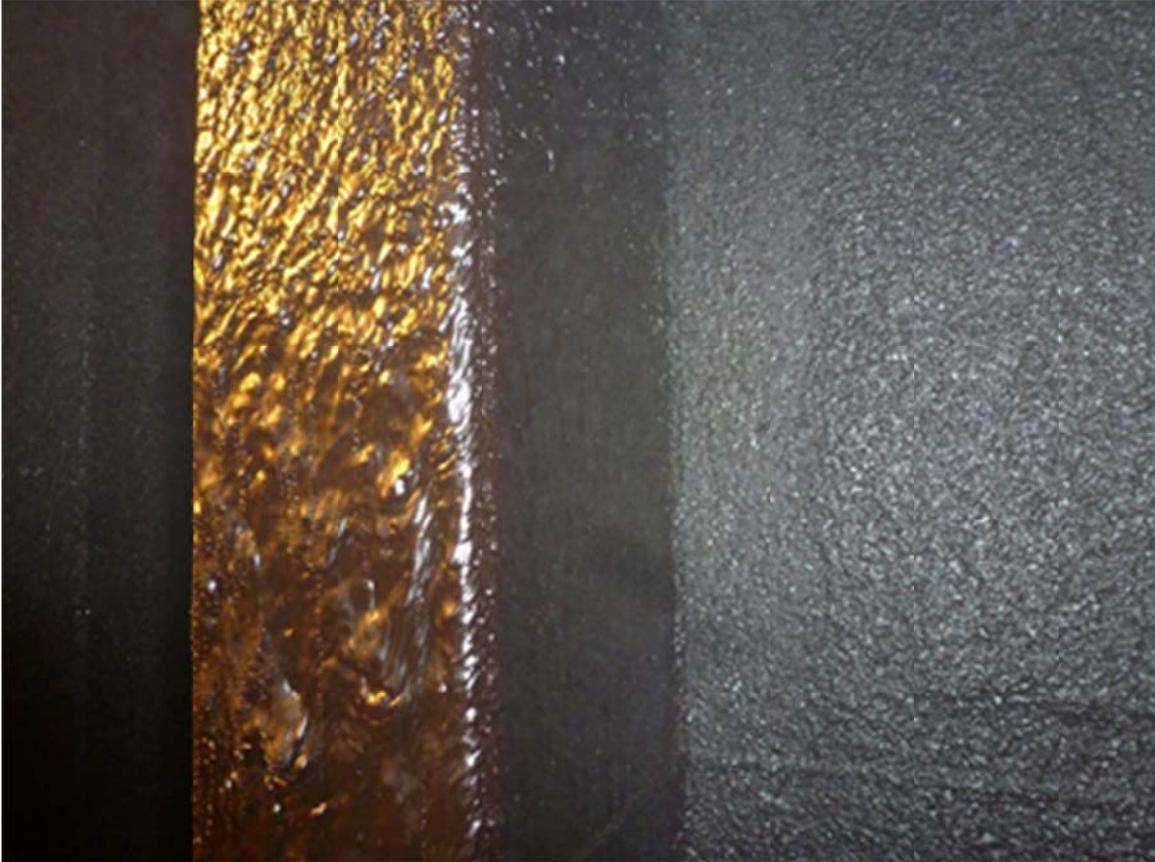


# ROB Claims on tanker vessels



*Cargo residue in a vessel's tanks.*

## The situation

---

Cargo shortages occur quite frequently in the liquid bulk cargo trade, and the blame for such shortage in cargo delivered is almost always first placed on the carrier/vessel. Of the many possible reasons for a shortage, one common reason being having too much of cargo "remaining onboard" after discharge (often shortened to "ROB").

This article serves to alert/remind shipowners that ROB cargo can cause significant claims. It will also outline ways of minimizing that risk and how shipowners can ensure that they are put in the best position to deal with the aftermath.

## Significant claims can arise from ROB cargo

---

When shipowners are asked about ROB claims, their first response is likely to be “cargo shortage disputes” or possibly, contamination issues with future cargo.

However, the Association has recently encountered a case which highlights another aspect which is not always considered – other than claims *against* the shipowner, ROB cargo can also mean potential losses suffered by the shipowner. In that case, the ROB cargo not only resulted in a cargo shortage claim, but also in significant tank cleaning costs and time for cleaning, as well as the loss of a potential charterparty due to a pending laycan which could no longer be met.



*Significant cargo ROB on tank floor, showing footsteps after inspection.*

## Why do such situations occur?

---

Waxy fuel oils are usually a higher risk of becoming ROB cargo. There is also a higher chance of ROB cargo where cargoes are mixed or commingled while ashore/onboard.

It has also been observed in the vegetable oil trade that ROB can be a significant issue when cargo tanks are not fully laden (because they exceed 3,000 cbm in capacity) and due to cargo being heated during transit, “cold clingage” results in the upper tank bulkheads.

Unlike the bulk cargo trade, tanker vessels typically have very little ability to inspect or control the liquid cargo that is loaded onto their vessel. Crew and independent surveyors are often not allowed on shore to inspect the shore facilities.

Neither do shipowners have the means of ascertaining in advance whether the liquid cargo being loaded onto the vessel is as described by the shipper – by the time samples are taken and tested, the vessel would usually have been loaded already and on route. In some cases, the load port samples are not entirely representative of the cargo loaded (especially composite samples) or the samples may be fine, but the problem may lie with the heating instructions given by the charterers/shippers (this is especially if charterers attempt to save on costs of heating during a voyage).

These are just some of the reasons. In some cases, the cause may be well within a shipowner's control. For instance, when the ROB measurements are not done correctly (an alert and knowledgeable Master or Chief Officer can make all the difference), when the crude washing operation was feeble (not enough working machines or inadequate line pressure), or when the ship's pumps are not working well.

In any case, it is shipowners who are usually left to decide how to best deal with the situation such that they

- a) can sufficiently appease the cargo receivers,
- b) have the vessel ready for her next voyage and
- c) safeguard their recourse action against the charterers/shippers.



*Tank Cleaning machine in operation.*

### How can shipowners deal effectively with this risk?

---

Unfortunately, even if shipowners enter into a well worded and evenly cloused contract that minimizes their legal liability for ROB cargo, they are usually the first to deal with the situation. Furthermore, the shipowners will still usually be required to show proof that the ROB cargo was not caused by the vessel before they can rely on any clause that either permits a defence against such a claim or which allows for it to be passed on to the charterers.

There will be focus on the vessels/tanks' maintenance records, previous cargo experience and general cargo-worthiness.

Prudent shipowners should therefore ensure that:

- The General Arrangement Plan is well prepared – to show all measurement points in cargo tanks and to assist in assessment of ROB by reference to wedge calculation.
- The pumping/piping arrangement is drawn out and planned in advance - this schematic plan must be seen to be sufficient to allow assessment of discharge plan execution and efficacy of crude oil washing operations.
- Good heating log records – to show compliance with charterers’ instructions. Ideally, each tank temperature to be recorded on a daily basis together with boiler fuel oil consumption for the heating operations.
- Oil record book faithfully and fully updated – This would contain evidence of any tank washing and/or slop recovery/disposal. This would deal with water ingress possibilities as well as assist in arguments about the extent of material remaining in the vessel’s tanks after discharge.
- When there is a possible dispute over ROB, to have sufficient samples collected – This will help establish that it whether it was the “fault” of the cargo or of the vessel.
- If possible, shipowners should also pay attention to who is shipping the cargo – are they from a reliable source or have they been known to ship bad/difficult cargo?
- Know what your charterparty/contract says regarding ROB – are there immediate notification periods which shipowners have to adhere to? What is the exact scope of your liability?

Of course shipowners should also note that no two cases are exactly alike. For this reason, shipowners are still encouraged to first contact their P&I Club when encountering such issues.



*Tanker Cargo operation at Terminal*

## CREDITS

---

By  
Janice Choy

Claims Executive, Skuld Singapore Branch

*The Association is grateful to Messrs. CWA in London, Andrew Moore & Associates in Hong Kong and Skuld Members for contributing to this article by way of background information and pictures.*

For further information, Members are asked to contact the Association : [lossprevention@skuld.com](mailto:lossprevention@skuld.com)

Christian Ott  
Vice President Head of Claims, Skuld Singapore Branch  
Loss Prevention and Recurring Claims Team Leader