. DON EOD Mobile Units and Detachments

(1) Navy and Marine Corps EOD Units/Detachments shall submit copies of EOD incident reports for munitions or explosives emergency responses, found either on or off their assigned military facility, to NOSSA (N5) and MARCORSYSCOM (EES), respectively, on an annual basis by 31 March for the previous calendar year.

(2) Exclude any responses on operational ranges and all non-military munitions responses, such as those involving improvised explosive devices (IEDs).

8. Report. The reporting requirements contained in paragraph 7 are exempt from reports control per SECNAVINST M-5214.1.


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Glossary of Terms

1. DMM or Discarded Military Munitions - Military munitions that have been abandoned without proper disposal or removed from storage in a military magazine or other storage area for the purpose of disposal. The term does not include unexploded ordnance, military munitions that are being held for future use or planned disposal, or military munitions that have been properly disposed of, consistent with applicable environmental laws and regulations.
2. Explosives or Munitions Emergency - A situation that may require the immediate and expeditious action by an explosives or munitions emergency specialist to control, mitigate, or eliminate the threat of an explosive incident. It involves the suspected or detected presence of unexploded ordnance (UXO), damaged or deteriorated explosives or munitions, an improvised explosive device (IED), other potentially explosive material or device, or other potentially harmful military chemical munitions or device, that creates an actual or potential imminent threat to human health, including safety, or the environment, including property, as determined by an explosives or munitions emergency response specialist.
3. Explosives or Munitions Emergency Response - All immediate response activities by an explosives and munitions emergency response specialist to control, mitigate, or eliminate the actual or potential threat encountered during an explosives or munitions emergency. An explosives or munitions emergency response may include in-place render safe procedures, treatment or destruction of the explosives or munitions and/or transporting those items to another location to be rendered safe, treated or destroyed. Explosives and munitions emergency responses can occur on either public or private lands and are not limited to responses at Resource Conservation and Recovery Act (RCRA) facilities.
4. MC or Munitions Constituents - Any materials originating from UXO, DMM, or other military munitions, including explosive and non-explosive materials, and emission, degradation, or breakdown elements of such ordnance or munitions.
5. MEC or Munitions and Explosives of Concern - Distinguishes specific categories of military munitions that may pose unique explosives safety hazards/risks such as, UXO, DMM or MCs (e.g., Trinitrotoluene (TNT) and Hexahydro-Trinitro-Triazine (RDX)) present in high enough concentrations to pose an explosive hazard.
6. Military Munitions - All ammunition products and components produced or used by or for the U.S. Department of Defense or the

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U.S. Armed Services for national defense and security, including military munitions under the control of the Department of Defense, the U.S. Coast Guard, the U.S. Department of Energy (DOE), and National Guard personnel. The term military munitions includes: confined gaseous, liquid, and solid propellants, explosives, pyrotechnics, chemical and riot control agents, smokes, and incendiaries used by DOD components, including bulk explosives and chemical warfare agents, chemical munitions, rockets, guided and ballistic missiles, bombs, warheads, mortar rounds, artillery ammunition, small arms ammunition, grenades, mines, torpedoes, depth charges, cluster munitions and dispensers, demolition charges, and devices and components thereof. Military munitions do not include wholly inert items, improvised explosive devices, and nuclear weapons, nuclear devices, and nuclear components thereof. However, the term does include non-nuclear components of nuclear devices, managed under DOE's nuclear weapons program after all required sanitization operations under the Atomic Energy Act of 1954, as amended, have been completed.

7. Munitions Response - Response actions (including investigation, removal, and remediation) taken to address the explosives safety, human health, or environmental risks presented by UXO, DMM, or MC.

8. Operational Range - A range that is under the jurisdiction, custody, or control of the Secretary of Defense and is used for range activities; or although not currently being used for range activities, that is still considered by the Secretary to be a range and has not been put to a new use that is incompatible with range activities. The term "range" when used in the geographical sense, means a designated land or water area that is set aside, managed and used for range activities of the Department of Defense. This term includes the following: firing lines and positions, maneuver areas, firing lanes, test pads, detonation pads, impact areas, electronic scoring sites, buffer zones with restricted access, and exclusionary areas; and airspace areas designated for military use in accordance with regulation and procedures prescribed by the Administrator of the Federal Aviation Administration.

9. Range Activities -

a. research, development, testing, and evaluation of military munitions, other ordnance, and weapons systems; and

b. the training of members of the armed forces in the use and handling of military munitions, other ordnance, and weapons systems.

10. RCRA - Resource Conservation and Recovery Act

11. Real Property - Land and/or facilities (including installed equipment) owned by or under the control of the DON or land where the DON is primarily responsible for conducting response actions.

12. UXO or Unexploded Ordnance - Military munitions that have been primed, fuzed, armed, or otherwise prepared for action, and have been fired, dropped, launched, projected, or placed in such a manner as to constitute a hazard to operations, installation personnel, or material and remain unexploded either by malfunction, design, or any other cause.