

(a) of this section, no Seaway Explosives Permission Letter shall be granted and the vessel shall not transit.

(c) A written application for a Seaway Explosives Permission Letter certifying that the cargo is packed, marked, and stowed in accordance with the Canadian Regulations respecting the Carriage of Dangerous Goods, the United States Regulations under the Dangerous Cargo Act and the International Maritime Dangerous Goods Code may be made to the Saint Lawrence Seaway Development Corporation, P.O. Box 520, Massena, New York 13662 or to the St. Lawrence Seaway Management Corporation, 202 Pitt Street, Cornwall, Ontario, K6J 3P7.

(d) A signed copy of a Seaway Explosives Permission Letter and a true copy of any certificate as to the loading of dangerous cargo shall be kept on board every explosive vessel in transit and shall be made available to any officer requiring production of such copies.

(Approved by the Office of Management and Budget under control number 2135-0004)

[45 FR 52379, Aug. 7, 1980, as amended at 47 FR 51123, Nov. 12, 1982; 48 FR 20691, May 9, 1983; 49 FR 30936, Aug. 2, 1984; 55 FR 48599, Nov. 21, 1990; 65 FR 52914, Aug. 31, 2000; 70 FR 12972, Mar. 17, 2005; 72 FR 2620, Jan. 22, 2007]

#### § 401.69 Hazardous cargo vessels.

For the purpose of these Regulations, a vessel shall be deemed to be a hazardous cargo vessel in the following cases:

(a) A tanker carrying fuel oil, gasoline, crude oil or other flammable liquids in bulk, having a flashpoint below 61 °C, including a tanker that is not gas free where its previous cargo had a flashpoint below 61 °C;

(b) A tanker carrying compressed liquefied gases, bulk acids or liquefied chemicals;

(1) In excess of 50 tonnes of gases, compressed, liquified or dissolved under pressure (IMO Class 2),

(2) In excess of 50 tonnes of flammable liquids having a flashpoint below 61 °C (IMO Class 3),

(3) In excess of 50 tonnes of flammable solids, spontaneously combustible material or substances emitting combustible gases when wet (IMO Class 4),

(4) In excess of 50 tonnes of oxidizing substances or organic peroxides (IMO Class 5),

(5) Any quantity of poisonous (toxic) substances and infectious substances (IMO Class 6),

(6) Any quantity of radioactive substances (IMO Class 7),

(7) In excess of 50 tonnes of corrosive substances (IMO Class 8),

(8) Any quantity of metal turnings, borings, cuttings, or shavings in bulk having a temperature on loading or in transit in excess of 65.5 °C, and

(9) Any quantity of grain that is under fumigation, where the chemical being used is hazardous to human life.

(10) Any quantity of direct reduced iron (DRI).

[45 FR 52379, Aug. 7, 1980, as amended at 47 FR 51123, Nov. 12, 1982; 48 FR 20691, May 9, 1983]

#### § 401.70 Fendering—explosive and hazardous cargo vessels.

All explosive vessels requiring a Seaway Explosives Permission Letter in accordance with § 401.68 and all tankers carrying cargo with a flashpoint of up to 61 °C, except those carrying such cargo in center tanks with gas free wing tanks, shall be equipped with a sufficient number of non-metallic fenders on each side to prevent any metallic part of the vessel from touching the side of a dock or lock wall.

[72 FR 2620, Jan. 22, 2007]

#### § 401.71 Signals—explosive or hazardous cargo vessels.

An explosive or hazardous cargo vessel shall display at the masthead or at an equivalent conspicuous position a "B" flag.

[61 FR 19551, May 2, 1996]

#### § 401.72 Reporting—explosive and hazardous cargo vessels.

(a) Every explosive vessel or hazardous cargo vessel shall, when reporting information related to cargo as required by § 401.64(a), report the nature and tonnage of its explosive or hazardous cargo where applicable. Every vessel carrying grain which is under fumigation shall declare to the nearest traffic control center the nature of the