

(1) Internal combustion machinery used for main propulsion:

(2) Internal combustion machinery used for purposes other than main propulsion where such machinery has in the aggregate a total power output of not less than 375 kw; or

(3) any oil-fired boiler or fuel unit.

*Magazine* means an enclosure designed to protect certain goods of Class 1 (explosive) materials from damage by other cargo and adverse weather conditions during loading, unloading, and when in transit; and to prevent unauthorized access. A magazine may be a fixed structure or compartment in the vessel, a closed freight container, a closed transport vehicle, or a portable magazine. Magazines may be positioned in any part of the ship conforming with the relevant provisions for Class 1 (explosive) materials contained in Subpart G of this part provided that magazines which are fixed structures are sited so that their doors, where fitted, are easily accessible.

*Master of the Vessel*, as used in this part, includes the person in charge of an unmanned vessel or barge.

*Open freight container* means a freight container that does not totally enclose its contents by permanent structures.

*Overstowed* means a package or container is stowed directly on top of another. However, with regard to Class 1 (explosive) stowage, such goods may themselves be stacked to a safe level but other goods should not be stowed directly on top of them.

*Pallet* means a portable platform for stowing, handling, and moving cargo.

*Palletized unit* means packages or unpackaged objects stacked on a pallet, banded and secured to the pallet by metal, fabric, or plastic straps for the purpose of handling as a single unit.

*Pie plate* means a round, oval, or hexagonal pallet without sideboards, used in conjunction with a cargo net to handle loose cargo on board a vessel.

*Portable magazine* means a strong, closed, prefabricated, steel or wooden, closed box or container, other than a freight container, designed and used to handle Class 1 (explosive) materials either by hand or mechanical means.

*Readily combustible material* means a material which may or may not be classed as a hazardous material but

which is easily ignited and supports combustion. Examples of readily combustible materials include wood, paper, straw, vegetable fibers, products made from such materials, coal, lubricants, and oils. This definition does not apply to packaging material or dunnage.

*Responsible person* means a person empowered by the master of the vessel to make all decisions relating to his or her specific task, and having the necessary knowledge and experience for that purpose.

*Safe working load* means the maximum gross weight that cargo handling equipment is approved to lift.

*Skilled person* means a person having the knowledge and experience to perform a certain duty.

*Skipboard* means a square or rectangular pallet without sideboards, usually used in conjunction with a cargo net to handle loose cargo on board a vessel.

*Splice* as used in §176.172 of this part, means any repair of a freight container main structural member which replaces material, other than complete replacement of the member.

*Tray* means a type of pallet constructed to specific dimensions for handling a particular load.

[Amdt. 176-30, 55 FR 52687, Dec. 21, 1990, as amended at 66 FR 8647, Feb. 1, 2001; 66 FR 33438, June 21, 2001; 66 FR 45184, Aug. 28, 2001; 67 FR 61015, Sept. 27, 2002; 68 FR 75747, 75748, Dec. 31, 2003; 69 FR 76179, Dec. 20, 2004]

### § 176.3 Unacceptable hazardous materials shipments.

(a) A carrier may not transport by vessel any shipment of a hazardous material that is not prepared for transportation in accordance with parts 172 and 173 of this subchapter.

(b) A carrier may not transport by vessel any explosive or explosive composition described in §173.54 of this subchapter.

[Amdt. 176-1, 41 FR 16110, Apr. 15, 1976, as amended by Amdt. 176-30, 55 FR 52688, Dec. 21, 1990]

### § 176.4 Port security and safety regulations.

(a) Each carrier, master, agent, and charterer of a vessel and all other persons engaged in handling hazardous