

**Subpart J—Personal Protective Equipment**

- 1918.101 Eye and face protection.  
 1918.102 Respiratory protection.  
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APPENDIX I TO PART 1918—CARGO GEAR REGISTER AND CERTIFICATES (NON-MANDATORY)

APPENDIX II TO PART 1918—TABLES FOR SELECTED MISCELLANEOUS AUXILIARY GEAR (MANDATORY)

APPENDIX III TO PART 1918—THE MECHANICS OF CONVENTIONAL CARGO GEAR (NON-MANDATORY)

APPENDIX IV TO PART 1918—SPECIAL CARGO GEAR AND CONTAINER SPREADER TEST REQUIREMENTS (MANDATORY) [SEE §1918.61 (f), (g), (h)]

APPENDIX V TO PART 1918—BASIC ELEMENTS OF A FIRST AID TRAINING PROGRAM (NON-MANDATORY)

SUBJECT INDEX FOR 29 CFR 1918—LONGSHORING

AUTHORITY: Sections 4, 6, 8, Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657); section 41, Longshore and Harbor Workers' Compensation Act (33 U.S.C. 941); Secretary of Labor's Order Nos. 12-71 (36 FR 8754); 8-76 (41 FR 25059), 9-83 (48 FR 35736); 6-96 (62 FR 111) or 5-2002 (67 FR 65008), as applicable; and 29 CFR part 1911.

Section 1918.90 also issued under 5 U.S.C. 553

Section 1918.100 also issued under Sec. 29, Hazardous Materials Transportation Uniform Safety Act of 1990 (49 U.S.C. 1801-1819 and 5 U.S.C. 553).

SOURCE: 62 FR 40202, July 25, 1997, unless otherwise noted.

**Subpart A—General Provisions****§ 1918.1 Scope and application.**

(a) The regulations of this part apply to longshoring operations and related employments aboard vessels. All cargo transfer accomplished with the use of shore-based material handling devices is covered by part 1917 of this chapter.

(b) Part 1910 of this chapter does not apply to longshoring except for the following provisions:

(1) *Access to employee exposure and medical records.* Subpart Z, § 1910.1020;

(2) *Commercial diving operations.* Subpart T;

(3) *Electrical.* Subpart S when shore-based electrical installations provide power for use aboard vessels;

(4) *Hazard communication.* Subpart Z, § 1910.1200;

(5) *Ionizing radiation.* Subpart Z, § 1910.1096;

(6) *Noise.* Subpart G, § 1910.95;

(7) *Nonionizing radiation.* Subpart G, § 1910.97;

NOTE TO PARAGRAPH (b)(7): Exposures to nonionizing radiation emissions from commercial vessel radar transmitters are considered hazardous under the following situations: (a) Where the radar is transmitting, the scanner is stationary, and the exposure distance is 19 feet (5.79 m) or less; or (b) where the radar is transmitting, the scanner is rotating, and the exposure distance is 5 feet (1.52 m.) or less.

(8) *Respiratory protection.* Subpart I, § 1910.134;

(9) *Toxic and hazardous substances.* Subpart Z applies to marine cargo handling activities except for the following:

(i) When a substance or cargo is contained within a sealed, intact means of packaging or containment complying with Department of Transportation or International Maritime Organization requirements;<sup>1</sup>

(ii) Bloodborne pathogens, § 1910.1030;

(iii) Carbon monoxide, § 1910.1000 (See § 1918.94(a)); and

(iv) Hydrogen sulfide, § 1910.1000 (See § 1918.94(f)); and

(v) Hexavalent chromium § 1910.1026 (See § 1915.1026)

(10) Powered industrial truck operator training, Subpart N, § 1910.178(l).

NOTE TO PARAGRAPH (b)(10): The Compliance dates of December 1, 1999 set forth in 29 CFR 1910.178(l)(7) are stayed until March 1, 2000 for Longshoring.

(c) Section 1915.1026 applies to any occupational exposures to hexavalent chromium in workplaces covered by this part.

[62 FR 40202, July 25, 1997, as amended at 63 FR 66274, Dec. 1, 1998; 64 FR 46847, Aug. 27, 1999; 65 FR 40943, June 30, 2000; 71 FR 10381, Feb. 28, 2006]

**§ 1918.2 Definitions.**

*Barge* means an unpowered, flatbottomed, shallow draft vessel including river barges, scows, carfloats,

<sup>1</sup>The International Maritime Organization publishes the International Maritime Dangerous Goods Code to aid compliance with the international legal requirements of the International Convention for the Safety of Life at Sea, 1960.

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and lighters. It does not include ship shaped or deep draft barges.

*Bulling* means the horizontal dragging of cargo across a surface with none of the weight of the cargo supported by the fall.

*Danger zone* means any place in or about a machine or piece of equipment where an employee may be struck by or caught between moving parts, caught between moving and stationary objects or parts of the machine, caught between the material and a moving part of the machine, burned by hot surfaces or exposed to electric shock. Examples of danger zones are nip and shear points, shear lines, drive mechanisms, and areas underneath counterweights.

*Designated person* means a person who possesses specialized abilities in a specific area and is assigned by the employer to do a specific task in that area.

*Dockboards* (car and bridge plates) mean devices for spanning short distances between, for example, two barges, that is not higher than four feet (1.22m) above the water or next lower level.

*Employee* means any longshore worker or other person engaged in longshoring operations or related employments other than the master, ship's officers, crew of the vessel, or any person engaged by the master to load or unload any vessel of less than 18 net tons.

*Employer* means a person that employs employees in longshoring operations or related employments, as defined in this section.

*Enclosed space* means an interior space in or on a vessel that may contain or accumulate a hazardous atmosphere due to inadequate natural ventilation. Examples of enclosed spaces are holds, deep tanks and refrigerated compartments.

*Fall hazard* means the following situations:

(1) Whenever employees are working within three feet (.91 m) of the unprotected edge of a work surface that is 8 feet or more (2.44 m) above the adjoining surface and twelve inches (.3 m) or more, horizontally, from the adjacent surface; or

(2) Whenever weather conditions may impair the vision or sound footing of employees working on top of containers.

*Fumigant* is a substance or mixture of substances, used to kill pests or prevent infestation, that is a gas or is rapidly or progressively transformed to the gaseous state, although some non-gaseous or particulate matter may remain and be dispersed in the treatment space.

*Gangway* means any ramp-like or stair-like means of access provided to enable personnel to board or leave a vessel, including accommodation ladders, gangplanks and brows.

*Hatch beam* or *strongback* mean a portable transverse or longitudinal beam placed across a hatchway that acts as a bearer to support the hatch covers.

*Hazardous cargo, materials, substance or atmosphere* means:

(1) Any substance listed in 29 CFR part 1910, subpart Z;

(2) Any material in the Hazardous Materials Table and Hazardous Materials Communications Regulations of the Department of Transportation, 49 CFR part 172;

(3) Any article not properly described by a name in the Hazardous Materials Table and Hazardous Materials Communication Regulations of the Department of Transportation, 49 CFR part 172, but which is properly classified under the definitions of those categories of dangerous articles given in 49 CFR part 173; or

(4) Any atmosphere with an oxygen content of less than 19.5 percent or greater than 23 percent.

*Intermodal container* means a reusable cargo container of a rigid construction and rectangular configuration; fitted with devices permitting its ready handling, particularly its transfer from one mode of transport to another; so designed to be readily filled and emptied; intended to contain one or more articles of cargo or bulk commodities for transportation by water and one or more other transport modes. The term includes completely enclosed units, open top units, fractional height units, units incorporating liquid or gas tanks and other variations fitting into

the container system. It does not include cylinders, drums, crates, cases, cartons, packages, sacks, unitized loads or any other form of packaging.

*Longshoring operations* means the loading, unloading, moving or handling of cargo, ship's stores, gear, or any other materials, into, in, on, or out of any vessel.

*Mississippi River System* includes the Mississippi River from the head of navigation to its mouth, and navigable tributaries including the Illinois Waterway, Missouri River, Ohio River, Tennessee River, Allegheny River, Cumberland River, Green River, Kanawha River, Monongahela River, and such others to which barge operations extend.

*Public vessel* means a vessel owned and operated by a government and not regularly employed in merchant service.

*Ramp* means other flat surface devices for passage between levels and across openings not covered under the term *dockboards*.

*Related employments* means any employments performed incidental to or in conjunction with longshoring operations, including, but not restricted to, securing cargo, rigging, and employment as a porter, clerk, checker, or security officer.

*River towboat* means a shallow draft, low freeboard, self-propelled vessel designed to tow river barges by pushing ahead. It does not include other towing vessels.

*Ro-Ro operations* are those cargo handling and related operations, such as lashing, that occur on Ro-Ro vessels, which are vessels whose cargo is driven on or off the vessel by way of ramps and moved within the vessel by way of ramps and/or elevators.

*Small trimming hatch* means a small hatch or opening, pierced in the between deck or other intermediate deck of a vessel, and intended for the trimming of dry bulk cargoes. It does not refer to the large hatchways through which cargo is normally handled.

*Vessel* includes every description of watercraft or other artificial contrivance used or capable of being used for transportation on water, including special purpose floating structures not

primarily designed for or used for transportation on water.

*Vessel's cargo handling gear* includes that gear that is a permanent part of the vessel's equipment and used for the handling of cargo other than bulk liquids. The term covers all stationary or mobile cargo handling appliances used on board ship for suspending, raising or lowering loads or moving them from one position to another while suspended or supported. This includes, but is not limited to, cargo elevators, forklifts, and other powered industrial equipment. It does not include gear used only for handling or holding hoses, handling ship's stores or handling the gangway, or boom conveyor belt systems for the self-unloading of bulk cargo vessels.

[62 FR 40202, July 25, 1997, as amended at 65 FR 40944, June 30, 2000]

#### § 1918.3 Incorporation by reference.

(a) (1) The standards of agencies of the U.S. Government, and organizations which are not agencies of the U.S. Government which are incorporated by reference in this part, have the same force and effect as other standards in this part. Only the mandatory provisions (i.e. provisions containing the word "shall" or other mandatory language) of standards incorporated by reference are adopted as standards under the Occupational Safety and Health Act.

(2) Any changes in the standards incorporated by reference in this part and an official historic file of such changes are available for inspection at the national office of the Occupational Safety and Health Administration, U.S. Department of Labor, Washington, DC 20210.

(3) The materials listed in paragraph (b) 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 (IBRs) were approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

(4) Copies of the following standards that are issued by the respective private standards organizations may be