



Contamination by vapour



Ships' officers should have a good knowledge of their vapour line systems

Operators of tankers carrying parcels of high and low - flashpoint cargo concurrently will be aware of the need to keep those parcels separated. But special care also needs to be taken to avoid the risk of contamination due to vapours passing from one tank to another via the inert gas or common venting lines on board their vessels.

Contamination of less than 0.1 per cent by volume in a high-flashpoint cargo, such as diesel, by a low- flashpoint cargo, such as gasoline, may be enough to affect the specification of the diesel-type cargo.

This level of contamination

through vapour lines is not an uncommon occurrence. It can make the cargo unfit for the purpose that it was intended, and it is likely to be rejected by the cargo receivers.

To reduce the potential for such contamination, ships' officers should have a good knowledge of their vapour line system and should, where practicable, consider segregating the lines to tanks containing cargoes which have different flashpoints.

Any segregation or isolation of the vapour lines should comply with all pertinent regulations and with best industry practice, always ensuring that tanks cannot be over or under-pressurised.

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Loss prevention site

RECENTLY, the Club has enhanced its website with a section on loss prevention. In addition to links to previous *StopLoss Bulletins*, this provides access to documents for use by masters. In particular, the "Status List of Ships' Trading Documents" may be a helpful method for listing the dates/places of issue and expiry dates of ships' main certificates. Club-appointed inspectors will request such a list when carrying out P&I inspections. Copies of this list, together with appropriate materials from the 'documentation and publications' list, may also assist when dealing with port authority inspections.

P&I ship inspection and survey forms, along with related guidance notes are also provided and may help members and ships' staff with such matters. Members can access this information on www.lss.com

Notice of Readiness key to laytime

THE High Court in London has recently considered the issue of how, under a voyage charter party, laytime can start in the absence of a valid Notice of Readiness.

In the *Happy Day*, the charter party was a berth charter on the Synacomex

form. The vessel arrived off Cochin, to discharge, on September 25, 1998. The master tendered NoR then, but the vessel was unable to berth until the following day, when discharge started. Discharge completed nearly three months later, and the owners claimed demurrage. But the

charterers argued that the NoR was invalid - having been given prematurely, before the vessel was at the berth - and that laytime therefore never commenced. The owners succeeded at arbitration, but the High Court upheld the charterers' appeal, rejecting the claim for demurrage and finding owners liable for despatch.

The court took the view that, under the charter party, laytime was to be started by a valid NoR and that, in its absence, laytime could only be triggered by an event such as a waiver or an implied agreement to vary the charter party to allow time to count from the commencement of discharge. On the facts of the case, the court was unable to find such an alternative event able to commence laytime.

To avoid becoming victims of technical deficiencies in the tendering of NoRs, owners should try to agree charter provisions enabling laytime also to be started by other events, *e.g.*, commencement of discharge, and should re-tender NoRs, without prejudice to the original, if there is any doubt over their validity.

IMDG Code update

IN *London Club News 24* (December 2000) it was reported that there were some errors in the latest version of the IMDG Code.

IMO has since published a circular noting that, "Following information received recently, a number of inaccuracies have been identified".

The IMO circular is designed to bring these corrections and other alleged inaccuracies to the attention of all code users as soon as possible. It is understood that, to date, three sets of corrections have been issued, addressing roughly fifty per cent of the known errors.

IMO's advice is to use the new code "with due



diligence, contacting, if necessary, the designated competent authorities and IMO for further guidance. Until the matter is clarified, the earlier version of the IMDG Code, *i.e.*, Amendment 29-98, may be used for guidance in interpreting Amendment 30-00."

Members are advised to obtain copies of the above circular from their own administrations and to be guided accordingly.

Shipping counts cost of criminal prosecutions in US

FURTHER to previous *StopLoss* reports of the approach taken by the US authorities to vessel reporting requirements, the Club has recently received reports of another example of criminal proceedings being brought against a shipping company.

This involved a guilty plea in the California courts by a US company to a felony count of making a false statement to the US Coast Guard. The company was ordered to pay a criminal fine of \$500,000 and was placed on probation for three years, during which time it must comply with a detailed environmental compliance plan.

Entries had been made in the Oil Record Book of one of the company's vessels indicating that bilge water contaminated with waste oil had been processed through the oily-water separator during a period when the separator was not operating. The company faces similar charges, to which it is pleading guilty, in two other US jurisdictions.



Working with stevedores during discharge

STOPLOSS 21 outlined precautions a master can take prior to discharge of bagged cargo to encourage its careful handling at ports where difficulties with stevedores are often encountered. Measures can also be adopted during discharge to monitor and help control cargo handling operations. These include the following:

- Ships' staff should check the actions of stevedores for compliance with any pre-discharge instructions from the master. Any surveyors instructed by owners to conduct outturn inspections/tallies can also be asked to keep watch and to report examples of bad handling.

- Any non-compliance should be brought to the attention of the stevedore foreman, recorded and supported by photo evidence, if appropriate and safe to do so.

- If necessary, foremen should be asked to issue warnings and then to remove persistent offenders from vessels.

- The master should issue protests in relation to problems encountered with stevedores, copied to all relevant parties, *e.g.*, charterers, receivers etc.

- If poor handling continues, the local P&I correspondents should be contacted for assistance.

Gearing up to bridge the gap in Sri Lanka port damage claims



Bridge control main engines - a common factor in Sri Lanka accidents

THE Port of Colombo, Sri Lanka, has experienced several recent incidents where arriving vessels have hit and damaged property, *i.e.*, piers, fenders, cranes etc, and the port has suffered serious consequential losses while berth/equipment repairs have been carried out.

It was found on each occasion that the vessels were being manoeuvred into the harbour, with the main engine on bridge control, when the ship failed to respond as required by the master/pilot.

The Sri Lanka Ports Authority has now issued a circular requiring that, "All vessels which are geared with bridge control main engine manoeuvring systems should change over to engine control prior to arriving at the pilot boarding grounds, and have the engines tested on all manoeuvring speeds for ahead and astern movements. Confirmation of the above should be recorded in the bridge bell book for the pilot's scrutiny."

Members should be guided accordingly.

Foot and mouth

REPORTS from Australia confirm that the port authorities there are being extremely vigilant in the wake of recent outbreaks of foot and mouth disease elsewhere in the world. Members should instruct their masters, and pre-load surveyors where applicable, to make sure that all cargo accepted on board is free from contaminants, including mud and any sort of meal or grain.

So far, the Australian Quarantine Inspection Service has concentrated its efforts on break-bulk cargo and ro-ro. But there is a feeling that containerships could also be at risk, and members are advised to have their crew inspect and clean the mud off dirty containers, and indeed not accept muddy containers on board.

The AQIS may be more lenient with shipments from places not on its list of affected foot and mouth areas. But members are advised to obtain up-to-date information from the website www.affa.gov.au

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