

HARBOUR AND PORT OF MANCHESTER

DANGEROUS SUBSTANCES

BYELAWS 1989

THE MANCHESTER SHIP CANAL COMPANY

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The Manchester Ship Canal Company in exercise of the powers conferred by The Dangerous Substances in Harbour Areas Regulations 1987 (SI 1987/37) and of all other powers enabling them, hereby make the following byelaws.

PART I - PRELIMINARY

Title and commencement

1. These byelaws may be cited as the Port of Manchester Dangerous Substances Byelaws 1989 and they come into operation on 31st December 1989.

Application

2. These byelaws shall apply to dangerous substances in the harbour area.

Interpretation

- 3(1). Unless the context otherwise requires the following words or expressions have the meanings hereby respectively assigned to them:-
"berth" means any dock, pier, jetty, quay or wharf within the

harbour or harbour area at which a vessel may tie up and includes any plant or premises, other than a vessel, used for purposes ancillary to or incidental to the loading or unloading of a dangerous substance within the curtilage of that berth;

"the company" means the Manchester Ship Canal Company;

"the harbour master" means the harbour master for the harbour and any person or persons authorised by the company to act in that capacity;

"regulations" means the Dangerous Substances in Harbour Areas Regulations 1987 SI 1987/37 including any amendment or re-enactment of or addition to those regulations.

- (2). Save as otherwise provided in these byelaws words and expressions in these byelaws have the same meanings as in the regulations.

PART II - DANGEROUS SUBSTANCES OTHER THAN BULK LIQUIDS

Harbour Master's consent required

4 (1). This byelaw applies to all dangerous substances except:-

- (a) liquid dangerous substances in bulk;
- (b) explosives in class 1 division 1.4;
- (c) paint, lacquer or varnish in class 3 and contained in UN list 1263;
- (d) substances in class 4.2 liable to spontaneous combustion;
- (e) toxic, harmful and infectious substances in class 6; and
- (f) corrosives in class 8.

(2). A dangerous substance to which this byelaw applies shall not be brought into the harbour or the harbour area or on to or over a berth unless:-

- (a) in the case of a substance brought in on a vessel, the master or agent; or
- (b) in the case of a substance brought on to or over a berth otherwise than from a vessel, the berth operator; has received the written consent of the harbour master.

Restriction on landing

5 (1). Without the consent of the harbour master the operator of a berth at which any of the following dangerous substances is handled shall ensure that such substances are handled direct between vessel and road vehicle and are not deposited on the berth:-

- (a) any substance to which byelaw 4 applies;
- (b) explosives in class 1 division 1.4;
- (c) toxic substances which are liable to give off poisonous gases;
- (d) infectious substances in class 6.2; and
- (e) any dangerous substance required by the IMDG code to be stowed on the deck of the vessel to or from which it is to be handled.

(2). The operator of a berth where any substance to which paragraph (1) of this byelaw applies shall ensure that the road vehicle remains on the berth for as short a time as is reasonably practicable while carrying that substance.

(3). Subject to such directions as the harbour master may give, the operator of a berth at which any of the following dangerous substances is handled shall ensure that no such substance remains on that berth for longer than 72 hours in the case of:-

- (a) spontaneously combustible substances in class 4.2;
 - (b) toxic substances in class 6.1 which do not give off poisonous gases;
 - (c) corrosive substances in class 8 other than those which are required to be stowed on deck and to which paragraph (1) of this byelaw applies;
- or for longer than 144 hours in the case of:-
- (d) paint, lacquer or varnish in class 3 and contained in UN list 1263.

PART III - LIQUID DANGEROUS SUBSTANCES IN BULK

Consent required

- 6. No vessel carrying a liquid dangerous substance in bulk shall enter the harbour and no vessel shall load or unload any such substance whilst in the harbour unless the master or agent has received the written permission of the harbour master.

Restriction on navigation

- 7. No vessel carrying a liquid dangerous substance in bulk shall navigate:-
 - (a) above Irlam locks if the substance has a flash point below 22.8°C or 73°F; or
 - (b) above Mode Wheel locks (except for swinging) if the substance has a flash point between 22.8°C or 73°F and 60°C or 140°F.

Use of Tugs

- 8. The master of any vessel carrying a liquid dangerous substance in bulk with a flash point below 22.8°C or 73°F shall if so directed by the harbour master employ a tug or tugs to assist in the navigation of the vessel in the harbour.

Conditions

- 9. The harbour master may make any consent given by him under these byelaws subject to such conditions as he may reasonably require.

Revocation

- 10. Byelaws 1, 2, 5, 6, 7 and 18 of the Manchester Ship Canal Petroleum Byelaws 1929 are hereby revoked.

THE COMMON SEAL OF THE
 MANCHESTER SHIP CANAL COMPANY
 was hereunto fixed on the 13th
 day of November, 1989



in the presence of:-
 A. J. DICKINSON
 Secretary

The foregoing Byelaws were confirmed on behalf of the Secretary of State for Transport on 22nd December 1989 by M. W. Jackson an Assistant Secretary in the Department of Transport after consulting the Health and Safety Commission.

GUIDANCE NOTE

The Manchester Ship Canal Company has made some new byelaws on dangerous substances. This note is a guide to the new byelaws but it does not vary or qualify the byelaws themselves.

The harbour master will welcome any enquiries from port users over the carriage and handling of dangerous substances in the port.

1. The old byelaws.

The old byelaws, that is to say the byelaws and regulations which were in force in 1989 governing dangerous goods, petroleum spirit and petroleum have now all been repealed.

2. The purpose of the new byelaws.

The new byelaws supplement but in no way supersede the Dangerous Substances in Harbour Areas Regulations 1987 or any of the other national and international regulations and codes of practice which govern the carriage and handling of dangerous substances.

Because of the special features of the Port of Manchester, it is necessary to provide for additional safety precautions based on many years of practical experience. The Company has therefore made the new byelaws.

In general the new byelaws retain in a simpler form the practical effect of the old byelaws and regulations to the extent that they are not already overtaken by the 1987 Regulations or other legislation and codes governing dangerous substances.

3. Principal Provisions.

The new byelaws (like the old byelaws) require the consent of the harbour master to be obtained before most classes of dangerous substances can be brought into the port. Similarly the new byelaws continue, broadly, the old restrictions on landing to quay. There is a relaxation for paints with a low flash point but any substances which are required by the IMDG code to be stowed on deck must go direct to and from road vehicle.

The table in appendix 1 shows which classes of dangerous substances require consent and which can usually be landed to quay. Appendix 2 lists those substances which in practice are restricted or not allowed into the port at all. **This list is for guidance only; it is not exhaustive and port users are urged always to enquire of the harbour master for a ruling in any particular case.**

APPENDIX 1

GUIDE TO BYELAWS

| | | |
|---------------------|---|--|
| Classification | Harbour Master's consent required (see appendix 2). | Must normally go direct to or from vehicle without being landed. |
| Class | Yes Except div. 1.4 | Yes |
| Class 2 | Yes | Yes |
| Class 3 not in bulk | Yes (a) | Yes (a) |
| Class 3 in bulk | Yes | Not Applicable |
| Class 4 (1) | Yes | Yes |
| Class 4 (2) | No | (b) |
| Class 4 (3) | Yes | Yes |
| Class 5 (1) | Yes | Yes |
| Class 5 (2) | Yes | Yes |
| Class 6 (1) | No | (b) |
| Class 6 (2) | No | Yes |
| Class 8 | No | (b) |
| Other | Yes | Yes |

(a) except for paint, lacquer and varnish UN 1263; these substances may stand on the berth for up to 144 hours.

(b) may be landed to berth for up to 72 hours unless the harbour master otherwise directs, but

(1) substances required by the IMDG code to be stowed on deck; and

(2) substances which give off poisonous gases; must go direct between vessel and road vehicle.

APPENDIX 2

GENERAL RESTRICTIONS ON CONSENT

The harbour master does not in practice consent to the following dangerous substances being brought into the harbour or the harbour area. **This list is not exhaustive and port users are advised to consult the harbour master:-**

- (a) non bulk gases in class 2 in excess of 75 tonnes in any one ship;
- (b) non bulk flammable liquids in class 3 with a flash point below 22.8°C in excess of 25 tonnes in any one compartment;
- (c) substances in class 4.3 (substances which in contact with water emit flammable gas) in excess of 25 tonnes in any one compartment;
- (d) chlorates or bromates in class 5 in excess of 10 tonnes per hold;
- (e) ammonium nitrate in class 5.1 unless it is certified as containing no organic matter or unless its condition is approved by the Department of Trade and Industry;
- (f) ammonium chlorates and ammonium permanganates in class 5.1;
- (g) hydrogen peroxide aqueous solution in class 5.1 of a strength greater than 60%;
- (h) carbon disulphide and acrylonitrile (and liquefied gases in Q.E. II Dock);
- (i) certain categories of explosives, radioactive and other particularly hazardous substances; and
- (j) dangerous substances for which appropriate carriage, berthing or handling provisions are not available.