

SUB-COMMITTEE ON CARRIAGE OF
CARGOES AND CONTAINERS
3rd session
Agenda item 5

CCC 3/5/XX
XX July 2016
Original: ENGLISH

AMENDMENTS TO THE IMSBC CODE AND ITS SUPPLEMENTS

Safety Improvements to the IMSBC Code Italy, ICS, INTERCARGO, The International Group of P&I Clubs and BIMCO

SUMMARY

Executive summary: This document comments on the Correspondence Report on Bauxite and Coal as contained in document CCC 3/5/1 and offers proposals to the IMSBC Code to enhance better safety procedures for the ship and crew in carrying Group A cargoes.

Strategic direction: 5.2

High-level action: 5.2.3

Output: 5.2.3.3

Action to be taken: Paragraph 11

Related documents: CCC 3/5/1, III 3/inf.26

Background

1. After being given its terms of reference (TOR) at CCC 2, the IMO correspondence group for bauxite and coal commenced work in mid-October 2015 and completed its last round at the end of April 2016 culminating in the Correspondence Group's report contained in document CCC 3/5/1. The co-sponsors participated in the correspondence group and contributed, amongst others, proposed improvements to the IMSBC Code for safety to the ship and crew when carrying Group A cargoes. However, it was felt that the proposed improvements were outside the scope of the Correspondence Group's TOR or were applicable in general to Group A cargoes and not for bauxite alone. The co-sponsors are therefore submitting these proposals to the Sub-Committee for consideration

Comments

2. One of the TORs was to consider the marine safety investigation report on the loss of the bulk carrier Bulk Jupiter and the correspondence group was invited to provide the necessary

comments and findings. One of the comments furnished in the report of the Correspondence group (CCC 3/5/1, paragraph 9.2) was as follows:

“the loading operation of the cargo clearly went beyond the normal loading operation and no subsequent testing of moisture content of the cargo was undertaken after commencement of loading despite the increase of moisture uptake (heavy rainfall);

3. There is clearly no provision in the IMSBC Code to require the additional testing to be undertaken. The only provision available in the IMSBC Code is under subsection 4.5.2 of the IMSBC code where sampling and testing for moisture content of a cargo to be loaded shall be conducted as near as practicable to the time of loading to ensure that its moisture content is still less than its transportable moisture limit (TML) and further states that *“The interval between sampling/testing and loading of cargo shall never be more than seven days”*.

4. The subsections 4.5.1 and 4.5.2 are reproduced below for easy reference:

“4.5 Interval between sampling/testing and loading for TML and moisture content determination

4.5.1 A test to determine the TML of a solid bulk cargo shall be conducted within six months to the date of loading the cargo. Notwithstanding this provision, where the composition or characteristics of the cargo are variable for any reason, a test to determine the TML shall be conducted again after it is reasonably assumed that such variation has taken place.

4.5.2 Sampling and testing for moisture content shall be conducted as near as practicable to the time of loading. If there has been significant rain or snow between the time of testing and loading, check tests shall be conducted to ensure that the moisture content of the cargo is still less than its TML. The interval between sampling/testing and loading shall never be more than seven days.”

5. The above requirements under section 4.5 do pose certain ambiguities. Firstly, they do not clarify what constitutes “loading” or “date of loading” in order to start counting the seven days from sampling/testing or do the TML test. It could be interpreted as the first day of loading or any other day during the loading process. The general assumption is that testing would be undertaken on the first day of loading which works fine if the loading operation has not met with any problems. But what about for cases like Bulk Jupiter where the loading process went beyond the normal period expected resulting in the additional uptake of moisture or for any other reason resulting in the change of the condition of the cargo with respect to its moisture content and no further sampling and testing of moisture content was called for when loading resumes? Subsection 4.5.2 states that if there is significant rain or snow between the time of testing and loading, check tests shall be conducted again which only takes care of the changes during the 7-day period between sampling/testing and loading after testing has been done.

6. The co-sponsors are aware that that there is the standard text in the weather precaution section for Group A schedules that states *“ the moisture content of the cargo shall be kept less than its TML during loading operations and the voyage;”* However, this requirement is not prescriptive and does not give any indication of what is required in order to satisfy that the moisture content is kept less than its TML during loading operations. One may argue that the provisions of subsection 4.3.3 already require the shipper to establish procedures for sampling, testing and controlling moisture content to ensure that the moisture is less than its TML when the cargo is on board the ship. However, these are specific procedures for a specific cargo so there is no knowing what they are since they do not appear in the IMSBC

Code. Furthermore, the interpretation of this requirement seems to indicate that procedures of control apply only when the cargo is on board the ship, i.e. during its voyage and not during loading operations.

7. In addition, these provisions do not indicate who shall be conducting the tests for TML and moisture content, which for all intents and purposes, should be clearly stated in order to avoid any ambiguity as to who is the responsible party to ensure compliance of these provisions.

8. The Bulk Jupiter report also mentioned the checking of flow characteristics in relation to MV ORCHID en-route, another vessel that was also carrying bauxite and departed from the same port as Bulk Jupiter. The testing of flow characteristics as the co-sponsors understand, is an important pre-requisite to check if the cargo is liable to liquefy. Unfortunately, mention of this can only be found in Appendix 3 (see below reproduced for easy reference) of the IMSBC Code:

“Appendix 3 – Properties of Solid Bulk Cargoes

Section 2- Cargoes which may liquefy

“2.1 Many fine-particled cargoes, if possessing a sufficiently high moisture content, are liable to flow. Thus any damp or wet cargo containing a proportion of fine particles should be tested for flow characteristics prior to loading.”

9. The co-sponsors are of the opinion that the above testing requirement should be made more prominent and placed appropriately in any of the sections of section 4 (Assessment of acceptability of consignments for shipment), section 7 (Cargoes that may liquefy) or section 8 (Test procedures for cargoes that may liquefy) to highlight that there may be a risk of liquefaction with these cargoes and ought to be checked before such cargoes are loaded so that the safety of the ship and its crew is not jeopardised.

10. The Sub-Committee should also note that INTERCARGO’s Bulk Carrier Casualty Report 2005-2015 submitted under III 3/inf.26 reported that cargo shift and/or liquefaction is still a serious concern in the safe carriage of solid bulk cargoes and additional safety improvements are still needed and necessary.

PROPOSAL

11. Taking into account the above considerations and to facilitate discussion, the CO-SPONSORS propose the following (deleted text is strikethrough and new text is underlined):

.1 Amend subsection 4.5.1 as follows:

“4.5.1 A test to determine the TML of a solid bulk cargo shall be conducted by the shipper within six months to the date of commencement of loading the cargo. Notwithstanding this provision, where the composition or characteristics of the cargo are variable for any reason, a test to determine the TML shall be conducted again by the shipper after it is reasonably assumed that such variation has taken place.”

.2 Amend subsection 4.5.2 as follows:

“4.5.2 Sampling and testing for moisture content shall be conducted by the shipper as near as practicable to the ~~time~~ date of commencement of loading. The interval between sampling/testing and the date of commencement of loading shall never be more than seven days. If there has been significant rain or snow between the time of testing and the date of completion of loading, check tests shall be

conducted by the shipper to ensure that the moisture content of the cargo exposed to the rain or snow remains is still less than its TML at the time of loading. All check tests shall be provided to the master as soon as practicable before date of completion of loading. ~~The interval between sampling/testing and loading shall never be more than seven days.~~

- .3 To delete in Appendix 3, the heading of section 2 “Cargoes which may liquefy” and move its following subsection 2.1 to section 7 (Cargoes that may liquefy) as a new subsection 7.3.1.1 *bis* :**

“7.3.1.1 *bis* Many fine-particled cargoes, if possessing a sufficiently high moisture content, are liable to flow. Thus any damp or wet cargo containing a proportion of fine particles should be tested for flow characteristics prior to loading”

- .4 To renumber section 3, Appendix 3 as section 2 accordingly.**

Action requested of the Sub-Committee

12 The Sub-Committee is invited to consider the proposals in paragraph 11 above and decide as appropriate.