

§ 1301.5

loading hopper of a refuse collection vehicle or by other means.

(c) *Internal volume* means the actual volumetric capacity of the container. This may not necessarily correspond to the nominal size rating used by industry.

(d) *Tip over* means that during the application of either test force described in §1301.7(a), the refuse bin begins to rotate forward about its forwardmost ground supports.

§ 1301.5 Banning criteria.

(a) Any refuse bin of metal construction produced or distributed, for sale to, or for the personal use, consumption or enjoyment of consumers, in or around a permanent or temporary household or residence, a school, in recreation or otherwise, which is in commerce or being distributed in commerce on or after the effective date of this ban and which has an actual internal volume one cubic yard or greater and tips over when tested under the conditions of §1301.6 and using the procedures described in §1301.7, is a banned hazardous product.

(b) The Commission considers a refuse bin to tip over when it begins to rotate forward about its forwardmost ground supports.

§ 1301.6 Test conditions.

(a) The refuse bin shall be empty and have its lids or covers in a position

which would most adversely affect the stability of the bin when tested.

(b) The refuse bin shall be tested on a hard, flat surface. During testing, the bin shall not be tilted from level in such a way as to increase its stability.

(c) Those refuse bins equipped with casters or wheels shall have the casters or wheels positioned in a position which would most adversely affect the stability of the bin and shall be chocked to prevent movement.

(d) The stability of the refuse bin shall be tested without dependence upon non-permanent attachments or restraints such as chains or guys.

(e) For purposes of enforcement, bins will be tested by the Commission in that position which most adversely affects their stability.

§ 1301.7 Test procedures.

(a) The refuse bin shall be tested by applying forces as described in paragraphs (a) (1) and (2) of this section one after the other.

(1) A horizontal force of 70 pounds (311 N) shall be applied at a point and in a direction most likely to cause tipping, and

(2) A vertically downward force of 191 pounds (850 N) shall be applied to a point most likely to cause tipping. (See Figure 1.)

