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§ 176.170 Transport of Class 1 (explosive) materials in freight containers.

(a) When Class 1 (explosive) materials are stowed in a freight container, the freight container, for the purposes of this subpart, may be regarded as a magazine but not as a separate compartment.

(b) Freight containers loaded with Class 1 (explosive) materials, except for explosives in Division 1.4, must not be stowed in the outermost row of containers.

(c) Freight containers used to transport Class 1 (explosive) materials for which magazine stowage type A is required must have a floor consisting of tightly fitted wooden boards, plywood or equivalent non-metallic material, and a non-metallic lining.

(d) Class 1 (explosive) materials of different compatibility groups may not be stowed within the same freight container except as allowed in §176.144 of this subpart.

(e) On vessels, other than specially fitted container ships, freight containers containing Class 1 (explosive) materials must be stowed only in the lowest tier.

(f) Freight containers carrying different Class 1 (explosive) materials require no segregation from each other, if the provisions of §176.144 of this subpart allow the Class 1 (explosive) materials to be carried together in the same compartment. In all other instances, the containers must be ''separated from'' one another in accordance with §176.83(f) of this part.

(g) Freight containers carrying Class 1 (explosive) materials may not be handled on board a vessel with fork lift trucks unless approved by the COTP. This does not preclude the use of front-loading trucks using side-frame lifting equipment.

[Amdt. 176–30, 55 FR 52696, Dec. 21, 1990, as amended at 56 FR 66282, Dec. 20, 1991; 68 FR 45041, July 31, 2003; 69 FR 76185, Dec. 20, 2004]

§ 176.172 Structural serviceability of freight containers and vehicles carrying Class 1 (explosive) materials on ships.

(a) Except for Division 1.4 materials, a freight container may not be offered for the carriage of Class 1 (explosive) materials, unless the container is structurally serviceable as evidenced by a current CSC (International Convention for Safe Containers) approval plate and verified by a detailed visual examination as follows:

(1) Before a freight container or transport vehicle is packed with Class 1 (explosive) materials, it must be visually examined by the shipper to ensure it is structurally serviceable, free of any residue of previous cargo, and its interior walls and floors are free from protrusions.

(2) *Structurally serviceable* means the freight container or the vehicle cannot have major defects in its structural components, such as top and bottom side rails, top and bottom end rails, door sill and header, floor cross members, corner posts, and corner fittings in a freight container. Major defects include—

(i) Dents or bends in the structural members greater than 19 mm (0.75 inch) in depth, regardless of length;

(ii) Cracks or breaks in structural members;

(iii) More than one splice or an improper splice (such as a lapped splice) in top or bottom end rails or door headers;

(iv) More than two splices in any one top or bottom side rail;

(v) Any splice in a door sill or corner post;

(vi) Door hinges and hardware that are seized, twisted, broken, missing, or otherwise inoperative;

(vii) Gaskets and seals that do not seal; or

(viii) For freight containers, any distortion of the overall configuration great enough to prevent proper alignment of handling equipment, mounting and securing chassis or vehicle, or insertion into ships' cells.

(3) In addition, deterioration of any component of the freight container or vehicle, regardless of the material of construction, such as rusted-out metal in sidewalls or disintegrated fiberglass, is prohibited. Normal wear, however, including oxidation (rust), slight dents and scratches, and other damage that does not affect serviceability or the weather-tight integrity of the units, is not prohibited.