

Designation decree on regulations for ships alongside during bunkering

The Harbour Master of Rotterdam,

in view of:

- Article 8.4 of the 2020 Rotterdam Port Bye-Laws, the 2019 Vlaardingen Port Bye-Laws, the 2020 Schiedam Port Bye-Laws, the 2020 Dordrecht Port Bye-Laws, the 2020 Papendrecht Port Bye-Laws and the Port Bye-Laws for the municipality of Zwijndrecht;
- Rotterdam: Article 11.7 of the 2016 Decree for the mandate, power of attorney and authorisation for Rotterdam;
- Vlaardingen: Article III of the 2013 Mandate Decree for the Harbour Master of Rotterdam;
- Schiedam: Article 3 of the 2012 Decree for the mandate, power of attorney and authorisation for the Harbour Master;
- Dordrecht: Article 4 of the Decree for the mandate, power of attorney and authorisation for the Harbour Master;
- Zwijndrecht: Article 4 of the 2011 Decree for the mandate, power of attorney and authorisation for the Harbour Master;
- Papendrecht: Article 4 of the 2011 Decree for the mandate, power of attorney and authorisation for the Harbour Master;

whereas:

- the Harbour Master, on behalf of the municipal executive, is competent to set limits for certain fuels and energy sources with respect to the number, location and type of ships that may moor alongside a ship that is being bunkered or debunkered;
- bunkering or debunkering a fuel or energy source can entail risks for ships moored alongside;

has decided as follows:

Designation decree on regulations for ships alongside during bunkering

Article 1 Mooring ships alongside a ship that is being bunkered or debunkered from a ship

1. No ships other than the bunker ship may be moored alongside a ship if the latter is being bunkered or debunkered with:
 - LNG or liquefied bio natural gas (BLG);
 - ammonia; or
 - hydrogen or hydrogen carriers.
2. One ship is allowed alongside a ship that is being bunkered or debunkered, other than the bunker ship, when the following are being bunkered or debunkered:
 - methanol or biomethanol;
 - ethanol or bioethanol; or
 - electricity.

Article 2 Mooring ships alongside a ship that is being bunkered or debunkered from a vehicle

No ships are allowed alongside a ship that is being bunkered or debunkered, other than the bunker ship, when the following are being bunkered or debunkered:

- LNG or liquefied bio natural gas (BLG);
- ammonia; or
- hydrogen or hydrogen carriers.

Article 3 Entry into force

This decree will be published in the Netherlands Government Gazette and will enter into a force on 6 January 2020.

Article 4 Citation

This decree will be referred to as: Designation decree on regulations for ships alongside during bunkering.

Enacted on 24 December 2019.

The municipal executives of Rotterdam, Vlaardingen, Schiedam, Dordrecht, Zwijndrecht and Papendrecht.

On their behalf, the Harbour Master of Rotterdam,

R.J. de Vries

Explanatory note to this designation decree:

Bunkering from a ship or vehicle can entail risks for the ships that moor alongside the bunker ship. The bunker ship itself is designed for these risks and can therefore moor alongside. During bunkering from a vehicle, the risk for a ship mooring alongside is smaller. The main risk is then leakage from a crossover in the bunkering system or a spill on deck. If a safety study shows that the risks are kept small by measures, ships will nevertheless be permitted to moor alongside. An exemption must be requested for this from the Haven Coördinatie Centrum (Port Coordination Centre) for this purpose.

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, Schiedam 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.

If you have submitted a notice of objection to the municipal executive of Dordrecht, Papendrecht or Zwijndrecht, you may submit a request for a provisional provision (including suspension) to:

Rechtbank Dordrecht, sector Bestuursrecht, Postbus 7003, 3300 GC Dordrecht.
Court fees will apply to a request of this kind.

Correspondence:

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