

NON AUTHORITATIVE TRANSLATION

Warning: Notwithstanding great care has been taken in translating the Dutch exemption document, differences between the English and Dutch text may occur. In cases of disputes or discrepancies the Dutch text shall prevail.

Decision No. 2019/65

Oil Port Area Designation Decree

The Director of the Central Nautical Management North Sea Canal Area

Having regard to:

- Article 5.1 of the Regional Port Bye-laws for the North Sea Canal Area 2019;
- The Mandate, Power of Attorney, and Authorization Decree, No. ZD2019-004323, dated 3 December 2019, on the basis of which the Director of the Central Nautical Management North Sea Canal Area is mandated to adopt Decrees on behalf of the Mayor and Aldermen..

Having considered that:

- The Mayor and Aldermen and, being mandated, the Director of the Central Nautical Management North Sea Canal Area, are authorised to designate oil port areas;
- Warehouse companies and other companies that handle dangerous substances have been established in these areas;
- The Harbour Master designates oil port areas because, from an environmental and safety point of view, ships in these areas must comply with additional regulations, such as that some ships are not permitted to enter these areas, or that ships must comply with certain equipment requirements;
- These regulations are set out in Paragraph 5 of the Regional Port Bye-laws for the North Sea Canal Area 2019;

Has decreed the following:

I.

The following areas, indicated in the authenticated map included in the Annex to this Decree, are designated as oil port areas

- a. In the Afrikahaven, including part of the Mauritiushaven, the water bordering on the southwestern and southern banks and enclosed by imaginary lines joining the following coordinates:
 - I. 52°24'59" North and 004°44'45" East;
 - II. 52°25'00" North and 004°44'54" East;
 - III. 52°25'70" North and 004°44'52" East;
 - IV. 52°25'80" North and 004°45'00" East;
 - V. 52°24'46" North and 004°45'07" East;
 - VI. 52°24'45" North and 004°45'06" East.
- b. In the Amerikahaven, including part of the Texashaven, the water bordering on the southwestern and southern banks and enclosed by imaginary lines joining the following coordinates:
 - I. 52°24'32" North and 004°46'20" East;

- II. 52°24'32" North and 004°46'21" East;
 - III. 52°24'39" North and 004°46'22" East;
 - IV. 52°24'39" North and 004°46'28" East;
 - V. 52°24'29" North and 004°46'26" East;
 - VI. 52°24'24" North and 004°46'34" East ;
 - VII. 52°24'13" North and 004°46'29" East;
 - VIII. 52°24'09" North and 004°46'36" East;
 - IX. 52°24'09" North and 004°46'40" East, and;
 - X. 52°24'01" North and 004°46'42" East.
- c. In the Amerikahaven, the water bordering on the northeastern bank and in the Australiëhaven the water bordering on the northern bank and enclosed by the imaginary lines joining the following coordinates:
- I. 52°25'23" North and 004°46'23" East;
 - II. 52°25'22" North and 004°46'22" East;
 - III. 52°25'23" North and 004°46'22" East;
 - IV. 52°25'22" North and 004°46'20" East;
 - V. 52°25'17" North and 004°46'23" East;
 - VI. 52°25'16" North and 004°46'18" East;
 - VII. 52°24'38" North and 004°46'38" East;
 - VIII. 52°24'38" North and 004°46'37" East, and;
 - IX. 52°24'43" North and 004°46'37" East.
- d. In the Sonthaven the water bordering on the southern bank and in the Westhaven the water bordering on the western bank and in the Bosporushaven the water bordering on the northern bank and enclosed by the imaginary lines joining the following coordinates:
- I. 52°24'18" North and 004°49'49" East;
 - II. 52°24'22" North and 004°49'49" East;
 - III. 52°24'22" North and 004°49'12" East;
 - IV. 52°24'09" North and 004°49'18" East;
 - V. 52°24'09" North and 004°49'48" East, and;
 - VI. 52°24'10" North and 004°49'48" East.
- e. In de Hornhaven the water bordering on the northwestern bank and enclosed by the imaginary lines joining the following coordinates:
- I. 52°23'49" North and 004°48'40" East;
 - II. 52°23'48" North and 004°48'40" East, and;
 - III. 52°23'49" North and 004°48'30" East.
- f. In the Westhaven, the water bordering on the southern bank and in the Mainhaven the water bordering on the western bank and enclosed by the imaginary lines joining the following coordinates:
- I. 52°23'41" North and 004°49'13" East;
 - II. 52°23'44" North and 004°49'13" East;
 - III. 52°23'44" North and 004°49'24" East;
 - IV. 52°23'36" North and 004°49'24" East, and;
 - V. 52°23'36" North and 004°49'22" East.
- g. In de Beringhaven the water bordering on the southeastern bank and enclosed by the imaginary lines joining the following coordinates:

- I. 52°23'41" North and 004°49'32" East;
 - II. 52°23'43" North and 004°49'32" East, and;
 - III. 52°23'43" North and 004°49'45" East.
- h. In the Jan van Riebeeckhaven, including the Adenhaven, the Carel Reynierszhaven and the Usselincxhaven the water enclosed by the imaginary lines joining the following coordinates:
- I. 52°24'51" North and 004°49'58" East;
 - II. 52°24'51" North and 004°49'59" East;
 - III. 52°24'53" North and 004°49'59" East;
 - IV. 52°24'50" North and 004°50'22" East;
 - V. 52°24'58" North and 004°50'32" East
 - VI. 52°24'58" North and 004°50'38" East;
- with the exception of the water in the Jan van Riebeeckhaven enclosed by the imaginary lines joining the following coordinates:
- I. 52°24'36" North and 004°50'37" East;
 - II. 52°24'37" North and 004°50'39" East;
 - III. 52°24'30" North and 004°50'42" East;
 - IV. 52°24'23" North and 004°50'58" East, and;
 - V. 52°24'21" North and 004°50'01" East.
- i. In the Petroleumhaven the water south of the imaginary lines joining the following coordinates:
- I. 52°24'54" North and 004°51'19" East, and;
 - II. 52°24'53" North and 004°51'26" East.
- with the exception of the water enclosed by the imaginary lines joining the following coordinates:
- I. 52°24'36" North and 004°50'37" East;
 - II. 52°24'37" North and 004°50'39" East;
 - III. 52°24'30" North and 004°50'42" East, and;
 - IV. 52°24'23" North and 004°50'58" East.
- j. In the Coenhaven between bollards 13 and 19, the area consisting of a strip of water of 25 metres wide around a tanker loaded with dangerous substances, but only during the time the tanker is moored there.

II.

The Decree of the Harbour Master of Amsterdam, numbered 039 / RHN / 2019 will be cancelled.

III.

This Decree enters into force 3 days after its publication in an Announcement to Shipping IJmond North Sea Canal Area Central Nautical Management (BASIJN).

Annex: Map of the oil port area accompanying Decree 2019/65 with number N0065_v11.

Adopted on behalf of the Mayor and Aldermen on 03 January 2020.

The Director of the Central Nautical Management North Sea Canal Area



J.H.M. M. Mateyo

In accordance with the Algemene Wet Bestuursrecht (the Dutch General Administrative Law Act), an interested party may lodge an objection within six weeks of its publication by filing a notice of objection to this Decree. The notice of objection must be addressed to the Mayor and Aldermen of Amsterdam, Postbus 202, 1011 PN Amsterdam.

The notice of objection must be signed and shall contain at least the name and address of the person lodging the objection, the date, a description of the Decree against which the objection has been lodged as well as the grounds for objection. If you choose to be represented, we request you to submit an authorization.

The notice of objection shall have no suspensive force. If, in the course of the objection procedure, the situation requires immediate relief, a suspension or provisional arrangement can be requested from the Judge in preliminary relief proceedings of the Administrative Law Sector of the Amsterdam District Court, Parnassusweg 226, Postbus 75850, 1070 AW Amsterdam. For this procedure, court fees are due.

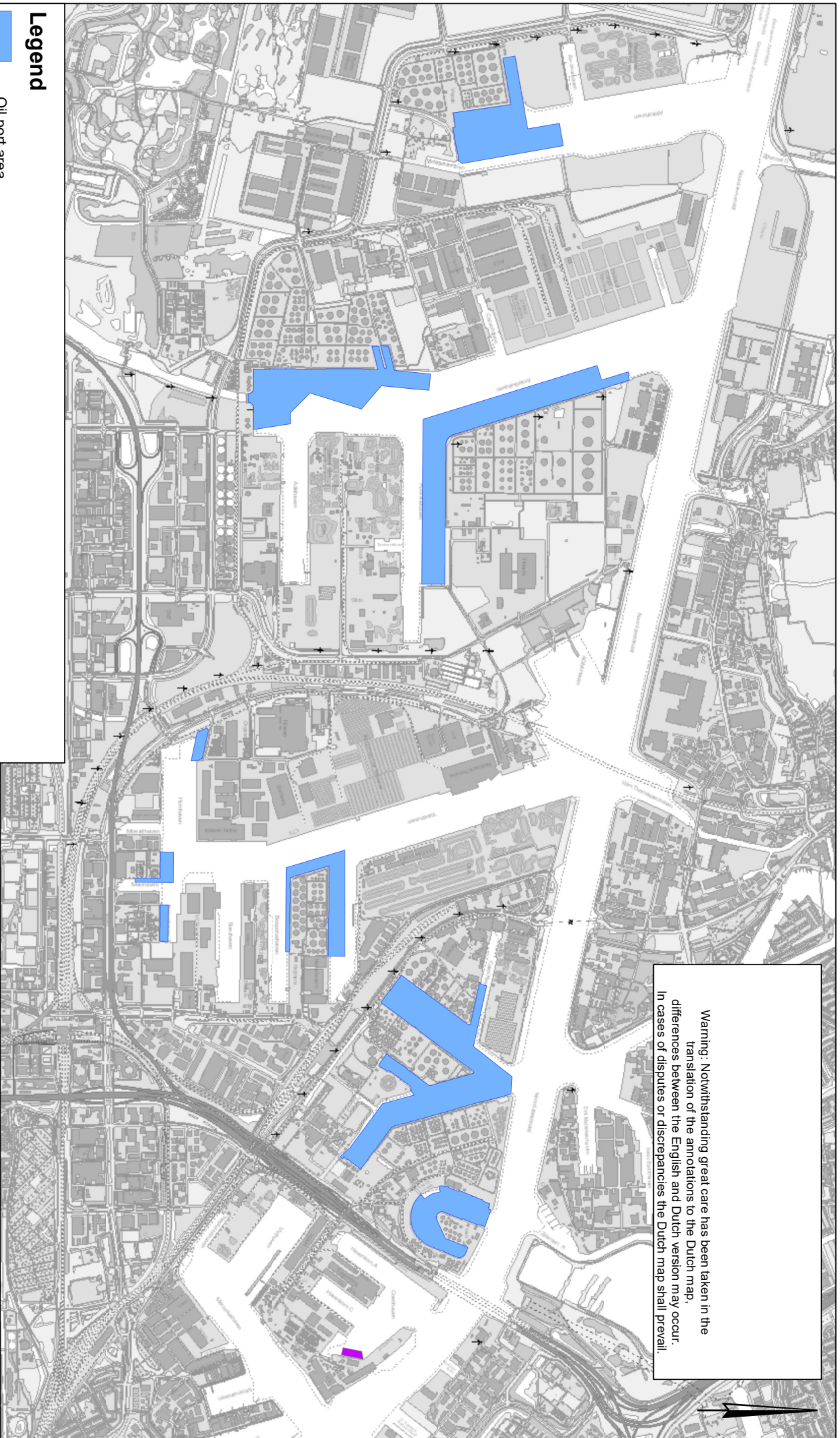
Explanatory notes

In connection with the new Regional Port Bye-laws for the North Sea Canal Area 2019, the oil port area as established by Decree No. 039 / RHN / 2019 of the Harbour Master of Amsterdam on 30 April 2019 has to be adjusted for the area in the Coenhaven. The regulations for when ships are allowed to moor inside or outside an oil port have been amended by the new Regional Port Bye-laws for the North Sea Canal Area 2019. Whether the area in the Coenhaven is considered to be an oil port area or not depends on the tanker's cargo, the condition of its cargo tanks and the operations that are allowed to be carried out on board. This is described in more detail in these explanatory notes. The area in the Coenhaven between bollards 13 and 19, is considered to be an oil port area if the following conditions apply:

- If a tanker is moored there
 - that is or was only loaded with dangerous substances with exclusively combustible characteristics with flash points of 55 degrees Celsius or lower; or
 - the cargo tanks of which do not have an inert atmosphere or, in the case of seagoing tankers, have an atmosphere containing combustible vapours amounting to more than 20% of the lower explosive limit and will not remain closed; or
 - the cargo tanks of which contain cargoes other than potassium hydroxide, sodium hydroxide, phosphoric acid, or only contain or are empty of harmful substances or residues thereof.

- A seagoing tanker is moored there
 - which has been issued a 'Gas Expert Declaration', in the form as laid down by the Harbour Master, showing that the tanker does not have an inert atmosphere or, in the case of a seagoing tanker, has an atmosphere containing more combustible vapours than 20% of the lower explosive limit and of which the cargo tanks or slop tanks are not closed
 - there are cleaning operations of dangerous substances or residues other than of vegetable or animal oils, or of exclusively harmful substances mentioned in the IMDG Code, class 9.
- It is a combination carrier, loaded or being loaded with a solid bulk cargo, for which:
 - a Gas Expert has issued a 'Gas Expert Declaration' in the form as laid down by the Harbour Master, showing that the combination carrier does not have an atmosphere containing not more than 8% of oxygen or not more combustible vapours than 20% of the lower explosive limit;
 - it is a combination carrier, not loaded or being loaded with a solid bulk cargo;
 - all other tanks and spaces, with the exception of bunker tanks, are not free of combustible liquids or residues with flashpoints of 55 degrees Celsius or lower;
 - there are cleaning operations of dangerous substances;
 - the tanks not directly adjacent to cargo holds, containing combustible cargo residues, do not have an inert atmosphere, or have an atmosphere containing more combustible vapours than 20% of the lower explosive limit.

If the area is considered to be an oil port area, the regulations in Paragraph 5 of the Regional Port Bye-laws for the North Sea Canal Area 2019 apply. If the area is not an oil port area, articles 5.5 to 5.7 of the Regional Port Bye-laws for the North Sea Canal Area 2019 apply.



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Legend



Oil port area

In the Coenhaven, between bollards 13 and 19, the area consisting of a strip of water of 25 metres wide around a tanker or combination carrier berthed there and loaded with or empty of hazardous substances is considered to be an oil port area in the event that a tanker or combination carrier is berthed there that is or was loaded with dangerous substances. It will be an oil port area only for the time the tanker or combination carrier is berthed there. The regulations as referred to in articles 5.4 and 5.6 or 5.7 of the Regional Port Bye-laws for the North Sea Canal Area 2019 apply. These regulations are mentioned in the explanatory notes to Decree 2019/65.

Map of oil port area accompanying Decree No. 2019 / 65

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