



**Lithuanian
Maritime Safety
Administration**

MEMORANDUM OF UNDERSTANDING FOR THE TRANSPORT OF PACKAGED DANGEROUS GOODS ON RO-RO SHIPS IN THE BALTIC SEA

33rd Conference

Klaipėda, 8-9 September 2011

Report

1. Opening of the Conference

Mr Robertinas Tarasevičius, Deputy Director of Lithuanian Maritime Safety Administration, welcomed participants of the Conference and opened the meeting.

2. Election of a Chairman

Mr Linas Kasparavičius, Head of Maritime Safety Division, Lithuanian Maritime Safety Administration, was elected as a chairman.

3. Short Presentation of the Delegates

All delegates introduced themselves (for the list of participants please refer to Annex 1).

4. Adoption of the Agenda

Chairman presented a revised agenda and Conference adopted it (for agenda please refer to Annex 2).

5. Consideration of the proposed amendments to the text of the present MoU

The documents DEN 01, DEN 01/Rev.1, DEN 02, DEN 03, GER 01, GER 02, GER 03, SWE 02, SWE 03, SWE 04, SWE 05 and SWE INF 01 were discussed and decisions taken.

5.1. Proposed amendments to Section 3 of the MoU:

Swedish representative provided information (SWE 03) about an incident regarding transport of non-declared “aluminium skimmings” and proposed that section 3(4) to be amended “Bulk containers shall comply with chapter 4.3 of the IMDG Code, as amended”.

After discussion a new formulation of current wording was accepted:

“(4) Bulk containers shall comply with chapter 7.3 ADR/RID, as amended, or 4.3 of the IMDG Code, as amended. For substances of class 4.3 only closed CTUs shall be used.”

Germany proposed (GER 01) amendments to section 3 of the MoU in order to introduce some basic requirements for the transport of vehicles and to align with the IMDG Code. The proposal was to add the following new paragraph at the end of section 3: “(5) Vehicles (UN 3166 or 3171) may be carried provided that there are no signs of leakage from the battery, engine, fuel cell, compressed gas cylinder or accumulator, or fuel tank when applicable. If the vehicle is loaded in a

CTU the consignor or his representative shall inform the master about the presence of the vehicle.”

A new formulation of the proposed paragraph was agreed after long discussion: “(5) Vehicles (UN 3166 or 3171) loaded in a closed or sheeted CTU may be carried provided that the consignor or his representative informs the master about the presence of the vehicle.”

5.2. Proposed amendments to **Section 5** of the MoU:

Sweden (SWE INF 01) initiated a discussion with other Member States on their experience on applying paragraph (2) of section 5 of the MoU in practice. After exchange of experiences Sweden suggested to bring a proposal on the matter for the future meeting.

Sweden provided (SWE 04) proposals for amendments to section 5(3) and 5(4) of the MoU (orange coloured plates (concerning responsibilities)). The suggestion was to delete the text “from the time they are loaded on, until the time they are unloaded from a ro-ro ship”.

It was decided not to delete but to amend the mentioned text. New wording was suggested and agreed: “from the time they have been checked in at the port facility and during the voyage”.

Sweden proposed (SWE 02) a possible change of the text in section 5 paragraph (5): “Orange-coloured plates mentioned in 5(3) and 5(4) required only in the MoU shall be clearly visible and conform to RID/ADR 5.3.2.2.1 regarding size and colour. These plates may be replaced by self-adhesive sheets, by paint or by any other equivalent process.”

After discussion it was decided to leave the current text with some revision: the word “additional” in the second sentence was deleted.

5.3. Proposed amendments to **Section 6** of the MoU

Denmark proposed to clarify the number of passengers based on length in the stowage table in section 6 (due to obscurity from the legal point of view) (DEN 01, DEN 01/Rev.1),

Delegates of other countries shared their opinion on the matter, some suggestions on how to solve the problem were given but no consensus was reached. It was decided to add some clarification in asterisk: “For the purpose of the MoU the total number of passengers may be extended to not more than 1 person per 1 metre of the overall length of the ship”.

Denmark (DEN 02) proposed to add the following sentence to Section 6, note C, after the current text: “In such cases the stowage requirements of the IMDG Code shall be used for all CTUs on board containing dangerous cargo. Likewise the corresponding passenger limitations of the IMDG Code, as appropriate, would apply.”

Member States have commented on the proposal and were not in favour to agree to the proposed amendments, it was decided to leave the text in note C as it is. Denmark expressed the view that selection of stowage requirements from either

IMDG Code or the Baltic MoU for each individual CTU was a matter of grave concern.

Denmark (DEN 03) proposed to add the following new note to Section 6: “D: When planning stowage and segregation of dangerous goods compliant with ADR/RID, the general rules and recommendations in the IMDG Code Chapter 7, and 3.2, columns 15, 16 and 17 should also be consulted.”

The proposal was not supported.

Germany (GER 02) proposed to amend note B pertaining to the table in section 6 as follows: “B: Substances assigned to special provisions SP 349, 350, 351, 352, 353 or 900 are prohibited.” (as a consequential amendment resulting from Amendment 35-10 to the IMDG Code).

The proposal was accepted by the delegations.

5.4. Proposed amendments to Section 7 of the MoU

Germany (GER 03) proposed to add the following sentence to Section 7 paragraph (2): “For substances to be transported under UN No 1133, 1139, 1210, 1263 or 1866 the actual flashpoint shall be indicated. If only the flashpoint range in accordance with the relevant packing group is indicated, these substances shall be stowed like class 3 substances with a flashpoint of 23°C or below.”

The Conference considered the proposal and after discussion agreed to the proposal with some editorial changes and to add additional substances to that list. In the first sentence of the paragraph (2) word “may” was replaced by “should”.

5.5. Proposed amendments to Part 2 of Appendix of Annex 1 “Checklist for inspections”

Swedish delegates presented (SWE 05) an updated Checklist for inspections in accordance with the MoU.

After clarification of some points the Conference agreed to that proposal.

6. Joint checks according to the MoU

Swedish delegate presented (SWE INF 02) a Summary of the joint checks 1999-2010 (a report according to Section 9 paragraph (7)) and provided prospective dates for joint checks. Sweden expressed a wish to have more participating countries in joint checks and asked to send summarized information for the country.

Conference noted the information.

7. Principles for amending the Memorandum

Estonia submitted the report (EST 01) of the correspondence group, which have prepared amendments to Annex 2 to the MOU (a task from the 32nd MoU Conference) regarding principles for amending the Memorandum. “Written procedure” was introduced in the Annex 2.

After introduction of the proposal prepared by the correspondence group it was agreed to the amendments of Annex 2 in general. An in-conference working group

prepared a final wording of revised Annex 2 and it was approved by the Conference.

8. Any other business

8.1. Information to the IMO:

Conference decided that the consolidated version of the MoU resulting from the 33rd MoU Conference should be communicated to the IMO by Lithuania in 2012 (to revoke existing IMO circular on the matter).

8.2. Place and time of the next meeting:

Sweden kindly offered to host a meeting in 2012.

9. Report of the 33rd MoU Conference

The amended text of Annex 1 of the MoU and revised Annex 2 of the MoU was adopted by the Conference.

The date of entry into force of all amendments shall be 1 January 2012.

The draft report of the Conference and Klaipėda version of the MoU were distributed to all delegates for consideration (3 weeks for comments and remarks from Member States).

10. Closure of the Conference

After acknowledgements expressed Conference was closed.



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List of participants

Name	Address	Phone	Fax	E-mail
DENMARK				
Steen Nielsen	Danish Maritime Authority	+4539174400	+4539174401	sn@dma.dk
Torkil Hansen	Danish Police	+4522752599		TKH002@politi.dk
Sven Lefeldt	Danish Shipowner Organisation	+4572686415		sven.lefeldt@scandlines.com
ESTONIA				
Jaak Arro	Estonian Maritime Administration	+3726205715	+3726205706	jaak.arro@vta.ee
FINLAND				
Jyrki Vähätalo	Finnish Transport Safety Agency	+358405258668		jyrki.vahatalo@trafi.fi
Torsti Muuri	Finnlines plc	+358505655258	+358103435627	torsti.muuri@finnlines.com
Seppo Nousiainen	Finnish Transport Safety Agency	+358400864406		seppo.nousiainen@trafi.fi
Anu Häkkinen	Ministry of Transport and Communications Finland	+358916028301		anu.hakkinen@lvm.fi
GERMANY				
Ingo Doering	BAM Bundesanstalt für Materialforschung und prüfung	+493081043407	+493081041227	ingo.doering@bam.de
Hans Peter Schmitt	Germanischer Lloyd	+4940361494862	+4940361494050	hans-peter.schmitt@gl-group.com
Volker Utzenrath	German Shipowners Association	+494517407830	+494517407838	v.utzenrath@exag.net

Britta Bächer	German Shipowners Association	+494035097232		baecher@reederverband.de
FIATA				
Claus-Dieter Helmke	FIATA (intern. Freight Forwarders Association)	+494022924300	+494022924392	clausdieter.helmke@dhl.com
LATVIA				
Zane Paulovska	Maritime Administration of Latvia	+37167062174		zane.paulovska@lja.lv
LITHUANIA				
Robertinas Tarasevičius	Lithuanian Maritime Safety Administration	+37046469603		robertinas.tarasevicius@msa.lt
Linus Kasparavičius	Lithuanian Maritime Safety Administration	+37046469663		linas.kasparavicius@msa.lt
Alvydas Nikolajus	Lithuanian Maritime Safety Administration	+37046469662		alvydas.nikolajus@msa.lt
Rimvydas Jakštas	Lithuanian Maritime Safety Administration	+37046469659		rimvydas.jakstas@msa.lt
Aidas Pranulis	DFDS Seaways	+37046395000	+370395252 +370395192	aidas.pranulis@dfds.com
Aleksandras Kaupas	Klaipėda State Seaport Authority	+37046499644		a.kaupas@port.lt
POLAND				
Krzysztof Kuropieska	Ministry of Infrastructure, Shipping Safety Department	+48226301808	+48226301497	kkuropieska@mi.gov.pl
SWEDEN				
Caroline Petrini	Swedish Transport Agency	+46104953250	+4611239934	caroline.petrini@transportstyrelsen.se
Jimmy Leijonfalk	Swedish Transport Agency	+46706906033 +46455353400		jimmy.leijonfalk@kustbevakning.se
Mats Willen	Swedish Transport Agency	+46702964064 +46104955776		mats.willen@transportstyrelsen.se
Katarina Ström	Swedish Civil Contingencies Agency Hazardous Substances Section	+46102405341		katarina.strom@msb.se



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Agenda

1. Opening of the Conference, election of the Chairman, presentation of the delegates and adoption of the agenda.
2. Consideration of amendments to Section 3 of the MoU:
 - SWE 03 – proposal regarding bulk transport of aluminium skimmings in accordance with section 3(4) of the MoU,
 - GER 01 – amendments to section 3 of the MoU in order to introduce some basic requirements for the transport of vehicles and to align with the IMDG Code.
3. Consideration of amendments to Section 5 of the MoU:
 - SWE INF 01 – proposed discussion with other member states on their experience applying section 5(2) of the MoU in practice.
 - SWE 04 – proposals for amendments to section 5(3) and 5(4) of the MoU (orange coloured plates (concerning responsibilities)),
 - SWE 02 – amendments to section 5(5) of the MoU (orange coloured plates),
4. Consideration of amendments to Section 6 of the MoU:
 - 4.1. Consideration of amendments proposed by Denmark on clarification of the stowage table:
 - DEN 01, DEN 01/Rev.1 – the number of passengers based on length (including Section 10),
 - DEN 02 – the alternative use of the IMDG Code,
 - DEN 03 – notes pertaining to the table.
 - 4.2. GER 02 – a consequential amendment resulting from Amendment 35-10 to the IMDG Code.
5. Consideration of amendments to Section 7 of the MoU:
 - GER 03 – indication of the actual flashpoint for some highly viscous substances instead of the flashpoint range according to the packing group.
6. Consideration of amendments to Part 2 of Appendix of Annex 1 “Checklist for inspections”:
 - SWE 05 – proposal to update the checklist for inspections in accordance with the MoU.
7. Joint checks according to the MoU:
 - SWE INF 02 – a Summary of the joint checks 1999-2010 (a report according to Section 9 paragraph 7).
8. Consideration and approval of the Report of the correspondence group (EST 01 Principles for amending the Memorandum).
9. Any other business.
10. Closure of the Conference.