

with Department of Transportation or International Maritime Organization requirements;<sup>1</sup>

(B) Bloodborne pathogens, § 1910.1030;

(C) Carbon monoxide, § 1910.1000 (See § 1917.24(a)); and

(D) Hydrogen sulfide, § 1910.1000 (See § 1917.73(a)(2)); and

(xiv) Powered industrial truck operator training, Subpart N, § 1910.178(1).

NOTE TO PARAGRAPH (a)(2)(xiv): The compliance dates of December 1, 1999 set forth in 29 CFR 1910.178(1)(7) are stayed until March 1, 2000 for Marine Terminals.

(b) [Reserved]

[48 FR 30909, July 5, 1983, as amended at 52 FR 36026, Sept. 25, 1987; 52 FR 49624, Dec. 31, 1987; 62 FR 40196, July 25, 1997; 63 FR 66274, Dec. 1, 1998; 64 FR 46847, Aug. 27, 1999; 65 FR 40938, June 30, 2000]

### § 1917.2 Definitions.

*Apron* means that open portion of a marine terminal immediately adjacent to a vessel berth and used in the direct transfer of cargo between the terminal and vessel.

*Authorized*, in reference to an employee's assignment, means selected by the employer for that purpose.

*Cargo door* (transit shed door) means a door designed to permit transfer of cargo to and from a marine terminal structure.

*Cargo packaging* means any method of containment for shipment, including cases, cartons, crates and sacks, but excluding large units such as intermodal containers, vans or similar devices.

*Confined space* means:

(1) A space having all of the following characteristics:

(i) Small size;

(ii) Severely limited natural ventilation;

(iii) Capability to accumulate or contain a hazardous atmosphere;

(iv) Exits that are not readily accessible; and

(v) A design not meant for continuous human occupancy.

<sup>1</sup>The 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.

(2) Examples of confined spaces are intermodal tank containers, ballwater tanks and portable tanks.

*Conveyor* means a device designed exclusively for transporting bulk materials, packages or objects in a predetermined path and having fixed or selective points of loading or discharge.

*Danger zone* means any place in or about a machine or piece of equipment where an employee may be struck by or caught between moving parts, caught between moving and stationary objects or parts of the machine, caught between the material and a moving part of the machine, burned by hot surfaces or exposed to electric shock. Examples of danger zones are nip and shear points, shear lines, drive mechanisms, and areas beneath counterweights.

*Designated person* means a person who possesses specialized abilities in a specific area and is assigned by the employer to perform a specific task in that area.

*Dock* means a wharf or pier forming all or part of a waterfront facility, including marginal or quayside berthing facilities; not to be confused with "loading dock" as at a transit shed or container freight station, or with the body of water between piers or wharves.

*Dockboards* (car and bridge plates) mean devices for spanning short distances between rail cars or highway vehicles and loading platforms that do not expose employees to falls greater than 4 feet (1.22 m).

*Enclosed space* means an indoor space, other than a confined space, that may contain or accumulate a hazardous atmosphere due to inadequate natural ventilation. Examples of enclosed spaces are trailers, railcars, and storage rooms.

*Examination*, as applied to material handling devices required by this part to be certificated, means a comprehensive survey consisting of the criteria outlined in 29 CFR 1919.71(d) as applicable to the type of gear or device. The examination is supplemented by a unit proof test in the case of a quadrennial survey.

*Flammable atmosphere* means an atmosphere containing more than 10 percent of the lower flammable limit of a

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flammable or combustible vapor or dust mixed with air.

*Front-end attachments.* (1) As applied to power-operated industrial trucks, means the various devices, such as roll clamps, rotating and sideshifting carriages, magnets, rams, crane arms or booms, load stabilizers, scoops, buckets and dumping bins, attached to the load end for handling lifts as single or multiple units.

(2) As applied to cranes, means various attachments applied to the basic machine for the performance of functions such as lifting, clamshell or magnet services.

*Fumigant* is a substance or mixture of substances, used to kill pests or prevent infestation, which is a gas or is rapidly or progressively transformed to the gaseous state, even though some nongaseous or particulate matter may remain and be dispersed in the treatment space.

*Hazardous cargo, material, substance or atmosphere* means:

(1) Any substance listed in 29 CFR part 1910, subpart Z;

(2) Any material in the Hazardous Materials Table and Hazardous Materials Communications Regulations of the Department of Transportation, 49 CFR part 172;

(3) Any article not properly described by a name in the Hazardous Materials Table and Hazardous Materials Communications Regulations of the Department of Transportation, 49 CFR part 172 but which is properly classified under the definition of those categories of dangerous articles given in 49 CFR Part 173; or

(4) Any atmosphere with an oxygen content of less than 19.5%.

*House falls* means spans and supporting members, winches, blocks, and standing and running rigging forming part of a marine terminal and used with a vessel's cargo gear to load or unload by means of married falls.

*Inspection*, as applied to material handling devices required by this part to be certificated, means a complete visual examination of all visible parts of the device.

*Intermodal container* means a reusable cargo container of a rigid construction and rectangular configuration; fitted with devices permitting its ready han-

dling, particularly its transfer from one mode of transport to another; so designed to be readily filled and emptied; intended to contain one or more articles of cargo or bulk commodities for transportation by water and one or more other transport modes. The term includes completely enclosed units, open top units, fractional height units, units incorporating liquid or gas tanks and other variations fitting into the container system. It does not include cylinders, drums, crates, cases, cartons, packages, sacks, unitized loads or any other form of packaging.

*Loose gear* means removable and replaceable components of equipment or devices which may be used with or as a part of assembled material handling units for purposes such as making connections, changing line direction and multiplying mechanical advantage. Examples are shackles and snatch blocks.

*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, consolidating 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 nor does the term include storage facilities directly associated with those production or manufacturing areas.

*Ramps* mean other flat-surface devices for passage between levels and across openings not covered under "dockboards."

[48 FR 30909, July 5, 1983, as amended at 62 FR 40196, July 25, 1997; 65 FR 40938, June 30, 2000]

#### § 1917.3 Incorporation by reference.

(a) (1) The standards of agencies of the U.S. Government, and organizations which are not agencies of the U.S. Government which are incorporated by reference in this part, have the same force and effect as other