GUIDELINES FOR SHIPOWNERS AND SEAFARERS FOR IMPLEMENTATION OF RELEVANT IMO INSTRUMENTS IN RELATION TO THE CARRIAGE OF DANGEROUS GOODS IN PACKAGED FORM BY SEA

Draft Guidelines for the implementation of IMO instruments in relation to the carriage of dangerous goods in packaged form by sea

Submitted by: Australia, Japan, the Marshall Islands, New Zealand, Papua New Guinea, Tokyo MoU

SUMMARY

Executive summary: Further to the outcome of HTW1 on this matter, this document provides information on draft Guidelines for the implementation of IMO instruments in relation to the carriage of dangerous goods in packaged form by sea for consideration by the Sub-Committee.

Strategic direction: 5.2
High-level action: 5.2.2
Planned output: 5.2.2.9
Action to be taken: Paragraph 9
Related documents: FSI 20/INF.9; MSC 92/23/3/Rev.1, MSC 92/26; HTW 1/21 and HTW 1/15

Background

1 In considering the previous proposals contained in HTW 1/15, the Sub-Committee received comments that the proposed text of the draft guidelines did not contain any new information but simply restated the existing requirements contained in relevant instruments. In particular, the text needed to be improved to address land-based problems and that allocation of the subject to the HTW Sub-Committee carried the inference that changes were required to the training of seafaring personnel. One delegation considered the linkage to the ISM Code to lack relevance.
2 The co-sponsors consider these comments to be valid and helpful and that the text indeed required revision to emphasize that an apparent major cause of hazardous occurrences with carriage of dangerous goods was non-conformity with the specified requirements and guidelines before the cargo arrived at the terminal or on board ship.

3 The majority of deficiencies noted in the Concentrated Inspection Campaign (CIC) were related to the human element, such as possible poor training and lack of supervision. This reaffirmed the need for the shipping community to be cognizant of their obligations and responsibilities, including seafarers and, in particular, shore-based personnel who have responsibilities in relation to the transportation of packaged dangerous goods by sea.

4 In attempting to improve the text that was considered by HTW 1, the sponsors have taken into account the fact that problems in this area cannot be simply ascribed to shore-based entities, since shipowners can control their risk exposure under section 1.2 of the ISM Code by obtaining appropriate assurances with regard to dangerous goods packaging, packing, placarding, declaration and stowage planning.

Development of Guidelines

5 The revised draft guidance, as set out in the annex, is submitted for consideration by the Sub-Committee with the view, if appropriate, for forwarding to the Sub-Committee on Carriage of Cargoes and Containers (CCC) for consideration.

6 It should be noted that the draft guidelines are intended to clarify existing requirements under IMO instruments and to provide assistance in meeting their obligations by senders, consignors, consolidators, packers, shippers and terminals, in addition to shipowners, companies and seafarers. Accordingly, no additional requirements have been proposed as the intention of the co-sponsors is to secure improved implementation of the existing requirements and guidelines rather than engage in back-door regulation.

7 Reduced emphasis has been placed on the training requirements of the STCW Convention, since these are comprehensively covered by the referenced requirements and guidelines.

8 The co-sponsors suggest that the guidelines, when finalized, could be approved by the Committee and issued as a MSC.1 circular to ensure that they are as widely and prominently circulated as possible.

Action Requested of the Sub-Committee

9 The Sub-Committee is invited to consider the draft guidelines set out in the annex, and decide as appropriate.

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ANNEX

DRAFT GUIDELINES FOR PROPER IMPLEMENTATION OF RELEVANT IMO INSTRUMENTS IN RELATION TO THE CARRIAGE OF DANGEROUS GOODS IN PACKAGED FORM BY SEA

1. Application

1.1 These guidelines are intended for dangerous goods senders, consignors, consolidators, packers, shippers, terminals, seafarers, shipowners, companies, training organizations and all personnel involved in the transport chain that includes ships carrying dangerous goods in packaged form by sea.

1.2 The guidelines are intended to promote understanding that the safe transport of the dangerous goods is dependent upon all functions carried out in the various elements of the transport chain are undertaken in accordance with the specified requirements and guidelines by suitably trained personnel. As it is not generally practicable to recheck the proper implementation of these requirements and guidelines at later stages of the transport chain, any departure from those provisions may only be brought to notice by a casualty involving clean up, physical damage to property and/or injury to, or death of, personnel.

2. References

2.1 Relevant IMO instruments

2.1.1 Mandatory

.1 SOLAS: regulations II-2/1, which may determine where in the ship particular dangerous goods may be stowed;

.2 SOLAS chapter VII, part A, giving mandatory effect to the IMDG Code;

.3 STCW Code, part A, specifying competency requirements for master, mates and others in relation to the carriage of dangerous goods (Training requirements for seafarers);

.4 the International Maritime Dangerous Goods (IMDG) Code (IMDG Code), adopted through resolution MSC.122 (75), and subsequently amended on a regular basis (Training requirements for shore-based personnel as set out in chapter 1.3 of the Code); and

.5 International Safety Management (ISM) Code, in particular the safety management objectives for ship operation and a safe working environment as specified in 1.2.2. to the extent that attainment of those objectives may be prejudiced by shortcomings ashore or on board in meeting the specified requirements and guidelines.

2.1.2 Non-mandatory

.1 STCW Code, part B;

.2 Code of safe practice for cargo stowage and securing (IMO resolution A.714(17));
Procedures for the control of operational requirements related to the safety of ships and pollution prevention (resolution A.742(18));

Procedures for port State Control (resolution A.1052(27));

IMO Model Course 1.10 – Dangerous, Hazardous and Harmful Cargoes; and


3. Relevant international requirements and guidelines

Training requirements for shore-based personnel

3.1 IMDG Code

3.1.1 Chapter 1.3 of the IMDG Code, dealing with training, commences with the statement:

"The successful application of regulations concerning the transport of dangerous goods and the achievement of their objectives are greatly dependent on the appreciation by all persons concerned of the risks involved and on a detailed understanding of the regulations. This can only be achieved by properly planned and maintained initial and retraining programmes for all persons concerned with the transport of dangerous goods."

3.1.2 Importantly, the training specified in 1.3.1.1 to 1.3.1.3 of the Code in relation to general awareness/familiarization and function-specific training is mandatory for shore-based personnel. These personnel are nominated as those who:

1. Classify dangerous goods and identify Proper Shipping Names of dangerous goods;

2. Pack dangerous goods;

3. Mark, label or placard dangerous goods;

4. Load/unload cargo Transport Units;

5. Prepare transport documents for dangerous goods;

6. Offer dangerous goods for transport;

7. Handle dangerous goods in transport;

8. Prepare dangerous goods loading/stowage plans;

9. Load/unload dangerous goods into/from ships;

10. Carry dangerous goods in transport;

11. Enforce or survey or inspect for compliance with applicable rules and regulations; or

12. Are otherwise involved in the transport of dangerous goods as determined by the competent authority.
3.1.3 The further training recommended in 1.3.1.6 of the IMDG Code describes sections of the Code, or other relevant instruments, that may be appropriate to be considered in the training of any person involved in the transport of dangerous goods. Some of these functions are generally carried out shoreside, while others are controlled by shipboard personnel.

3.1.4 These functions combined cover:

.1 All of IMDG Code;
.2 SOLAS Chapter II-2/19;
.3 Port local regulations;
.4 National transport regulations;
.5 International Convention for Safe Containers;
.6 Guidelines for Packing Cargo Transport Units;
.7 Emergency Response Procedures;
.8 First aid measures; and
.9 Safe handling procedures.

3.2 IMO Model Course

IMO Model Course 1.10 – Dangerous, Hazardous and Harmful Cargoes provides an appropriate training course for the shore-based personnel referred to in 1.3.2 of the IMDG Code. This is the guidance to implement the model training course as an instructor’s reference.

3.3 Training requirements for seafarers (officers and ratings) – STCW Code, parts A and B

The relevant competencies are those in the tables of chapter II of Part A of the STCW Code. Section B-V/c of the STCW Code, outlines the guidance regarding training of officers and ratings who may be involved in monitoring the proper execution of the respective roles of shorebased personnel.

3.4 Responsibilities of companies – International Safety Management (ISM) Code

In accordance with 1.2 of the ISM Code, the Safety Management System should take account of the risks associated with handling and transport of dangerous goods and establish appropriate safeguards. This should include measures to secure implementation of the relevant requirements and guidelines, including training provided to relevant personnel both ashore and on board within the shipping company.

4 Linkages between IMO Instruments

.1 The safe carriage of packaged dangerous goods in accordance with chapter VII of SOLAS is dependent on:

.1 shoreside personnel being trained in accordance with chapter 1.3 of the IMDG Code, such as through IMO Model Course 1.10;
packaging, labelling and packing of individual dangerous goods items being in accordance with the relevant provisions of the IMDG Code;

cargo transport units being documented and placarded in accordance with the IMDG Code; and

onboard stowage and segregation of cargo transport units being planned and arranged in compliance with the IMDG Code.

Provision of the necessary training to ship’s officers should generally be evidenced by completion of STCW Convention training requirements, but this training should be updated and refreshed, as appropriate.

Delays may result where evidence is found that the training and procedures specified in these instruments have not been properly implemented, resulting in a breakdown of the system.

5 Evidence of training

All companies and organizations should ensure that documentation is maintained to provide evidence of compliance with the relevant requirements and guidelines of the instruments.

6 Conclusion

Dangerous goods senders, consignors, consolidators, packers, shippers, terminals, seafarers, shipowners, companies, training organizations and all personnel involved in the transport chain that includes ships carrying dangerous goods in packaged form by sea are urged to take note of these guidelines. They should ensure that all the required training has been completed and that this training is updated and the resulting knowledge and skills are applied, as the Code and other instruments, are amended.