

§ 174.103 Disposition of damaged or astray shipments.

(a) Packages of Class 1 (explosive) materials found damaged or broken in transit may be repaired when practicable and not dangerous. A broken box of Division 1.1 or 1.2 (explosive) materials that cannot be repaired must be reinforced by stout wrapping paper and twine, placed in another strong box and surrounded by dry, fine sawdust or dry and clean cotton waste or elastic wads made from dry newspapers. A ruptured can or keg must be sealed and enclosed in a strong cloth bag of good quality and boxed. Damaged packages thus protected and properly marked may be forwarded. The box and waybill must be marked to indicate that it has been repacked.

(b) Care must be exercised in repacking damaged containers so that no spark is produced by contact of metal or other hard surfaces which could ignite loose particles of explosive compositions that may be strewn on car floors or freight. In addition, the car floors must be thoroughly swept, and washed with a plentiful supply of water. Iron-wheel trucks, metal hammers, or other metal tools that may produce sparks may not be used. Metal tools must be limited to those made of brass, bronze, or copper.

(c) Each package of Class 1 (explosive) materials showing evidence of leakage of liquid ingredients must:

(1) Be refused if leakage is discovered before acceptance;

(2) Be disposed of to a person who is competent and willing to remove them from the carrier's property, if the leakage is discovered while the shipment is in transit; or

(3) Be removed immediately by consignee, if the leakage is discovered at the shipment's destination.

(d) When the disposition required by paragraph (c) of this section cannot be made, the leaking package must be packed in other boxes large enough to permit enclosure and the leaking boxes must be surrounded by at least 5 cm (2 inches) of dry, fine sawdust or dry and clean cotton waste, and be stored in a station magazine or other safe place until the arrival of an inspector of the Bureau of Explosives, or other authorized person, to superintend the destruction or disposition of the condemned material.

(e) If careful inspection shows that an astray shipment of Class 1 (explosive) materials is in proper condition for safe transportation, it must be forwarded immediately to its destination if known, or returned to the shipper by the most practicable route.

(f) When a package in an astray shipment is not in proper condition for safe transportation (see paragraphs (a), (c), and (d) of this section), or when the name and address of the consignee and the shipper are unknown, disposition must be made as prescribed by paragraphs (c) and (d) of this section.

[Amdt. 174-26, 41 FR 16092, Apr. 15, 1976, as amended by Amdt. 174-68, 55 FR 52681, Dec. 21, 1990; 66 FR 45383, Aug. 28, 2001]