

approval is being requested. The manufacturer must sign the application and certify that the device for which approval is requested conforms to APA Standard 87-1 and that the descriptions and technical information contained in the application are complete and accurate. If the application is denied, the manufacturer will be notified in writing of the reasons for the denial. The Associate Administrator may require that the fireworks be examined by an agency listed in paragraph (b)(1) of this section.

[Amdt. 173-224, 55 FR 52617 Dec. 21, 1990, as amended at 56 FR 66267, Dec. 20, 1991; Amdt. 173-234, 58 FR 51532, Oct. 1, 1993; 62 FR 51560, Oct. 1, 1997; 63 FR 37461, July 10, 1998; 64 FR 10777, Mar. 5, 1999; 66 FR 45379, Aug. 28, 2001; 68 FR 75743, Dec. 31, 2003]

§ 173.57 Acceptance criteria for new explosives.

(a) Unless otherwise excepted, an explosive substance must be subjected to the Drop Weight Impact Sensitivity Test (Test Method 3(a)(i)), the Friction Sensitivity Test (Test Method 3(b)(iii)), the Thermal Stability Test (Test Method 3(c)) at 75 °C (167 °F) and the Small-Scale Burning Test (Test Method 3(d)(i)), each as described in the Explosive Test Manual (UN Manual of Tests and Criteria) (IBR, see §171.7 of this subchapter). A substance is forbidden for transportation if any one of the following occurs:

(1) For a liquid, failure to pass the test criteria when tested in the Drop Weight Impact Sensitivity Test apparatus for liquids;

(2) For a solid, failure to pass the test criteria when tested in the Drop Weight Impact Sensitivity Test apparatus for solids;

(3) The substance has a friction sensitiveness equal to or greater than that of dry pentaerythrite tetranitrate (PETN) when tested in the Friction Sensitivity Test;

(4) The substance fails to pass the test criteria specified in the Thermal Stability Test at 75 °C (167 °F); or

(5) Explosion occurs when tested in the Small-Scale Burning Test.

(b) An explosive article, packaged or unpackaged, or a packaged explosive substance must be subjected to the Thermal Stability Test for Articles and

Packaged Articles (Test method 4(a)(i)) and the Twelve Meter Drop Test (Test Method 4(b)(ii)), when appropriate, in the Explosive Test Manual. An article or packaged substance is forbidden for transportation if evidence of thermal instability or excessive impact sensitivity is found in those tests according to the criteria and methods of assessing results prescribed therein.

(c) Dynamite (explosive, blasting, type A) is forbidden for transportation if any of the following occurs:

(1) It does not have uniformly mixed with the absorbent material a satisfactory antacid in a quantity sufficient to have the acid neutralizing power of an amount of magnesium carbonate equal to one percent of the nitroglycerin or other liquid explosive ingredient;

(2) During the centrifuge test (Test Method D-2, in appendix D to this part) or the compression test (Test Method D-3 in appendix D to this part), a non-gelatin dynamite loses more than 3 percent by weight of the liquid explosive or a gelatin dynamite loses more than 10 percent by weight of the liquid explosive; or

(3) During the leakage test (Test Method D-1 in appendix D to this part), there is any loss of liquid.

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§ 173.58 Assignment of class and division for new explosives.

(a) *Division 1.1, 1.2, 1.3, and 1.4 explosives.* In addition to the test prescribed in §173.57 of this subchapter, a substance or article in these divisions must be subjected to Test Methods 6(a), 6(b), and 6(c), as described in the UN Manual of Tests and Criteria (IBR, see §171.7 of this subchapter), for assignment to an appropriate division. The criteria for assignment of class and division are as follows:

(1) Division 1.1 if the major hazard is mass explosion;

(2) Division 1.2 if the major hazard is dangerous projections;

(3) Division 1.3 if the major hazard is radiant heat or violent burning, or both, but there is no blast or projection hazard;

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(4) Division 1.4 if there is a small hazard with no mass explosion and no projection of fragments of appreciable size or range;

(5) Division 1.4 Compatibility Group S (1.4S) if the hazardous effects are confined within the package or the blast and projection effects do not significantly hinder emergency response efforts; or

(6) Not in the explosive class if the substance or article does not have significant explosive hazard or if the effects of explosion are completely confined within the article.

(b) Division 1.5 explosive. Except for ANFO, a substance that has been examined in accordance with the provisions §173.57(a) of this subchapter, must be subjected to the following additional tests: Cap Sensitivity Test, Princess Incendiary Spark Test, DDT Test, and External Fire Test, each as described in the Explosive Test Manual. A material may not be classed as a Division 1.5 explosive if any of the following occurs:

(1) Detonation occurs in the Cap Sensitivity Test (Test Method 5(a));

(2) Detonation occurs in the DDT Test (Test Method 5(b)(ii));

(3) An explosion, evidenced by a loud noise and projection of fragments, occurs in the External Fire Test (Test Method 5(c), or

(4) Ignition or explosion occurs in the Princess Incendiary Spark Test (Test Method 5(d)).

(c) Division 1.6 explosive. (1) In order to be classed as a 1.6 explosive, an article must pass all of the following tests, as prescribed in the Explosive Test Manual:

(i) The 1.6 Article External Fire Test;

(ii) The 1.6 Article Slow Cook-off Test;

(iii) The 1.6 Article Propagation Test; and

(iv) The 1.6 Article Bullet Impact Test.

(2) A substance intended for use as the explosive load in an article of Division 1.6 must be an extremely insensitive detonating substance (EIDS). In order to determine if a substance is an EIDS, it must be subjected to the tests in paragraphs (c)(2)(i) through (c)(2)(x) of this section, which are described in the Explosive Test Manual. The sub-

stance must be tested in the form (i.e., composition, granulation, density, etc.) in which it is to be used in the article. A substance is not an EIDS if it fails any of the following tests:

(i) The Drop Weight Impact Sensitivity Test;

(ii) The Friction Sensitivity Test;

(iii) The Thermal Sensitivity Test at 75 °C (167 °F);

(iv) The Small Scale Burning Test;

(v) The EIDS Cap Test;

(vi) The EIDS Gap Test;

(vii) The Susan Test;

(viii) The EIDS Bullet Impact Test;

(ix) The EIDS External Fire Test; and

(x) The EIDS Slow Cook-off Test.

(d) The Associate Administrator may waive or modify certain test(s) identified in §§173.57 and 173.58 of this subchapter, or require additional testing, if appropriate. In addition, the Associate Administrator may limit the quantity of explosive in a device.

(e) Each explosive is assigned a compatibility group letter by the Associate Administrator based on the criteria prescribed in §173.52(b) of this subchapter.

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§ 173.59 Description of terms for explosives.

For the purpose of this subchapter, a description of the following terms is provided for information only. They must not be used for purposes of classification or to replace proper shipping names prescribed in §172.101 of this subchapter.

Ammonium-nitrate—fuel oil mixture (ANFO). A blasting explosive containing no essential ingredients other than prilled ammonium nitrate and fuel oil.

Ammunition. Generic term related mainly to articles of military application consisting of all types of bombs, grenades, rockets, mines, projectiles and other similar devices or contrivances.

Ammunition, illuminating, with or without burster, expelling charge or propelling charge. Ammunition designed to produce a single source of intense light