

§ 1910.15 Shipyard employment.

(a) *Adoption and extension of established safety and health standards for shipyard employment.* The standards prescribed by part 1915 (formerly parts 1501–1503) of this title and in effect on April 28, 1971 (as revised), are adopted as occupational safety or health standards under section 6(a) of the Act and shall apply, according to the provisions thereof, to every employment and place of employment of every employee engaged in ship repair, shipbreaking, and shipbuilding, or a related employment. Each employer shall protect the employment and places of employment of each of his employees engaged in ship repair, shipbreaking, and shipbuilding, or a related employment, by complying with the appropriate standards prescribed by this paragraph.

(b) *Definitions.* For purposes of this section:

(1) *Ship repair* means any repair of a vessel, including, but not restricted to, alterations, conversions, installations, cleaning, painting, and maintenance work;

(2) *Shipbreaking* means any breaking down of a vessel's structure for the purpose of scrapping the vessel, including the removal of gear, equipment, or any component of a vessel;

(3) *Shipbuilding* means the construction of a vessel, including the installation of machinery and equipment;

(4) *Related employment* means any employment performed as an incident to, or in conjunction with, ship repair, shipbreaking, and shipbuilding work, including, but not restricted to, inspection, testing, and employment as a watchman; and

(5) *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.

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§ 1910.16 Longshoring and marine terminals.

(a) *Safety and health standards for longshoring.* (1) Part 1918 of this chapter shall apply exclusively, according to

the provisions thereof, to all employment of every employee engaged in longshoring operations or related employment aboard any vessel. All cargo transfer accomplished with the use of shore-based material handling devices shall be governed by part 1917 of this chapter.

(2) Part 1910 does not apply to longshoring operations except for the following provisions:

(i) *Access to employee exposure and medical records.* Subpart Z, § 1910.1020;

(ii) *Commercial diving operations.* Subpart T;

(iii) *Electrical.* Subpart S when shore-based electrical installations provide power for use aboard vessels;

(iv) *Hazard communication.* Subpart Z, § 1910.1200;

(v) *Ionizing radiation.* Subpart Z, § 1910.1096;

(vi) *Noise.* Subpart G, § 1910.95;

(vii) *Nonionizing radiation.* Subpart G, § 1910.97;

NOTE TO PARAGRAPH (a)(2)(vii): Exposures to nonionizing radiation emissions from commercial vessel transmitters are considered hazardous under the following conditions: (1) where the radar is transmitting, the scanner is stationary, and the exposure distance is 18.7 feet (6 m.) or less; or (2) where the radar is transmitting, the scanner is rotating, and the exposure distance is 5.2 feet (1.8 m.) or less.

(viii) *Respiratory protection.* Subpart I, § 1910.134;

(ix) *Toxic and hazardous substances.* Subpart Z applies to marine cargo handling activities except for the following:

(A) When a substance or cargo is contained within a sealed, intact means of packaging or containment complying with Department of Transportation or International Maritime Organization requirements;¹

(B) Bloodborne pathogens, § 1910.1030;

(C) Carbon monoxide, § 1910.1000 (See § 1918.94 (a)); and

(D) Hydrogen sulfide, § 1910.1000 (See § 1918.94 (f)).

(x) Powered industrial truck operator training, Subpart N, § 1910.178(l).

¹The International Maritime Organization publishes the International Maritime Dangerous Goods Code to aid compliance with the international legal requirements of the International Convention for the Safety of Life at Sea, 1960.