**HAZMAT Working Group HWG 1/2**

**1st Coordination Meeting Lisbon, 09 January 2014**

**25 February 2014**

**Guidelines on reporting HAZMAT in SSN**

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| *Summary* | This document proposes the framework for developing Guidelines for reporting dangerous and polluting goods to the SafeSeaNet system |
| *Action to be taken* | As per paragraph 6 |
| *Related documents* | 1. Directive 2002/59/EC as amended (Art. 13 and Annex I.3) 2. SSN 20.1.3 point 2.2 3. HLSG 9.3.2 |

**1.0 Purpose**

The purpose of this document is to propose the framework for developing Guidelines for reporting dangerous and polluting goods (HAZMAT) to the SafeSeaNet system, at both national and central level, as agreed at SafeSeaNet Workshop 19 and at High Level Steering Group (HLSG) 9.

The HAZMAT Working Group, consists of 13 Member States (BE, DK, DE, EE, ES, FR, GR, IT, NL, PL, SI, SE, and NO) and 3 industry organisations (ESPO, PROTEC Group, ECSA), is tasked to develop Guidelines which will provide the necessary assistance and support to the public and industry stakeholders on what, when, how and who to report HAZMAT information correctly as required in accordance with Directive 2002/59/EC on establishing a Community vessel traffic monitoring and information system, as amended (VTMIS Directive). The Guidelines will also help to enhance awareness of why it is important to provide accurate information in respect of HAZMAT carried on board ships.

**2.0 Legal Requirements**

Articles 13 and Annex I(3) of the VTMIS Directive requires that HAZMAT information is available to the Member States before a vessel arrives in or departs from a port of a Member State, and that this information is exchanged between Member States via SafeSeaNet. In accordance with these legal provisions the HAZMAT Notification includes the following:

1. the correct technical names of the dangerous or polluting goods;
2. the United Nations (UN) numbers, where they exist;
3. the IMO hazard classes in accordance with the International Maritime Dangerous Goods (IMDG), International Bulk Chemical (IBC), International Gas Carrier (IGC) codes and International Maritime Solid Bulk Cargoes Code (IMSBC), and ;
4. where appropriate, the class of the ship as defined by the International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes on Board Ships (INF Code);
5. the quantities of such goods and their location on board; and
6. if they are being carried in cargo transport units other than tanks, the identification number thereof.

The International Maritime Organization (IMO) has developed uniform international legislation for the transport of dangerous and polluting goods by sea. Articles 3.g and 3.h of the VTMIS Directive provides the definition of the dangerous and polluting goods by referring to the specific applicable IMO Conventions and Codes.

Directive 2010/65/EU on Reporting Formalities includes the HAZMAT Notification as one of the reporting formalities that has to be transmitted electronically through a single window established by Member States. Similarly, it establishes that if Member States require information from IMO FAL Form 7 – Dangerous Goods Manifest - it has to be transmitted electronically through the single window. The reporting of HAZMAT information was considered by the General Maritime sub-group of the eMS, which agreed to include the reporting of all the items within FAL Form7 in the single window and that the additional data items may be included as optional for exchange through the SafeSeaNet system. The latter also made suggestions on how reporting of HAZMAT information could be improved.

**3.0 Status of reporting HAZMAT information**

As reported to SSN Workshop 19 and HLSG 9, EMSA carried out a comprehensive survey on the availability and content of HAZMAT Notification details with the objective of highlighting if there are deficiencies in reporting HAZMAT data. The main conclusions were the following:

1. not all ships carrying HAZMAT cargoes provided notifications to Member States, who in turn do not follow up to ensure compliance;
2. HAZMAT Notifications are provided to the national SSN system, but not forwarded to SSN;
3. there are misinterpretations of the requirements of the VTMIS Directive - some Member States send reports only for some types of dangerous and polluting goods, not for all;
4. HAZMAT Notifications included incorrect technical names and UN numbers;
5. IMO Hazard Class was missing or incorrectly declared;
6. reporting of quantities (units) was not harmonized;
7. the location of cargo on board was either missing or reported incorrectly;
8. some types of cargoes (IMSBC, IGC, INF) were not reported by certain Member States; and
9. it was not clear on how to report bunkers on board ships.

From the above it is clear that missing information and data quality are a major problem when reporting HAZMAT data.

**4.0 Benefits of accurate reporting**

The need for accurate reporting and sharing of information on dangerous and polluting goods carried onboard ships has been recognised for long number of years. In its communication of 24 February 1993 on a common policy on safe seas, the Commission indicated that one way of enhancing safety at sea was by introducing a mandatory information system to give Member States rapid access to all important information relating to the movements of ships carrying dangerous or polluting materials and to the precise nature of their cargo.

Subsequently, Council Directive 93/75/EEC of 13 September 1993 concerning minimum requirements for vessels bound for or leaving Community ports and carrying dangerous or polluting goods was adopted to introduce a system whereby the competent authorities receive information regarding ships bound for or leaving a Community port and carrying dangerous or polluting goods. In response to the continuous increase in the volume of dangerous and polluting goods carried by ships and major maritime casualties involving such ships, the provisions of Directive 93/75/EC were significantly reinforced and extended through Directive 2002/59/EC on the establishment of a Community vessel traffic monitoring and information system which should help to prevent accidents and pollution at sea and to minimise their impact on the marine and coastal environment, the economy and the health of local communities.

In recent years transportation of dangerous goods has continued to grow. Furthermore, recent occurrence of maritime casualties has raised questions regarding the reliability of the HAZMAT information being provided on board ships involved in such casualties. It has become ever more important that all stakeholders understand the need for accurately reporting HAZMAT information.

Accurate knowledge of dangerous or polluting goods being carried on board ships is essential to the preparation and effectiveness of operations to tackle pollution or the risk of pollution at sea. Therefore, how to ascertain that HAZMAT information is available and accurate is a major concern. The need for accurate reporting is vital to minimise safety hazards and allow for quick and effective response to maritime incidents – it saves lives and property, and prevents pollution.

**5.0 Proposal for drafting the Guidelines on Reporting HAZMAT Information**

**5.1 Audience**

The Guidelines primarily address the reporting of HAZMAT information to the SafeSeaNet system. However, it is recognised that proper reporting depends on the quality of information that the National SafeSeaNet receives from the other public authorities who in turn receive the information from industry. Therefore, correct information can only be guaranteed if the information inputted into the system is correct at source. Therefore, the Guidelines will cover the reporting obligations on three levels:

1. Industry to the national single window;
2. National single window to the National SSN system; and
3. National SSN system to the central SSN system.

**5.2 Content**

In drafting the Guidelines the HAZMAT Working Group will need to address the issues mentioned above to clarify who, why, what, when, where and how to report HAZMAT information. The topics that may be covered by the Guidelines are the following:

* Intended audience,
* Legal reporting obligations,
* The benefits of accurately reporting dangerous and polluting goods,
* Identification of dangerous and polluting goods,
* Which information to report,
* Where to find necessary information related to dangerous and polluting goods
* How and where to report,
* What are the possible means of validation to ensure quality reporting,
* Available training and how to enhance HAZMAT expertise among the data providers and the Maritime Administrations,
* How to promote the best practices in reporting and verifying Hazmat,
* How to use the HAZMAT Reference Database (still to be developed), and
* How to report information on incidents involving ships with HAZMAT cargoes to SafeSeaNet.

**5.3 Format of the Guidelines**

There are two options which may be considered for developing the Guidelines: either as a holistic document that covers the requirements of both the industry and the public authorities or, as two separate documents for the:

* SSN National Competent Authority (NCA) and other public authorities; and
* Ship data providers - Ship Masters, Agents, Operators.

In addition, the highlights of the Guidelines may be prepared in the form of a leaflet which is easy to distribute, is a quick reference document and is a practical way of building awareness among stakeholders.

**6. Action requested**

The members of the HAZMAT Working Group are invited to provide their comments to the proposal for drafting the Guidelines on Reporting HAZMAT Information.