

## **Designation Decree for petroleum harbours in Rotterdam and Vlaardingen**

The Harbour Master of Rotterdam,

in view of:

- Article 5.1 of the 2020 Rotterdam Port Bye-Laws and the 2019 Vlaardingen Port Bye-Laws;
- Rotterdam: Article 11.7 of the 2016 Decree for the mandate, power of attorney and authorisation for Rotterdam;
- Vlaardingen: Article III of the 2020 Mandate Decree for the Harbour Master of Rotterdam;

whereas:

- the Harbour Master, on behalf of the municipal executive, is competent to designate petroleum harbours;
- companies are located in these areas where dangerous substances are stored and transhipped;
- the Harbour Master is designating these areas because additional regulations apply to shipping in these areas due to environment and safety considerations;

has decided as follows:

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### **Article 1 Petroleum harbours in the municipalities**

The following areas have designated as petroleum harbours:

- a. in the municipality of Rotterdam:
  - in the 1st Petroleumhaven, the waters to the south of an imaginary line drawn between shore site numbers 3204 and 3253;
  - in the 2nd Petroleumhaven, the waters to the south of an imaginary line drawn between shore site numbers 3003 and 3117;
  - in the 2nd Werkhaven, a strip of water 105 metres wide that borders on and runs parallel to the western quay and that is bounded by shore site numbers 4534 and 4539 and a strip of water 100 metres wide that borders on and runs parallel to the western quay and that is bounded by shore site numbers 4539 and 4544;
  - in the 3rd Petroleumhaven, the waters to the south of an imaginary line drawn between shore site numbers 4031 and 4118;
  - in the 4th Petroleumhaven, the waters to the south of an imaginary line drawn between shore site numbers 5715 and 5736;
  - in the 5th Petroleumhaven, the waters to the south of an imaginary line drawn between shore site numbers 5640 and 5710;
  - in the 6th Petroleumhaven, the waters to the east of an imaginary line drawn between shore site numbers 6403 and 6428;
  - in the 7th Petroleumhaven and the Donauhaven, the waters adjoining the southern quay and enclosed by the imaginary lines drawn between shore site numbers 5524 and 5340, 5615 and 5340, and 5312 and 5380;
  - in the 8th Petroleumhaven, the waters to the north of an imaginary line drawn between shore site numbers 9749 and 8500;

- in the Beneluxhaven, the waters adjoining the eastern quay and enclosed by the imaginary lines drawn between shore site numbers 5738 and 5840, 5800 and 5840, and 5809 and 5410;
- in the Botlek, the berth and a strip of water of 25 metres around all tankers moored directly or indirectly at the bollards located between shore site number 4260, and the area in an easterly direction to the intersection of an imaginary line between shore site numbers 4146 and 4308, exclusively and if a dangerous substance is on board as a cargo or residue of a cargo, with the exception of a flammable liquid with a flash point of 55 degrees Centigrade or higher;
- in the Botlek, a strip of water between shore site numbers 4142 and 4144 and extending 95 metres north from the crest of the slope;
- in the Botlek, a strip of water of 25 metres around the BTT jetty located between shore site numbers 4258 and 4262 and the berth of all tankers moored directly or indirectly at this jetty, including a strip of water of 25 metres around these vessels and the water to the west of an imaginary line 30 metres east and parallel to jetty 23 near shore site number 4212 as far as the BTT jetty;
- in the Botlek, a strip of water of 25 metres around the Maastank jetty located between shore site numbers 4138 and 4137 and the berth of all tankers moored directly or indirectly at this jetty, including a strip of water of 25 metres around these vessels;
- in the Britanniëhaven, the waters bordering the eastern quay that are enclosed by the imaginary lines drawn between shore site numbers 5227 and 5211 and a line drawn at a distance of 90 metres from the northern quay parallel to that quay;
- in the Caland Canal and the Wezerhaven, the waters adjoining the southern quay and enclosed by the imaginary lines drawn between shore site numbers 5626 and 5342, 5615 and 5340, and a line drawn from shore site number 5317 in a westerly direction as far as a point on the intersection of the imaginary lines drawn between shore site numbers 5626 and 5340;
- in the Caland Canal, the waters adjoining the southern quay and enclosed by the imaginary lines drawn between shore site numbers 5629 and 5351, 5634 and 5356, and a line drawn from shore site number 5317 in a westerly direction as far as a point on the imaginary lines between shore site numbers 5634 and 5356 at a distance of 90 metres from shore site number 5634 in an easterly direction and between shore site numbers 5632 and 5634 115 metres from the bank;
- in the Caland Canal, the waters adjoining the southern quay and enclosed by the imaginary lines drawn between shore site numbers 5315 and 5522, 5318 and 5524, and 5309 and 5338;
- in the Caland Canal, the berth and a strip of water of 25 metres around all tankers moored directly or indirectly at all buoy spans and pole berths located between shore site numbers 5332 and 5370 on the northern side of the Caland Canal, exclusively and if a dangerous substance is on board as a cargo or residue of a cargo, with the exception of a flammable liquid with a flash point of 55 degrees Centigrade or higher;
- in the Chemiehaven, the waters to the south of an imaginary line drawn between shore site numbers 4209 and 4144;
- in the Europahaven, the waters bordering the northern quay and enclosed by the imaginary lines drawn between shore site numbers 8208 and 8229, 8210 and 8218, and 8199 and 8214;

- in the Geulhaven, the waters to the east of an imaginary line drawn from shore site number 4026 in a north-westerly direction to the head of the Geulhavendam;
  - in the Neckarhaven, the waters to the north of an imaginary line drawn between shore site numbers 6009 and 6909;
  - in the Nieuwe Maas, a strip of water of 25 metres parallel to the quay between shore site numbers 3117 and 3124 and the berth of all tankers moored directly or indirectly at this quay, including a strip of water of 25 metres around these vessels;
  - in the Oude Maas, a strip of water of 25 metres around the concrete jetty at shore site numbers 4016 and 4017 and the berth of all tankers moored directly or indirectly at this jetty, including a strip of water of 25 metres around these vessels;
  - in the Seinehaven, the waters to the east of an imaginary line drawn between shore site numbers 5089 and 5105;
  - in the Sint Laurens haven, the waters adjoining the northern quay situated between shore site numbers 4402 and 4510 that are used directly or indirectly as a berth;
  - in the Tennesseehaven, the waters to the east of an imaginary line between shore site numbers 6328 and 6343 and to the south of an imaginary line drawn at a distance of 50 metres to the north of and parallel to the jetty;
  - in the Torontohaven, the waters to the north of an imaginary line drawn between shore site numbers 4525 and 4534;
  - in the Welplaathaven, the waters adjoining the southern quay that are enclosed by the imaginary lines drawn between shore site numbers 4131 and 4557, 4135 and 4550 and a line drawn at a distance of 125 metres from and parallel to the southern quay;
  - in the Prinses Alexiahaven, the berths and a strip of water of 25 metres around all tankers moored directly or indirectly at mooring poles located in the area on the western side of the Yangtze Canal and in front of the entrance to the Prinses Alexiahaven, exclusively and if a dangerous substance is on board as a cargo or residue of a cargo, with the exception of a flammable liquid with a flash point of 55 degrees Centigrade or higher;
  - in the Nijlhaven, the waters located between shore site number 9885 and the most northerly point of the island adjoining the Nijlhaven and between shore site number 9875 and the most southerly point of the island adjoining the Nijlhaven;
  - in the Yukonhaven, the waters to the north of an imaginary line drawn between shore site numbers 9849 and 9852;
  - in the Hudsonhaven the waters to the west of an imaginary line drawn between shore site numbers 7022 and 7039;
  - in the Mississippihaven a strip of water of 25 metres around the quay of Hes Hartel Tank Terminal, located between shore site numbers 7043 and 7055 and the berth of all tankers moored directly or indirectly at this jetty, including a strip of water of 25 metres around these vessels;
- b. in the municipality of Vlaardingen:
- the section of the Nieuwe Maas around the jetties of Vopak Vlaardingen (port numbers 621 to 633 inclusive) bounded:
    - on the east side: by a line from the corner of the entrance to the Vulcaanhaven perpendicular to the southern slope;
    - on the west side: by a line from the corner of the entrance to the Koningin Wilhelminahaven perpendicular to the southern quay;
    - on the south side: by a straight line and the extension of that line connecting the point located at a distance of 50 metres to the south of the most southwesterly

end of the western jetty with the point located 50 metres to the south of the most southeasterly end of the eastern jetty.

**Article 2 Revocation**

The Designation Decree for petroleum harbours in Rotterdam, Vlaardingen and Dordrecht (Netherlands Government Gazette 2019, 71809) has been revoked.

**Article 3 Entry into force**

This decree will be published in the Netherlands Government Gazette and will enter into force the day after its publication.

**Article 4 Citation**

This decree will be referred to as: Designation Decree for petroleum harbours in Rotterdam and Vlaardingen.

Enacted on 20 April 2021.

The municipal executives of Rotterdam and Vlaardingen.

On their behalf, the Harbour Master of Rotterdam,

R.J. de Vries

**Note**

*The geographical demarcation of the petroleum harbours where a stricter regime applies than in the other parts of the port is made using 'shore site numbers'. This results in a precise demarcation.*

*The buoy spans 78, 79 and 81 and pole berth 80 in the Caland Canal have been designated as a petroleum area. This designation as a petroleum area applies only insofar as the tanker moored directly or indirectly to these buoy spans and pole berth has a dangerous substance, with the exception of a flammable liquid with a flash point of 55 degrees Centigrade or higher, as a cargo or residue of a cargo on board. In that case, the petroleum harbour will also include the strip of water 25 metres around the moored tanker. The benefit of this regulation is that the use of the buoy spans and pole berth also remains available for purposes other than the use by tankers. The status of the buoy spans and pole berth is determined by the type of the berthed vessel. If a tanker with a dangerous cargo berths, the berth becomes a petroleum harbour and the strict petroleum regime also applies here; if a vessel other than a tanker with a dangerous cargo berths, the berth does not become a petroleum harbour and the petroleum regime does not apply.*

Pursuant to the Dutch General Administrative Law Act, an interested party may object to this decision within six weeks after announcement by submitting a notice of objection. The notice of objection must be addressed to the municipal executive of the relevant municipality where this decision applies.

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

- the name and address of the petitioner;
- date of the notice of objection;
- the grounds for the objection;
- a description of the decision against which the objection is made.

If you have submitted a notice of objection to the municipal executive of Rotterdam or Vlaardingen, you may submit a request for a provisional provision (including suspension) to: Rechtbank Rotterdam, sector Bestuursrecht, Postbus 50951, 3007 BM Rotterdam. Court fees will apply to a request of this kind.

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