



## Marine Notice 19/2010

### Understanding the limitations of the International Maritime Solid Bulk Cargoes Code (IMSBC Code)

This Marine Notice draws attention to the mandatory implementation of the International Maritime Solid Bulk Cargoes Code (IMSBC Code) through the Safety of Life at Sea (SOLAS) Convention and AMSA Marine Order Part 34 (MO 34) from 1 January 2011. This Code replaces the Code of Safe Practice for Solid Bulk Cargoes (BC Code) which was mandatory in Australia under MO34.

MO 34 gives effect to the SOLAS Chapter VI (Carriage of Cargoes), Chapter VII (Carriage of Dangerous Goods) and the IMSBC Code, and is mandatory for Australian registered vessels and for foreign vessels within Australian territorial waters, ports, or internal waters.

Under the IMSBC Code, before loading, the shipper must provide the Master with current valid information on the physical and chemical properties of the cargo including the information outlined in Section 4 which includes the Bulk Cargo Shipping Name (BCSN). The onus to provide such information rests with the Shipper and it may be necessary to test bulk cargoes to determine their properties. Such test procedures are contained:

- in Appendix 2 of the IMSBC Code; and
- in Part 2 of the IMDG Code for Dangerous Good in solid form in bulk.

The need to apply the IMDG Code to classify Dangerous Good in solid form in bulk arises from Regulation VII/7 of the SOLAS Convention.

#### **Cargoes specifically listed in the IMSBC Code**

Where a cargo is listed in the IMSBC Code and the schedule provided by the Code relates to the properties of the cargo then section 1.2.2 of the IMSBC Code requires that this bulk cargo shall be transported in accordance with the provisions of the relevant schedule.

#### **Cargoes whose properties are not listed in the IMSBC Code**

Section 1.2.1 of the IMSBC Code recognises that the schedules of appendix 1 of the Code are not exhaustive and that the properties attributed to the cargoes are only given for guidance, hence the need for the shipper to provide valid information on the cargo.

Where a cargo is not listed or presents properties that are not addressed by the available schedules then section 1.3.1 requires that Shippers provide the Australian Maritime Safety Authority (AMSA), as the Competent Authority of the Port of Loading in Australia for the purpose of this Code, with the characteristics and properties of the cargo to enable AMSA to assess the acceptability of the cargo for safe shipment, handling and carriage. In such case:

- **Where the bulk cargo in question has been assessed to be presenting hazards as defined by group A or B cargo** (as defined by section 1.7 of the IMSBC Code) then section 1.3.1.1 requires AMSA to seek further advice from the Competent Authorities of Port of Unloading and of the Flag State. The three Competent Authorities will need to set the preliminary suitable conditions for carriage of this cargo through a tripartite agreement.

- **Where the bulk cargo in question presents no specific hazards** then section 1.3.1.2 requires AMSA to authorise carriage of the cargo and to inform the two other Competent Authorities (i.e. Port of Unloading and the Flag State).

In either case, section 1.3.2 of the IMSBC Code requires the Competent Authority of the Port of Loading to provide the Master of the vessel with a certificate stating the characteristics and the required conditions for the carriage of the bulk cargo in question. The Master should not load the cargo if such a certificate is not provided.

### Environmentally Hazardous Cargoes

With the adoption of the 2008 edition of the International Maritime Dangerous Goods (IMDG) Code, the classification of Environmentally Hazardous Substances (EHS) was amended in chapter 2.9 of the Code. The Code now prescribes a range of tests under which a number of bulk materials have been found to be hazardous to the aquatic environment and are classified under the IMDG Class 9, UN 3077 or as having a Marine Pollutant subsidiary risk.

For bulk cargoes which are found to be EHS, the relevant carriage requirements have not been specifically addressed in the IMSBC Code. This issue was raised at the 15th session of the IMO Sub-Committee on Dangerous Goods, Solid Cargoes and Containers (DSC 15) and at the 61st session of the Marine Environmental Protection Committee (MEPC 61) and it was agreed further work was required to address this issue. However, section 4 of the IMSBC Code requires that such hazards are identified in the information provided to the Master:

- By the use of UN 3077 if the environmental hazard is the primary risk (see section 4.1.1)
- By the use of the term MARINE POLLUTANT as additional information (see section 4.2.2.16)

Whilst the International Maritime Organization (IMO) is addressing the matter of carriage requirements of EHS and the management of residues, AMSA will be applying the following interim guidelines for the carriage of EHS:

- (1) A solid cargo to be shipped in bulk that possesses properties that may meet the criteria as EHS under UN 3077, or be a Dangerous Good with a "MARINE POLLUTANT" subsidiary risk is required to be identified and declared as a Dangerous Good under IMDG Class 9, UN 3077. Where the characteristics and properties of such EHS closely relates to an existing schedule in the IMSBC Code (e.g. Metal Sulphide Concentrates and Mineral Concentrates) that schedule should be complied with. If there is any doubt whether a particular schedule is suitable or not, advice is to be sought from AMSA.
- (2) There may be additional requirements that the Port of Loading/Unloading has set for the handling of these cargoes, which may include:
  - i. Not handling cargo during precipitation and a requirement to keep all non-working hatches closed;
  - ii. When precipitation is imminent the putting in place of measures to prevent residues being washed overboard;
  - iii. The containment of any contaminated water so as to avoid release into the environment;
  - iv. Not conducting loading/unloading operations in windy conditions so as to prevent dust being carried into the environment; and
  - v. Arrangements during loading/unloading to minimise spillage and the return of any spillage to the hold or stockpile as appropriate.
- (3) Due consideration by the Master may also need to be given to the following:
  - i. Inspecting hatch covers to ensure they are weather tight before loading;
  - ii. Preventing dust from entering accommodation spaces;
  - iii. Ensuring bilges are free of any water or any other residue;
  - iv. Covering bilges to prevent the ingress of the cargo; and
  - v. After unloading removing as much of the cargo residue as possible from the ship before it sails.

- (4) Where an EHS is not closely related to any schedule in the IMSBC Code, the classification and carriage requirements are to be established in accordance with section 1.3 of the IMSBC Code, including a tripartite agreement if this is deemed necessary.

**Note:** The term Metal Sulphide Concentrates and Mineral Concentrates only applies to concentrations of refined ores and does not include by-products of processes. These are to be dealt with in accordance with paragraph (4) above.

Further enquiries regarding this Marine Notice should be addressed to the Competent Authority:

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