

# **Part 5223 - ENVIRONMENT, ENERGY AND WATER EFFICIENCY, RENEWABLE ENERGY TECHNOLOGIES, OCCUPATIONAL SAFETY, AND DRUG-FREE WORKPLACE**

The official NMCARS regulation resides at

<https://www.secnav.navy.mil/rda/DASN-P/Pages/NMCARS.aspx>

## Subpart 5223.3 - HAZARDOUS MATERIAL IDENTIFICATION AND MATERIAL SAFETY DATA

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5223.370-5 Contract clauses.

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## Subpart 5223.5 - DRUG-FREE WORKPLACE

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5223.802 Policy.

## **Subpart 5223.3 - HAZARDOUS MATERIAL IDENTIFICATION AND MATERIAL SAFETY DATA**

### **5223.370 Safety precautions for ammunitions and explosives.**

#### **5223.370-3 Policy.**

(a) DON policy is to ensure the safe handling of all ammunition and explosives (A&E). To that end, particular care should be paid to A&E provided to contractors as Government Furnished Material (GFM) when the A&E contain nitrocellulose-based propellants and/or nitrate ester-based materials (such as nitroglycerin,) or any other materials that have a tendency to become chemically unstable over time.

### **5223.370-5 Contract clauses.**

(a) Use the clause at 5252.223-9000, DON ADDITIONAL SAFETY REQUIREMENTS APPLICABLE TO SPECIFIED GOVERNMENT FURNISHED AMMUNITION AND EXPLOSIVES, in solicitations and contracts that:

(1) contain the clause at DFARS 252.223-7002; and

(2) provide as GFM any A&E containing nitrocellulose-based propellants and/or nitrate ester-based materials (such as nitroglycerin,) or other similar A&E with a tendency to become chemically unstable over time;

(b) The HCA may make administrative adjustments to the additional requirements (e.g. specify activity points of contact, adjust specified lead times) or add further measures which increase safety requirements as appropriate.

## **Subpart 5223.4 - USE OF RECOVERED MATERIALS AND BIOBASED PRODUCTS**

### **5223.406 Solicitation provision and contract clauses.**

(d) When using the clause at FAR 52.223-9, contracting officers shall insert the following address into paragraph (b) (or paragraph (c) if using Alternative (ALT I) of the clause:

Commanding Officer

Naval Facilities Engineering Service Center

Code 424 CA, 1100 23rd Avenue

Port Hueneme, CA 93043-4370

## **Subpart 5223.5 - DRUG-FREE WORKPLACE**

### **5223.506 Suspension of payments, termination of contract, and debarment and suspension actions.**

(e) Submit requests for waiver to SECNAV via the HCA and DASN(P) by email at [usn.pentagon.asstsecnavrdadc.mbx.pabt@us.navy.mil](mailto:usn.pentagon.asstsecnavrdadc.mbx.pabt@us.navy.mil) with the subject “[Activity Name] FAR 23.506 - Contractor Drug-Free Workplace Violation Contract Award Waiver Request.”.

## **Subpart 5223.8 - OZONE-DEPLETING SUBSTANCES AND GREENHOUSE GASES**

### **5223.802 Policy.**

Technical certification and approval requirements are set forth in Chapter 22 Section 3.6 of OPNAV-M 5090.1 in accordance with OPNAV Instruction 5090.1E.