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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.

(b) As used in paragraph (a) of this section, *splice* means any repair of a freight container main structural member which replaces material, except complete replacement of the member.

(c) All shipments of Class 1 (explosive) materials except those in Division 1.4 (explosive) must be accompanied by a statement, which may appear on the shipping paper, certifying that the freight container or the vehicle is structurally serviceable as defined in paragraph (a)(2) of this section.

[Amdt. 176–30, 55 FR 52696, Dec. 21, 1990, as amended at 66 FR 45384, Aug. 28, 2001; 74 FR 2268, Jan. 14, 2009]

§ 176.174 Transport of Class 1 (explosive) materials in shipborne barges.

(a) Fixed magazines may be built within a shipboard barge. Freight containers may be used as magazines within a barge.

(b) Shipborne barges may be used for the carriage of all types of Class 1 (explosive) materials. When carrying Class 1 (explosive) materials requiring special stowage, the following requirements apply:

(1) Class 1 (explosive) materials in compatibility group G or H must be stowed in freight containers.

(2) Class 1 (explosive) materials in compatibility group K or L must be stowed in steel magazines.

(c) Class 1 (explosive) materials of different compatibility groups may not be stowed within the same shipborne barge unless under §176.144(b) of this subpart they are authorized to be stowed in the same compartment.

[Amdt. 176–30, 55 FR 52696, Dec. 21, 1990, as amended at 69 FR 76185, Dec. 20, 2004]

HANDLING CLASS 1 (EXPLOSIVE) MATERIALS IN PORT

§ 176.176 Signals.

When Class 1 (explosive) materials are being loaded, handled, or unloaded on a vessel, the vessel must exhibit the following signals:

(a) By day, flag ''B'' (Bravo) of the international code of signals; and

(b) By night, an all-round fixed red light.

§ 176.178 Mooring lines.

(a) All lines used in mooring the vessel must be of sufficient strength, type, and number for the size of the vessel and local conditions.

(b) While the vessel is moored or anchored in a port area, towing wires of adequate size and length must be properly secured to mooring bits at the bow and stern ready for immediate use with the towing eyes passed outboard and kept at about water level.

(c) The mooring arrangements must be such that the vessel can be released quickly in an emergency.

§ 176.180 Watchkeeping.

Whenever Class 1 (explosive) materials are on board a vessel in port, there must be sufficient crew on board to maintain a proper watch and to operate the propulsion and firefighting equipment in case of an emergency.

§ 176.182 Conditions for handling on board ship.

(a) *Weather conditions.* Class 1 (explosive) materials may not be handled in weather conditions which may seriously increase the hazards presented by the Class 1 (explosive) materials. During electrical storms, cargo operations must be halted and all hatches containing Class 1 (explosive) materials must be closed.

(b) *Darkness.* Class 1 (explosive) materials may not be handled on board a vessel during the hours of darkness unless prior consent has been obtained from the COTP.

(c) *Lighting.* The area where Class 1 (explosive) materials are handled, or where preparations are being made to handle Class 1 (explosive) materials, must be illuminated with lighting that is sufficient to safely perform the handling operation.

(d) *Protective equipment.* (1) A sufficient quantity of appropriate protective equipment must be provided for the personnel involved in handling Class 1 (explosive) materials.

(2) The protective equipment must provide adequate protection against the hazards specific to the Class 1 (explosive) materials handled.

(e) *Intoxicated persons.* No person under the influence of alcohol or drugs to such an extent that the person's