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§ 176.7 Documentation for vessel personnel.

Each owner, operator, master, agent, person in charge, and charterer must ensure that vessel personnel required to have a license, certificate of registry, or merchant mariner's document by 46 CFR parts 10 and 12 possess a license, certificate or document, as appropriate.

[68 FR 23842, May 5, 2003]

§ 176.9 "Order-Notify" or "C.O.D." shipments.

A carrier may not transport Division 1.1 or 1.2 (explosive) materials, detonators, or boosters with detonators which are:

(a) Consigned to ''order-notify'' or ''C.O.D.'', except on a through bill of lading to a place outside the United States; or

(b) Consigned by the shipper to himself unless he has a resident representative to receive the shipment at the port of discharge.

[Amdt. 176–30, 55 FR 52688, Dec. 21, 1990, as amended at 66 FR 45384, Aug. 28, 2001]

§ 176.11 Exceptions.

(a) A hazardous material may be offered and accepted for transport by vessel when in conformance with the IMDG Code (IBR, see § 171.7 of this subchapter), subject to the conditions and limitations set forth in subpart C of part 171 of this subchapter.The requirements of §§ 176.83, 176.84, and 176.112 through 176.174 are not applicable to shipments of Class 1 (explosive) materials made in accordance with the IMDG Code. A hazardous material which conforms to the provisions of this paragraph (a) is not subject to the requirement specified in § 172.201(d) of this subchapter for an emergency response telephone number, when transportation of the hazardous material originates and terminates outside the United States and the hazardous material—

(1) Is not offloaded from the vessel; or

(2) Is offloaded between ocean vessels at a U.S. port facility without being transported by public highway.

(b) Canadian shipments and packages may be transported by vessel if they are transported in accordance with this subchapter. (See subparts B and C of part 171 of this subchapter.)

(c) The requirements of this subchapter governing the transportation of combustible liquids do not apply to the transportation of combustible liquids in non-bulk (see definitions in § 171.8 of this subchapter) packages on board vessels.

(d) Transport vehicles, containing hazardous materials loaded in accordance with specific requirements of this subchapter applicable to such vehicles, may be transported on board a ferry vessel or carfloat, subject to the applicable requirements specified in §§ 176.76, 176.100, and subpart E of this part.

(e) Hazardous materials classed and shipped as ORM-D are not subject to the requirements of this part unless they are offered for transporation as hazardous wastes.

(f) Paragraph (a) of this section does not apply to hazardous materials, including certain hazardous wastes and hazardous substances as defined in § 171.8 of this subchapter, which are not subject to the requirements of the IMDG Code.

(g) The requirements of this subchapter do not apply to atmospheric gases used in a refrigeration system.

[Amdt. 176–1, 41 FR 16110, Apr. 15, 1976]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 176.11, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov*.

§ 176.13 Responsibility for compliance and training.

(a) Unless this subchapter specifically provides that another person shall perform a particular duty, each carrier shall perform the duties specified and comply with all applicable requirements in this part and shall ensure its hazmat employees receive training in relation thereto.

(b) A carrier may not transport a hazardous material by vessel unless each of its hazmat employees involved in that transportation is trained as required by subpart H of part 172 of this subchapter.

(c) The record of training required by § 172.704(d) of this subchapter for a crewmember who is a hazmat employee