

**MUNICIPALITY OF ROTTERDAM
MUNICIPALITY OF VLAARDINGEN
MUNICIPALITY OF SCHIEDAM
MUNICIPALITY OF DORDRECHT
MUNICIPALITY OF PAPENDRECHT
MUNICIPALITY OF ZWIJNDRECHT**

BUNKER LICENSE BUNKER FUEL TRANSPORTER

Regulation reference: BT-2020-XX

The Harbour Master of Rotterdam,

With due observance of the application by: [name of company];
legally represented by: [enter name and check CoC];
with its registered office: [name of municipality];
registered in the Chamber of Commerce under the registration number: [Chamber of Commerce
number];
(hereinafter referred to as 'the license holder');

regarding the application for a bunker license for bunker fuel transporter:

having regard to:

- Article 8.1 of the Rotterdam Port Bye-Laws 2020, in conjunction with Article 11.7 (1) (d) of the Ordinance on mandate, proxy and authorisation Rotterdam 2016;
- Article 8.1 of the Vlaardingen Port Management Bye-Laws 2019, in conjunction with the Harbour Master Mandate Decision 2013;
- Article 8.1 of the Dordrecht Port Bye-Laws, in conjunction with Article 4.1 (b) of the Ordinance on mandate, proxy and authorisation Harbour Master;
- Article 8.1 of the Schiedam Port Bye-Laws 2020, in conjunction with Article 3 (a) of the Ordinance on mandate, proxy and authorisation Harbour Master Municipality of Schiedam 2020;
- Article 8.1 of the Municipality of Zwijndrecht Port Bye-Laws, in conjunction with Article 4.1 (b) of the Ordinance on mandate, proxy and authorisation Harbour Master 2011;
- Article 8.1 of the Papendrecht Port Bye-Laws 2020, in conjunction with Article 4.1 (b) of the Harbour Master Mandate Decision 2011;

also having regard to:

- Regulation (EU) 2017/352 establishing a framework for the provision of port services and common rules on the financial transparency of ports;
- Directive (EU) 2016/802 relating to a reduction of the sulphur content of certain liquid fuels, as implemented in Article 3.2 of the Fuels and Air Pollution Decree.

decides:

1. to grant [name of company] a bunker license for bunker fuel transporter (hereinafter also referred to as: license);
2. that this license will be valid from 1 February 2021 to 1 February 2023;
that the information submitted with the license application forms part of this license;
3. that this license covers the bunkering from a vessel or vehicle to a sea-going vessel of residual fuels and distillates (fuel oil and diesel) and biodiesel;
4. to impose the following requirements and restrictions on this license:

Requirements and restrictions**1. Terms**

In this license, the following terms have the following meanings:

- *blending*: the mixing in or on the bunker facility of fuels or components thereof with different properties into homogeneous bunkers that meet a desired quality specification;
- *bunkers*: solid, liquid or gaseous fuels or any other source of energy used for propulsion of ships or for the general or specific energy supply on board ships;
- *bunkering*: the supply of solid, liquid or gaseous fuels or any other source of energy used for the propulsion of ships and for the general and specific energy supply on board ships;
- *bunkering checklist*: checklist as referred to in Article 8.7 of the Port Bye-Laws;
- *(E) bunker delivery note*: the delivery note adopted by the IMO in MARPOL, Annex VI, paragraph 18.5 and issued by the bunker transporter containing the details of the fuel supplied as set out in Appendix V (latest version) to MARPOL, Annex VI. This may also be in electronic form (E);
- *bunker requisition form*: form containing information on the quality, quantity and specifications, such as cloud point, pour point, flash point and acid number of the product to be delivered and agreements between the bunker transporter and the receiving sea-going vessel to be signed by the chief engineer of the receiving sea-going vessel prior to the delivery of the bunkers;
- *bunker operator*: the person representing the license holder and responsible for the proper delivery and documentation of the bunkers delivered or his/her replacement;
- *bunker transporter*: the party who buys, owns, stores and sells bunkers;
- *bunker surveyor*: an accredited and independent surveyor who works exclusively with calibrated and certified measuring equipment and has passed the Bunker inspector module of the Shipping and Transport College or equivalent training;
- *bunker vessel*: vessel used for bunkering;
- *bunker vehicle*: vehicle used for bunkering;
- *bunker facility*: the bunker vessel or vehicle delivering the bunkers to the sea-going vessel;
- *debunkering*: returning solid, liquid or gaseous fuels or any other source of energy used for the propulsion of ships and for the general and specific energy supply on board ships;
- *Port Bye-Laws*: The Dordrecht Port Bye-Laws, Rotterdam Port Bye-Laws 2020, Schiedam Port Bye-Laws 2020, Municipality of Zwijndrecht Port Bye-Laws, Papendrecht Port Bye-Laws 2020 or the Vlaardingen Port Management Bye-Laws 2019;
- *chief engineer*: the person on board the sea-going vessel responsible for receiving the bunkers delivered or his/her replacement;
- *ISO 8217*: Petroleum products – Fuels (class F) – Specifications of marine fuels;
- *ISO 4259*: Petroleum and related products – Precision of measurement methods and results;
- *ISO 13739*: Petroleum products – Procedures for transfer of bunkers to vessels;
- *ISO 3170*: Petroleum liquids – Manual sampling;
- *ISO 3171*: Petroleum liquids -- Automatic pipeline sampling;

- *quantity*: the correct and agreed quantity of bunkers delivered to the sea-going vessel, bunker facility or terminal, determined by calibrated and certified measuring equipment;
- *quality*: specifications of the bunkers as agreed between the transporter and the buyer/receiver, also complying with ISO 8217 (latest version), Marpol Annex VI, Reg 18.3 and SOLAS, Chapter II-2, Reg 4;
- *Marpol*: International Convention for the Prevention of Pollution from Ships, 1973, as amended;
- *measuring equipment*: measuring equipment such as tank level meter (manual gauging or tank radar), Positive Displacement Meter (PDM) or Bunker Measuring System which is equipped with a Coriolis mass flow meter, which are certified by an approved company by the Nederlands Meet Instituut and calibrated or comply with the Metrology law.
- *samples*: samples representative of the quality of the bunkers received and delivered.

2. Licensed activities

This 'bunker license for bunker fuel transporter' applies to the transport and delivery of the following fuels (bunkers) designated by the Municipal Executive to sea-going vessels used for propulsion of those vessels and for the general and specific energy supply on board those vessels:

- residual fuels and distillates (fuel oil and diesel) and;
- biodiesel.

3. Reservation

The requirements attached to this 'bunker license for bunker fuel transporter' may be amended ex officio by the Harbour Master.

4. Requirements for the license holder

- 4.1 The license holder has a Certificate of Good Conduct for Legal Entities (VOG/RP) that is not older than 3 months at the time of application for the license. In case the license holder is a foreign company that does not have a legal entity in the Netherlands that carries out bunkering activities, the license holder will have a document comparable to the VOG / RP issued by a competent authority in the country where the company is established¹ and, with the application of the license, is not older than 3 months. This VOG/RP or the comparable foreign must be present at the office of the license holder.
- 4.2 The license holder shall ensure that a voyage and cargo record book as referred to in ADN article 7.2.4.12 is available on every bunker vessel.
- 4.3 The license holder has a quality management system in place (ISO 9001 or equivalent) to guarantee the quality of both the bunkers and the transport.
- 4.4 The license holder shall ensure that the bunker facility is provided with the correct sample bottles and sample container in accordance with Annex N of ISO standard 13739.
- 4.5 This bunker license for bunker fuel transporter and any changes thereto, as well as the weighing slips, tank gauges and completed bunker registration forms, as applicable to this license, shall be present at all times at the office of the license holder and shall be kept for at least five years.

5. Registration and cancellation of the bunker facility

- 5.1 Prior to the actual commissioning of a bunker facility for the delivery of bunkers to sea-going vessels by the license holder, this bunker facility (which may be a private bunker facility or a third party bunker facility) must be registered in writing to the Harbour Master's Division of the Port of Rotterdam Authority. The following documents must - where applicable - be submitted:

¹ E.g. for Belgian companies, the Belgian Criminal Register extract for companies can be submitted.

- a copy of the title deed of the bunker facility;
- a copy of the Inspection Certificate;
- a copy of the Certificate of Approval;
- the date from which the bunker facility will be used.

5.2 Only bunker facilities registered in writing may use the issued bunker license to deliver to bunkers.

6. Requirements for the bunker facilities

6.1 The bunker facility referred to in 5.1 must be equipped with:

- a. sampling equipment conforming to the standard ISO 13739 (Annex K) for the taking of samples and equipment certified to take samples in accordance with Marpol Annex VI;
- b. calibrated and certified tanks;
- c. on-board measuring equipment that was calibrated within the last 5 years, on the understanding that a tape measure or measuring stick must be calibrated every 12 months. The (digital) calibration certificates must be available on board;
- d. a piping system on board consisting of standard connections in compliance with the regulations of the Deutsche Institut für Normung (DIN), the Japan Industrial Standard (JIS) or the American National Standards Institute (ANSI). No other systems are licensed;
- e. sufficient fittings and gaskets to create a proper coupling or connection to other systems as referred to in part d or dimensions; and
- f. a piping plan (general arrangement plan).

6.2 After a repair that does or may affect the determined volume of the tank, tanks must be recalibrated. The calibration certificates (in electronic form) must be available on board.

6.3 It must be possible for bunkers in or on a bunker facility to be properly measured, weighed and sampled using the measuring equipment and by sampling.

6.4 If a bunker vessel is used, its width may not exceed 24 metres.

7. Documentation on board the bunker facilities

7.1 Prior to loading at a terminal of the bunker facility, the bunker operator must have a Safety Data Sheet of the substance to be bunkered on board or electronically available.

7.2 If blending takes place during loading, the Certificate of Quality (CoQ) can be determined later, but in any case prior to the actual delivery to the sea-going vessel.

7.3 Prior to the bunkering and immediately after the bunkering, the bunker operator or the bunker surveyor will draw up a measurement report of the tank measurements on board the bunker facility, listing at least the following:

- a. the tanks used for bunkering;
- b. the tank levels of all tanks before and after delivery;
- c. the type of bunkers (type or grade and viscosity) per tank;
- d. the sulphur content;
- e. the quantity in m³ at the current temperature and at a temperature of 15°C as well as the quantity in metric tonnes at a temperature of 15°C;
- f. the average temperature per tank used for bunkering in °C; and
- g. the type of tank measurement (tank radar/bunker measuring system (MFM) / Positive Displacement Meter (PDM), measuring stick or tape measure).

8. Requirements for the bunker operator

8.1 The bunker operator completes the voyage and cargo record book as referred to in Article 4.3 and, in addition to the data referred to the referred article of ADN, also records the following correct data relating to the bunkers:

- a. date and time of receipts and deliveries of bunkers;
 - b. substance name and type, quantity, tank numbers and loading location of the bunkers;
 - c. substance name and type, quantity, tank numbers and delivery location of the bunkers;
 - d. (copies of) documents of proof of receipt and delivery of the bunkers;
 - e. registration of internal tank transfers or product transfers performed in or on the bunker facility;
 - f. all samples bearing the seal numbers of the seals affixed to the samples taken during loading and delivery of the bunkers;
 - g. all loading and unloading operations with the corresponding dates and times, including relevant communication (such as complaints and agreements) with the receiver of the bunkers;
 - h. any disputes between the recipient and the transporter (letters of protest); and
 - i. cleaning operations of the cargo tanks.
- 8.2 The bunker operator ensures that:
- a. prior to bunkering, all draining points or inspection ports between the bunker measuring system and the bunkering connection on the bunkering facility are sealed;
 - b. prior to bunkering, if a bunker measuring system is used, the meter reading of the bunker measuring system is set to zero before commencement, and the inspection and calibration connection (USB port) has been sealed;
 - c. during bunkering, no internal pumping takes place on board the bunker facility, unless this has been agreed in writing between the bunker operator and the chief engineer or in case this is necessary in order to protect safety;
 - d. during the entire bunkering, the pumping rate or pressure and the temperature remain within the agreed limits, as laid down in the bunker requisition form;
 - e. during the bunkering process, the bunker measuring system is not or cannot be manipulated;
 - f. if valves of both parties are operated during bunkering which may affect the bunkering process, this will be communicated in advance to the receiving sea-going vessel;
 - g. during the bunkering process, the composition of the bunkers to be delivered is not changed, unless this is explicitly / written approved by the competent authority;
 - h. pumping is stopped immediately if so requested by the receiving sea-going vessel (as recorded on the bunker checklist); and;
 - i. the receiving sea-going vessel is informed immediately if the bunker facility wishes to stop bunkering.
- 8.3 When the bunkering is completed, the bunker operator shall ensure that the contents of the piping from the pump to the bunker hose are emptied sufficiently, either by emptying the piping and bunker hose into the receiving sea-going vessel's bunker tanks, or by emptying the piping and bunker hose into the bunker facility.

9. Requirements for sampling

- 9.1 Sampling equipment and bottles shall be used which comply with the standard laid down in ISO 13739 (Annexes K and N) and which are also certified to take a sample in accordance with Marpol Annex VI.
- 9.2 In consultation with the terminal where the loading takes place, the bunker operator takes care that during the entire loading process a representative sample is taken on board the bunker facility or on the jetty, whereby the contents of the sample holder (cubitainer) are added proportionally to the quantity loaded (drip sampling).
- 9.3 The cargo sample must be taken as close as possible to the connection of the terminal or the vessel and the bunker facility. The cargo samples must be sealed and the seal numbers stated in the loading/unloading agreement. The cargo samples must be kept for at least 6 months.

9.4 If circumstances prevent the cargo sample to be taken, this must be recorded in the voyage and cargo record book and/or the Bill of Lading, stating reasons. If an agreement has been drawn up between the bunker transporter and the receiver which stipulates in writing that taking samples is not necessary, a copy of this agreement must be added to the (E)BDN.

10. Operational notification and registration

10.1 Prior to bunkering a sea-going vessel, the bunker operator reports provides the Harbour Master with the following information:

- a. the name and license number of the license holder;
- b. the identity of the bunker facility (at least name and ENI or IMO number);
- c. the identity of the sea-going vessel receiving the bunkers (at least name and IMO number);
- d. the call reference number of the sea-going vessel (UCR number);
- e. the berth of the sea-going vessel;
- f. the types and quantities per type of bunker intended for the sea-going vessel;
- g. the bunker transporter; and
- h. the date and time of the commencement and expected termination of the bunkering to the sea-going vessel in question.

10.2 The notification to the Harbour Master takes place electronically via the Time2Bunker application.

10.3 Upon the delivery of bunkers to a sea-going vessel, the license holder has the bunker transporter draw up a(n Electronic) Bunker Delivery Note ((E)BDN). This may also be done electronically.

11. Blending

The blending of bunkers on board a bunker facility during delivery to a sea-going vessel is not permitted, unless this is permitted under national or international regulations or an agreement with the sea-going vessel.

12. Bunker surveyor

12.1 If a bunker inspector is deployed during a bunkering operation, the bunker operator shall provide access to the bunker surveyor on board the bunker facility and ascertains that the bunker surveyor has successfully completed the Bunker inspector module of the Shipping and Transport College or a comparable training.

12.2 The bunker operator shall facilitate the work of the bunker surveyor throughout the bunkering or debunkering process. Facilitation is to provide cooperation as requested by the bunker surveyor for taking measurements and access to the calibration tables and certificates of the measuring equipment and the ASTM 54 B tables in order to calculate a good and correct measurement on board the bunker facility.

13. Debunkering

13.1 Before debunkering is started:

- a. the debunkering request form² is filled in completely and truthfully and submitted to the Harbour Coordination Center (HCC);
- b. one or more samples of the bunker tank(s) to be debunkered are taken, labelled and recorded on the debunkering checklist;
- c. the debunkering checklist is completed; and
- d. the commencement and termination of the debunkering are reported to the Harbour Coordination Center (HCC).

² The debunkering request form can be requested or downloaded from <https://www.portofrotterdam.com/sites/default/files/debunkering-request.pdf>

13.2 During debunkering, a composite sample must be taken, labelled, recorded on the debunkering checklist and kept for a minimum of six months on board the bunker facility or a shore-based storage facility equipped for that purpose.

13.3 The sampling procedure shall be carried out in accordance with Article 10. Copies of the debunkering request form and the debunkering checklist are (digitally) available on board the sea-going vessel providing the bunker and the receiving bunker facility.

13.4 The notification referred to in 13.1(d) must be submitted to the Harbour Coordination Center via hcc@portofrotterdam.com.

14. Disputes and complaints notification desk

14.1 In the event of disputes or complaints relating to the quality and quantity of the bunkers or other matters relating to the bunkering recorded in a Letter of Protest, the license holder may report, in combination with all relevant documents, the nature of the dispute and/or complaint in a manner determined by the Harbor Master or by means of a form as determined by the Harbor Master. The form must be sent to: dhmr_bunkerklachten@portofrotterdam.com or dhmr_bunkercomplaints@portofrotterdam.com and with the notification, all relevant documents are attached, including the issued Letters of Protest.

14.2 The notification must be made within a period of:

- 14 days after delivery of the bunkers in the event of a dispute or complaint about the quality of the bunkers;
- 24 hours after delivery of the bunkers in the event of a dispute or complaint about the quantity of the bunkers.

15. Concluding provisions

Notwithstanding the provisions of Regulation 3, this license may be amended or revoked if:

- a. this is necessary to protect safety, order and the environment in the port or its surroundings and to protect the quality of the service provision;
- b. no use has been made of the license for a period of one year;
- c. the license holder does not fulfil or can no longer fulfil the obligations and conditions set out in the license;
- d. one of the other grounds for revocation from one of the above-mentioned Port Bye-Laws occurs;
or
- e. the license holder so requests.

Rotterdam, dd month yyyy

On behalf of:

- the Mayor and Aldermen of Rotterdam,
- the Mayor and Aldermen of Schiedam,
- the Mayor and Aldermen of Vlaardingen,
- the Mayor and Aldermen of Dordrecht,
- the Mayor and Aldermen of Zwijndrecht,
- the Mayor and Aldermen of Papendrecht,

the Harbour Master of Rotterdam, employed by the Port of Rotterdam Authority,

R.J. de Vries

INFORMATION SHEET BUNKER LICENSE FOR BUNKER FUEL TRANSPORTER

OBJECTION CLAUSE

Interested parties may submit a notice of objection against this decision to the mayor and aldermen of the municipality to which this decision relates within six weeks of the date of dispatch.

This notice of objection must be signed and must contain at least:

- name and address of the person lodging the objection;
- date of the notice of objection;
- reasons for the objection;
- a description of the decision against which the objection is aimed.

If you have filed an objection with the Council of Rotterdam, Schiedam, Vlaardingen, Dordrecht, Zwijndrecht or Papendrecht, you can submit a request for a preliminary injunction (including a suspension) to:

Rotterdam District Court, Administrative Law section, PO Box 50951, 3007 BM Rotterdam, the Netherlands.

This request is subject to a court fee.

Address for correspondence:

Port of Rotterdam Authority
Harbour Master's Division
Harbour Master Policy Department
PO Box 6622
3002 AP Rotterdam, the Netherlands
hcc@portofrotterdam.com

Operational information:

Harbour Coordination Center
Inspection Department
Telephone: +31 (0)10 252 1000
Fax: +31 (0)10 252 1600
email:

VHF Channel 11

Visiting address:

Wilhelminakade 909 / Port number 1247