

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

*Hazardous cargo, material, 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 Communications Regulations of the Department of Transportation, 49 CFR part 172 but which is properly classified under the definition 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%.

*House falls* means spans and supporting members, winches, blocks, and standing and running rigging forming part of a marine terminal and used with a vessel's cargo gear to load or unload by means of married falls.

*Inspection*, as applied to material handling devices required by this part to be certificated, means a complete visual examination of all visible parts of the device.

*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.

*Loose gear* means removable and replaceable components of equipment or devices which may be used with or as a part of assembled material handling units for purposes such as making connections, changing line direction and multiplying mechanical advantage. Examples are shackles and snatch blocks.

*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, consolidating 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 nor does the term include storage facilities directly associated with those production or manufacturing areas.

*Ramps* mean other flat-surface devices for passage between levels and across openings not covered under "dockboards."

*Ship's stores* means materials that are aboard a vessel for the upkeep, maintenance, safety, operation, or navigation of the vessel, or for the safety or comfort of the vessel's passengers or crew.

[48 FR 30909, July 5, 1983, as amended at 62 FR 40196, July 25, 1997; 65 FR 40938, June 30, 2000; 76 FR 33610, June 8, 2011]

### § 1917.3 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) The standards listed in paragraph (b) of this section are incorporated by reference in the corresponding sections noted as the sections exist on the date of the approval, and a notice of any

change in these standards will be published in the FEDERAL REGISTER. The Director of the Federal Register approved these incorporations by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

(3) Any changes in the standards incorporated by reference in this part and an official historic file of such changes are available for inspection in the Docket Office at the national office of the Occupational Safety and Health Administration, U.S. Department of Labor, Washington, DC 20910; telephone: 202-693-2350 (TTY number: 877-889-5627).

(4) Copies of standards listed in this section and issued by private standards organizations are available for purchase from the issuing organizations at the addresses or through the other contact information listed below for these private standards organizations. In addition, these standards are available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, telephone: 202-741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html). Also, the material is available for inspection at any Regional Office of the Occupational Safety and Health Administration (OSHA), or at the OSHA Docket Office, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-2625, Washington, DC 20210; telephone: 202-693-2350 (TTY number: 877-889-5627).

(b) Except as noted, copies of the standards listed below in this paragraph are available for purchase from the American National Standards Institute (ANSI), 25 West 43rd Street, 4th Floor, New York, NY 10036; telephone: 212-642-4900; fax: 212-398-0023; Web site: <http://www.ansi.org>.

(1) ANSI A14.1-1990, Safety Requirements for Portable Wood Ladders; IBR approved for §1917.119(c).

(2) ANSI A14.2-1990, Safety Requirements for Portable Metal Ladders; IBR approved for §1917.119(c).

(3) ANSI A14.5-1992, Safety Requirements for Portable Reinforced Plastic Ladders; IBR approved for §1917.119(c).

(4) ANSI Z41-1999, American National Standard for Personal Protection—Pro-

TECTIVE Footwear; IBR approved for §1917.94(b)(1)(ii). Copies of ANSI Z41-1999 are available for purchase only from the National Safety Council, P.O. Box 558, Itasca, IL 60143-0558; telephone: 1-800-621-7619; fax: 708-285-0797; Web site: <http://www.nsc.org>.

(5) ANSI Z41-1991, American National Standard for Personal Protection—Protective Footwear; IBR approved for §1917.94(b)(1)(iii). Copies of ANSI Z41-1991 are available for purchase only from the National Safety Council, P.O. Box 558, Itasca, IL 60143-0558; telephone: 1-800-621-7619; fax: 708-285-0797; Web site: <http://www.nsc.org>.

(6) ANSI Z87.1-2003, American National Standard Practice for Occupational and Educational Eye and Face Protection; IBR approved for §1917.91(a)(1)(i)(A). Copies of ANSI Z87.1-2003 are available for purchase only from the American Society of Safety Engineers, 1800 East Oakton Street, Des Plaines, IL 60018-2187; telephone: 847-699-2929; or from the International Safety Equipment Association (ISEA), 1901 North Moore Street, Arlington, VA 22209-1762; telephone: 703-525-1695; fax: 703-528-2148; Web site: <http://www.safetysafetyequipment.org>.

(7) ANSI Z87.1-1989 (R-1998), American National Standard Practice for Occupational and Educational Eye and Face Protection; IBR approved for §1917.91(a)(1)(i)(B). Copies of ANSI Z87.1-1989 (R-1998) are available for purchase only from the American Society of Safety Engineers, 1800 East Oakton Street, Des Plaines, IL 60018-2187; telephone: 847-699-2929.

(8) ANSI Z87.1-1989, American National Standard Practice for Occupational and Educational Eye and Face Protection; IBR approved for §1917.91(a)(1)(i)(C). Copies of ANSI Z87.1-1989 are available for purchase only from the American Society of Safety Engineers, 1800 East Oakton Street, Des Plaines, IL 60018-2187; telephone: 847-699-2929.

(9) ANSI Z89.1-2003, American National Standard for Industrial Head Protection; IBR approved for §1917.93(b)(1)(i). Copies of ANSI Z89.1-2003 are available for purchase only from the International Safety Equipment Association, 1901 North Moore

## § 1917.4

Street, Arlington, VA 22209-1762; telephone: 703-525-1695; fax: 703-528-2148; Web site: <http://www.safetysiteequipment.org>.

(10) ANSI Z89.1-1997, American National Standard for Industrial Head Protection; IBR approved for § 1917.93(b)(1)(ii). Copies of ANSI Z89.1-1997 are available for purchase only from the International Safety Equipment Association, 1901 North Moore Street, Arlington, VA 22209-1762; telephone: 703-525-1695; fax: 703-528-2148; Web site: <http://www.safetysiteequipment.org>.

(11) ANSI Z89.1-1986, American National Standard for Personnel Protection—Protective Headwear for Industrial Workers—Requirements; IBR approved for § 1917.93(b)(1)(iii).

(12) ASME B56.1, 1959, Safety Code for Powered Industrial Trucks, pages 8 and 13; IBR approved for § 1917.50(j)(1).

(c) Copies of the following standards are available for purchase from ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428-2959; telephone: 610-832-9585; fax: 610-832-9555; e-mail: [service@astm.org](mailto:service@astm.org); Web site: <http://www.astm.org>:

(1) ASTM F-2412-2005, Standard Test Methods for Foot Protection; IBR approved for § 1917.94(b)(1)(i).

(2) ASTM F-2413-2005, Standard Specification for Performance Requirements for Protective Footwear; IBR approved for § 1917.94(b)(1)(i).

[62 FR 40196, July 25, 1997, as amended at 65 FR 40938, June 30, 2000; 69 FR 18803, Apr. 9, 2004; 74 FR 46358, Sept. 9, 2009]

EFFECTIVE DATE NOTE: At 77 FR 37599, June 22, 2012, § 1917.3 was amended by revising paragraphs (b)(9) through (b)(11), effective Sept. 20, 2012. For the convenience of the user, the revised text is set forth as follows:

### § 1917.3 Incorporation by reference.

(b) \* \* \*

(9) American National Standards Institute (ANSI) Z89.1-2009, American National Standard for Industrial Head Protection, approved January 26, 2009; IBR approved for § 1917.93(b)(1)(i). Copies of ANSI Z89.1-2009 are available for purchase only from the International Safety Equipment Association, 1901 North Moore Street, Arlington, VA 22209-1762; telephone: 703-525-1695; fax: 703-528-2148; Web site: [www.safetysiteequipment.org](http://www.safetysiteequipment.org).

(10) American National Standards Institute (ANSI) Z89.1-2003, American National Standard for Industrial Head Protection; IBR ap-

## 29 CFR Ch. XVII (7-1-12 Edition)

proved for § 1917.93(b)(1)(ii). Copies of ANSI Z89.1-2003 are available for purchase only from the International Safety Equipment Association, 1901 North Moore Street, Arlington, VA 22209-1762; telephone: 703-525-1695; fax: 703-528-2148; Web site: [www.safetysiteequipment.org](http://www.safetysiteequipment.org).

(11) American National Standards Institute (ANSI) Z89.1-1997, American National Standard for Personnel Protection—Protective Headwear for Industrial Workers—Requirements; IBR approved for § 1917.93(b)(1)(iii). Copies of ANSI Z89.1-1997 are available for purchase only from the International Safety Equipment Association, 1901 North Moore Street, Arlington, VA 22209-1762; telephone: 703-525-1695; fax: 703-528-2148; Web site: [www.safetysiteequipment.org](http://www.safetysiteequipment.org).

\* \* \* \* \*

### § 1917.4 OMB control numbers under the Paperwork Reduction Act.

The following list identifies the 29 CFR citations for sections or paragraphs in this part that contain a collection of information requirement approved by the Office of Management and Budget (OMB). The list also provides the control number assigned by OMB to each approved requirement; control number 1218-0196 expires on May 31, 2002 and control number 1218-0003 expires on July 31, 2001. The list follows:

29 CFR citation	OMB control number.
1917.17(n) .....	1218-0196
1917.17(o) .....	1218-0196
1917.23(b)(1) .....	1218-0196
1917.23(b)(2) .....	1218-0196
1917.23(d)(4) .....	1218-0196
1917.24(b) .....	1218-0196
1917.24(d) .....	1218-0196
1917.25(a) .....	1218-0196
1917.25(b) .....	1218-0196
1917.25(c) .....	1218-0196
1917.25(f) .....	1218-0196
1917.26(d)(7) .....	1218-0196
1917.30(a)(1) .....	1218-0196
1917.30(a)(5)(iii) .....	1218-0196
1917.42(b)(1) .....	1218-0196
1917.42(b)(4) .....	1218-0196
1917.42(c)(1) .....	1218-0196
1917.42(d)(1) .....	1218-0196
1917.42(g)(3) .....	1218-0003
1917.42(h)(1) .....	1218-0196
1917.42(h)(4) .....	1218-0003
1917.42(h)(5) .....	1218-0196
1917.44(e) .....	1218-0196
1917.44(h) .....	1218-0196
1917.45(f)(1)(i) .....	1218-0196
1917.45(f)(4)(iv) .....	1218-0196
1917.45(f)(6) .....	1218-0196
1917.45(g)(2) .....	1218-0196
1917.45(g)(3)(iii) .....	1218-0196
1917.45(g)(8) .....	1218-0196