

Compliance Issues

Sea Transport

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MCA Role and Dangerous Goods

- Enforcement of Maritime Regulations for carriage at sea
- Liaison with Industry and other Enforcement Agencies – VOSA, Police etc.
- Co-ordination of emergency service response to incidents on ships including pollution



What are the Requirements?

- **IMDG Code**
 - Shore-based personnel engaged in the transport of dangerous goods intended to be transported by sea shall receive training in the contents of dangerous goods provisions commensurate with their responsibilities.
- **The Merchant Shipping (Dangerous Goods and Marine Pollutant) Regulations 1997 [SI 1997/2367]**
- **The Merchant Shipping (Carriage of Cargoes) Regulations 1999 [SI 1999/336]**
- **M Notices (Merchant Shipping/Guidance Notices)**



What do they mean to You?

- MS (Dangerous Goods and Marine Pollutant) Regulation enact the requirements of the IMDG Code into UK Law
- MS (Carriage of Cargoes) Regulations puts the requirement for stowing all cargoes in CTU's on the freight forwarder/shipper
- This means they must be complied with and it is a criminal offense not to.



What are the main provisions?

- Dangerous Goods/Marine Pollutants must be declared to the shipping company before loading (Reg 10)
- Preparation of goods for transport complies with all the conditions specified in the IMDG Code (Reg 11)
- The container or vehicle packing certificate is completed and signed by person responsible for packing such goods (Reg 12)
- Marking, labelling and placarding comply with IMDG Code requirements (Reg 15)
- Stowage of dangerous Goods on board – CTU must be capable of being secured in accordance with Ship's Cargo Securing Manual (Reg 17)
- MS(Carriage of Cargoes) Reg 6(2) requires the cargo in a CTU is packed and secured so as to prevent, throughout any voyage, damage or hazard to the ship and the persons on board and it is not overweight



Dangerous Goods Declaration

Sequence of first four elements in Box 12 mandatory

Exporters Reference Number

DANGEROUS GOODS NOTE	
1. Exporter's reference number	2. Booking number
3. Exporter's reference	4. Forwarder's reference
5. Consignee	6. DSDA Notification (in accordance with DSDA Regulations (as amended)) given by:
Shipper	Freight forwarder
7. International carrier	8. For use of receiving authority only
9. Other IATA transport details (eg. IATA, terminal, vehicle tag, ref. receiving status)	10. IATA
11. Vessel	12. I hereby declare that the contents of this consignment are fully and accurately described below by the proper shipping name, and are classified, packaged, marked and labelled/placarded and are in all respects in proper condition for transport according to the applicable international and national governmental regulations and in accordance with the provisions shown overleaf. The shipper must complete and sign box 17.
13. Point of discharge	14. I, the undersigned, as the party whose name appears below, do hereby declare that the contents of this consignment are fully and accurately described below by the proper shipping name, and are classified, packaged, marked and labelled/placarded and are in all respects in proper condition for transport according to the applicable international and national governmental regulations and in accordance with the provisions shown overleaf. The shipper must complete and sign box 17.
15. Proper shipping name, Hazard Class, UN No. Additional information (if applicable) see overleaf	16. Net Kgs
17. Number and kind of packages, description of goods	18. Gross Kgs
19. Flashpoint	20. Marine Pollutant
21. Number and type of package (s)	
CONTAINER/VEHICLE PACKING CERTIFICATE I hereby declare that the goods described above have been packed/loaded into the container/vehicle identified below in accordance with the provisions shown overleaf. THIS DECLARATION MUST BE COMPLETED AND SIGNED BY THE PERSONS IDENTIFIED BELOW AT THE PLACE AND DATE OF PACKING.	
22. Name of Company	23. Name/Status of Declaration
24. Place and date	25. Signature of declarant
26. Container identification number/vehicle	27. Seal number(s)
28. Container vehicle size and type	29. Seal no.
30. Total gross weight of goods	31. Total gross weight including tare kg
TERMINAL RECEIPT RECEIVING AUTHORITY RELEASES Received the above number of packages/containers/trails in apparent good order and condition unless stated hereon.	
32. Name and telephone no. of shipper (printing only)	33. Name/Status of declarant
34. Place and date	35. Signature of declarant

Box 12 Dangerous goods described according to IMDG Code

- UN Number
 - Proper Shipping Name
 - Hazard Class (Sub Risk)
 - Packing Group
 - Flashpoint
 - Marine Pollutant
- Number and type of package (s)

Net Kgs
Gross Kgs

Box 15 Company, name & signature

Container/vehicle ID number
SCXU 1234567

Box 17 Company, name & signature

Packing Certificate: (Declaration that packing, segregation, securing & placarding is to IMDG Code requirements)

Shipper's declaration: (That description in box 12 is accurate and done to IMDG rules)



Marking, Labelling & Placarding



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MCA Enforcement

On Thursday 20th November 2008, at Dunkirk, Janusz Gauden, a 56 year old Polish lorry driver arrived and attempted to board a British ferry bound for Dover. He declared that he had 383Kg of Dangerous Goods (Methyl Methacrylate Monomer Stabilized) on his load but the ferry operator identified that the driver did not have the correct documentation and refused permission to board.

Mr. Gauden then went to Calais where he managed to board a Sea France Ferry carrying 228 persons without declaring the goods. The Dunkirk ferry operator had sent an alert to Sea France to be on the look out for the driver but this information arrived after the vessel sailed with the undeclared dangerous goods on board.

The ferry operators informed the Maritime & Coastguard Agency enforcement unit who immediately alerted the police at Dover Port. on board and the potential for disaster was driven by monetary reasons.



MCA Enforcement

The driver was stopped and arrested as the vehicle disembarked from the ferry at Dover. He was later charged with contravening the Merchant Shipping (Dangerous Goods & Marine Pollutants) Regulations 1997 and was bailed to appear at Folkestone Magistrates Court.

On the 27th January 2009, at Folkestone Magistrates Court Janusz Gauden pleaded guilty to the above offences and was fined £2000 and ordered to pay £3757.98 costs.

In passing sentence the Magistrates said; This Court takes the safety of the public very seriously. You are an experienced driver and did a deliberate act. You endangered the crew and everyone on board and the potential for disaster was driven by monetary reasons.



What's Wrong?



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Just about everything

- Petrol – UN1203
- PG II
- LQ 1 ltr
- Prohibited on passenger ships
- Upside down, leaking, not declared and about to be loaded on a passenger ferry at Dover
- Labels not readily visible
- Vehicle not placarded



Inspections



Overpack
without marks

Stowage?



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Inspections



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Inspections



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Inspections



Tie-down point
welded down



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Incidents and Consequences



Drums stowed without separation, result failure of closure and leakage



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Incidents and Consequences

Hyundai Fortune



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Incidents and Consequences

Hanjin Pennsylvania



Thank You

Any Questions?



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