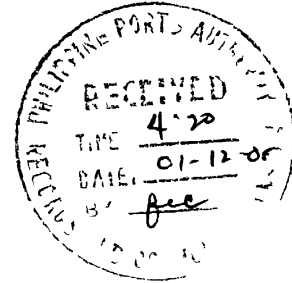




MARSMAN BUILDING 22 MUELLE DE SAN FRANCISCO SOUTH HARBOR PORT AREA MANILA 1018 PHILIPPINES
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JAN 12 2005



PPA MEMORANDUM CIRCULAR
NO. 02 - 2005

TO Managers, PDO-Manila and PMO-SH
Importers/Exporters, Shipping Companies/Agents, ATI, DASSAD
Warehousing and Port Services Inc , Brokers and All Others
Concerned

SUBJECT Establishment and Operation of Dangerous Cargo Area (DCA) at
South Harbor

1. AUTHORITY/REFERENCE

- 1 1 Section 27 of Presidential Decree 857
- 1 2 PPA Administrative Order No 06-99 re "Dockwork Safety and Health Standards"
- 1 3 PPA Administrative Order No 08-97 entitled "Code of Safe Handling, Storage and Transport of Dangerous Cargoes in Ports"

2. SCOPE

This Order shall apply to all dangerous cargoes loaded/unloaded at South Harbor

3. OBJECTIVES

- 3 1 To ensure the safe handling, transport and storage of dangerous cargoes
- 3 2 To effectively supervise and monitor the movement of dangerous cargoes
- 3 3 To comply with international standards

4. DEFINITION OF TERMS

- 4 1 Authority – shall mean the Philippine Ports Authority
- 4 2 International Maritime Organization (IMO) – shall refer to an international organization working under the United Nations Economic and Social Council and concerned with maritime safety
- 4 3 IMDG Code – shall mean the International Maritime Dangerous Goods Code promulgated by IMO
- 4 4 Asian Terminals, Inc (ATI) – shall refer to the Cargo Handling Contractor of South Harbor

VISION

By 2010 PPA shall have met the international standards in port facilities and services in at least ten (10) ports in support of national development

MISSION

We commit to provide reliable and responsive services in our ports sustain development of our port communities and the environment, and be a model corporate agency of the government

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- 4 5 DCA – shall mean Dangerous Cargo Area
- 4 6 Dangerous Cargoes – shall mean those cargoes contained or declared in either of the following
 - 4 6 1 Latest edition of IMDG Code,
 - 4 6 2 Dangerous Goods Manual/List of PPA, Philippine Coast Guard, Bureau of Customs and the Department of Environment and Natural Resources,
 - 4 6 3 Outward/Inward Foreign Manifest, or
 - 4 6 4 Document showing that the cargo is known or suspected to possess hazardous property due to its inherent characteristics or chemical composition
- 4 7 FCL – shall mean Full Container Load
- 4 8 LCL – shall mean Less Container Load
- 4 9 TEU – shall mean Twenty Equivalent Unit
- 4 10 CFS – shall mean Container Freight Station

5. RESPONSIBILITY

It shall be the responsibility of ATI to

- 5 1 Develop, establish and operate a DCA within its area of responsibility, the design of which shall be in conformity with accepted international standards. The operation of DCA shall be governed by the pertinent provisions of PPA Administrative Order No 08-97 entitled “Code of Safe Handling, Storage and Transport of Dangerous Cargoes in Ports”, PPA Administrative Order No 06-99 re “Dockwork Safety and Health Standards” and other related safety regulations
- 5 2 Ensure that dangerous cargoes loaded/unloaded at South Harbor are covered by appropriate permits/clearances issued by various government agencies such as the PNP for explosive cargoes, DENR for Ozone Depleting Substances and those cargoes covered by RA 6969 and its implementing rules and regulations, Philippine Nuclear Research Institute for radioactive substances, and other required government clearances
- 5 3 Formulate emergency and contingency plan
- 5 4 Make available appropriate personal protective equipment for personnel assigned at the DCA and those personnel from the Bureau of Customs and PPA and private sectors that are transacting business or performing their respective mandates
- 5 5 Assign only highly competent and trained personnel to work in the DCA
- 5 6 Conduct continuous training on the handling and storage of dangerous cargoes
- 5 7 Ensure that segregation requirements are observed and complied with

6. SAFETY REQUIREMENTS

- 6 1 The warehouse shall be
 - 6 1 1 Provided with separate drainage system with shut off valves, sumps or basins and means of discharge of contaminated water to special facilities,

- 6 1 2 Properly ventilated,
- 6 1 3 Made of fire resisting walls and ceilings with explosive proof bulbs,
- 6 1 4 Provided with safety signs and markings for segregation purposes,
- 6 1 5 Equipped with sufficient type and number of fire fighting equipment in accordance to the pertinent provision of PPA Administrative Order No 06-99 entitled "Dockwork Safety and Health Standards",
- 6 1 6 Provided with aisles of at least three (3) meters wide and clearly marked by continuous yellow lines, and
- 6 1 7 Required to observe the safe stacking and the proper segregation of dangerous cargoes

6 2 The container yard shall

- 6 2 1 Have sufficient space for the segregation of incompatible dangerous cargoes and for the separation of the various classes of dangerous cargoes,
- 6 2 2 Be provided with safety signs and proper markings for the various classification of dangerous cargoes,
- 6 2 3 Observe safe stacking of container and strictly follow the segregation rule as per IMDG Code,
- 6 2 4 Be provided with adequate access in case of an emergency, and
- 6 2 5 Be provided with a drainage system equipped with shut-off valves, sumps or basins and means to discharge contaminated water to special facilities in order to safeguard the port and the environment,

6 3 A special covered area shall be provided where damaged dangerous cargoes may be repacked or contaminated wastes may be separated and kept until their disposal

7. PROCEDURES

7 1 Handling Permit

- 7 1 1 The Shippers, Exporters, Brokers or Shipping Agent/Company shall secure Dangerous Cargo Handling Permit from PPA before the arrival of import and export FCL or LCL dangerous cargoes at South Harbor in compliance with PPA Memorandum Circular No 28-85
- 7 1 2 Importation/exportation permits shall be secured by the shipper or importer/exporter of explosive substances, radioactive materials, Ozone Depleting Substances (ODS) and those chemical substances covered by RA 6969 otherwise known as "Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990"

7 2 Dangerous Cargo Manifest

7 2 1 Inbound FCL and LCL

- 7 2 1 1 The Shipping Company/Agent or Broker shall submit the Dangerous Cargo Inward Foreign Manifest together with the PPA Handling Permit and other required permit (issued by the PNP, PNRI or DENR) to the ATI Safety Officer within twenty-four (24) hours before the

arrival of the vessel carrying dangerous cargoes. ATI Safety Office shall review the manifest to identify the different cargo classifications for discharge directly to DCA and segregation purposes

7.2.2 Outbound FCL and LCL

7.2.2.1 The Shipping Company/Agent or Broker shall submit the Dangerous Cargo Outbound Foreign Manifest or Export Declaration together with the PPA Handling Permit and other required permit (issued by the PNP, PNRI or DENR) to ATI Safety Office within twenty-four (24) hours before the arrival or delivery of dangerous cargo to South Harbor. ATI Safety Office shall review the manifest to identify the different cargo classifications for receiving and segregation at the DCA.

- 7.3 Upon discharge from vessel, imported dangerous cargo shall be transferred directly to the DCA, unless direct-to-truck-delivery is required. Dangerous cargo for export shall be directly received at the DCA, unless vessel and yard operations dictate otherwise
- 7.4 The ATI Safety Officer or the Cargo Control Manager shall review the complete cargo manifest of every vessel to determine if there are cargoes classified as dangerous cargoes but not included in the DG Manifest. Should this situation exist, the ATI Safety Officer shall list down all non-declared dangerous cargoes and coordinate with the Manager, PMO-South Harbor, Attn: Safety Staff to ensure proper cargo classification and to effect the transfer of such cargoes to the DCA.
- 7.5 Imported LCL dangerous cargoes shall be stripped first from the container before they are transferred to the DCA warehouse. On the other hand, LCL dangerous cargoes for export shall be received first at the DCA warehouse before they are stuffed into the container.

8. ARBITRATION

In case of a discrepancy in the declaration, identification and classification of dangerous or hazardous cargoes, the matter shall be referred to the Manager, PMO-South Harbor, Attn: Safety Staff, for proper disposition.

9. EXCLUSION

No radioactive and explosive substances, under categories 1.1, 1.2 and 1.3, shall be stored within the port zone. These cargoes shall be directly delivered to the consignee's storage area located outside the port. Subject to the approval of the Authority, Classes 1.4, 1.5 and 1.6 may be stored in the facility on a limited quantity and under special attention, round the clock. If this cannot be effected for whatever reason, the same may be transferred to Container Yard-Container Freight Station (CY-CFS) located outside the port, upon the recommendation of the Authority and approval of the Bureau of Customs.

10. SPECIAL CHARGES

- 10.1 Special Charges shall be collected by ATI for dangerous cargoes actually transferred and stored at the DCA according to the following schedule

Containerized dangerous cargo	P 2,690/TEU
LCL (non-palletized)	P 184 00/revenue ton
LCL (palletized)	P 141 00/revenue ton

- 10.2 The charges prescribed in paragraph 10.1 shall be distinct and in addition to the "premium charges" prescribed under PPA Admin. Order No. 02-89 (Cargo Handling Rate for Dangerous/Obnoxious Cargoes)

11. STORAGE GUIDELINES

The regular free storage period granted to import and export cargoes shall apply

12. MONITORING AND INVENTORY

For statistical and record purposes, the ATI shall submit to the Authority a monthly report within the first week of the succeeding month indicating the number of dangerous cargoes in TEU's for FCL and total tonnage for LCL that were transferred to the DCA.

13. REPEALING CLAUSE

All PPA Orders, Circulars, Memoranda, rules and regulations and guidelines inconsistent herewith are hereby modified, repealed or amended accordingly

14. PENALTY CLAUSE

Violation of any provision of this Order shall subject the person/entity of the penalties prescribed under Section 43 of PD 857 and other pertinent provisions.

15. EFFECTIVITY

This Order shall take effect one (1) month after publication in newspapers of general circulation.



OSCAR M. SEVILLA
General Manager