

## § 1910.17

or in conjunction with, longshoring operations including, but not restricted to, securing cargo, rigging, and employment as a porter, checker, or watchman; and

(3) *Vessel* includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, including special purpose floating structures not primarily designed for, or used as a means of, transportation on water.

(4) *Marine terminal* means wharves, bulkheads, quays, piers, docks and other berthing locations and adjacent storage or adjacent areas and structures associated with the primary movement of cargo or materials from vessel to shore or shore to vessel including structures which are devoted to receiving, handling, holding, consolidation and loading or delivery of waterborne shipments or passengers, including areas devoted to the maintenance of the terminal or equipment. The term does not include production or manufacturing areas having their own docking facilities and located at a marine terminal nor does the term include storage facilities directly associated with those production or manufacturing areas.

[39 FR 23502, June 27, 1974, as amended at 48 FR 30908, July 5, 1983; 52 FR 36026, Sept. 25, 1987; 62 FR 40195, July 25, 1997; 63 FR 66270, Dec. 1, 1998]

## § 1910.17 Effective dates.

(a)-(b) [Reserved]

(c) Except whenever any employment or place of employment is, or becomes, subject to any safety and health standard prescribed in part 1915, 1916, 1917, 1918, or 1926 of this title on a date before August 27, 1971, by virtue of the Construction Safety Act or the Longshoremens and Harbor Workers' Compensation Act, that occupational safety and health standard as incorporated by reference in this subpart shall also become effective under the Williams-Steiger Occupational Safety and Health Act of 1970 on that date.

[39 FR 23502, June 27, 1974, as amended at 61 FR 9235, Mar. 7, 1996]

## 29 CFR Ch. XVII (7-1-10 Edition)

## § 1910.18 Changes in established Federal standards.

Whenever an occupational safety and health standard adopted and incorporated by reference in this subpart B is changed pursuant to section 6(b) of the Act and the statute under which the standard was originally promulgated, and in accordance with part 1911 of this chapter, the standard shall be deemed changed for purposes of that statute and this subpart B, and shall apply under this subpart B. For the purposes of this section, a change in a standard includes any amendment, addition, or repeal, in whole or in part, of any standard.

## § 1910.19 Special provisions for air contaminants.

(a) *Asbestos, tremolite, anthophyllite, and actinolite dust.* Section 1910.1001 shall apply to the exposure of every employee to asbestos, tremolite, anthophyllite, and actinolite dust in every employment and place of employment covered by § 1910.16, in lieu of any different standard on exposure to asbestos, tremolite, anthophyllite, and actinolite dust which would otherwise be applicable by virtue of any of those sections.

(b) *Vinyl chloride.* Section 1910.1017 shall apply to the exposure of every employee to vinyl chloride in every employment and place of employment covered by §§ 1910.12, 1910.13, 1910.14, 1910.15, or 1910.16, in lieu of any different standard on exposure to vinyl chloride which would otherwise be applicable by virtue of any of those sections.

(c) *Acrylonitrile.* Section 1910.1045 shall apply to the exposure of every employee to acrylonitrile in every employment and place of employment covered by §§ 1910.12, 1910.13, 1910.14, 1910.15, or § 1910.16, in lieu of any different standard on exposure to acrylonitrile which would otherwise be applicable by virtue of any of those sections.

(d) [Reserved]

(e) *Inorganic arsenic.* Section 1910.1018 shall apply to the exposure of every employee to inorganic arsenic in every employment covered by §§ 1910.12, 1910.13, 1910.14, 1910.15, or § 1910.16, in

lieu of any different standard on exposure to inorganic arsenic which would otherwise be applicable by virtue of any of those sections.

(f) [Reserved]

(g) *Lead*. Section 1910.1025 shall apply to the exposure of every employee to lead in every employment and place of employment covered by §§ 1910.13, 1910.14, 1910.15, and 1910.16, in lieu of any different standard on exposure to lead which would otherwise be applicable by virtue of those sections.

(h) *Ethylene oxide*. Section 1910.1047 shall apply to the exposure of every employee to ethylene oxide in every employment and place of employment covered by §§ 1910.12, 1910.13, 1910.14, 1910.15, or 1910.16, in lieu of any different standard on exposure to ethylene oxide which would otherwise be applicable by virtue of those sections.

(i) *4,4'-Methylenedianiline (MDA)*. Section 1910.1050 shall apply to the exposure of every employee to MDA in every employment and place of employment covered by §§ 1910.13, 1910.14, 1910.15, or 1910.16, in lieu of any different standard on exposure to MDA which would otherwise be applicable by virtue of those sections.

(j) *Formaldehyde*. Section 1910.1048 shall apply to the exposure of every employee to formaldehyde in every employment and place of employment covered by §§ 1910.12, 1910.13, 1910.14, 1910.15 or 1910.16 in lieu of any different standard on exposure to formaldehyde which would otherwise be applicable by virtue of those sections.

(k) *Cadmium*. Section 1910.1027 shall apply to the exposure of every employee to cadmium in every employment and place of employment covered by § 1910.16 in lieu of any different standard on exposures to cadmium that would otherwise be applicable by virtue of those sections.

(l) *1,3-Butadiene (BD)*. Section 1910.1051 shall apply to the exposure of every employee to BD in every employment and place of employment covered by §§ 1910.12, 1910.13, 1910.14, 1910.15, or 1910.16, in lieu of any different standard on exposure to BD which would otherwise be applicable by virtue of those sections.

(m) *Methylene chloride (MC)*. Section 1910.1052 shall apply to the exposure of

every employee to MC in every employment and place of employment covered by § 1910.16 in lieu of any different standard on exposure to MC which would otherwise be applicable by virtue of that section when it is not present in sealed, intact containers.

[43 FR 28473, June 30, 1978, as amended at 43 FR 45809, Oct. 3, 1978; 43 FR 53007, Nov. 14, 1978; 44 FR 5447, Jan. 26, 1979; 46 FR 32022, June 19, 1981; 49 FR 25796, June 22, 1984; 50 FR 51173, Dec. 13, 1985; 52 FR 46291, Dec. 4, 1987; 57 FR 35666, Aug. 10, 1992; 57 FR 42388, Sept. 14, 1992; 59 FR 41057, Aug. 10, 1994; 61 FR 56831, Nov. 4, 1996; 62 FR 1600, Jan. 10, 1997]

### Subpart C [Reserved]

### Subpart D—Walking-Working Surfaces

AUTHORITY: Secs. 4, 6, and 8 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, and 657); Secretary of Labor's Order No. 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736), or 1-90 (55 FR 9033), as applicable; and 29 CFR part 1911.

#### § 1910.21 Definitions.

(a) As used in § 1910.23, unless the context requires otherwise, floor and wall opening, railing and toe board terms shall have the meanings ascribed in this paragraph.

(1) *Floor hole*. An opening measuring less than 12 inches but more than 1 inch in its least dimension, in any floor, platform, pavement, or yard, through which materials but not persons may fall; such as a belt hole, pipe opening, or slot opening.

(2) *Floor opening*. An opening measuring 12 inches or more in its least dimension, in any floor, platform, pavement, or yard through which persons may fall; such as a hatchway, stair or ladder opening, pit, or large manhole. Floor openings occupied by elevators, dumb waiters, conveyors, machinery, or containers are excluded from this subpart.

(3) *Handrail*. A single bar or pipe supported on brackets from a wall or partition, as on a stairway or ramp, to furnish persons with a handhold in case of tripping.

(4) *Platform*. A working space for persons, elevated above the surrounding floor or ground; such as a balcony or