

§ 176.77

49 CFR Ch. I (10–1–04 Edition)

“on deck” stowage because of the vessel’s design. Tank cars must be Class DOT-113 or AAR-204W tank cars.

(h) A fumigated transport unit may only be transported on board a vessel subject to the following conditions and limitations:

(1) The fumigated transport unit may be placed on board a vessel only if at least 24 hours have elapsed since the unit was last fumigated;

(2) The fumigated transport unit is accompanied by a document showing the date of fumigation and the type and amount of fumigant used;

(3) Prior to loading, the master is informed of the intended placement of the fumigated transport unit on board the vessel and the information provided on the accompanying document;

(4) Equipment that is capable of detecting the fumigant and instructions for the equipment’s use is provided on the vessel;

(5) The fumigated transport unit must be stowed at least five m from any opening to accommodation spaces;

(6) Fumigated transport units may only be transported on deck on vessels carrying more than 25 passengers; and

(7) Fumigants may not be added to transport units while on board a vessel.

(i) Containers packed or loaded with flammable gases or liquids having a flash point of 23° C or less and carried on deck must be stowed “away from” possible sources of ignition.

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

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 176.76, see the List of CFR Sections Affected which appears in the Finding Aids section of the printed volume and on GPO Access.

EFFECTIVE DATE NOTE: At 68 FR 61942, Oct. 30, 2003, § 176.76 was amended in paragraph (a)(2) by revising the word “movement” to read “shifting” each time it appears, effective Oct. 1, 2004. At 69 FR 30588, May 28, 2004, the effective date was delayed until Jan. 1, 2005.

§ 176.77 Stowage of barges containing hazardous materials on board barge-carrying vessels.

(a) A barge which contains hazardous materials may be transported on board a barge-carrying vessel if it is stowed in accordance with the requirements of this section.

(b) A barge which contains hazardous materials for which only “on deck” stowage is authorized must be stowed above the weather deck and be vented to the atmosphere.

(c) A barge which contains hazardous materials for which both “on deck” and “below deck” storage is authorized may be stowed above or below the weather deck.

§ 176.78 Use of power-operated industrial trucks on board vessels.

(a) *Power Operated trucks.* A power-operated truck (including a power-operated tractor, forklift, or other specialized truck used for cargo handling) may not be used on board a vessel in a space containing a hazardous material unless the truck conforms to the requirements of this section. The COTP may suspend or prohibit the use of cargo handling vehicles or equipment when that use constitutes a safety hazard.

(b) Each truck must have a specific designation of Underwriter’s Laboratories or Factory Mutual Laboratories. Any repair or alteration to a truck must be equivalent to that required on the original designation.

(c) *Description of designations.* The recognized testing laboratory type designations are as follows:

(1) An “E” designated unit is an electrically-powered unit that has minimum acceptable safeguards against inherent fire hazards.

(2) An “EE” designated unit is an electrically-powered unit that has, in addition to all the requirements for the “E” unit, the electric motor and all other electrical equipment completely enclosed.

(3) An “EX” designated unit is an electrically-powered unit that differs from the “E” and “EE” unit in that the electrical fittings and equipment are so designed, constructed, and assembled that the unit may be used in certain atmospheres containing flammable vapors or dusts.

(4) A “C” designated unit is a gasoline-powered unit having minimum acceptable safeguards against inherent fire hazards.

(5) A “GS” designated unit is a gasoline-powered unit that is provided with