



# Department of Defense INSTRUCTION

NUMBER 4145.26

April 4, 1996

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Administrative Reissuance Incorporating Change 1, December 6, 1996

USD(A&T)

SUBJECT: DoD Contractor's Safety Requirements for Ammunition and Explosives

- References: (a) DoD Instruction 4145.26, "DoD Contractors' Safety Manual for Ammunition and Explosives," July 19, 1985 (hereby canceled)
- (b) [DoD 5025.1-M](#), "DoD Directives System Procedures," August 1994, authorized by [DoD Directive 5025.1](#), June 24, 1994
- (c) Defense Federal Acquisition Regulation Supplement, Subparts 223.3(a) and 252.223-7002/252.223-7003
- (d) through (f), see enclosure 1

## 1. REISSUANCE AND PURPOSE

This Instruction:

- 1.1. Reissues references (a), and updates policy and responsibilities.
- 1.2. Authorizes the publication of DoD 4145.26-M, "DoD Contractors' Safety Manual for Ammunition and Explosives," consistent with reference (b), to provide uniform baseline safety standards for DoD contractors performing contractual work involving ammunition and explosives. The use of the DoD 4145.26-M is mandatory as specified in reference (c).
- 1.3. Authorizes the Military Departments, when contractual work is to be performed at DoD-owned facilities, to apply their own selected ammunition and explosives and other safety standards and procedures to DoD contractors by inclusion within contracts.

## 2. APPLICABILITY AND SCOPE

2.1. This Instruction applies to the Office of the Secretary of Defense (OSD), the Military Departments, and the Defense Agencies (hereafter referred to collectively as "DoD Components"), and to operations conducted at both DoD- and contractor-owned facilities.

2.2. Responsibility for compliance with the safety and health standards promulgated under Pub. L. 91-596 (reference (d)) remains with the contractor (prime or sub). Responsibility for the administration and enforcement of those standards remains with the U.S. Department of Labor (DOL), unless otherwise provided by special agreement between the Secretaries of Labor and Defense covering contractor operations on Defense installations during periods of national industrial mobilization.

### 3. POLICY

The Department of Defense will prescribe and enforce applicable ammunition and explosives standards in DoD 4145.26-M, for work performed under DoD contracts by contractors, in order to minimize the potential for mishaps that could interrupt DoD operations, delay project/product completion dates, adversely impact upon the DoD production base or capabilities, damage or destroy DoD-owned material/equipment, cause injury to DoD personnel, or endanger the safety of the general public.

### 4. RESPONSIBILITIES

4.1. Heads of DoD Components, or their authorized designees, shall:

4.1.1. Ensure that contracting officers reference or incorporate within contract, mandatory ammunition and explosives safety clauses of the Defense Federal Acquisition Regulation (DFAR) Supplement (reference (c)) for applicable work done by contractors, whether facilities are DoD- or contractor-owned. When contractual work is to be performed at DoD-owned facilities, DoD Components may also apply their own selected ammunition and explosives and other safety standards and procedures to DoD contractors by inclusion within contracts.

4.1.2. Ensure that contracting officers coordinate with appropriate safety departments/offices responsible for contractual safety requirements involving ammunition and explosives, to ensure proper contractual safety input.

4.1.3. Require that all contracts involving ammunition or explosives have a preaward investigation or survey of the offeror's operations/facilities conducted by the

cognizant Contract Administration Office, to ensure offeror can comply with applicable ammunition and explosives safety standards.

4.1.4. Require waiver, exemption, and site and construction requests pertaining to DoD-owned facilities, to be processed in accordance with the requirements of DoD 6055.9-STD (reference (e) as implemented by the appropriate Military Department regulations. Above requests pertaining to contractor-owned, contractor-operated facilities/operations will be processed in accordance with the requirements of DoD 4145.26-M and DFAR Supplement, Subpart 223.3 (reference (c)).

4.1.5. Establish procedures to ascertain the contractor's compliance with contractual ammunition and explosives safety requirements and ensure timely and adequate corrective action is being accomplished by the contractor.

4.1.6. Monitor the contractor's mishap investigation, to ensure correct determination of the cause or causes of the mishap as provided in DoD 4145.226-M or directed by DoD Instruction 6055.7 (reference f)), if a mishap delays scheduled delivery of the DoD product, causes damage *to DoD-furnished equipment or material, or results in injury to DoD employee or the general public. When necessary to ensure accurate findings, conduct a separate investigation.*

4.2. The Secretary of the Army, or designee, shall ensure that the Joint Ordnance Commanders' Group/Subgroup for Ordnance Safety reviews the safety policies and provisions of DoD 4145.26-M; DFAR Supplement, Subpart 223.3(a) and 252.223-7002/252.223-7003 (reference(c)); and this Instruction at least annually to ensure compatibility and currency.

5. EFFECTIVE DATE

This Instruction is effective immediately. Forward one copy of implementing documents to the Under Secretary of Defense (Acquisition and Technology) within 120 days.

*Paul Kaminski*  
Paul Kaminski  
Under Secretary of Defense  
for Acquisition and Technology

Enclosures - 1

E1. References, continued

E1. ENCLOSURE 1

REFERENCES, continued

- (d) Public Law 91-596, "Occupational Safety and Health Act of 1970," December 29, 1970
- (e) [DoD 6055.9-STD](#), "Ammunition and Explosives Safety Standards," July 1984, authorized by [DoD Directive 6055.9](#), November 25, 1983
- (f) [DoD Instruction 6055.7](#), "Mishap Investigation, Reporting and Recordkeeping," April 10, 1989