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Subj: EXPLOSIVE HANDLING SUPERVISOR PROGRAM

- Ref:
- (a) Marine Information for Safety and Law Enforcement (MISLE) User Guides
 - (b) Naval Sea Systems Command, Ammunition and Explosives Safety Ashore, NAVSEA OP 5 Volume 1 Seventh Revision
 - (c) Risk Management (RM), COMDTINST 3500.3A (series)
 - (d) Explosive Handling Supervisor Job Aid, dated April 2018
 - (e) National Container Inspection Program, COMDTINST M16616.11 (series)
 - (f) Army TM 55-607, Naval Sea Systems Command OP 3221, Rev 2, Technical Manual Loading and Stowage of Military Ammunition and Explosives Aboard Break-bulk Merchant Ships, 27 DEC 1988
 - (g) Marine Safety Manual Volume I, Administration and Management, COMDTINST M16000.6 (series)
 - (h) Marine Safety Manual Volume II, COMDTINST M16000.7 (series)
 - (i) Department of Defense (DOD) 6055.9-STD, DOD Ammunition and Explosives Safety Standards, Incorporating Change 2, August 21, 2009.
 - (j) DOD Explosive Safety Board, Technical Paper 23, Assessing Explosives Safety Risks, Deviations, And Consequences, 31 JUL 2009
 - (k) DOD Explosive Safety Board, Technical Paper 14, Revision 4a, Approved Methods and Algorithms For DOD Risk-Based Explosives Siting, 17 MAR 2017

1. PURPOSE. This Manual provides policy and doctrine used by the Coast Guard's Explosive Handling Supervisors (EHS) to enforce applicable hazardous material and facility compliance laws and regulations for the handling and transportation of certain explosive materials on vessels and waterfront facilities.
2. ACTION. All Coast Guard unit commanders, commanding officers, officers-in-charge, deputy and assistant commandants, and chiefs of headquarters staff elements must comply with the provisions of this Manual.

DISTRIBUTION – SDL No. 168

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NON-STANDARD DISTRIBUTION:

3. DIRECTIVES AFFECTED.

- a. Navigation and Vessel Inspection Circular Number 2-96, Inspection of Cargo Handling Gear Prior to Explosives Handling is canceled.
- b. Commandant (MOC) Policy Letter 99-02, Commercial Explosives Handling; Application of Quantity Distance Tables, dated July 15, 1999 is canceled.
- c. Commandant (G-MSO) Policy Letter 16711, Interim Policy Regarding Application of Department of Defense Quantity Distance Criteria in Considering Permits for Transfers of Class 1 (Explosive) Materials, dated June 3, 2003, is canceled.
- d. Commandant (CG-544) Policy Letter 11-01, Explosive Handling Supervisor (EHS) Policy Updates, dated November 1, 2011, is canceled.

4. DISCLAIMER. This Manual is not a substitute for applicable legal requirements, nor is it itself a rule. It is intended to provide operational guidance for Coast Guard personnel and is not intended to nor does it impose legally-binding requirements on any party outside the Coast Guard.

5. MAJOR CHANGES. Major changes to this system include: clarification on responsibility at all levels of the organization regarding handling of explosives, expansion of the safety and health discussion, guidance on the optional use of quantitative risk assessments in lieu of quantity distance arcs, and greater detail on when EHS details work with DOD facilities.

6. ENVIRONMENTAL ASPECT AND IMPACT CONSIDERATIONS.

- a. The development of this Manual and the general policies contained within it have been thoroughly reviewed by the originating office in conjunction with the Office of Environmental Management, Commandant (CG-47). This Manual is categorically excluded under current Department of Homeland Security (DHS) categorical exclusion (CATEX) A3 from further environmental analysis in accordance with "Implementation of the National Environmental Policy Act (NEPA), DHS Instruction Manual 023-01-001-01 (series).
- b. This Manual will not have any of the following: significant cumulative impacts on the human environment; substantial controversy or substantial changes to existing environmental conditions; or inconsistencies with any Federal, State, or local laws or administrative determinations relating to the environment. All future specific actions resulting from the general policy in this Manual must be individually evaluated for compliance with the NEPA, DHS and Coast Guard NEPA policy, and compliance with all other environmental mandates.

7. DISTRIBUTION. No paper distribution will be made of this Manual. An electronic version will be located on the following Commandant (CG-612) web sites. The Internet site is <http://www.dcms.uscg.mil/directives>, and it is also available on CGPortal at <https://cg.portal.uscg.mil/library/SitePages/Home.aspx>.

8. RECORDS MANAGEMENT CONSIDERATIONS. This Manual has been evaluated for potential records management impacts. The development of this Manual has been thoroughly reviewed during the Directives clearance process, and it has been determined there are no further records scheduling requirements, in accordance with Federal Records Act, 44 USC §§ 3101 et seq., National Archive and Records Administration (NARA) requirements, and Information and Life Cycle Management Manual, COMDTINST M5212.12 (series). This policy does not have any significant or substantial change to existing records management requirements.
9. FORMS/REPORTS.
 - a. The Application and Permit to Handle Hazardous Materials, Form (CG-4260) has been updated and is required for all applicable explosive handling operations when a commercial entity is involved. As per Chapter II-16-16, Item No. 6 of the Information and Life Cycle Management Manual, COMDTINST M5212.12 (series), units must retain copies of the completed application and issued permit for two years after which they may be destroyed (NC-76-80-4, item 219) unless they are related to a case under litigation or are part of an incomplete investigation. To obtain copies of the form, field units can obtain them from the CG-Portal Forms Library:
<https://cg.portal.uscg.mil/library/forms/SitePages/Forms.aspx>.
 - b. Units will document EHS activities in Marine Information for Safety and Law Enforcement (MISLE) in accordance with Reference (a).
10. REQUESTS FOR CHANGES. Units and individuals may recommend changes by writing via the chain of command to: Commandant (CG-FAC); U.S. Coast Guard Stop 7501; 2703 Martin Luther King Jr Ave., SE; WASHINGTON, DC 20593-7501.

J. P. NADEAU /s/
Rear Admiral, U.S. Coast Guard
Assistant Commandant for Prevention Policy

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EXPLOSIVE HANDLING SUPERVISOR PROGRAM
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CHAPTER 1 GENERAL

- A. Introduction. Our Nation's manufacturing processes and stability of explosive products are considerably safer today than they were in the past, and the increased carriage by containers and performance-based packaging combine to reduce the risk of accidental explosion during the handling of commercial and military explosives. Specific regulations for the carriage of explosives in all modes of transportation add another level of safety to this vital commodity. Because of these measures, the likelihood of an event involving explosives is low, but the consequence of such an event remains potentially catastrophic. In the maritime environment, explosives are often carried and handled in much greater volumes than in other modes of transportation, leading to the need for increased oversight to ensure already established regulations are followed. Under the authority of the Captain of the Port (COTP), it is the Coast Guard EHSs that carry out this vital regulatory function in the maritime domain.
- B. Background. The Coast Guard's Explosive Handling Supervisor program was initiated following a series of accidents that occurred as a result of improper handling, loading, and stowage of explosive materials on military vessels, commercial vessels and waterfront facilities.
1. Program Establishment. In 1950, Congress granted the Coast Guard the authority to supervise the handling of explosives on commercial vessels operating within the COTP zone following an accident that occurred at the "powder pier" in South Amboy, New Jersey. Boxcars loaded with ammunition and explosives detonated at the end of the pier during loading operations resulting in 300 injuries and 31 deaths. The subsequent marine board of investigation found that a series of unsafe practices contributed to the accident including insufficient packaging, failure to move loaded lighter vessels away from the continuing loading operation, and the use of a lighter vessel that was undergoing engine maintenance. The resulting action was the development of regulations pertaining to the transportation of explosives and other hazardous materials by vessel found in 49 CFR Part 176.
 2. Purpose. Coast Guard regulations and policies are intended to protect the public from harm. As technology and practices change over time, our regulations and policies must change as well to keep pace. This Manual serves as a consolidated policy document for executing the Coast Guard's Explosive Handling Supervisor Program and provides Coast Guard personnel necessary guidance to enforce applicable laws and regulations governing the handling and maritime transportation of explosive materials. For the purpose of this Manual, the term handle or handling means, "the operation of loading and unloading a vessel; transfer to, from, or within a vessel, and any ancillary operations such as the storage, and movement of explosives on or within a facility or vessel."
- C. Authorities and Legal Considerations.
1. Port Safety. A COTP has broad authority to inspect hazardous materials shipments and waterfront facilities for compliance with various laws and regulations. The broad authority contained in the Ports and Waterways Safety Act (PWSA) and in

33 CFR § 160.109 states the following: “To prevent damage to, or the destruction of, any bridge or other structure on or in the navigable waters of the United States, or any land structure or shore area immediately adjacent to such waters, and to protect the navigable waters and the resources therein from harm resulting from vessel or structure damage, destruction, or loss, each District Commander or COTP may: Direct the handling, loading, unloading, storage, and movement (including the emergency removal, control and disposition) of explosives or other dangerous articles and substances, including oil or hazardous material.” The PWSA (33 USC §§ 1221 et seq.) and 46 USC Chapter 37 provide broad authority in the areas of safety and environmental protection in ports, harbors, waterfront areas, and navigable waters. The Coast Guard is further charged with enforcing and implementing the regulation of the carriage of explosives or other dangerous articles on vessels (49 USC §§ 5101 et seq.).

2. Port Security. To prevent potential damage or destruction, the Coast Guard has authority for visitation, search, and removal of any articles or things in port areas. This authority is based on 50 USC § 191 and Executive Order 11249 of 10 October 1965, which is codified in 33 CFR § 6.04-7, and states: “The Captain of the Port may cause to be inspected and searched at any time any vessel, waterfront facility, or security zone, or any person, article, or thing therein, within the jurisdiction of the United States, may place guards upon such vessel, waterfront facility, or security zone and may remove there from any and all persons, articles or things not specifically authorized by him to go or remain thereon or therein.”
3. Legal Considerations. The authorities mentioned in this Chapter do not give Explosive Handling Supervisors unrestricted access to anything or everything in or on a waterfront facility. Coast Guard EHSs need to understand how to carry out the missions within the guidelines of the Fourth Amendment of the U.S. Constitution, U.S. law, regulatory authorities, and current policy. Field units must contact their servicing Legal Office for guidance when needed. If any criminal activity is suspected or discovered, the operations must cease and the local Coast Guard Investigative Service (CGIS) office or local law enforcement must be notified. The operation must not recommence until the law enforcement representative has given clearance.

D. Responsibilities.

1. Headquarters.
 - a. Provide policy guidance and regulatory interpretation on all matters pertaining to the handling of explosives.
 - b. As appropriate and permitted by law, share inspection results for data collection and trend analysis with the field, U.S. Customs and Border Protection (CBP), the Pipeline and Hazardous Materials Safety Administration (PHMSA), and the National Cargo Bureau (NCB) to improve safety and effectiveness.

- c. Periodically review and update this Manual and other relevant material related to Explosive Handling Supervision.
2. Areas and Districts.
 - a. Provide oversight and support to the Coast Guard Captain of the Port (COTP) performing the supervision of the handling of explosives.
 - b. Serve as a liaison between the COTP and Headquarters to address questions and provide suggestions for improving Coast Guard oversight of the handling of explosives on vessels and at waterfront facilities.
3. Captain of the Port.
 - a. Maintain strong professional relationships and networks with other Federal, state, local, and tribal agencies, as well as all other interested stakeholders, who are vital in preparing for and responding to incidents that may threaten the environment or disrupt a region's marine transportation system.
 - b. Conduct exercises and training events to build relationships while honing specific skills and procedures. Ensure the widest stakeholder participation through outlets and organizations such as Harbor Safety Committees, Area Committees (pollution response), Port Readiness Committees, and Area Maritime Security Committees.
 - c. Use regular informal meetings with Department of Defense (DOD) Base Commanders and other stakeholders to share information, best practices, and maintain professional networks and relationships.
 - d. Conduct outreach to individuals who offer, transport, or plan to be engaged in the transportation of hazardous materials in maritime commerce in order to educate and to increase compliance with applicable regulations.
 - e. Establish and maintain security and safety zones as necessary to support processing and movement of military and commercial explosives. Coast Guard assets may be required to maintain and enforce security and safety zones.
 - f. Review and approve, review and approve with conditions, or deny the Application and Permit to Handle Hazardous Materials, Form (CG-4260) for the waterborne transportation of explosives.
 - g. Maintain a sufficient cadre of qualified EHSs taking into consideration the number of DOD outloads and commercial explosives that are transported throughout the COTP zone.

- h. Issue Notice of Violation (NOV) Issuing Officer designation letters to EHS qualified team members who will be expected to initiate enforcement actions as a result of deficiencies discovered while conducting an EHS supervisory detail.
 - i. Ensure there is a process at the unit level to detain vessels or container shipments and control their movement specific to explosive cargo deficiencies.
 - j. Develop a procedure to follow up on detained containers and explosive cargoes, to include the timely assessment of containers with outstanding deficiencies and explosive cargoes until such deficiencies are resolved.
 - k. Ensure MISLE casework is completed correctly IAW Reference (a).
 - l. Inspect commercial port facilities to verify compliance with applicable laws and regulations.
- E. Technical Assistance and Policy Interpretation. Through the appropriate chain of command, the Office of Port and Facility Compliance - Cargo & Facility Division (CG-FAC-2), Office of Design and Engineering Standards - Hazardous Materials Division (CG-ENG-5), Office of Commercial Vessel Compliance (CG-CVC), Training Center Yorktown, and the Container Inspection Training and Assist Team (CITAT) are available to provide policy interpretations and technical assistance. As Commandant (CG-FAC-2) is the Program Manager for the Explosive Handling Supervisor Program, and to ensure visibility for all EHS issues in the field, questions for any Headquarters staff element should be routed through the chain of command to Commandant (CG-FAC-2) for engagement with other offices within CG Headquarters.
1. Commandant (CG-FAC-2). Headquarters staff members are available to assist with specific policy and regulatory interpretation, information on waivers, exemptions, and alternative methods or Quantitative Risk Assessments (QRAs) to address instances when an explosive operation Net Explosive Weight (NEW) exceeds the Quantity Distance Separation (QD). See Chapter 6 of this Manual for more information on NEW, QD, and QRA.
 2. Commandant (CG-ENG-5). Headquarters staff members are available to assist in policy and regulatory interpretation of 49 CFR Subchapter C, Chapter I, and the International Maritime Dangerous Goods (IMDG) Code. Additionally, Commandant (CG-ENG-5) provides technical input during review process for all requests for a Department of Transportation (DOT) Special Permit (SP) or a Competent Authority Approval.
 3. Commandant (CG-CVC). Headquarters staff members are available to assist with specific policy and regulatory interpretation regarding commercial vessel compliance with the Coast Guard issued Certificate of Inspection or Flag State issued Certificates on vessels that are utilized for the transportation of explosives.

4. Training Center Yorktown. The Marine Transportation Systems Management School is available to assist COTPs in addressing various technical and implementation issues and questions pertaining to explosive handling supervisory operations.
 5. Container Inspection Training and Assist Team (CITAT). CITAT is available to assist with questions regarding various technical issues including container integrity and suitability for explosive shipments, marking, packaging, and stowage of explosive materials. When resources permit, CITAT also provides assistance at the request of the Military Surface Deployment and Distribution Command (SDDC) to deploying DOD units, ensuring HAZMAT cargo is packaged in accordance with applicable U.S. and international regulations.
- F. DOD Explosives Safety Officer (ESO). A reliable resource for EHS details to use when operations are occurring at DOD facilities is the ESO. The role of the ESO is to manage the DOD facility Explosives Safety Program. The ESO will provide the base commanding officer with reasoned, informed advice regarding explosives safety standards and acceptable levels of risk. The ESO is responsible for training, pre-operations site inspection, oversight of explosive and ammunition operations, accident investigation and other duties which are described in Reference (b).

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CHAPTER 2 HAZARD AND RISK MITIGATION

- A. Safety and Health Risks. The safety of the American public, our EHSs, and authorized detail members is the Coast Guard's top priority. While explosives are considered safe for transportation when shipped in accordance with applicable regulations, all explosive details must be conducted with caution and consideration for the potential safety and health risks these activities present. As such, EHSs must employ the concepts of Operational Risk Management (ORM) as prescribed in Reference (c). As part of the mission preparation, ORM needs to be followed for each container or magazine to be inspected as no two containers or magazines present the same exact hazards. EHS details should utilize the SPE (Severity x Probability x Exposure) or GAR (General Assessment of Risk) Risk Assessment Model to conduct risk assessments as outlined in Reference (c), prior to each EHS operation.
- B. Emergency Medical Treatment. Units with commercial or DOD waterfront facilities capable of conducting explosive handling operations in their Area of Responsibility (AOR), should reach out to local medical facilities to inform them of these types of operations and to better understand emergency services available in the area.
- C. Damaged Explosives.
1. EHS details must ensure facilities have a plan in place to properly respond to an incident involving damaged explosives. Facility operators should have knowledge of local emergency responders with capabilities to respond to an incident involving damaged explosives.
 2. EHS details should ensure organizations identified to respond to and remove damaged explosives from a vessel or facility have appropriate training and technical expertise to handle and dispose of explosive materials. Explosive de-vanning, transshipment and emergent situations are discussed further in Chapter 9 of this Manual.
 3. The Dangerous Cargo Manifest (DCM) for the shipment of the explosives must have emergency contact information, and the DCM must be available at all times. As appropriate, the emergency contact listed on the DCM should be consulted to provide detailed information about the specific cargo being carried. DCMs are discussed further in Chapter 3, Paragraph D of this Manual.
- D. Wet and Dry Explosives. When transfer operations include materials of "Wet Solutions" or "Must Remain Dry," the EHS detail should be familiar with the Safety Data Sheet (SDS) and emergency procedures for responding to these types of un-stabilized commodities. The SDS should be requested by the unit when the Application and Permit to Handle Hazardous Materials, Form (CG-4260) is received.
- E. Other Regulatory Agencies and Stakeholder Outreach. COTPs should reach out to all appropriate Federal, State, local, and tribal stakeholders for contact information and special knowledge and capabilities they may provide prior to or during explosive operations in the port. This should include developing standing local arrangements and policy for cooperation

and information sharing with other regulatory agencies and organizations having an interest in the shipment of explosives. These include at a minimum local governments, DOD Base Commanders, local Emergency Medical Services (EMS), local advisory committees, industry, CBP, PHMSA, the Bureau of Alcohol, Tobacco and Firearms (ATF), and NCB.

- F. Explosive Ordnance Disposal (EOD) Specialists. EOD specialists are the Army and Navy's preeminent tactical and technical explosives experts. EOD specialists are properly trained, equipped and integrated to attack, defeat and exploit unexploded ordnance, improvised explosive devices and weapons of mass destruction. COTP's should be aware of the emergency response resources and specialized capabilities of nearby DOD installations and local agencies in response to an incident involving explosives.
- G. Weather. Any person handling packages containing Class 1 (explosive) materials must take adequate measures to prevent these packages from becoming wet. Explosives must be kept dry; therefore, break-bulk explosive handling evolutions should only be conducted in dry weather. It is not uncommon for rain, snow, high winds, and electrical storms to generate delays and postponements of explosive handling operations. Weather factors limit the operations and require due diligence when permit conditions are being drafted by the COTP. Additional weather restrictions should be addressed in the comments section of the permit. For commercial operations, the Coast Guard will be the final determining authority on this issue, as discussed further in Chapter 8 of this Manual.
- H. Reports (MISHAP). All Coast Guard mishaps will be investigated and reported in the E-Mishap Reporting System in accordance with Reference (c). Mishaps are opportunities to review procedures and policy to identify potential areas for improvements and to create greater hazard awareness. Units should consider sharing all relevant Mishaps with other units.

CHAPTER 3 PERSONNEL REQUIREMENTS AND RESPONSIBILITIES

- A. Explosive Handling Supervision Goal. The overall goal for Explosive Handling Supervision is to ensure the safety of people, the port, and the Marine Transportation System. The EHS Program ensures all aspects of the operation are compliant with applicable regulations and standards. This includes using checklists for the facility (safety and security), the vessel, and the cargo handling gear involved in the operation and verifying all personnel are properly trained.
- B. Personnel Requirements. In accordance with 33 CFR § 126.29, the COTP is authorized to require that any transaction of handling, storing, stowing, loading, discharging, or transporting the dangerous cargo covered by that subchapter (L, Waterfront Facilities) shall be undertaken and continued only under the immediate supervision and control of the COTP or a duly authorized representative. Additionally, 49 CFR § 176.102 outlines the authority of the COTP to assign a US Coast Guard supervisory detail to any vessel to supervise the loading, handling or unloading of Class 1 (explosive) materials. The supervisor assigned by the COTP is referred to as the Explosive Handling Supervisor (EHS or “supervisor”). The EHS leads and oversees the Explosive Handling Supervisory Detail (EHSD or “detail”). The following guidance is provided for COTPs when making the assignments under this authority:
1. A minimum of two persons must be assigned on the EHSD, with at least one of them holding the Explosive Handling Team Supervisor Qualification. When the explosive handling operation involves containerized explosives, at least one member of the detail should have the Container Inspector Qualification. If this is not possible due to personnel shortages, the COTP should evaluate the knowledge and skill sets of available personnel, taking into account a member’s attendance to Marine Science Technician (MST) “A” School, the Facility Inspector Course (FIC), the Explosive Handling Supervisor Course (MS-496), and Container Inspection training (resident or exportable).
 2. The supervisor must be an E-4 or above and will be assigned by the COTP. The supervisor is responsible to the COTP for all aspects of the handling of explosives on board a vessel and a facility during an explosives handling operation.
 3. For explosive handling operations that involve non-containerized explosives, a minimum of one detail member should have experience supervising blocking and bracing operations in addition to the qualifications listed in Paragraph B.1 of this Chapter. If a detail member with experience in blocking and bracing isn’t available on the COTP’s staff, the COTP should consider the complexity of the operation and other resources that may already be at the operation (experienced DOD personnel, NCB, etc.). If the COTP desires a Coast Guard member with this experience to be present, District, Area, or Headquarters may be able to assist in identifying personnel with this experience.
 4. It is recommended the local policy discussed in Chapter 8 of this Manual outlines the required composition of the EHSD for explosive handling operations taking place within local ports.

C. EHS Detail Responsibilities.

1. The EHS is responsible for:
 - a. Assigning and supervising members of the detail;
 - b. Reviewing the application for permit and associated paperwork;
 - c. Ensuring any deficiencies are corrected prior to operations commencing;
 - d. Maintaining liaison between all involved parties (master of vessel, facility manager, stevedores, etc.); and
 - e. Ensuring compliance with all regulations that govern the shipment of explosives by vessel.
2. The EHS has the following authorities:
 - a. Starting and stopping cargo operations;
 - b. Accepting or denying stowage of cargo; and
 - c. Accepting or denying use of personnel, cargo gear, and cargo handling equipment.
3. Detail members must be E-4 or above and meet the qualification requirements listed in Paragraph B of this Chapter. Detail team members are responsible for:
 - a. Supervising the operations within a hold;
 - b. Ensuring the hold and containers are worked safely;
 - c. Verifying stowage and securing of cargo;
 - d. Supervising performance of personnel;
 - e. Immediately notifying the supervisor of hazardous conditions, unsafe operations or violations of regulations; and
 - f. Monitoring safety on the facility and vessel.
4. Detail members have the following authorities:
 - a. Stopping cargo operations when there is an immediate threat to the safety of personnel, cargo or the vessel;

- b. Prohibiting the handling of unsafe cargo;
 - c. Prohibiting the handling of incompatible cargo; and
 - d. Prohibiting the use of unsafe equipment and materials.
- D. Pre-Inspection. The EHSD members should conduct a pre-inspection prior to conducting a physical inspection of the vessel and facility involved in the explosive handling operation. A pre-inspection includes a review of the vessel and facility history in MISLE (if available), verification of a properly submitted Notice of Arrival (NOA) (if required), and verification of properly completed shipping papers and review of the DCM to ensure compliance with stowage and segregation regulations. EHSD members should request a copy of applicable shipping papers, stowage plans and the DCM from a vessel's agent or the operator prior to the vessel arriving in port.
1. Notice of Arrival (NOA). NOA requirements apply to many U.S. and foreign vessels bound for or departing from ports or places in the United States and can be found in 33 CFR Part 160 Subpart C. The required cargo information on the NOA includes a general description of cargo, the name of each certain dangerous cargo (CDC) carried, including cargo United Nations number, if applicable, and amount of each CDC carried.
 2. Shipping Papers. Shipping papers for the transportation of hazardous materials must be prepared in accordance with 49 CFR Part 172, Subpart C and are an important element to a properly regulated hazardous material evolution. They include information that is needed to determine if the shipper has planned for acceptable stowage and segregation of materials. This information includes hazard class, packing group, packaging and container information, quantity, and so forth.
 3. Dangerous Cargo Manifest (DCM). Per 49 CFR § 176.30, the carrier, its agents, and any person designated for this purpose by the carrier or agents must prepare a DCM, list, or stowage plan. This document must be kept on or near the vessel's bridge, except when the vessel is docked in a U. S. port. When the vessel is docked in a U. S. port, this document may be kept in the vessel's cargo office or another location designated by the master of the vessel provided that a sign is placed beside the designated holder on or near the vessel's bridge indicating the location of the DCM, list, or stowage plan. This document must always be in a location that is readily accessible to emergency response and enforcement personnel. The DCM lists detailed information regarding the shipper, material, packaging, stowage location, and weight. The DCM must be examined for compliance with stowage and segregation regulations.
 4. Stowage. Stowage plans contain information regarding the stowage and segregation of cargos on board a vessel. Stowage refers to where a cargo may be located on the vessel and how it is secured in that location. By regulation, hazardous materials may be required to be stowed in specific locations such as "on-deck only" or "on or under deck stowage." (See 49 CFR Part 176, Subparts C and D for stowage and segregation

requirements on vessels.) EHSD members should verify the proper stowage location of hazardous materials on the vessel.

5. Segregation. Segregation refers to a separation of cargo by distance or barriers. Segregation requirements are in place to keep cargos of different classes of hazardous materials from mixing or reacting during a voyage. EHSD members should ensure that segregation requirements found in 49 CFR Part 176, Subpart D are met.
- E. Facility Inspection. A pre-inspection of the commercial facility should be done at the earliest possible time using Reference (d) to allow sufficient time to correct any deficiencies identified at the facility. If the facility has not received a full safety and security inspection within the last six months (or a lesser timeframe determined by the COTP), the inspection team should conduct at a minimum, a safety inspection and Maritime Transportation Security Act (MTSA) spot check of the areas the facility will use during the explosive handling operation. See Chapter 4 of this Manual for jurisdiction and supervision at DOD facilities.
- F. Vessel Verification Exam. Commercial vessels involved in an explosive handling operation at a commercial or DOD facility are subject to EHSD examination. All commercial vessels are required to operate in accordance with their Certificate of Inspection (COI) or Flag State issued Certificates at all times, and are subject to verification by a Marine Inspector or Port State Control Officer at any time. Additionally, commercial vessels involved in an explosive handling operation at a commercial or DOD facility are subject to a verification exam by an EHSD member to ensure the additional requirements for carrying explosives are met. EHSD members must follow Reference (d) when conducting a pre-operation inspection of a vessel to ensure the vessel is in compliance with all current regulations, permits, and COTP policies. See Chapter 4 of this Manual for jurisdiction and supervision responsibilities on DOD and public vessels.
- G. Cargo Inspection. Containerized cargo should be inspected in accordance with the packaging requirements found in 49 CFR, Chapter I, Subchapter C or the International Maritime Dangerous Goods Code (IMDG), as applicable. Coast Guard policy for conducting inspections of containerized cargo can be found in Reference (e). Requirements for the safe handling of Class 1 (explosive) materials are found in 49 CFR § 176.104. Additional guidance for the safe handling of break-bulk cargos can be found in Reference (f). While Reference (f) is a DOD document, it can be relied upon by EHSD members as guidelines or best practices during explosive handling operations involving a commercial entity, noting there are some differences between commercial and military explosive handling operations.
- H. Cargo Handling Gear Inspection. Verification of safe and adequate cargo handling gear is required for any operation involving explosives. While a large number of explosive handling operations involve containerized explosives, there may be instances particularly involving DOD operations, where explosives are not containerized and EHSD members should verify compliance of cargo handling gear with safety standards of the regulating entity.
 1. For vessels, the cargo handling gear is inspected as part of the vessel inspection and certification cycle. EHSD members can verify by checking vessel certificates and

conducting a spot check of equipment during the vessel verification exam. Requirements for cargo handling gear as a part of inspection for certification can be found in 46 CFR § 91.25-25. In general the regulations in 46 CFR Subchapter I pertain to U.S. flag vessels, however 46 CFR § 90.05-1(b) states that, "...foreign vessels of novel design or construction or whose operation involves potential unusual risks shall be subject to inspection to the extent necessary to safeguard life and property in United States ports...."

2. In accordance with 49 CFR § 176.192, cargo handling equipment for freight containers carrying Class 1 (explosive) materials has specific requirements: Except in an emergency, only cargo handling equipment that has been specifically designed or modified for the handling of freight containers may be used to load, unload, or handle freight containers containing Division 1.1 or 1.2 (explosive) materials. Further, the gross weight of a freight container containing Class 1 (explosive) materials may not exceed the safe working load of the cargo handling equipment by which it is handled.
3. Standards for cargo handling gear on DOD facilities and vessels for explosives handling are contained in Reference (f) and Chapter 10 of Reference (b). See Chapter 4 of this Manual for jurisdictional authorities on DOD facilities and vessels.
4. For facilities, specific cargo handling gear regulations are enforced by the Occupational Safety and Health Administration (OSHA). EHS members should be familiar with OSHA regulations in order to identify suspect gear. EHS members should use the following references as guidance for conducting inspections of cargo handling gear prior to its use in explosive handling operations:
 - a. 29 CFR, Chapter 17, Parts 1917 - 1919;
 - b. Naval Ships (NAVSHIPS) TECH MANUAL, Chapter 613, Wire and Fiber Rope Rigging, S9086-UU-STM-010, 1 July 2008;
 - c. American Society of Mechanical Engineers (ANSI/ASME) B30.5 MOBILE AND LOCOMOTIVE CRANES – Safety Standard for cable ways, Cranes, Derricks, Hoists, Hooks, Jacks, and Slings;
 - d. ASME B30.36 - RIGGING HARDWARE - Safety Standard for Cable ways, Cranes, Derricks, Hoists, Hooks, Jacks, and Slings;
 - e. ASME B30.20 - BELOW THE HOOK LIFTING DEVICES - Safety Standard for Cable ways, Cranes, Derricks, Hoists, Hooks, Jacks, and Slings;
 - f. ASME B30.9 - SLINGS - Safety Standard for Cable ways, Cranes, Derricks, Hoists, Hooks, Jacks, and Slings;
 - g. ASME B30.10 - HOOKS - Safety Standard for Cable ways, Cranes, Derricks, Hoists, Hooks, Jacks, and Slings;

- h. ASME B30.2 – OVERHEAD AND GANTRY CRANES (Top Running Bridge, Single or Multiple Girder, Top Running Trolley Hoist) – Safety Standard for Cable ways, Cranes, Derricks, Hoists, Hooks, Jacks, and Slings.
- I. Documentation. All explosive handling operations that require a permit from the COTP must be documented in MISLE as a Transfer Monitor in accordance with Reference (a). Documentation in MISLE is required regardless of whether the Coast Guard supervised the operation or was present at the explosive handling operation. Continuous permits are exempted from some documentation requirements as discussed in Chapter 5, Paragraph A.7 of this Manual.

CHAPTER 4 COAST GUARD EHS DETAIL JURISDICTION

- A. Coast Guard Supervision. The Coast Guard is authorized to supervise maritime transportation related to explosive handling operations involving commercial and military assets. While many of the regulations and policies governing maritime transportation related to explosive handling operations are consistent across commercial and military operations, there are several key differences when explosives are handled using a combination of military assets and Coast Guard regulated commercial assets. Under some circumstances, the DOD may deny the EHSD from supervising the operation.

- B. Jurisdiction over Commercial Vessels and Facilities. The Coast Guard has jurisdiction to supervise explosive handling operations at commercial waterfront facilities and on commercial vessels under the authority of 33 CFR § 126.29(a) and 49 CFR § 176.102.

- C. Jurisdiction at DOD Facilities and on Public Vessels.
 - 1. In accordance with 49 CFR § 176.102, if Class 1 (explosive) materials are loaded onto or unloaded from a vessel at a facility operated or controlled by the DOD, the commanding officer of that facility may decline the Coast Guard supervisory detail. The COTP should work in conjunction with local DOD facility commanding officers to establish a relationship and determine if Coast Guard supervision is requested on the DOD facility. It is recommended that this process is documented in the local area policy as outlined in Chapter 8 of this Manual.

 - 2. In accordance with 49 CFR § 176.5(b)(1), the requirements of 49 CFR Subchapter C, Hazardous Materials Regulations, do not apply to a public vessel not engaged in commercial service. See Paragraph D.3 of this Chapter for clarification on what constitutes a “public vessel.”

- D. Jurisdiction during Operations Involving both Commercial and DOD Entities. Explosive handling operations have the potential to involve both commercial and DOD vessels and facilities. Table 4-1 below indicates when an EHSD is required and when it may be declined.

Coast Guard EHS Detail Jurisdiction

	DOD Facility	Commercial Facility
DOD Vessel	Coast Guard detail may be declined	Vessel may decline Coast Guard detail, but facility is subject to Coast Guard supervision
Commercial Vessel	Facility may decline Coast Guard detail, but vessel is subject to Coast Guard detail	Neither vessel nor facility may decline the Coast Guard detail

Table 4-1, Coast Guard EHS Detail Jurisdiction

1. Commercial Facility to DOD or Military Sealift Command (MSC) Vessel. The EHSD may not be declined when operations are conducted at a commercial facility. However, a DOD or a (MSC) vessel can decline an EHSD, meaning the Coast Guard detail would only verify the facility requirements. In such instances, the DOD or MSC vessels are responsible to ensure the carriage requirements for explosives are completely met. Upon completion of the field activity, the EHSD must document the inspection and transfer monitor in MISLE.
2. DOD Facility to Commercial Vessel. The Explosive Handling Supervisor and EHSD members still have responsibilities when a commercial vessel is conducting operations at a DOD facility. The commanding officer of the facility may decline the supervisory detail, but the EHSD still needs to continue with conducting the vessel exam in accordance with this Chapter. Upon completion of the field activity, the EHSD must document the exam and transfer monitor in MISLE in accordance with Reference (a).
3. Public Vessels. The term "public vessel" generally means any vessel owned and operated by a department or agency of the United States Government, or a state or subdivision thereof, which is engaged exclusively in official, noncommercial operations. This term also applies to a foreign vessel that is owned and operated similarly by a foreign government recognized by the United States. Whether a vessel is a public vessel depends only on its ownership and the purpose to which it is used, and does not depend on the identity of the person exercising day-to-day management of the vessel. This term normally does not include a vessel that is merely chartered or subsidized by a government, that is government- owned but not operated by government personnel, or that is privately-owned and operated by government personnel. All U.S. public vessels display a certificate of public vessel status signed by the Secretary of the Department under which it operates.
4. Public Vessels and International Law. The United States adheres to the principle of international law that the jurisdiction of a nation over its public vessels, and all persons and goods thereon, is intact even if in the ports or waters of another nation. Such a vessel, operating under responsible officers and in the service of its government, is not subject to libel (legal attachment or seizure) or other civil actions (those arising from claims for debts, damages, collisions, or salvage services) or to criminal actions arising from infractions of local criminal codes. [NOTE: The United States also adheres to the principle that a vessel must not normally be boarded by officials of the host country without the permission of the commanding officer or master.]
5. Applicability of 49 CFR Subchapter C to Public Vessels.
 - a. A public vessel is defined in 49 CFR § 171.8 as a vessel owned by and being used in the public service of the United States. It does not include a vessel owned by the United States and engaged in a trade or commercial service, or a vessel that is under contract or charter to the United States. Most U.S. Maritime Administration (MARAD) and MSC vessels are owned (or bareboat chartered) by the federal government and devoted to governmental purposes, and are therefore, recognized as public vessels under 49 CFR. The following general guidance for 49 CFR

Subchapter C enforcement should apply since 49 CFR § 176.5 specifies the subchapter does not apply to a public vessel not engaged in commercial service:

- (1) U.S. Navy vessels are public vessels under 49 CFR;
 - (2) MARAD's National Defense Reserve, Ready Reserve Fleet and MSC's United States Naval Service vessels are public vessels under 49 CFR, regardless of whether the operator is a private entity;
 - (3) A vessel that is time or voyage chartered or otherwise contracted by the United States, including by MSC or MARAD, is not a public vessel under 49 CFR; and
 - (4) A vessel owned or chartered (bareboat, time, voyage) by a foreign government, state, or municipality is not a public vessel under 49 CFR.
- b. A Federal contractor who is responsible for day-to-day management of a public vessel does not share in the exception from 49 CFR jurisdiction that is given to that vessel. Therefore, while MARAD and MSC vessels may be public vessels, this status does not exempt the contractor from compliance with Hazardous Materials Regulations (HMR). The contractor may only avoid those provisions that are not applicable to a public vessel.
 - c. In addition to the above, application of 49 CFR Subchapter C, as discussed in 49 CFR § 171.1, is not dependent upon the conveyance being a public vessel, but whether a "person" is transporting hazardous materials in commerce. A person, as defined in 49 CFR § 171.8, means "an individual, corporation, company, association, firm, partnership, society, joint stock company; or a government, Indian Tribe, or an authority of a government or Tribe, that offers a hazardous material for transportation in commerce, transports a hazardous material to support a commercial enterprise, or designs, manufactures, fabricates, inspects, marks, maintains, reconditions, repairs, or tests a package, container, or packaging component that is represented, marked, certified, or sold as qualified for use in transporting hazardous material in commerce. This term does not include the United States Postal Service, or, for purposes of 49 USC §§ 5123 and 5124 a Department, agency, or instrumentality of the government." It has been determined that transportation, when carried out by government personnel for a governmental purpose, is not in furtherance of a commercial enterprise. Therefore, even if a vessel owned by a state, municipality or foreign government does not meet the definition of a public vessel, transportation of hazardous materials on such a vessel is not subject to the HMR if the vessel is manned by government personnel and operated for a governmental purpose.

6. Military Sealift Command (MSC) Vessels.

- a. MSC vessels follow the U. S. Navy Ordnance and Explosive Safety Programs applicable to the ship type and class. When supervising an EHS operation on an MSC vessel, any discrepancies observed that affect the validity of a Coast Guard

issued COI must be reported to the local Officer-in-Charge, Marine Inspection (OCMI).

- b. For further clarification on MSC vessels, units are encouraged to engage through the appropriate chain of command with the MSC Liaison to the Coast Guard, as per the Memorandum of Agreement between Commander, Military Sealift Command and U.S. Coast Guard.
7. U.S. Coast Guard Vessels. Coast Guard Vessels are public vessels operated under the Department of Homeland Security (DHS) and for the purposes of this Manual are considered equivalent to DOD vessels. Additional guidance for the handling of explosives on Coast Guard vessels can be found in the Ordnance Manual, COMDTINST M8000.2 (series) (FOUO) and the Ordnance Tactics, Techniques and Procedures (TTP), CGTTP 30-30.2A.
8. Declining an EHS Detail. If and when an EHSD is declined, it is the commanding officer of the DOD facility's responsibility to ensure compliance with the applicable explosive handling and hazardous materials regulations found in 49 CFR Part 176.
9. Documenting the Denial of Detail. When the commanding officer of the facility operated or controlled by the DOD, or a DOD or MSC vessel, denies the EHSD, the EHS must ensure it is documented in a MISLE transfer monitor activity in accordance with Reference (a).

CHAPTER 5 PERMITS, WAIVERS AND DEVIATIONS**A. Permits.**

1. General Permit. A general permit is required for a facility to handle, stow, store, load, discharge or transport dangerous cargo (other than designated dangerous cargo) in bulk, portable tanks, containers, or packagings. When a facility fulfills the conditions contained within 33 CFR § 126.15 and § 126.27, a general permit is issued by regulation and therefore there is no physical permit (a piece of paper) issued to the facility.
2. Application and Permit to Handle Hazardous Materials, Form (CG-4260). This form must be used to satisfy the permit requirements of 33 CFR § 126.17, 49 CFR § 176.100 and 49 CFR §176.415.
 - a. The explosive handling operation proponent submits this form with applicable information filled out which serves as their application. In approving or denying the permit application, the COTP completes and signs this form, typically with noted conditions. If the COTP approves the permit, the completed and signed Application and Permit to Handle Hazardous Materials, Form (CG-4260), serves as the permit for the operation.
 - b. A single Application and Permit to Handle Hazardous Materials, Form (CG-4260) may be used to permit the explosive handling operation for both the vessel and the facility.
 - c. If the following details of the application change after issuance of the permit by the COTP, the COTP must be notified. The COTP will determine if the permit can be amended, or if the issued permit will be revoked and a new application required.
 - (1) Amount of explosives to be handled;
 - (2) Change in time of operation by six hours or more;
 - (3) Change in vessel or facility;
 - (4) Any change to the specific conditions listed on the permit; or,
 - (5) Any change that affects the safe handling or transportation of the cargo covered by the permit.
3. National Environmental Policy Act (NEPA). For the purposes of the NEPA, the issuance of the Application and Permit to Handle Hazardous Materials, Form (CG-4260) is covered under DHS categorical exclusion L37. Therefore, no Record of Environmental Consideration for Categorically Excluded Actions is necessary when issuing this form. However, if certain extraordinary circumstances exist, additional NEPA analysis may be required. Refer to NEPA Implementing Procedures and Policy for Considering

Environmental Impacts COMDTINST 16475.1 (series) for information concerning extraordinary circumstances.

4. Denying or Suspending the Application and Permit to Handle Hazardous Materials, Form (CG-4260). The COTP can deny or suspend a permit whenever it is determined the security or safety of the port, vessel, or facility requires such action.
 - a. When a permit application is denied by the COTP, the reason for the denial must be properly documented in writing. Likewise, official correspondence in the form of a letter from the COTP to the applicant must include the reasoning for the denial supported by regulation, policy, an unacceptable level of risk, or local ordinance, as discussed throughout this Manual.
 - b. If an explosive handling operation is suspended by the COTP, the Explosive Handling Supervisor must document the suspension in writing in accordance with 33 CFR § 126.23.
5. Completing the Application and Permit to Handle Hazardous Materials, Form (CG-4260). See Appendix D of this Manual for instructions on how to review and complete the Coast Guard portion of the permit.
6. When the Application and Permit to Handle Hazardous Materials, Form (CG-4260) is required.
 - a. “Designated Dangerous Cargo” is defined in 33 CFR § 126.3 as “Division 1.1 and 1.2 explosives as defined in 49 CFR § 173.50.” These commodities may be handled only at a designated waterfront facility and only if a permit has been issued by the COTP, with certain exceptions. Vessels are required to have permits under 49 CFR §176.100 and 49 CFR §176.415. Section 176.415 imposes a similar requirement for handling packaged blasting agents, ammonium nitrates, and certain ammonium nitrate mixtures, although these commodities are not “designated dangerous cargo.”
 - b. Table 5-1 below identifies when the Application and Permit to Handle Hazardous Materials, Form (CG-4260) is required based on facility and vessel types.

Determining when an Application and Permit to Handle Hazardous Materials, Form (CG-4260) is required

	DOD Facility	Commercial Facility
DOD Vessel	No	Yes, for the facility
Commercial Vessel	Yes, for the vessel	Yes, for both the vessel and facility. A single Form (CG-4260) may be used to cover the same transaction

Table 5-1, Determining when an Application and Permit to Handle Hazardous Materials, Form (CG-4260) is required.

7. Continuing Permits.

- a. Certain industries routinely ship small quantities of Division 1.1 and 1.2 explosives for various industrial purposes such as dredging operations or in support of offshore oil exploration and production. An explosive permit for a continuing period may be allowed for a particular vessel which routinely handles explosives at the same waterfront facility. Such a permit must be for small quantities only. For the purposes of this Paragraph, a small quantity is defined as less than 500 pounds (226.8 kilograms) NEW. The continuing permit must be limited for a period not to exceed one year. The company or individual must submit the Application and Permit to Handle Hazardous Materials, Form (CG-4260) to the COTP which identifies the vessel and facility from where the explosives will be shipped on a recurring basis. The continuing permit must be issued to a particular vessel handling explosives only at the facility designated on the permit.
- b. The COTP may, but is not required to, issue continuing permits. When a continuing permit is issued, COTPs should inspect the condition of and procedures used by the vessel, as well as the facility's location and condition;
 - (1) Prior to issuing the permit;
 - (2) At least semiannually; and,
 - (3) Annually upon renewal.
- c. Companies or individuals are also required to comply with and provide a copy of local and state permits with their application. During the period of the permit, the company or individual is required to give advance notice (recommended four hours) of each shipment to the COTP and obtain written approval (e-mail is acceptable) to

- ship under the continuing permit. The required notice includes: the date the permit was issued and name of facility representative, vessel and facility name, destination with estimated time of arrival, and a point of contact with phone number. COTPs must maintain an explosive permit log to keep track of all authorizations under the continuing permit. Each explosive handling operation authorized under a continuing permit must be documented in MISLE in accordance with Reference (a).
- d. Exception to the 500 pound NEW limit for annual permits. In situations where a vessel transports 500 pounds or more of explosives but may return to the same designated waterfront facility with less than 500 pounds of the originally loaded explosives, the COTP may issue a continuing permit that covers explosive handling operations for both the onload and offload evolutions. To be considered for a continuing permit, the vessel, crew, and designated waterfront facility used must all be the same. The COTP may impose other conditions as deemed necessary, such as a requirement for notification prior to the return of the vessel to ensure conditions at the port and designated waterfront facility have not changed (to where the handling of explosives would present an unacceptable risk.) By this policy, ammonium nitrate products and Division 1.5 materials requiring a permit per 49 CFR §176.415 may also be considered for issuance of a continuing permit.
8. Permits for Handling of Division 1.5 (blasting agents), Ammonium Nitrates and Certain Ammonium Nitrate Fertilizers. Certain materials outlined in 49 CFR §176.415 require written permission from the COTP before being loaded on or unloaded from a vessel at any waterfront facility. COTPs should utilize the Application and Permit to Handle Hazardous Materials, Form (CG-4260) to document written permission. As outlined in 49 CFR § 176.415, under certain conditions of packagings, these materials must be loaded or unloaded at a facility remote from populous areas, or high-value or high-hazard industrial facilities, so in the event of fire or explosion, loss of lives and property is minimized. For the purpose of this Paragraph, a facility may be considered “remote” or “isolated” if, for the quantity of material being handled, there are no inhabited buildings, residential areas, public traffic routes, or high value or high hazard industrial facilities located within the Explosive Safety Quantity-Distance (ESQD) arc as calculated by applying the QD standards outlined in Chapter 6 of this Manual.
- a. In accordance with DOD standards, when these materials are shipped by themselves and there are no other Class 1.1 or 1.2, explosives present, these materials are considered Extremely Insensitive Detonating Substances (EIDS) and a safety factor of eight (K=8) is used in determining the ESQD arc for the inhabited buildings and public traffic routes. See Chapter 6 and Appendix C of this Manual for policy regarding modified separation distances.
- b. For the purpose of this Paragraph, examples of facilities that may be adjacent to an ammonium nitrate handling facility which can be considered “high value” or “high hazard industrial facilities” include passenger ferry terminals, cruise ship terminals, marinas, facilities with large above-ground storage tanks containing flammable or other hazardous liquids that could be impacted in the event of a fire or explosion,

- facilities handling bulk liquefied hazardous gases, or any other facility of concern to the COTP.
9. DOT Special Permits. Special Permits allow administrative relief from regulations on the basis of equivalent levels of safety or levels of safety consistent with the public interest. The DOT may grant Special Permits from the hazardous materials regulations in 49 CFR based on the merits of the application submitted by the requesting party.
 - a. Upon presentation of a DOT Special Permit, COTPs should verify the current validity on PHMSA's website at <https://www.phmsa.dot.gov/approvals-and-permits/hazmat/approvals-search>. If PHMSA, an administration within the DOT, indicates the Special Permit is valid, EHSD members must accept the allowances and stipulations as outlined on the Special Permit, as if they are regulations listed in 49 CFR.
 - b. Applications for Special Permits from the hazardous materials regulations in 49 CFR are submitted to and reviewed by the PHMSA, DOT, Approvals and Permits section. An examples is DOT Special Permit 3498, which grants the DOD exemption from various parts of 49 CFR. It authorizes the shipment of fueled combat vehicles loaded with ammunition basic load, accessory ammunition, and other hazardous materials in periods of declared national emergency, or during contingencies requiring expedited movement of U.S. forces as approved by the Secretary of Defense. DOT SP-3498 applies only to emergency movements during a declared national emergency, and will be activated or deactivated by SDDC.
 - c. DOT Special Permits may be granted or canceled at any time, or will cancel automatically on the date specified on the permit. In the latter situation, the Special Permit may be extended, or a new one with similar or new authorizations may be granted upon application by the holder of the permit.
 - B. Waivers and Deviations. Waivers or deviations allow administrative relief from regulations on the basis of equivalent levels of safety or levels of safety consistent with the public interest.
 1. Waiver authority based on local or unusual conditions. In accordance with 33 CFR § 126.11, whenever the Commandant, the District Commander, or the COTP finds that the application of any provisions contained in 33 CFR § 126.15 and 33 CFR § 126.16 are not necessary to the safety or security of the port and vessels and waterfront facilities therein, or that its application is not practical because of local conditions or because the materials or personnel required for compliance are not available, or because the requirements of national defense justify a departure from such provision, the Commandant, the District Commander, or the Captain of the Port may waive compliance with such provision, to the extent and under such requirements as they determine. Requests for waivers should be submitted to the COTP. The COTP may take action on any such waiver request, or submit it through the chain of command for action if the resources or expertise to adequately review the request are unavailable.

2. Waivers of Navigation and Vessel Inspection Laws and Regulations. Procedures for effecting individual waivers of navigation and vessel inspection laws and regulations found in 33 CFR § 19.01(a) states, “It is hereby found necessary in the interest of national defense to waive compliance with the navigation and vessel inspection laws administered by the Coast Guard, as well as the regulations issued thereunder and contained in 46 CFR Chapter I or in this Chapter, [I of 33 CFR] to the extent and in the manner and upon the terms and conditions as set forth in this section.” In accordance with Reference (g), the Commandant has the authority to issue general or individual waivers of navigation and vessel inspection laws and regulations administered by the Coast Guard in any case when it is deemed necessary in the interest of national defense. Procedures for effecting individual waivers of navigation and vessel inspection laws and regulations are contained in References (g) and (h).
3. DOD Vessels and Facilities. Deviations from Explosives Safety Criteria. Many situations involving contingency, readiness, or operational requirements can be satisfied only by deviating from established explosives safety criteria. The commanding officer of a military installation or public vessel is responsible for requesting the appropriate deviation from the relevant authority as designated by Service (Secretary of the Navy, Secretary of the Army, etc.) as soon as the need is identified. If a temporary violation of explosives safety criteria that can be corrected within the resources of the activity occurs, the commanding officer must exercise interim actions necessary to control the hazard. DOD procedures for deviations from explosive safety criteria can be found in Reference (j).
4. Deviation Approval and Risk Acceptance Document, (DA Form 7632) (DARAD).
 - a. DARAD is utilized by the Department of the Army when an operation does not meet regulatory requirements and presents a risk beyond what is outlined in agency policy. A DARAD is a permanent written documentation of a command’s acceptance of the risk associated with an event that does not meet regulatory requirements or exposes military, civilian and contractor personnel, the public, or real property to a risk at greater than a de minimis threshold. DOD policy for use of DARAD can be found in Reference (i).
 - b. It is the DOD installation commanding officer’s responsibility to obtain appropriate deviations from DOD requirements through their appropriate channels. The COTP should seek documentation from the DOD installation pertaining to the separation distance being used by the DOD. When such documentation is not available or not provided by the DOD, the COTP should ensure the details are documented in the MISLE narrative, and continue to provide an EHSD to ensure safety and compliance with applicable regulations, unless the detail is declined as outlined in Chapter 4.D of this Manual.

CHAPTER 6 EXPLOSIVE ARC, QUANTITY DISTANCE SEPARATION (QD), AND QUANTITATIVE RISK ASSESSMENT (QRA)

A. Separation Distances.

1. When assessing the hazards associated with an explosion, the principal effects of the explosives output to be considered are blast pressure, primary and secondary fragments, thermal effects, and chemical agent hazard. Facility damage and personnel injury from the explosion of mass detonating explosive materials, Class 1, Division 1.1, results primarily from blast overpressure and impulse. Separation distance requirements are based on the degree of protection needed and the amount of explosive material involved.
2. The establishment of safe separation distances for explosives is based on the total NEW of all explosives present on board the vessel or vessels at the waterfront facility. The COTP initial screening should consider the DOD QD calculations (see Appendix C) with the traditional additive approach: the total NEW of all explosives present must be taken into account. Although most vessels have mixed loads of Division 1.1, 1.2, and 1.3, etc. explosives, when Division 1.1 and 1.2 explosives are present, separation distances must be calculated as if all explosives present are Division 1.1.
 - a. The use of QD using the additive approach is conservative, and an excellent initial screening tool COTPs should use to determine if a proposed explosive handling operation should be permitted. When using this method the result is what has historically been referred to as the “explosive arc”.
 - b. When applying QD standards for the purposes of explosives safety separation distances, the Coast Guard treats commercial and military explosives the same. When determining initial separation distances, the Coast Guard utilizes DOD standards found in Reference (i), as outlined for Coast Guard purposes in Appendix C. Refer to Appendix C for guidance on calculating QD when conducting the initial screening for separation distances for explosive handling operations at commercial waterfront facilities.
 - c. Separation distances do not need to be applied to vessels that enter the port carrying explosives when Class 1.1 and 1.2 explosives will not be handled on that vessel while the vessel is in port. Explosives that are shipped in accordance with the Hazardous Material Transportation Law or IMDG are considered to be safe for transportation and therefore do not require a permit or application of separation distances if they will not be handled while in port. Additionally, there are no reporting requirements for the vessel or shipper pertaining to the presence of explosives onboard the vessel outside of the NOA requirements in 33 CFR § 160. In the event of an emergency that could impact the explosives onboard a vessel, it is recommended the COTP work with civil authorities to implement separation distances using the additive approach of QD until the situation is stabilized and no longer poses a threat to the safety of the port or surrounding area.

B. Commercial Facilities. As set forth in 33 CFR §126.21, the quantity of designated dangerous cargo on a commercial waterfront facility and vessels moored thereto shall not exceed the limits as to maximum quantity, isolation and remoteness established by local municipal, territorial or State authorities.

1. In the majority of instances, using the conservative approach of additive QD calculations as an initial screening mechanism gives the COTP a clear picture of the consequences in the unlikely event of an accidental detonation to remain within accepted parameters, removing the burden of time and money needed to conduct extensive modeling. However, from time to time, there is a desire to transport a higher NEW than what is determined safe with these calculations. This can be done by establishing a modified separation distance.
2. In issuing permits, the COTP should consider population density, property use, topography, quantity-distance calculations, mission objectives, state and local ordinances and alternatives. It is emphasized that no single standard is either absolute or appropriate for all situations. Each permit application should be evaluated in light of its unique characteristics. A determination should be made as to what constitutes acceptable risk to public safety. Separation distances should not be considered the sole source of authority for granting permits or establishing limitations.
3. In the event a proposed operation is within the limits of the local municipal, territorial, or state authorities but fails the QD criteria for Inhabited Building Distance (IBD) or Public Traffic Routes (PTR) as discussed in Appendix C of this Manual, the COTP may consider a modified separation distance based on the following factors:
 - a. The degree of public exposure. For instance, a relatively low population density at the periphery of the exposure zone poses less risk than a high population density in major portions of the exposure zone.
 - b. Acceptance of risk by the local community. The local community (through political leadership) may support explosive handling operations when there are economic benefits to the community. This acceptance of risk should be given appropriate consideration; however, it is incumbent for the COTP to ensure there is a full understanding of the nature of the risks involved when such views are expressly stated.
 - c. The presence of containers and natural land features that serve as barricades and reduce the horizontal debris distribution and pressure waves from an explosion. There are numerous modeling tools available to assist with such determinations. Contact Commandant (CG-FAC-2) for additional information or assistance.
 - d. Development and use of sound industry practices. QD standards are based on the American Table of Distances, which were created in 1914. Since that time, explosives safety handling practices have improved. Likewise, more robust and accurate industry standards and tools have been developed, and continue to be

- improved, that can aid a COTP in evaluating actual risk to the port. One such method is the use of Quantitative Risk Assessments (QRA) as discussed in Paragraph C of this Chapter. Contact Commandant (CG-FAC-2) for information and assistance in using these tools.
- e. Alternative methods accepted or used by the ATF, such as the risk bank method, in determining separation distances for explosives. Contact Commandant (CG-FAC-2) for information on this method.
 - f. The overall system risk of alternatives. For example, transportation of explosives long distances by highway may pose risks an order of magnitude or greater than those avoided if use of a closer port is denied. While it is understood the COTPs responsibility is to ensure the safety and security of their port, the shifting of risk to other modes of transportation should be evaluated and understood before a permit is denied. Alternatives must be realistic and credible.
 - g. Administrative controls can be put in place to progressively reduce the explosive arc calculated using QD, such as requiring removal of a container of explosives from the facility prior to commencing the lifting of the next container.
 - h. Safety and security implications created by “splitting shipments” to stay under a certain NEW threshold. By requiring numerous vessels to carry explosives where there otherwise would be one vessel carrying those explosives could be creating a higher risk scenario.
 - i. Imposition of measures that involve extraordinary costs to avoid insignificant risks should be avoided.
4. When evaluating these items to potentially allow for more explosives to be handled than the QD calculation would otherwise allow, there are additional factors that must be considered that could result in the need to limit the NEW to what is calculated using QD in the initial screening. Some of these factors are:
 - a. Other hazardous materials that may be present in port in significant quantities and pose added risk of initiating an explosives event (flammable materials) or that would magnify the effects of an explosion (toxic materials).
 - b. Critical infrastructure within the port area that might be affected.
 - c. MARSEC considerations. What is considered acceptable at one MARSEC level may be unacceptable at other MARSEC levels.
 5. When considering acceptable levels of risk, the COTP should work with the proponent of the explosive handling operation to try to find a solution that allows the proponent to handle the amount of explosives they desire, while ensuring the safety of the port and surrounding area.

6. The COTP establishes separation distance limits for designated dangerous cargo consisting of military explosives shipped by or for the Armed Forces, handled at commercial facilities using the same methodology discussed in Paragraph B of this Chapter.
7. Documenting Modified Separation Distances or acceptance of QRAs. For the purpose of this Chapter, permitting more explosives to be handled than determined in the initial screening of the explosive handling operation using QD calculations is referred to as a modified separation distance. Modified separation distances may be a result of reducing K values or other calculations or methodologies for determining the amount of explosives to be handled. A QRA will result in a NEW that can be transferred, but not a modified separation distance. Determining modified separation distances is discussed further in Appendix C.
 - a. Prior to a COTP accepting a modified separation distance or QRA, the QD calculation and how the COTP arrived at the proposed modified separation distance or NEW based on a QRA must be fully explained to the Local Emergency Planning Committee (LEPC), or equivalent level of local officials, and they must agree to those modifications in writing, with that documentation being scanned and uploaded into the facility file in MISLE.
 - b. Joint concurrence from the owners or operators of critical infrastructure must also be obtained in writing if their facilities are within the affected area under the modified separation distance or QRA. All such concurrences must be in writing, and scanned and uploaded into the facility file in MISLE.
 - c. Engagement with the LEPC, equivalent level of local officials, and owners or operators of critical infrastructure must be initiated well before proposed handling operations. This process can take time to complete, becomes part of a COTP local policy, and full concurrence by all parties is necessary.
 - d. In the event the LEPC and owners or operators of critical infrastructure do not concur with the modified separation distances, the separation distances as determined by QD calculations should normally be adopted by the COTP as to not fully assume the risk of a modified separation distance.
- C. Quantitative Risk Assessments and other Tools. The Coast Guard models the use of calculated QD off of DOD standards as found in Reference (i). In accordance with Reference (i), the DOD authorizes the use of quantitative risk-based analysis when the QD criteria of Reference (i) cannot be reached. When an application for handling explosives requests a NEW with a calculated QD that exceeds the limitations for IBD and/or PTR, as discussed in Appendix C of this Manual, the COTP may consider use of a QRA. Industry will be responsible for seeking out the capabilities, conducting the QRA, and bearing all costs associated with using a QRA. The use of QRAs are a potential option for industry to demonstrate an acceptable level of risk for their proposed operation. COTPs are not required

to accept the use of QRAs in place of calculated QD separation distances and should take into consideration the mitigating factors outlined in Paragraph B of this Chapter when approving the use of a QRA. The shipper should engage with the COTP prior to undertaking the sometimes lengthy and expensive effort to gain approval of handling a certain NEW through utilization of a QRA. If COTPs are approached with the proposal to conduct a QRA, they are highly encouraged to contact Commandant (CG-FAC-2) for assistance and discussion of ATF's and DOD's current stance regarding evaluation and acceptance of QRAs as the U.S. Government's explosives experts.

1. A QRA is a further analysis of the highest priority risks during which a numerical or quantitative rating is assigned in order to develop a probabilistic analysis of the project.
2. A QRA is established by use of measurable objective data to determine asset value, probability of loss, and associated risk(s). Techniques that have been proposed in the past and found to be acceptable to Coast Guard Headquarters or COTPs include SAFER (DOD), and IMESAFR (Commercial). These QRAs are not specifically endorsed by the Coast Guard, and other QRAs exist that may be found to be acceptable to the Coast Guard. Risk based analysis tools utilized by the DOD can be found on the DDESB website: <https://ddesb.altess.army.mil/>.
3. Before a COTP allows, or Coast Guard Headquarters recommends a COTP to allow the use of one of these programs as part of a QRA, they should understand and evaluate what the program is modeling. For example, some computer based modeling programs may only develop data that indicates the statistical odds of serious injury or death to humans not directly involved in the handling of explosives. The program may not factor in all hazards in an area, such as nearby infrastructure, tank farms, or other facilities that store cargo that could include hazardous materials.
4. Further information on implementation of QRA can be found by contacting Commandant (CG-FAC) directly or on the Commandant (CG-FAC) CG-Portal site: <https://cg.portal.uscg.mil/communities/explosive-handling-supervision/SitePages/Home.aspx>.
5. Ultimately the COTP has the final authority in determining the use and acceptance of QRAs when QDs are exceeded.

D. DOD Facilities.

1. QD calculations for any type of EHS evolution involving a DOD facility and a Government-owned vessel will be developed by the responsible command under the DOD, and the use of Coast Guard generated QD's must not be applied.
2. If the DOD is unable to meet the QD required by their calculation, the DOD has authorized various quantitative risk analysis tools that the installation commander may utilize to determine if an operation can be conducted. DOD policy and guidance for use of QRA tools can be found in References (i) through (k). If an acceptable level of risk

cannot be established using either QD or QRA and the Command decides to continue on with the evolution they will utilize a Deviation Approval and Risk Acceptance Document, DA Form 7632 or other Service approved form. The DA 7632 will be signed by a General (Flag) Officer. See Reference (i).

CHAPTER 7 CONTAINER STRUCTURAL SERVICEABILITY AND PORTABLE MAGAZINES

- A. Containers and Magazines Carrying Explosives. Containers used for transport of UN Class 1 (explosive) materials must meet the specific requirements of 49 CFR § 176.170 and 49 CFR § 176.172. If a structural condition is not addressed in 49 CFR then the inspector must follow guidance outlined in Reference (e) to determine if damage warrants the container being taken out of service. In the event containerized explosives are being handled, at least one member of the EHSD should be Container Inspector (EC) qualified and should be well versed in the processes, criteria and references outlined in Reference (e). Structural serviceability of portable magazines should be checked against the requirements found in 49 CFR §176.137(a).
- B. Placards and Marking. Requirements for marking of explosive materials are found in 49 CFR § 172.320, with additional requirements for placards for portable magazines located in 49 CFR § 176.137(a)(7). There may be unique situations where the size of the portable magazine is such that it is impossible to comply with both the placard and marking requirements. In such cases, the shipper should apply for a Special Permit from the PHMSA. Special Permits are issued by PHMSA, under the authority of 49 USC § 5117 permitting a person to perform a function that is not otherwise permitted under Subchapters A or C of 49 CFR Chapter I. A copy of an issued Special Permit is required to be on board a vessel with the DCM.
- C. Conversion of Freight Containers into Portable Magazines. Type 2 or Type 3 portable magazines may be used for the stowage of Class 1 materials on board vessels per 49 CFR § 176.137(b). Portable magazines with a capacity exceeding 110 cubic feet must have approval from the COTP per 49 CFR § 176.137(c). A freight container modified to meet the requirements of a Type 2 or Type 3 portable magazine per 27 CFR § 555.208 or 27 CFR § 555.209, respectively, may be considered a Type 2 or Type 3 magazine and used for the stowage of Class 1 materials on board vessels. However, COTP approval for such use is expected in most cases as traditional freight containers exceed a capacity of 110 cubic feet. An important consideration for the COTP when determining if approval should be granted is the structural serviceability of the newly converted portable magazine. Structural serviceability of portable magazines is not addressed in 27 CFR Part 555, and the act of modifying a freight container into a Type 2 or Type 3 portable magazine does not negate structural serviceability concerns particularly when it is being loaded and offloaded. For this reason, portable magazines with a capacity exceeding 110 cubic feet that have been modified from freight containers, must remain subject to the structural serviceability requirements outlined in 49 CFR § 176.172 before COTP approval may be given. If there is question as to whether a portable magazine meets the criteria outlined in 27 CFR Part 555, the appropriate ATF Field Division should be contacted. A listing of Field Divisions may be found at <https://www.atf.gov/contact/atf-field-divisions>.

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CHAPTER 8 COTP LOCAL POLICY

A. Local Policy Contents. COTPs should develop a local policy to address specific concerns for their areas of operation. Topics to consider including are:

1. Explosive Anchorage. Anchorage grounds and special anchorage areas are established by the Commandant or a District Commander, and the specific regulations applicable to each anchorage ground are contained in 33 CFR Part 110, Subpart B. In accordance with 49 CFR § 176.4, Division 1.1 and 1.2 (explosive) materials may only be loaded on and unloaded from a vessel at a facility of particular hazard which is defined in 33 CFR § 126.3; an explosive anchorage listed in 33 CFR Part 110; a facility operated or controlled by the DOD; or any location acceptable to the COTP. Permit applications must be reviewed to ensure that proposed operations are taking place within one of these authorized locations.
2. Separation Distances. Accepted separation distances, modified separation distances, or acceptance of QRAs, are discussed in Chapter 6 and Appendix C of this Manual.
3. EHS Detail Composition. As discussed in Chapter 3 of this Manual, the composition and qualifications of the EHS and detail should be included in a local policy.
4. Application Submittal Times. Permit applications should be submitted in sufficient time so an EHSD can be assigned, review all pertinent information, make comments and recommendations to the COTP, conduct pre-inspection(s), and get approval signature from the COTP for operations. It is recommended that the COTP require permit applications to be submitted at least 96 hours (including 3 business days) prior to the operation commencing. Recurring operations with the same shipper, facility, and similar division and NEW of explosives can normally be processed faster (after the initial operation). Such a policy should state applications will not be denied simply for not meeting the specified timeframe. COTPs should take into account the nature of the industries operating in their area of responsibility that from time to time expedited or after hours processing is necessary. However, expedited processing should never be performed at the expense of safety.
5. Emergency Response Resources. The COTP should liaise with applicable Emergency Response Resources in advance of operations. Fire departments, local law enforcement, and hospitals are trained to deal with explosive ordnance, improvised explosive devices, and weapons, but many are not typically trained to deal with large loads of explosives being legally transported. A best practice is to leverage the relationship the local Port Security Specialist already has with many of these entities to ensure they are aware of the explosive handling operations taking place within the port so they can adequately prepare for a potential incident.
6. Contact with Stakeholders. Units should contact stakeholders prior to any operations within a reasonable timeframe. COTPs should remain in contact with local stakeholders involved with explosive loads at a minimum of a semi-annual basis if operations are

infrequent. These stakeholders include but are not limited to local, municipal, and state governments, the fire marshal's office, port authorities and LEPCs.

7. Hours of Operation. All facilities that handle explosives in the port should know the hours of operation allowed by the COTP. These times should be flexible to achieve maximum performance with minimal socio-economic impact.
8. Vessel Traffic during Explosive Handling Operations. COTPs should establish guidelines on vessel movement within the explosive arc, or other accepted arc area as determined by the COTP as a result of a QRA, during explosive operations. See Appendix C for further guidance on applying separation distances over the navigable waterway and establishing vessel to vessel separation distances.
9. Safety and Security Zones and Vessel Escorts. The COTP should evaluate the need for safety or security zones during loading and unloading operations and promulgate as necessary. Additionally, a moving safety or security zone and a Coast Guard asset escort around the vessel transiting while loaded with explosives may be considered by the COTP. COTP's should refer to the Maritime Security and Response Operations (MSRO) Manual, COMDTINST M16600.6 (series) for security and response planning involving military and significant commercial outload operations.
10. Weather Parameters. Discuss what weather conditions will delay, alter, and cease any explosive operations in the COTP zone. What actions will need to be done to remove the explosives if the operation is not completed in the allotted time? Regulatory requirements are listed in 49 CFR §176.182(a), but the COTP may provide amplifying information or interpretations on what those requirements mean within their port.
11. Incidental Temporary Storage. Normally, inbound explosives should be removed from a vessel, loaded onto a truck, and removed from the facility before any other cargo is worked. When explosives are loaded onto the vessel, the shipper should be encouraged to coordinate the explosives arrival time with the loading of the vessel, so the explosives can arrive on the facility, immediately be loaded onto the vessel, and the vessel can timely depart port. When normal protocol cannot be achieved, the facility must identify and the COTP must approve a location on the facility where explosives will be safely staged meeting stowage and segregation requirements when this situation occurs, taking into account safe separation distances. The COTP should establish a policy for the duration of time explosives may be held in incidental temporary storage. Generally, this should be limited to six hours. A risk based decision must be made, and the COTP must not require explosives to leave the facility and enter another mode of transportation simply to avoid incidental temporary storage. Additionally, the COTP should never require or suggest the staging of explosives off the facility that would create a situation where the shipper is breaking other local, state, or federal laws or ordinances.
12. Documentation. Ensure operations are properly documented in MISLE in accordance with Reference (a).

- B. Memorandum of Understanding (MOU). COTPs may consider developing a MOU with applicable port partners if warranted. As an example, a COTP may establish an MOU with a Port Authority because the Port Authority is responsible for managing the port facility. The MOU may address the use of QD, QRA, standard operational procedures, roles and responsibilities of the involved parties and other items deemed necessary by the COTP. All MOUs established for the purposes of EHS operations should be reviewed at established intervals not to exceed five years.

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CHAPTER 9 EXPLOSIVES DEVANNING AND TRANSSHIPPING

- A. Emergent Situations. The election to devan and transship explosives by an EHSD will be done in emergent situations only with COTP approval, and only if the detail supervisor has determined that further movement of the explosive cargo within the marine transportation system would carry unacceptable risk to the public and the transportation system itself, or other vital infrastructure.
- B. Conditions. The following conditions could warrant devanning and transshipment of explosives:
1. Unacceptable Condition of Cargo Transport Unit (Structurally or Weather Tightness).
 2. Unacceptable Condition(s) within the cargo transport unit:
 - a. Cargo is no longer secure as required by 49 CFR § 176.76(a)(2);
 - b. Packages within the cargo transport unit are compromised or Explosive Substances or Articles are visible or have been spilled from the package;
 - c. Incompatible explosives of different compatibility groups or other Hazardous Materials are in the same cargo transport unit; or
 - d. Unacceptable Condition of the Explosives: one of the explosive's safety features has been compromised (loss of stabilizing agents).
- C. Movement of Damaged Explosives. In accordance with 49 CFR § 176.156(b), no Class 1 (Explosives) Material, which for any reason has deteriorated or undergone a change of condition that increases the hazard attendant upon its conveyance or handling, may be moved in the port area, except as directed by the COTP.
- D. Location.
1. Typically, Designated Waterfront Facilities and Facilities of Particular Hazard are not set up to act as an explosive transshipping facility and fail to be in compliance with National Fire Protection Association (NFPA) 498 "Standard for Explosives Motor Vehicle Terminals," and NFPA 495, "Explosive Materials Code." Designated Waterfront Facilities and Facilities of Particular Hazard are required by 33 CFR § 126.5 to comply with NFPA 307, which further requires marine terminals that receive and deliver explosive materials to establish and operate an explosives interchange lot and, if transload operations are performed, a less-than-truck load explosives lot, in accordance with the requirements of NFPA 498 (1992 edition) and NFPA 495 (1992 edition). Thus, most Designated Waterfront Facilities and Facilities of Particular Hazard are unsuitable to allow transshipping of explosives in a normal mode of operation and should only be done when the situation is emergent and presents undue risk to public safety.

2. The devanning and transshipping of explosives on a waterfront facility must be done in an isolated location within the facility, only with properly trained personnel and with appropriate notification of and consultation with local emergency responders. Ideally, the devanning and transshipping of the explosives should only be done after direct communication with the shipper and the regulatory and safety issues have been explained.
- E. Transshipping on board Vessels. In accordance with 49 CFR § 176.156(a), the repair of damaged packages of explosives onboard a vessel is prohibited. Devanning and transshipping of explosives while on a vessel is an unsafe practice and should be avoided. Only in an extreme circumstance where a cargo transport unit has been damaged to the point that it is physically impossible to pick up the unit and transfer it to shore would the transshipping of explosives onboard a vessel even be considered.
- F. Shipper's Representative.
1. The shipper of the cargo (cargo owner) should have the opportunity to provide input and is bound by regulation to respond with expertise in cases involving a defective (damaged) package as per 49 CFR § 176.156. Pursuant to these requirements COTPs need to exercise discretion when deciding to devan and transship explosives without a shipper's representative or expert present.
 2. Response time of the shipper's representative or expertise is a factor that may cause economic loss due to COTP restrictions potentially placed on a facility and its adjacent waterway. Since the facility will more than likely not comply with the requirements of NFPA 498, restrictions to operations by way of a COTP Order to the facility involving the movement of hazardous material, bunker of vessels or even allowing other vessels to moor at the facility may be deemed appropriate. Additionally limiting movement and access to the waterway adjacent to the facility by way of a safety or security zone may also need to be considered by the COTP.
 3. The length of time a shipper can reasonably be expected to get expertise on site is a consideration and must be discussed with the shipper (cargo owner), facility management and other port partners before a decision is made and executed to de-van and transship explosives.
- G. Site Safety. Any devanning and transshipping of explosives must be done with safety being the absolute first priority. The following precautions must be in place:
1. The work area must be identified and marked out;
 2. Access to the area restricted to personnel who have an assigned task for the operation;
 3. Every piece of moving equipment must have a dedicated safety observer the entire time they are in the marked work area;

4. The use of ungrounded electrical equipment is prohibited;
5. The use of equipment or material that generates static electricity is prohibited (air-tools can create a static charge);
6. The use of EE or EX electric forklifts isn't required by regulation, but they do reduce the chance of fire in the worksite area;
7. If explosives have been spilled within the cargo transport unit or onto the ground, the area must be treated as a hazardous material release and appropriate response precautions must be undertaken; and,
8. Once transshipping is completed and before the transport unit is allowed to depart the facility either a representative of the shipper or the facility must certify the shipment complies with either 49 CFR § 176.76, 49 CFR § 176.144 and 49 CFR § 176.172 (Maritime) or 49 CFR § 177.834, 49 CFR § 177.835 and 49 CFR § 177.848 (Highway).

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APPENDIX A. ACRONYMS

<u>Acronym</u>	<u>Meaning</u>
ANSI	American National Standards Institute
ASME	American Society of Mechanical Engineers
AOR	Area of Responsibility
ATF	Alcohol, Tobacco, and Firearms
CA	Competent Authority
CDC	Certain Dangerous Cargo
CGIS	Coast Guard Investigative Service
CFR	Code of Federal Regulations
CITAT	Container Inspection Training and Assistance Team
CBP	Customs and Border Protection
COI	Certificate of Inspection
COTP	Captain of the Port
DARAD	Deviation Approval and Risk Acceptance Document
DCM	Dangerous Cargo Manifest
DOD	Department of Defense
DOT	Department of Transportation
DDESB	Department of Defense Explosives Safety Board
DHS	Department of Homeland Security
EHS	Explosive Handling Supervisor
EHSD	Explosive Handling Supervisory Detail
EMS	Emergency Medical Services
EOD	Explosive Ordnance Disposal
ES	Exposed Site
ESO	Explosives Safety Officer
ESQD	Explosive Safety Quantity Distance
EIDS	Extremely Insensitive Detonating Substances
FIC	Facility Inspector Course
FOUO	For Official Use Only
GAR	General Assessment of Risk (Risk Model)
HAZMAT	Hazardous Material
HMR	Hazardous Materials Regulation
IBD	Inhabited Building Distance
IMDG	International Maritime Dangerous Goods
IME	Institute of Makers of Explosives
IMESAFR	IME Safety Analysis for Risk
LEPC	Local Emergency Planning Committee
MARAD	Maritime Administration
MARSEC	Maritime Security
MISLE	Marine Information for Safety and Law Enforcement
MOA	Memorandum of Agreement
MSC	Military Sealift Command
MSRO	Maritime Security and Response Operations

Appendix (A) to COMDTINST M16600.8

MST	Marine Science Technician
MTSA	Maritime Transportation Security Act
NARA	National Archive and Records Administration
NAVSEA	Naval Sea System Command
NAVSHIPS	Naval Ships
NCB	National Cargo Bureau
NCIP	National Container Inspection Program
NEPA	National Environmental Policy Act
NEW	Net Explosive Weight
NFPA	National Fire Protection Association
NOA	Notice of Arrival
NOV	Notice of Violation
OSHA	Occupational Safety and Health Administration
ORM	Operational Risk Management
PES	Potential Explosive Site
PHMSA	Pipeline and Hazardous Materials Safety Administration
PWSA	Ports and Waterways Safety Act
PTR	Public Traffic Route
QRA	Quantitative Risk Assessment
QD	Quantity Distance Separation
RORO	Roll on/Roll off
SAFER	Safety Assessment for Explosives Risk
SDDC	Surface Deployment and Distribution Command
SDS	Safety Data Sheet
SP	Special Permit
SPE	Severity, Probability, Exposure (Risk Model)
TTP	Tactics, Techniques and Procedures

APPENDIX B. DEFINITIONS

Application and Permit to Handle Hazardous Materials, Form (CG-4260). Application required to be submitted to the COTP for review and approval prior to the handling of explosive Class 1.1 and 1.2 materials in U.S. waters under the jurisdiction of the U.S. Coast Guard.

Barge. A non self-propelled vessel.

Break-Bulk. Packages of hazardous materials that are handled individually, palletized, or unitized for purposes of transportation as opposed to bulk and containerized freight.

Captain of the Port (COTP). The individual that enforces within their respective areas port safety and security and marine environmental protection regulations, including, without limitation, regulations for the protection and security of vessels, harbors, and waterfront facilities; anchorages; security zones; safety zones; regulated navigation areas; deepwater ports; water pollution; and ports and waterways safety.

Carrier. A person who transports passengers or property in commerce by rail car, aircraft, motor vehicle, or vessel.

Closed Cargo Transport Unit. For Class 1 (explosive) materials means a freight container or transport vehicle that fully encloses the contents by permanent structures and can be secured to the ship's structure and are, except for the carriage of division 1.4 explosives, structurally serviceable, (see 49 CFR §176.172).

Commerce. Trade or transportation in the jurisdiction of the United States within a single state; between a place in a state and a place outside of the state; that affects trade or transportation between a place in a state and place outside of the state; or on a United States-registered aircraft.

Compatibility Group Letter. A designated alphabetical letter used to categorize different types of explosive substances and articles for purposes of stowage and segregation, (see 49 CFR §173.52, Subchapter C).

Competent Authority. A national agency responsible under its national law for the control or regulation of a particular aspect of the transportation of hazardous materials (dangerous goods). The term Appropriate Authority, as used in the ICAO Technical Instructions (IBR, see 49 CFR §171.7), has the same meaning as Competent Authority. For purposes of 49 CFR, the Associate Administrator is the Competent Authority for the United States.

Critical Infrastructure. Systems and assets, whether physical or virtual, so vital that the incapacity or destruction of such may have a debilitating impact on the security, economy, public health or safety, environment, or any combination of these matters, across any Federal, State, regional, territorial, or local jurisdiction.

Dangerous Cargo. All hazardous materials listed in 49 CFR Part 171 through 179, except those materials preceded by an “A” in the Hazardous Materials Table in 49 CFR § 172.101, and all cargo listed in 46 CFR Part 148.

Designated Dangerous Cargo. Division 1.1 and 1.2 explosives as defined in 49 CFR § 173.50.

Devanning. Unloading goods from a container.

Deviation. A departure from an established rule or standard. For explosives safety applications, a deviation authorized by the Chief of Naval Operations (CNO) is considered to be a departure from Department of the Navy and DOD criteria, but under strictly controlled and regulated conditions based upon compelling operational need. Deviations which may be authorized by appropriate authority within the naval service are event waivers, waivers, and exemptions. See Reference (b).

Exposed Site (ES). A location exposed to the potential hazardous effects (blast, fragments, debris, and heat flux) from an explosion at a potential explosive site (PES). The distance to a PES and the level of protection required for an ES determine the quantity of ammunition or explosives permitted in a PES.

Handle/Handling. The operation of loading and unloading a vessel; transfer to, from, or within a vessel, and any ancillary operations, such as the storage, and movement of explosives on or within a facility or vessel.

Hazardous Material. A substance or material that the Secretary of Transportation has determined is capable of posing an unreasonable risk to health, safety, and property when transported in commerce, and has designated as hazardous under Section 5103 of Federal hazardous materials transportation law (49 USC § 5103). The term includes hazardous substances, hazardous wastes, marine pollutants, elevated temperature materials, materials designated as hazardous in the Hazardous Materials Table (see 49 CFR § 172.101), and materials that meet the defining criteria for hazard classes and divisions in 49 CFR Part 173, Subchapter C.

Inhabited Building. A building or structure other than an operating building occupied in whole or in part by human beings, both within and outside DOD contractor plants. They include but are not limited to schools, churches, residences, stores, shops, factories, hospitals, theaters, and post offices.

Inhabited Building Distance. The separation distance between potential explosive sites and non-associated exposed sites requiring a high degree of protection from an accidental explosion. Such exposed sites include facility boundaries, wholly inert administrative facilities, etc.

Magazine. An enclosure designed to protect certain goods of Class 1 (explosive) materials from damage by other cargo and adverse weather conditions during loading, unloading, and when in transit; and to prevent unauthorized access. A magazine may be a fixed structure or compartment in the vessel, a closed freight container, a closed transport vehicle, or a portable magazine.

Movement. The physical transfer of a hazardous material from one geographic location to another by rail car, aircraft, motor vehicle, or vessel.

Navigable waters. For the purposes of 49 CFR Subchapter C, waters of the United States, including the territorial seas.

Net Explosive Weight (NEW). Expressed in pounds, the total weight of all explosive substances (i.e., high explosive weight, propellant weight, and pyrotechnic weight) in the ammunition and explosives.

Operator. A person who controls the use of an aircraft, vessel, or vehicle.

Overpressure. The pressure caused by a shock wave over and above normal atmospheric pressure. An overpressure shockwave in excess of .7 PSI can cause irreversible harm to humans.

Quantity Distance (QD). The quantity of explosive material and distance separation relationships that provide defined types of protection. These relationships are based on levels of risk considered acceptable for the stipulated exposures and are tabulated in the appropriate QD tables. (See Reference (i)). Separation distances are not absolute safe distances but are relative protective or safe distances.

Person. Per 49 CFR § 171.8, an individual, corporation, company, association, firm, partnership, society, joint stock company; or a government, Indian Tribe, or authority of a government or Tribe, that offers a hazardous material for transportation in commerce, transports a hazardous material to support a commercial enterprise, or designs, manufactures, fabricates, inspects, marks, maintains, reconditions, repairs, or tests a package, container, or packaging component that is represented, marked, certified, or sold as qualified for use in transporting hazardous material in commerce. This term does not include the United States Postal Service or, for purposes of 49 USC §§ 5123 and 5124, a Department, agency, or instrumentality of the government.

Portable magazine. Per 49 CFR § 176.2, a strong, closed, prefabricated, steel or wooden, closed box or container, other than a freight container, designed and used to handle Class 1 (explosive) materials either by hand or mechanical means. Its maximum internal cubic capacity may not exceed 110 cubic feet.

Potential Explosive Site (PES). The location of explosives that will create a blast, fragment, or debris hazard in the event of an accidental explosion of its contents. Quantity limits for ammunition and explosives at a PES are determined by the distance to an exposed site.

Proper Shipping Name. The name of the hazardous material shown in Roman print (not italics) in 49 CFR §172.101, Subchapter C.

Public Traffic Route (PTR). Any public street, road (including any on a DOD contractor facility or military reservation), highway, navigable stream, or passenger railroad that is routinely used for through traffic by the general public.

Shipping Paper. A shipping order, bill of lading, manifest or other shipping document serving a similar purpose and prepared in accordance with 49 CFR Part 172, Subchapter C.

Solution. Any homogeneous liquid mixture of two or more chemical compounds or elements that will not undergo any segregation under conditions normal to transportation.

Transloading. The transfer of a hazardous material by any person from one bulk packaging to another bulk packaging, from a bulk packaging to a non-bulk packaging, or from a non-bulk packaging to a bulk packaging for the purpose of continuing the movement of the hazardous material in commerce.

Vessel. For the purpose of this Manual means any self-propelled vessel engaged in the movement of explosives. This includes US Flagged Vessel, Foreign Flagged Vessels, Undocumented Vessels under state registration and U.S. Government Owned Vessels. U.S. Warships and Foreign Warships visiting the US are not covered under this policy.

APPENDIX C. CALCULATING SEPARATION DISTANCES

A. Quantity Distance Calculations.

1. As discussed in Chapter 6 of this Manual, the Coast Guard uses DOD QD calculations as the initial screening mechanism for handling of Division 1.1 and 1.2 explosives being transferred to or from a commercial vessel at a commercial facility, or a military handling operation conducted at a commercial facility.
2. The location of the explosives is referred to as the Potential Explosive Site (PES). In calculating separation distances, we are concerned with the PES impact on an Exposed Site (ES). The ES, or the potential hazard area surrounding explosives, increases in size as the quantity of explosives at any one location increases. For this reason, it is desirable to keep the quantity of explosives present in one location to the minimum amount that is consistent with operating requirements and maximum utilization of land. The distance separating the PES from the ES determines the permissible amount of explosives permitted to be safely loaded/unloaded from vessels in the close proximity to inhabited buildings, public traffic routes, and other sensitive areas.
3. Measurements of distances from the PES to the ES for determining the maximum allowed NEW will normally be made from the dock location where explosives are handled between the facility and vessel to the nearest part of an ES. In the event explosives are temporarily stored on the facility, the storage location will be a PES and may necessitate calculation of explosive arcs to an ES from that location. For large intervening topographical features such as hills, measure over or around the feature, whichever is shorter. This QD formula is:

$$\sqrt[3]{N.E.W.} \times \text{The K Value} = \text{QD}$$

or

$$\text{The } \underline{\text{Cubed Root of N.E.W.}} \times \text{The K_Value} = \text{QD}$$

4. NEW stands for Net Explosive Weight and is the weight in pounds of the total amount of explosives present at a given time on either the vessel or the facility or both.
5. The K value or K factor is a given safety value expressed by a numeral and is dependent on the NEW present, and if the calculation is determining a separation distance from an ES for an inhabited building or a public traffic route.
6. Inhabited Building Distance (IBD) is the distance between a PES and any structure where persons live, work, or assemble. IBDs apply to all buildings where there will or reasonably could be people during an explosive handling operation. For example, if an explosive handling operation is taking place at noon an office building may be occupied but a residence may not be. However, if an explosive handling operation is taking place at 10 PM the residence may be occupied but the office building not. As the Coast Guard

uses QD as an initial screening mechanism, calculations for buildings outside the footprint of the facility handling the explosives should utilize the IBD.

7. Public Traffic Route (PTR) distance is the distance separating a PES from a public highway, passenger railway, or other surface traffic route used by the public. Unless the COTP determines the level of passenger vessel traffic or other local uniqueness would warrant inclusion, PTRs do not include navigable waterways when the Coast Guard is calculating separation distances. Unless access is clearly limited, (by unsuitable terrain or travel not open to the public because it is government-owned), PTR distances apply to all roads outside of the facility boundary. PTR distances also apply to most passenger vehicle parking areas and to open recreational areas that do not include bleacher stands or other places where large numbers of personnel may be present. COTPs should also consider if a restriction on additional vessels moored at the facility should be established during the explosive handling operation or the establishment of a consistent vessel to vessel separation distance based on the use of QD, QRA or another risk analysis tool.

B. Standard K values. The following are standard K values:

1. For IBD where the NEW is equal to or less than 250,000 pounds K=40
2. For IBD where the NEW is in excess of 250,000 pounds K=50
3. For PTR where the NEW is equal to or less than 100,000 pounds K=24
4. For PTR where the NEW is in excess of 100,000 pounds K=30

Note: The above K=values and formula were developed by the DOD Explosive Safety Board (DDESB) and can be found in Reference (i).

C. Reduced K values. If explosive shipments are fully containerized or are transported in a Type 2 ATF certified magazine and secured in such a manner to prevent both horizontal and vertical shifting during movement and transport, and will not require any transshipment activity while on the waterfront facility, then lower K values of K=24 for less than 100,000 lbs. NEW and K=30 for over 100,000 lbs. NEW may be applied to calculate IBD regardless of the amount being handled if the following stipulations are met:

1. General requirements for reduced K values. No other cargo on the vessel or barge may be worked on while the container or magazine of explosives is being moved, including both general and regulated hazardous cargos.
2. No bunkering or internal transferring by any means of flammable or combustible fuels or lube oils to or from tanks onboard the vessel is allowed.
3. Firefighting requirements for reduced K values:

- a. Self-propelled vessels must have two (2) fire hoses with lines faked out and nozzles attached and attached to the vessels fire main system with the supply valve in the closed position. The hoses must be of sufficient length to reach every part of the loading area with an effective stream of water and be connected to the water main, ready for immediate use.
 - b. For non-self-propelled vessels such as deck barges specifically designed for the carriage of cargo containers, the facility must fake out two (2) fire hoses with nozzles attached and have two in the general area of the dock where the explosive cargo is being lifted to or from. The streams of water from those hoses must be able to reach the area of the barge where the explosives container will be placed or removed from. These hoses should be attached via a separate valve or Y-gate to a properly charged fire hydrant or dockside fire main system.
 - c. In cases where neither the vessel involved nor the facility can supply the necessary fire protection required by this policy; it is recommended that due consideration be taken for the remoteness of the site, the presences of other means of fire-fighting (extra type A, B, and C fire extinguishers or a fire truck with a crew) and reduced presence of nonessential personnel from the area. If these stipulations are met, to the satisfaction of the COTP, reduced K values may still be applied.
- D. Handling non-containerized or non-magazine explosives. In cases where the shipment is break bulk or where the shipment involves the transshipment of cargo from one shipping container to another on the waterfront facility due to an emergent situation, reduced K values must not be used in the initial QD calculations.
- E. Division 1.2 exceptions. The QD criteria for division 1.2 explosives are based on the hazards from primary fragments. For explosive handling operations that consist of only 1.2 explosives, COTPs may refer to table 7-15 of Reference (i) for alternate separation distances.
- F. Division 1.5 exceptions.
1. Explosives in hazard division 1.5D (blasting agents) may require a permit under 49 CFR § 176.415 depending on how the materials are packaged and shipped. These explosives can present a mass detonation hazard but only under specific circumstances. The QD calculations for the proper separation distance for this material must factor in what other explosives are present in the shipment. Hazard division 1.5D explosives being shipped with 1.1 and 1.2 explosives require the use of K values as described in Paragraph B of this Appendix.
 2. If the 1.5D explosives are the sole explosives being shipped and are the only explosive present on both the vessel and facility, the K value used in the QD calculation may be lowered to K=8 by the COTP for IBDs, and PTRs. The reduction to such a low K factor is based on the fact that 1.5D explosives are considered Extremely Insensitive Detonation Substances (EIDS) meaning that both a detonator and a secondary explosive must be used to initiate an explosion with this type of material.

3. Without the use of other explosives the only other known means of accidental initiation of a typical 1.5D explosive is from the material being exposed to an intense fire to the point where large quantities of the material become molten and are placed under high pressure within a confined area.
4. Regardless of whether 1.1 or 1.2 explosives are present, an abundant supply of fire-fighting water must be readily available as per the requirements of 33 CFR § 126.28 (a)(7), when 1.5D explosives are transferred.

G. Roll-on, Roll-off (RORO) exceptions. If a freight container of explosives is transported by highway or rail and driven directly onto or off of a barge or vessel, the COTP may permit the operation without imposing the standard limitations of separation distances provided the following requirements are met:

1. The total NEW present does not exceed 30,000 pounds of explosives.
2. All explosives present must be associated with the RORO operation.
3. Explosives must be located on-site for the minimum time necessary, but the total operation must not exceed 24 hours following arrival of the explosives.
4. A default 1,260 feet QD arc will be used. All buildings, roads and potential secondary hazards (fuel tanks, power lines, critical infrastructure) within the ESQD arc will be highlighted for consideration by the COTP prior to approving a permit under this exception.
5. When a vessel is entering port with explosives on board with the intent of loading additional explosives or other cargo, there is the potential of an accident with the explosives that are already on the vessel and standard separation distances should be applied.
6. If a location is available for RORO operations that was site approved using conventional quantitative QD criteria, it must be used.
7. This exception is based on policy contained within Reference (b).

APPENDIX D. APPLICATION AND PERMIT TO HANDLE HAZARDOUS MATERIALS, FORM (CG-4260) INSTRUCTIONS

The Application and Permit to Handle Hazardous Materials, Form (CG-4260) is used as both an application by the shipper or facility operator for a permit to handle explosives and as the actual permit signed by the COTP. The top portion of the form is completed by the shipper or facility operator and submitted to the COTP for approval. The bottom portion is completed by the COTP and issued to the vessel and facility as a permit for the operation.

Complete instructions for completing the Application and Permit to Handle Hazardous Materials, Form (CG-4260) can be found on the second page of the form.

After reviewing a properly prepared permit, the following information must be entered on the Application and Permit to Handle Hazardous Materials, Form (CG-4260):

An “X” will be entered in the block for “Approved” with following Exceptions or Conditions.

Enter in the Exceptions/Conditions block:

Ensure compliance with all handling, stowage and segregation requirements. A U.S. Coast Guard explosives handling supervisor must be present during operations. *(This sentence may be omitted if the COTP has made a determination that an EHSD is not required to supervise the operation).*

The COTP should normally specify on the permit the separation distance from the point where the explosives or ammunition are to be handled to inhabited buildings, public highway routes or sensitive areas such as large oil storage tanks. Any restrictions established using QRA tools to determine the safety of the operation should be noted on the permit. Specific instructions for any other operational restrictions such as weather or time of day or night or applicable COTP MOUs or MOAs should also be indicated on the permit.

The copy of the Application and Permit to Handle Hazardous Materials, Form (CG-4260) is included in this Appendix. Units should always verify that the most recent version of the form is being used. The form can be located on the CGPortal at:

https://cg.portal.uscg.mil/sites/externaldata/Forms/CG_4260.PDF

The Application and Permit to Handle Hazardous Materials, Form (CG-4260) can also be accessed on the Coast Guard’s website, Commandant (CG-612), Directives and Publications Division, Commandant’s Forms menu at:

<https://media.defense.gov/2017/Oct/23/2001830878/-1/-1/0/CGD-171023-163-035.PDF>

DEPARTMENT OF HOMELAND SECURITY U.S. Coast Guard APPLICATION AND PERMIT TO HANDLE HAZARDOUS MATERIALS (See instructions on Page 2)				Form Approved OMB No. 1625-0005	
1. TO: CAPTAIN OF THE PORT U.S. COAST GUARD		2. FROM: (Name, Business address and postal code)			
3. CARGO BY UN NUMBER, PROPER SHIPPING NAME AND EX NUMBER (If Included)		4. HAZARD CLASS, DIVISION AND COMPATIBILITY GROUP	5. STOWAGE LOCATION (Vessel Only)	6. WEIGHT (Net Pounds)	
7. <input type="checkbox"/> ONLOAD <input type="checkbox"/> OFFLOAD		8. TOTAL FOR NET EXPLOSIVE WEIGHT:			
9. NAME, VESSEL IMO OR ID#, LOCATION, POINT OF CONTACT (name and phone #)		VESSEL OR BARGE		WATERFRONT FACILITY	
10. NAME, ADDRESS, AND POSTAL CODE OF OWNER					
11. NAME, ADDRESS, AND POSTAL CODE OF LESSOR OR CHARTERER					
12. DATE(S) AND TIME(S) OF OPERATION					
I UNDERSTAND and will comply with current safety laws, rules and regulations of the United States, the State, County, City and Port Authority while handling hazardous materials. (See Page 2.)					
13. DATE		14. TITLE		15. APPLICANT'S SIGNATURE	
PERMIT (COAST GUARD USE ONLY)					
The above request is: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with the following conditions <input type="checkbox"/> Disapproved					
EXCEPTIONS/CONDITIONS					
DATE		SIGNATURE: (Captain of the Port, U.S. Coast Guard)			
VESSEL/FACILITY REPRESENTATIVE ACKNOWLEDGMENT					
I have read and understand the conditions of this permit.					
DATE		VESSEL RESPONSIBLE PERSON SIGNATURE:			
DATE		FACILITY REPRESENTATIVE POSITION:		SIGNATURE:	

INSTRUCTIONS
<p>Submit application to the Captain of the Port having jurisdiction over the load/discharge location (see 33CFR § 3).</p> <p>This application and permit is required by the following regulations:</p> <p style="margin-left: 20px;">49 CFR § 176.100 (Military and Commercial Explosives, Division 1.1 and 1.2) 49 CFR § 176.415 (Division 1.5, ammonium nitrates, and certain ammonium nitrate fertilizers) 33 CFR § 126.17 (Military & Commercial Explosives, Division 1.1 and 1.2)</p> <p>Net Explosive Weight (N.E.W.), expressed in pounds, means the total weight of all explosive substances in the shipment.</p> <p>Supplemental information required by the above regulations must be appended to this application.</p> <p style="margin-left: 20px;">Block 1 - Enter the Name of the particular Captain of the Port Zone where the Explosives will be handled, loaded or unloaded as described in 33 CFR § 3.</p> <p style="margin-left: 20px;">Block 2 - Enter the Name of the Agent, Shipper, Charterer or Owner submitting the Application and Permit to Handle Hazardous Materials.</p> <p style="margin-left: 20px;">Block 3 - Enter the Cargo Identification information by UN Number, Proper Shipping Name and Explosive (EX) Approval Number (if EX Approval Number is required). "Proper Shipping Name" means the name of the cargo as given in 49 CFR § 172.101 Hazardous Materials Table. The "correct technical name" as given in the International Maritime Dangerous Goods Code published by IMO may be used as prescribed by regulation.</p> <p style="margin-left: 20px;">Block 4 - Enter the Hazard Class Information including Class, Division and Compatibility Group Letter.</p> <p style="margin-left: 20px;">Block 5 - Enter the Stowage Location on the Vessel, either On-deck or Under-deck.</p> <p style="margin-left: 20px;">Block 6 - Enter the Net Explosive Weight (N.E.W.) expressed in Pounds (lbs). <i>(One Pound is equal to 2.205 Kilograms. To convert Kilograms to Pounds multiply the number of Kilograms by 2.205 to equal Pounds.)</i></p> <p style="margin-left: 20px;">Block 7 - Check the appropriate box to indicate if cargo is being loaded on a vessel or offloaded from a vessel.</p> <p style="margin-left: 20px;">Block 8 - The total Net Explosive Weight (N.E.W.) in the shipment in pounds will automatically populate with the sum of the weight(s) entered into Block 6.</p> <p style="margin-left: 20px;">Block 9 - Enter the Name and ID or IMO Number for the Vessel or Barge, and the Name and Location of the Facility or Anchorage.</p> <p style="margin-left: 20px;">Block 10 - Enter the name, mailing address and Postal code for the Vessel Owner and the Facility Owner.</p> <p style="margin-left: 20px;">Block 11 - Enter the name, mailing address, Postal code and Phone Number for the Lessor or Charterer.</p> <p style="margin-left: 20px;">Block 12 - Enter the proposed Date and Time for the Operation (Local Time).</p> <p style="margin-left: 20px;">Block 13 - Enter the date the Application and Permit to Handle Hazardous Materials is submitted.</p> <p style="margin-left: 20px;">Block 14 - Enter the title of the individual submitting the Application and Permit to Handle Hazardous Materials.</p> <p style="margin-left: 20px;">Block 15 - Signature (Electronic or Physical) of the individual submitting the Application and Permit to Handle Hazardous Materials</p> <p>Instructions for the Captain of the Port: Select if the request is Approved, Approved with the Following Conditions, or Disapproved. If approved with conditions, enter those in the Exceptions/Conditions box. If Exceptions/Conditions exceed the space provided on the permit, write "See attached for Exceptions/Conditions. The attached Exceptions/Conditions must accompany the permit at all times." in this space.</p>
CONDITIONS
<p>This permit is subject to the following conditions:</p> <ol style="list-style-type: none"> a. The limits as to maximum quantity, isolation, and remoteness established by local, municipal, territorial or state authorities having jurisdiction (or the quantity of this permit) shall not be exceeded by this operation. This permit does not authorize the violation of any applicable state or municipal law, ordinance, regulation or permit. b. The Captain of the Port shall be notified immediately of any changes in quantity, times, dates, or of any matters that might affect the safe handling or transportation of the cargo covered by this permit. c. All applicable laws and regulations, unless waived by the Captain of the Port, and all directions or orders of the Captain of the Port or his authorized representative, shall be complied with.
<p>Privacy Act Statement</p>
<p>Authority: 33 U.S.C. 1225; 49 U.S.C. 5101-5108; 33 C.F.R. § 126.19; 49 C.F.R. § 176.100; and 49 C.F.R. § 176.415.</p> <p>Purpose: To determine if hazardous materials may be loaded or unloaded from a vessel or barge to a waterfront facility.</p> <p>Routine Uses: Authorized Coast Guard personnel will use this information to adjudicate Permit to Handle Hazardous Materials applications. Any external disclosures of data within this record will be made in accordance with DHS/USCG-013, Marine Information for Safety and Law Enforcement System of Records, 74 Federal Register 30305 (June 25, 2009).</p> <p>Disclosure: Furnishing this information is mandatory. Failure to furnish this information may delay/prevent the issuance of the Permit to Handle Hazardous Materials or result in punitive action.</p>
<p>An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB number. The Coast Guard estimates that the average burden for this report is 1 hour. You may submit any comments concerning the accuracy of this burden estimate or any suggestion for reducing the burden to: Commandant (CG-FAC), U.S. Coast Guard Stop 7501, 2703 Martin Luther King Jr Ave, SE, Washington, D.C. 20593-7501.</p>