

## § 174.102

However, they must be protected against accidental ignition. In addition:

(1) Each truck body or trailer must meet the requirements of part 177 of this subchapter, applicable to shipments of Class 1 (explosive) materials by motor vehicle.

(2) Each truck body or trailer must be so secured on the rail car so that it will not permanently change position or show evidence of failure or impending failure of the method of securing the truck body or trailer under impact from each end of at least 13 km (8.1 miles) per hour. Its efficiency shall be determined by actual test, using dummy loads equal in weight and general character to the material to be shipped. For recommended methods of blocking and bracing, see Bureau of Explosives Pamphlet 6C.

(3) Lading must be so loaded, blocked, and braced within or on the truck body or trailer that it will not change position under impact from each end of at least 13 km (8.1 miles) per hour. For recommended methods of blocking and bracing see Bureau of Explosives Pamphlet 6C.

(4) Each rail car containing Class 1 (explosive) materials and each rail car loaded with truck bodies, trailers or containers containing Class 1 (explosive) materials must be placarded with Class 1 (explosive) materials placards as required by subpart F of part 172 of this subchapter and with properly executed car certificates as required by § 174.104.

(5) Each fuel tank of a heater or refrigerating machinery on the truck bodies or trailers must be drained and all automatic heating or refrigerating machinery must be made inoperative by disconnection of the automatic controls or the source of power for their operations.

[Amdt. 174-26, 41 FR 16092, Apr. 15, 1976, as amended by Amdt. 174-26A, 41 FR 40685, Sept. 20, 1976; Amdt. 174-26B, 41 FR 57071, Dec. 30, 1976; Amdt. 174-36, 44 FR 70732, Dec. 10, 1979; Amdt. 174-59, 51 FR 5974, Feb. 18, 1986; Amdt. 174-68, 55 FR 52681, Dec. 21, 1990; Amdt. 174-83, 61 FR 51339, Oct. 1, 1996; 66 FR 45383, Aug. 28, 2001]

## 49 CFR Ch. I (10-1-02 Edition)

### § 174.102 Forbidden mixed loading and storage.

(a) Division 1.1 or 1.2 (explosive) materials and initiating or priming explosives may not be transported together in the same rail car. Additionally, they may not be transported or loaded in the same rail car or stored on carrier property with charged electric storage batteries or with any hazardous material for which a NONFLAMMABLE GAS, FLAMMABLE GAS, FLAMMABLE LIQUID, FLAMMABLE SOLID, OXIDIZER, ORGANIC PEROXIDE, RADIOACTIVE or CORROSIVE label is required.

(b) Class 1 (explosive) materials may not be loaded together or with other hazardous materials, except as provided in § 174.81. See § 174.104 for loading shipments of Class 1 (explosive) materials or any other material in a placarded and certified car containing a shipment of Division 1.1 or 1.2 (explosive) materials.

[Amdt. 174-26, 41 FR 16092, Apr. 15, 1976, as amended by Amdt. 174-68, 55 FR 52681, Dec. 21, 1990; 66 FR 45383, Aug. 28, 2001]

### § 174.103 Disposition of damaged or astray shipments.

(a) Packages of Class 1 (explosive) materials found damaged or broken in transit may be repaired when practicable and not dangerous. A broken box of Division 1.1 or 1.2 (explosive) materials that cannot be repaired must be reinforced by stout wrapping paper and twine, placed in another strong box and surrounded by dry, fine sawdust or dry and clean cotton waste or elastic wads made from dry newspapers. A ruptured can or keg must be sealed and enclosed in a strong cloth bag of good quality and boxed. Damaged packages thus protected and properly marked may be forwarded. The box and waybill must be marked to indicate that it has been repacked.

(b) Care must be exercised in repacking damaged containers so that no spark is produced by contact of metal or other hard surfaces which could ignite loose particles of explosive compositions that may be strewn on car floors or freight. In addition, the car floors must be thoroughly swept, and washed with a plentiful supply of

water. Iron-wheel trucks, metal hammers, or other metal tools that may produce sparks may not be used. Metal tools must be limited to those made of brass, bronze, or copper.

(c) Each package of Class 1 (explosive) materials showing evidence of leakage of liquid ingredients must:

(1) Be refused if leakage is discovered before acceptance;

(2) Be disposed of to a person who is competent and willing to remove them from the carrier's property, if the leakage is discovered while the shipment is in transit; or

(3) Be removed immediately by consignee, if the leakage is discovered at the shipment's destination.

(d) When the disposition required by paragraph (c) of this section cannot be made, the leaking package must be packed in other boxes large enough to permit enclosure and the leaking boxes must be surrounded by at least 5 cm (2 inches) of dry, fine sawdust or dry and clean cotton waste, and be stored in a station magazine or other safe place until the arrival of an inspector of the Bureau of Explosives, or other authorized person, to superintend the destruction or disposition of the condemned material.

(e) If careful inspection shows that an astray shipment of Class 1 (explosive) materials is in proper condition for safe transportation, it must be forwarded immediately to its destination if known, or returned to the shipper by the most practicable route.

(f) When a package in an astray shipment is not in proper condition for safe transportation (see paragraphs (a), (c), and (d) of this section), or when the name and address of the consignee and the shipper are unknown, disposition must be made as prescribed by paragraphs (c) and (d) of this section.

[Amdt. 174-26, 41 FR 16092, Apr. 15, 1976, as amended by Amdt. 174-68, 55 FR 52681, Dec. 21, 1990; 66 FR 45383, Aug. 28, 2001]

**§ 174.104 Division 1.1 or 1.2 (explosive) materials; car selection, preparation, inspection, and certification.**

(a) Except as provided in §174.101 (b), (n), and (o), Division 1.1 or 1.2 (explosive) materials being transported by rail may be transported only in a certified and properly placarded closed car

of not less than 36,300 kg (80,028 pounds) capacity, with steel underframes and friction draft gear or cushioned underframe, except that on a narrow-gauge railroad they may be transported in a car of less capacity as long as the car of greatest capacity and strength available is used.

(b) Each rail car used for transporting Division 1.1 or 1.2 (explosive) materials must meet the following requirements as applicable:

(1) The car must be equipped with air brakes, hand brakes, and roller bearings which are in condition for service.

(2) The car may not have any holes or cracks in the roof, sides, ends, or doors through which sparks may enter, or unprotected decayed spots which may hold sparks and start a fire.

(3) The roof of the car must be carefully inspected from the outside for decayed spots, especially under or near the running board, and such spots must be covered or repaired to prevent their holding fire from sparks. A car with a roof generally decayed, even if tight, may not be used.

(4) The doors must close tightly so that sparks cannot get in at the joints, and, if necessary to achieve this degree of tightness, the doors must be stripped. The stripping should be placed on the inside and fastened to the door frames where it will form a shoulder against which the closed doors are pressed by means of wedges or cleats in door shoes or keepers. The openings under the doors should be similarly closed. The hasp fastenings must be examined with the doors closed and fastened, and the doors must be cleated when necessary to prevent them from shifting. When the car is opened for any reason, the wedges or cleats must be replaced before car containing Class 1 (explosive) materials is permitted to proceed.

(5) The roller bearings and the trucks must be carefully examined and put in such condition as to reduce to a minimum the danger of hotboxes or other failure necessitating the setting out of the car before reaching its destination.

(6) The car must be carefully swept out before it is loaded. For less-than-carload shipments the space in which the packages are to be loaded must be