SUMMARY

Executive summary: This document contains BIMCO’s comments on document DSC 16/4/13 (report of correspondence Group on MHB classification criteria) submitted by the United States, as the coordinator of the group and seeks clarification on the status of MHB as dangerous goods under SOLAS regulations.

Strategic direction: 5.2

High-level action: 5.2.3

Planned output: 5.2.3.1

Action to be taken: Paragraph 7

Related document: DSC 16/4/13

Introduction

1 This document comments on document DSC 16/4/13 reporting on the outcome of the Correspondence Group on Classification criteria for materials hazardous only in bulk (MHB), and is submitted in accordance with paragraph 4.10.5 the Guidelines on the organization and method of work of the Committees (MSC-MEPC.1/Circ.2).

2 BIMCO would like to express its appreciation for the work undertaken by the coordinator and members of the correspondence group, which was substantial leading to the identification of the hazards to be considered within the scope of the MHB classification criteria as well as identifying other hazards to be revisited pending the finalization of various on-going work undertaken by other bodies. BIMCO has the following comments regarding MHB as dangerous cargoes.

3 Based on the many enquiries that BIMCO has had from its members, the following can be concluded: there has always been an ambiguity surrounding MHB cargoes as to whether they are considered dangerous goods or not under the SOLAS regulations notwithstanding that no reference of MHB is made in the SOLAS regulations.
4 The following seems to evidence that MHB should be treated as dangerous cargoes:

.1 the only definition of MHB is found in the IMSBC Code which defines MHB as "materials which may possess chemical hazards when carried in bulk other than materials classified as dangerous goods in the IMDG Code"; reading this definition, it inherently implies that that even though MHB are not covered under the IMDG Code for dangerous goods as they are not carried in packaged form, they are nevertheless considered potentially dangerous by their nature of possessing chemical hazards similar to that for dangerous goods;

.2 MHB cargoes are also classified in the same category as IMO- and-UN classed cargoes in the IMSBC Code, i.e. in Group B category, which are cargoes possessing chemical hazards that could give rise to a dangerous situation on a ship;

.3 the "Form for Cargo Information for Solid Bulk Cargoes" under section 4 of the IMSBC Code requests for information on the cargo, amongst others, whether the cargo is either "Class & UN No." or "MHB", indicating equivalent status in terms of cargoes being dangerous;

.4 the document of compliance as required under SOLAS regulation II-2/19 is issued for dangerous goods in solid form in bulk. BIMCO understands that in practice, the document of compliance for dangerous goods is issued to include not only solid bulk cargoes by their IMO classes but also MHB cargoes notwithstanding that they are not covered by the SOLAS regulations; and

.5 this correspondence group in carrying out their work to identify the chemical hazards for the classification criteria for MHB acknowledges in their report that MHB cargoes have chemical hazards similar to that of dangerous goods and added that even though the hazards are less pronounced, MHB materials still "present a significant risk" when transported in bulk and would require special precautions (annex 1 to document DSC 16/4/13); the correspondence group also agreed to use the UN-GHS tests and criteria for hazards class as the basis for the classification criteria for MHB using in some tests, lower threshold values and modifications to the tests and criteria as necessary for MHB materials.

5 Based on the above, it appears that MHB cargoes are considered dangerous cargoes.

6 Presently, the definition for "dangerous goods in solid form in bulk" is found in SOLAS regulation VII/7 and is defined by reference to the IMDG Code. Now that the IMSBC Code is a stand-alone mandatory code, BIMCO seeks clarification as to whether MHB cargoes would be considered dangerous cargoes under SOLAS regulation VII/7.

Action requested of the Sub-Committee

7 The Sub-Committee is invited to consider the information provided and take action as appropriate.