

SUB-COMMITTEE ON DANGEROUS
GOODS, SOLID CARGOES AND
CONTAINERS
18th session
Agenda item 5

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DEVELOPMENT OF MEASURES TO PREVENT THE LOSS OF CONTAINERS

Comments on the report of the Editorial and Technical Group

Submitted by ICS and WSC

SUMMARY

Executive summary: This document comments on the report of the E&T Group and the amendment to paragraph 7.3.7.2.4 of the IMDG Code. Whilst the co-sponsors support the amendment in principle, it is felt that the current drafting of the provision may lead to confusion and unnecessarily increase the workload of container operators.

Strategic direction: 5.2

High-level action: 5.2.3

Planned output: 5.2.3.2 and 5.2.3.4

Action to be taken: Paragraph 11

Related documents: DSC 18/7/1 and DSC 18/5/1

Introduction

1 This document is submitted in accordance with paragraph 6.12.15 of the *Guidelines on the organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies* (MSC-MEPC.1/Circ.4/Rev.2), and provides comments on document DSC 18/7/1 (Secretariat).

2 This document comments on the report of the E&T Group and the amendment to paragraph 7.3.7.2.4 of the IMDG Code. Whilst the co-sponsors support the amendment in principle, it is felt that the current drafting of the provision may lead to confusion and unnecessarily increase the workload of container operators.

Revised 7.3.7.2.4

3 The revised paragraph 7.3.7.2.4 addresses two distinct elements of the transport of cargo transport units under temperature control. The first sentence of the revision reflects the existing provision to ensure that pre-packing checks are undertaken to guarantee that a reefer unit is operationally sound. The second part of the revision addresses the replacement of refrigerant gas and requirements to ensure that potential contaminations of refrigerant gas are identified and dealt with appropriately.

4 The combination of these two sections may cause confusion by emphasizing the importance of checking the refrigerant gases above other pre-packing checks to ensure the suitability of a unit for packing and transport.

Rationale for proposals to amend revised paragraph 7.3.7.2.4

5 It is proposed that two amendments are made to the revised paragraph 7.3.7.2.4.

6 The first proposal is to divide the revised provision into two separate provisions, with the first (new paragraph 7.3.7.2.4) deals with normal pre-packing checks, and the second (new paragraph 7.3.7.2.5) deals with replacement of refrigerant gases.

7 This division will avoid any possible confusion, ensuring in the first instance that a pre-trip check is undertaken to ensure the proper operation of the unit and, in the second, highlight the specific need to safeguard against the potential contamination of refrigerant gas.

8 The second proposed amendment concerns the requirement of the revised provision with respect to the testing of replacement refrigerant gases:

"Prior to filling replacement refrigerant gas, a certificate of analysis from the supplier shall be obtained and checked to confirm that the gas meets refrigeration system specifications. In addition, the replacement refrigerant gas shall be checked for possible contamination prior to use."

9 This requires a container operator to obtain the certificate and confirm its validity and, irrespective of that confirmation of validity, test the replacement refrigerant gas for possible contamination. Such a requirement is unnecessarily burdensome and repetitive, and undermines the purpose of obtaining a certificate. Whilst it is unquestionable that the contamination of refrigerant gases has serious safety implications, as identified by the Sub-Committee at its last session, the successes of the industry in addressing suspected contaminated refrigerants since the emergence of the issue indicates that targeted inspections are sufficient to counter the problem. The co-sponsors therefore believe it appropriate to amend the requirement to make the two parts of the requirement, namely the documentary check and the checking for contamination, complimentary rather than repetitive, and align the provision with the best practice guidance provided in document DSC 18/5/1. As such, the amendments retain the robustness of original draft whilst increasing its practicability and reducing the unnecessary duplication of effort.

Consolidated text proposal

10 Based on the above considerations and rationale, the co-sponsors propose to amend revised paragraph 7.3.7.2.4 to read (proposed additional language indicated **in bold**):

"7.3.7.2.4 The refrigeration system shall be subjected to a thorough inspection and a test prior to the cargo transport unit being packed to ensure that all parts are functioning properly. Refrigerant gas shall only be replaced in accordance with the manufacturer's operating instructions for the refrigeration system.

7.3.7.2.5 Prior to filling replacement refrigerant gas, a certificate of analysis from the supplier shall be obtained and checked to confirm that the gas meets refrigeration system specifications. In addition, **where contamination is suspected**, the replacement refrigerant gas shall be checked for possible contamination prior to use. If the refrigerant gas is found to be contaminated it shall not be used, the cylinder shall be plainly marked "CONTAMINATED", the cylinder shall be sealed and sent for recycling or disposal and notification shall be given to the refrigerant gas supplier and authorized distributor and competent authority(ies) of the countries to which the supplier and distributor reside, as appropriate. The date of last refrigerant replacement shall be included in the maintenance record of the refrigeration system.

Note: Contamination can be checked by using flame halide lamp tests, gas sniffer tube tests or gas chromatography. Replacement refrigerant gas cylinders may be marked with the test result and the date of testing."

Action requested of the Sub-Committee

11 The Sub-Committee is invited to consider the proposal set forth in paragraph 10 and take action, as appropriate.
