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AUTHORITY: 46 U.S.C. 2103, 2113, 3306; 49 U.S.C. App. 1804; E.O. 12234, 45 FR 58801, 3 CFR, 1980 Comp., p. 277; Department of Homeland Security Delegation No. 0170.1.

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SOURCE: CGFR 67-83, 33 FR 1151, Jan. 27, 1968, unless otherwise noted.

Subpart 194.01—Application

§ 194.01-1 General.

(a) The provisions of this part, with the exception of subpart 194.90, shall apply to all vessels other than non-self-propelled vessels of less than 300 gross tons contracted for on or after March 1, 1968.

(b) Non-self-propelled vessels of less than 300 gross tons shall not be subject to the provisions of this part except as provided otherwise by paragraph (c) of this section.

(c) Non-self-propelled vessels of less than 300 gross tons shall be governed by the applicable portions of 49 CFR parts 171-179, and the applicable portions of 33 CFR parts 6 and 121 to 126, inclusively. Alternately, the owner, at his option, may comply with the provisions of this part.

(d) Vessels contracted for prior to March 1, 1968, shall meet the requirements of subpart 194.90.

[CGFR 67-83, 33 FR 1151, Jan. 27, 1968, as amended by CGD 86-033, 53 FR 36026, Sept. 16, 1988]

Subpart 194.05—Stowage and Marking

§ 194.05-1 General.

(a) The master shall be held responsible for and shall require the proper handling, stowage, and marking of all chemical stores and reagents.

(b) Chemical stores shall be stowed in a chemical storeroom in approved drums, barrels, or other packages, properly marked and labeled, as prescribed by 49 CFR part 172 for those specific commodities, except that those chemical stores excluded from the storeroom by §§194.20-15 and 194.20-17, and those chemical stores not desired to be located in a chemical storeroom, shall be stored in accordance with the appropriate provisions of 49 CFR part 176 insofar as such regulations apply to cargo vessels.

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(c) Ships' stores shall be regulated in accordance with the appropriate provisions of part 147 of Subchapter N (Dangerous Cargoes) of this chapter.

[CGFR 67-83, 33 FR 1151, Jan. 27, 1968, as amended by CGD 86-033, 53 FR 36027, Sept. 16, 1988]

§ 194.05-3 Chemical stores.

(a) Chemical stores are those chemicals which possess one or more of the following properties and shall be classed, marked and labeled in accordance with 49 CFR part 172:

- (1) Explosives.
- (2) Flammable liquids.
- (3) Flammable solids.
- (4) Oxidizing materials.
- (5) Corrosive materials.
- (6) Compressed gasses.
- (7) Poisons.
- (8) Combustible liquids.
- (9) Other Regulated Materials (DOT Hazard Class "ORM").

(b) Substances for use in the chemistry laboratory, or to be stored in the chemical storeroom and generally covered under paragraph (a) of this section but not specifically listed by name in 49 CFR 172.101 must be approved by the Commandant (G-MSO) prior to being carried on board a vessel.

[CGD 86-033, 53 FR 36027, Sept. 16, 1988, as amended by CGD 97-057, 62 FR 51051, Sept. 30, 1997]

§ 194.05-5 Chemicals in the chemistry laboratory.

(a) Small working quantities of chemical stores in the chemistry laboratory which have been removed from the approved shipping container need not be marked or labeled as required by 49 CFR part 172. Reagent containers in the laboratory shall be marked to show at least the following:

- (1) Common chemical name.
- (2) Hazards, if any; e.g., flammable, poison, etc.

(b) In the interest of facilitating scientific activities, no restrictions are intended which will limit the variety of chemical stores which may be used in the chemical laboratory. With the knowledge and approval of the master, the laboratory supervisor may be responsible for stowage and use of materials within the laboratory and chemical storeroom.

(c) Reagent containers shall be properly secured against shifting and spillage. Insofar as practical all reagents shall be stowed in suitable, unbreakable containers.

[CGFR 67-83, 33 FR 1151, Jan. 27, 1968, as amended by CGD 86-033, 53 FR 36027, Sept. 16, 1988]

§ 194.05-7 Explosives—Detail requirements.

(a) Except as otherwise provided by this part, Division 1.1 and 1.2 (explosive) materials (as defined in 49 CFR 173.50) and blasting-caps must be carried in magazines specifically fitted for that purpose as described by subpart 194.10 of this part.

(b) Class 1 (explosive) materials (as defined in 49 CFR 173.50) must be identified by their appropriate DOT classification.

(c)(1) Compatibility of magazine stowage shall be in accordance with 49 CFR 176.144.

(2) Magazine chests, magazine vans, and deck stowage areas shall be separated by a distance of at least 25 feet if their contents are incompatible with each other. Reduction of this distance to allow for special configurations will be permitted only if specifically approved by the Commandant.

(d) On-deck stowage of unfused depth-charges or other unfused-case-type Class 1 (explosive) materials (as defined in 49 CFR 173.50) is authorized as follows:

(1) Stowage shall be in a location reasonably protected from the full force of boarding seas.

(2) Stowage shall be protected from direct exposure to the sun by overhead decks, awnings, or tarpaulins. Decks shall be constructed of incombustible materials; awnings and tarpaulins shall be fire-resistant and/or flame proof fabric.

(3) Items shall be properly secured by using existing vessel structures such as bulwarks, hatch coamings, shelter deck and poop bulkheads as part boundaries and effectively closing in the items by fitting angle bar closing means secured by bolting to clips or other parts of the ship's structure. Lashing of deck stowage is permitted provided eye pads or