

§ 1910.17

(v) *Grain handling facilities*. Subpart R, § 1910.272;

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

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

(viii) *Noise*. Subpart G, § 1910.95;

(ix) *Nonionizing radiation*. Subpart G, § 1910.97.

(x) *Respiratory protection*. Subpart I, § 1910.134.

(xi) *Safety requirements for scaffolding*. Subpart D, § 1910.28;

(xii) *Servicing multi-piece and single piece rim wheels*. Subpart N, § 1910.177;

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

(A) 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;²

(B) Bloodborne pathogens, § 1910.1030;

(C) Carbon monoxide, § 1910.1000 (See § 1917.24(a)); and

(D) Hydrogen sulfide, § 1910.1000 (See § 1917.73(a)(2)); and

(xiv) Powered industrial truck operator training, subpart N, § 1910.178(1).

(c) *Definitions*. For purposes of this section:

(1) *Longshoring operation* means the loading, unloading, moving, or handling of, cargo, ship's stores, gear, etc., into, in, on, or out of any vessel;

(2) *Related employment* means any employment performed as an incident to or in conjunction with, longshoring operations including, but not restricted to, securing cargo, rigging, and employment as a porter, checker, or watchman; and

(3) *Vessel* includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, including special purpose floating structures not primarily designed for, or used as a means of, transportation on water.

²The 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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(4) *Marine terminal* means wharves, bulkheads, quays, piers, docks and other berthing locations and adjacent storage or adjacent areas and structures associated with the primary movement of cargo or materials from vessel to shore or shore to vessel including structures which are devoted to receiving, handling, holding, consolidation and loading or delivery of waterborne shipments or passengers, including areas devoted to the maintenance of the terminal or equipment. The term does not include production or manufacturing areas having their own docking facilities and located at a marine terminal nor does the term include storage facilities directly associated with those production or manufacturing areas.

[39 FR 23502, June 27, 1974, as amended at 48 FR 30908, July 5, 1983; 52 FR 36026, Sept. 25, 1987; 62 FR 40195, July 25, 1997; 63 FR 66270, Dec. 1, 1998]

§ 1910.17 Effective dates.

(a)–(b) [Reserved]

(c) Except whenever any employment or place of employment is, or becomes, subject to any safety and health standard prescribed in part 1915, 1916, 1917, 1918, or 1926 of this title on a date before August 27, 1971, by virtue of the Construction Safety Act or the Longshoremen's and Harbor Workers' Compensation Act, that occupational safety and health standard as incorporated by reference in this subpart shall also become effective under the Williams-Steiger Occupational Safety and Health Act of 1970 on that date.

[39 FR 23502, June 27, 1974, as amended at 61 FR 9235, Mar. 7, 1996]

§ 1910.18 Changes in established Federal standards.

Whenever an occupational safety and health standard adopted and incorporated by reference in this subpart B is changed pursuant to section 6(b) of the Act and the statute under which the standard was originally promulgated, and in accordance with part 1911 of this chapter, the standard shall be deemed changed for purposes of that statute and this subpart B, and shall apply under this subpart B. For the purposes of this section, a change in a