



DEPARTMENT OF THE NAVY

NAVAL SEA SYSTEMS COMMAND
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IN REPLY TO

NAVSEAINST 8023.5D
Ser N714/1279
21 Nov 02

NAVSEA INSTRUCTION 8023.5D

From: Commander, Naval Sea Systems Command

Subj: AMMUNITION, EXPLOSIVES, AND RELATED HAZARDOUS MATERIAL
SHIPMENT DISCREPANCY REPORTING

Ref: (a) Title 49, Code of Federal Regulations, Parts 171-180
(b) DOD 4500.9-R
(c) AFJMAN 24-204/TM 38-250/NAVSUP PUB 505/MCO P403.19H/
DLAI 4145.3
(d) OPNAVINST 8020.14
(e) NAVSEA SW020-AG-SAF-010

1. Purpose. To promulgate procedures for reporting Ammunition and Explosives (A&E) transportation related discrepancies affecting safety and security in-transit within the Department of the Navy (DON).

2. Cancellation. NAVSEAINST 8023.5C of 7 October 1988.

3. Scope. This instruction is applicable to all Navy and Marine Corps activities engaged in packaging, handling, and shipment of A&E, and other articles containing energetic components, and to contractors shipping such material in the Defense Transportation System for the Navy and the Marine Corps. This instruction was coordinated with the Commandant of the Marine Corps and Marine Corps Systems Command (PM-AM).

4. Background. The Report of Discrepancy (ROD), Standard Form (SF) 364, and the Transportation Discrepancy Report (TDR), document discrepancies in shipments by DON ordnance shippers, which have occurred in any mode of transport including highway, rail, air, and water. These discrepancies are reported to identify deficiencies in the transportation process and to ensure that corrective action is taken to preclude recurrence. To prevent discrepancies of this nature, shipping procedures shall be periodically reviewed to ensure strict adherence of current safety regulations. Failure to comply with references (a) through (e) can adversely impact ordnance readiness, operational efficiency, and public safety.

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5. Certification. Paragraph 172.204 of reference (a) and paragraph A17.1 of reference (c) require the shipper to certify, on applicable shipping documents, that the material is properly classified, described, packaged, marked, and labeled, and is in proper condition for transport. This certification must be signed by a responsible agent of the shipping activity assuring that the shipment complies with reference (a).

6. Penalties. Severe Federal penalties are mandated for violations of reference (a). Individuals are liable for civil penalties of not more than \$27,500 and not less than \$250 for each violation. A separate violation occurs when it is a continuing violation. A criminal penalty mandates a fine under Title 18, United States Code, or imprisonment for up to five years, or both. In view of stringent enforcement measures and penalties, shippers must adopt activity educational and training programs, to include:

a. Safety instructions for air, rail, highway, and water transport of A&E and related hazardous materials.

b. Transportation safety training for operating employees and their supervisors.

c. Operating surveillance procedures to ensure strict compliance.

Details concerning A&E transport training are provided in Chapter 204, paragraph D of reference (b), paragraph 1.3 of reference (c), and paragraphs 1-5 and 1-6 of reference (e).

7. Action

a. All Navy and Marine Corps activities involved in shipment of A&E and related hazardous materials shall:

(1) Review current station procedures and instructions to ensure compliance with references (a) through (e).

(2) Provide for a continuing training program to ensure that personnel have a complete knowledge of the regulations relating to their responsibilities for packaging, marking, labeling, and preparation of documents pertaining to the shipment of A&E and related hazardous materials.

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(3) As required by reference (b), Part II, Chapter 201, paragraph C12, appoint a qualified person (military or civilian federal government employee) as their Transportation Officer. The designated officer shall be responsible for signing the bills of lading and ensuring that the packaging certification requirements are accomplished.

(4) Comply with procedures in Chapters 209 and 210 of reference (b) and paragraphs 2-8.5 and 2-8.6 of reference (e) in order to determine the value of the discrepancy. Discrepancies that are valued at \$500 or more, and all safety and security discrepancies involving classified and sensitive A&E shipments, must be reported.

(5) Investigate circumstances of RODs and TDRs received, and submit result of findings to Commanding Officer, Naval Ordnance Safety and Security Activity (NOSSA). Distribution of RODs and TDRs shall be in accordance with Chapters 209 and 210 of reference (b) and paragraphs 2-8.5 and 2-8.6 of reference (e).

b. Pursuant to reference (e), NOSSA shall:

(1) Review each discrepancy report and provide safety policy and guidance to shippers of A&E and other articles containing explosives or propellant components to ensure that corrective measures are taken to eliminate the deficiencies and preclude the possibility of recurrence.

(2) Develop and maintain trend data for RODs and TDRs.

(3) Incorporate trend data and lessons learned into training materials.


P. M. BALISLE

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