

welding, burning or other fire or spark producing operations.

(t) The term *portable unfired pressure vessel* means any pressure container or vessel used aboard ship, other than the ship's equipment, containing liquids or gases under pressure, excepting pressure vessels built to Department of Transportation regulations under 49 CFR part 178, subparts C and H.

(u) The term *powder actuated fastening tool* means a tool or machine which drives a stud, pin, or fastener by means of an explosive charge.

(v) For purposes of §1915.97, the term *hazardous material* means a material which has one or more of the following characteristics:

(1) Has a flash point below 140 °F., closed cup, or is subject to spontaneous heating;

(2) Has a threshold limit value below 500 p.p.m. in the case of a gas or vapor, below 500 mg./m.³ for fumes, and below 25 m.p.p.c.f. in case of a dust;

(3) Has a single dose oral LD₅₀ below 500 mg./kg.;

(4) Is subject to polymerization with the release of large amounts of energy;

(5) Is a strong oxidizing or reducing agent;

(6) Causes first degree burns to skin in short time exposure, or is systemically toxic by skin contact; or

(7) In the course of normal operations, may produce dusts, gases, fumes, vapors, mists, or smokes which have one or more of the above characteristics.

[47 FR 16986, Apr. 20, 1982, as amended at 67 FR 44541, July 3, 2002]

§ 1915.5 Incorporation by reference.

(a) Specifications, standards, and codes of agencies of the U.S. Government, to the extent specified in the text, form a part of the regulations of this part. In addition, under the authority vested in the Secretary under the Act, the specifications, standards, and codes of organizations which are not agencies of the U.S. Government, in effect on the date of the promulgation of the regulations of this part as listed below, to the extent specified in the text, form a part of the regulations of this part.

(b) The materials listed in paragraph (d) of this section are incorporated by

reference in the corresponding sections noted as they exist on the date of the approval, and a notice of any change in these materials will be published in the FEDERAL REGISTER.

These incorporations by reference were approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

(c) Copies of the following standards that are issued by the respective private standards organizations may be obtained from the issuing organizations. The materials are available for purchase at the corresponding addresses of the private standards organizations noted below. In addition, all are available for inspection through the OSHA Docket Office, room N2625, U.S. Department of Labor, 200 Constitution Ave., NW., Washington, DC 20210, or any of its regional offices or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(d)(1) The following material is available for purchase from the American National Standards Institute, 11 West 42nd Street, New York, NY 10036.

(i) ANSI A14.1-1975 Safety Requirements for Portable Wood Ladders, IBR approved for §1915.72(a)(6).

(ii) ANSI A14.2-1972 Safety Requirements for Portable Metal Ladders, IBR approved for §1915.72(a)(4).

(iii) ANSI B7.1-1964 Safety Code for the Use, Care, and Protection of Abrasive Wheels, IBR approval for §1915.134(c)

(iv) ANSI Z87.1-1989 Practice for Occupational and Educational Eye and Face Protection, IBR approved for §1915.153(b)(1).

(v) ANSI Z87.1-1979 Practice for Occupational and Educational Eye and Face Protection, IBR approved for §1915.153(b)(2).

(vi) ANSI Z89.1-1986 Personnel Protection—Protective Headgear for Industrial Workers Requirements, IBR approved for §1915.155(b)(1)

(vii) ANSI Z89.1-1969 Safety Requirement for Industrial Head Protection, IBR approved for §1915.155(b)(2).

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(viii) ANSI Z41–1991 Personal Protection—Protective Footwear, IBR approved for § 1915.156(b)(1)

(ix) ANSI Z41–1983 Personal Protection—Protective Footwear, IBR approved for § 1915.156(b)(2).

(2) The following material is available for purchase from the American Society of Mechanical Engineers, 345 East 47th Street, New York, New York 10017:

(i) ASME Boiler and Pressure Vessel Code, Section VIII, Rules for Construction of Unfired Pressure Vessels, 1963, IBR approved for § 1915.172(a).

(3) The following material is available for purchase from the American Conference of Governmental Industrial Hygienists (ACGIH), 1014 Broadway, Cincinnati, OH 45202:

(i) Threshold limit values, 1970, IBR approved for §§ 1915.12(b) and 1915.1000, table Z.

(4) The following material is available for purchase from the National Fire Protection Association, 1 Batterymarch Park, PO Box 9101, Quincy, MA 02269–9101:

(i) NFPA 1981–1997, Standard on Open-Circuit Self-Contained Breathing Apparatus for the Fire Service, IBR approved for § 1915.505(e)(3)(v).

(ii) NFPA 1971–2000, Standard on Protective Ensemble for Structural Fire Fighting, IBR approved for § 1915.505(e)(4)(ii).

(iii) NFPA 1976–2000, Standard on Protective Ensemble for Proximity Fire Fighting, IBR approved for § 1915.505(e)(5).

(iv) NFPA 1982–1998, Standard on Personal Alert Safety Systems (PASS), IBR approved for § 1915.505(e)(6)(ii).

(v) NFPA 1983–2001, Standard on Fire Service Life Safety Rope and System Components, IBR approved for § 1915.505(e)(7)(i).

(vi) NFPA 10–1998, Standard for Portable Fire Extinguishers, IBR approved for § 1915.507(b)(1).

(vii) NFPA 14–2000, Standard for the Installation of Standpipe, Private Hydrant, and Hose Systems, IBR approved for § 1915.507(b)(2) and (d)(1).

(viii) NFPA 72–1999, National Fire Alarm Code, IBR approved for § 1915.507(c)(6).

(ix) NFPA 13–1999, Installation of Sprinkler Systems, IBR approved for § 1915.507(d)(2).

(x) NFPA 750–2000, Standard on Water Mist Fire Protection Systems, IBR approved for § 1915.507(d)(2).

(xi) NFPA 25–2002, Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems, IBR approved for § 1915.507(d)(2).

(xii) NFPA 15–2001, Standard for Water Spray Fixed Systems for Fire Protection, IBR approved for § 1915.507(d)(3).

(xiii) NFPA 11–1998, Standard for Low-Expansion Foam, IBR approved for § 1915.507(d)(3).

(xiv) NFPA 11A–1999, Standard for Medium- and High-Expansion Foam Systems, IBR approved for § 1915.507(d)(3).

(xv) NFPA 17–2002, Standard for Dry Chemical Extinguishing Systems, IBR approved for § 1915.507(d)(4).

(xvi) NFPA 12–2000, Standard on Carbon Dioxide Extinguishing Systems, IBR approved for § 1915.507(d)(5).

(xvii) NFPA 12A–1997, Standard on Halon 1301 Fire Extinguishing Systems, IBR approved for § 1915.507(d)(5).

(xviii) NFPA 2001–2000, Standard on Clean Agent Fire Extinguishing Systems, IBR approved for § 1915.507(d)(5).

(xix) NFPA 1403–2002, Standard on Live Fire Training Evolutions, IBR approved for § 1915.508(d)(8).

[61 FR 26359, May 24, 1996, as amended at 67 FR 44541, July 3, 2002; 69 FR 18803, Apr. 9, 2004; 69 FR 55702, Sept. 15, 2004]

§ 1915.6 Commerical diving operations.

Commerical diving operations shall be subject to subpart T of part 1910, §§ 1910.401–1910.441 of this chapter.

§ 1915.7 Competent person.

(a) *Application.* This section applies to shipyard employment.

(b) *Designation.* (1) One or more competent persons shall be designated by the employer in accordance with the applicable requirements of this section, unless the requirements of subparts B, C, D and H of this part are always carried out by a Marine Chemist. *Exception:* The employer may designate any person who meets the applicable portions of the criteria set forth in paragraph (c) of this section as a competent