

Decree No. 2019/64

Tanker transshipment Berths Designation Decree

The Director of the Central Nautical Management North Sea Canal Area

Having regard to:

- Article 6.1, paragraph 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 thereto, the Director of the Public Body Central Nautical Management North Sea Canal Area, are, on the ground of the Regional Port Bye-laws for the North Sea Canal Area 2019, authorised to designate public berths for tankers; this includes the authority to designate public berths for the purpose of direct transshipment operations between tankers (ship-to-ship transshipment);
- The Mayor and Aldermen and, being mandated thereto, the Director of the Public Body Central Nautical Management North Sea Canal Area, are, on the ground of the Regional Port Bye-laws for the North Sea Canal Area 2019, authorised to designate public berths where these tankers can be safely moor in an environmentally responsible manner;
- The present designation has taken account of the aspects of external safety and environmental impact in relation to the nature and quantities of the dangerous and noxious substances and the ship-to-ship transshipment operations carried out by these ships;
- The present designation is in line with the zoning as referred to in the Gebiedsvisie Externe Veiligheid Westpoort (Westpoort External Safety Area Vision);

Has decreed the following:

I.

To designate the following public berths where tankers loaded with or empty of liquid dangerous or noxious substances in bulk are allowed to moor for direct (ship-to-ship) transshipment operations; these berths are indicated in the authenticated map included in the Annex to this Decree.

- A. Afrikahaven, mooring dolphins
- B. Amerikahaven lay-by and transshipment dolphins
- C. Hornhaven, buoy 2

II

The designation is subject to the following general conditions:

- a. When mooring, the captain or ship's master of the tanker must comply with the instructions of the Harbour Master;
- b. When mooring, the captain or ship's master of the tanker must comply with all other statutory obligations;

III.

The designation is subject to the following specific conditions and restrictions for each berth:

- a. Afrikahaven, mooring dolphins
 - I. From the point of view of environmental impact with regard to noise reduction, the total number of ship-to-ship transshipment operations per year between seagoing tankers does not exceed 209; and between a seagoing and an inland tanker, or between inland tankers, does not exceed 417.
 - II. From the point of view of environmental impact with regard to external safety, the following regulations and restrictions apply:
 - i. Transshipment operations of gas falling under the scope of the IGC Code¹ or the ADN² are restricted to category GF3³ with a maximum of 16 per year and a total quantity of 16,000 tons;
 - ii. Transshipment operations of flammable liquids falling under category LF2⁴, are restricted to a maximum of 192 per year between seagoing tankers, and 398 between a seagoing tanker and an inland ship or between inland tankers, with a maximum quantity of 3,000,000 tons;
 - iii. Transshipment operations of toxic liquids falling under category LT1⁵, are restricted to a maximum of 12 transshipment operations per year with a maximum quantity of 34,000 tons;
 - iv. Transshipment operations of toxic liquids falling under category LT2⁶, are limited to a maximum of 8 transshipment operations per year with a maximum quantity of 16,000 tons;
 - v. Transshipment operations of any other dangerous or noxious liquid has no restrictions with regard to external safety, but will, for each year, be taken into account in the total number of transshipment operations mentioned under a., sub I.
- b. Amerikahaven lay-by and transshipment dolphins
 - I. From the point of view of environmental impact with regard to noise reduction, the total number of ship-to-ship transshipment operations per year between a seagoing tanker and an inland tanker or between inland tankers does not exceed 42.
 - II. From the point of view of environmental impact with regard to external safety, the following regulations and restrictions apply:
 - i. Transshipment operations of gas falling under the scope of the IGC Code or the ADN, are prohibited;
 - ii. Transshipment operations of flammable liquids, with or without an exemption, falling under category LF2, are restricted to a maximum of 18, with a maximum quantity of 27,000 tons;
 - iii. Transshipment operations of toxic liquids, with or without an exemption, falling under category LT1, are restricted to a maximum of 6, with a maximum quantity of 17,000 tons;
 - iv. Transshipment operations of toxic liquids, with or without an exemption, falling under category LT2, are restricted to a maximum of 6, with a maximum quantity of 6,000 tons;
 - v. Transshipment operations of any other dangerous or noxious liquid has no limitations with regard to external safety, but will, for each year, be included in the total number of transshipment operations mentioned under c., sub I.

¹ IGC Code: International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IMO), or the Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IMO);

² ADN: European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways;

³ GF3: Gas flammable 3. Propane is used as an example gas.

⁴ LF2: Liquid flammable 2. Gasoline is used as an example fluid.

⁵ LT 1: Liquid toxic 1. Acrylonitril is used as an example fluid.

⁶ LT2: Liquid toxic 2. Propylamine is used as an example fluid.

- c. Hornhaven, buoy 2
- I. From the point of view of environmental impact with regard to noise reduction, the total number of ship-to-ship transshipment operations per year between seagoing tankers does not exceed 12; between a seagoing and an inland tanker, or between inland tankers, does not exceed 30.
 - II. From the point of view of environmental impact with regard to external safety, the following regulations and restrictions apply:
 - i. Transshipment operations of gas falling under the scope of the IGC Code or the AND, are prohibited;
 - ii. Transshipment operations of flammable liquids falling under category LF2, are prohibited;
 - iii. Transshipment operations of toxic liquids falling under category LT1, are prohibited;
 - iv. Transshipment operations of toxic liquids falling under category LT2, are prohibited; Transshipment operations of any other dangerous or noxious liquid have no restrictions with regard to external safety, but will, for each year, be taken into account in the total number of transshipment operations mentioned under c., sub I.

IV.

No later than 12 hours before the commencement of the transshipment operations at one of the above-mentioned berths, the following information must be submitted through the Notification Portal on the following website, www.portofamsterdam.com:

1. Prior to the direct (ship-to-ship) transshipment operation of dangerous or noxious substances in bulk between tankers, the following information must be reported to the Director of the Central Nautical Management North Sea Canal Area (Port Office):
 - a. the names of the tankers involved in the transshipment operation;
 - b. the IMO numbers of the seagoing tankers involved in the transshipment operation / the ENI numbers of the inland tankers involved in the transshipment operation;
 - c. notifier's name;
 - d. notifier's email address;
 - e. berth where the transshipment operation takes place;
 - f. date of commencement of the transshipment operation;
 - g. estimated end date of the transshipment operation;
 - h. correct technical name of the product to be transhipped;
 - i. quantity in metric tons, and;
 - j. telephone number of the person sending the pre-notification.

2. At the commencement of the transshipment operation, the following information must be notified by telephone +312 0523 4600, option 2, to the Director of the Central Nautical Management North Sea Canal Area (Port Office):
 - a. the names of the tankers involved in the transshipment operation;
 - b. the IMO numbers of the seagoing tankers involved in the transshipment operation / the ENI numbers of the inland tankers involved in the transshipment operation;
 - h. correct technical name of the product to be transhipped;
 - d. quantity in metric tons.

3. At the completion of the transshipment operation, the following information must be notified by telephone +312 0523 4600, option 2, to the Director of the Central Nautical Management North Sea Canal Area (Port Office):
 - a. the names of the tankers involved in the transshipment operation;
 - b. the IMO numbers of the seagoing tankers involved in the transshipment operation / the ENI numbers of the inland tankers involved in the transshipment operation;
 - c. date and time of the transshipment operation.

V.

The Decree of the Harbour Master of Amsterdam, numbered 076 / RHN / 2012 will be cancelled.

VI.

This Decree will enter 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 2019/64, with number N0064_v04.

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

Explanatory notes to the Decree

Decree 076 / RHN / 2012 designates the public berths where tankers loaded with or empty of liquid dangerous and harmful substances in bulk are allowed to moor at a lay-by berth to carry out transshipment operations. This decree must be amended in connection with the new Regional Port Bye-laws for the North Sea Canal Area 2019.

Oil port areas are situated around oil terminals that receive tankers. The designated locations for these berths are public locations not situated in an oil port area. This solution has been chosen in consultation with the environmental authorities because of the public character of the locations and the varied use by various parties. The operational regulations or conditions under which activities, such as ship-to-ship transshipment operations, must take place are set out in the Regional Port Bye-Laws for the North Sea Canal Area 2019. These regulations serve to prevent danger, damage or nuisance that may result from direct transshipment operations between tankers. The provisions set out in the Regional Port Bye-Laws for the North Sea Canal Area 2019 relating to the activities at public berths are identical to those at terminals, including direct cargo transshipment operations between tankers. In addition, the provisions related to the order in the port are in line with the environmental permits of the stevedoring companies that receive tankers. In this way, safety in the port is properly regulated and guaranteed. In order to be able to make a proper assessment of which ship-ship transshipment operations can take place responsibly under which restrictions and at which public berths, supporting information⁷ for each public berth has been provided. The supporting information includes an estimate of the environmental consequences (air, noise and safety) at the berth in question. In this way, public berths are offered a protective character equivalent to environmental permits for permanent establishments.

In the new Regional Port Bye-Laws for the North Sea Canal Area 2019, the notification requirement for direct transshipment operations between tankers has been cancelled. The inclusion of a notification requirement in this Decree is necessary for reporting to the Environment Agency North Sea Canal Area that the activities remain within the conditions described in Royal Haskoning's external safety report. Section IV of this Decree specifies which data must be reported when, and how.

The total number of transshipment operations and the total quantity (in metric tons) that can be transhipped are mentioned under item I for each berth and are determined by the noise emissions - the aim is to encourage the reduction of noise emissions. The total number of transshipment operations and the total quantity (in metric tons) that can be transhipped and are mentioned under item II for each berth apply to external safety. The above-mentioned data have been determined in connection with Royal Haskoning's external safety report.

A second reason for amending this Decree is the removal of buoy 2 in the Amerikahaven, as a result of which this berth has ceased to exist.

Finally, it is noted that

1. This Decree does not apply to mooring at these berths for the purpose of other activities, such as repairing and cleaning;
2. In article 6.1, paragraph 3, of the Regional Port Bye-laws for the North Sea Canal Area 2019 is laid down that as soon as a tanker carrying dangerous substances is moored at one of the above-mentioned berths, the area consisting of a strip of water of 25 metres wide around this tanker is subject to the oil port regulations. The reason for this is to create a safety level equivalent to that in an oil port area. The above does not apply if the tanker is loaded with potassium hydroxide, sodium hydroxide, phosphoric acid, or is only loaded with or empty of harmful substances or residues thereof;

⁷ 'External safety risks of activities involving liquid dangerous substances in bulk in the port of Amsterdam', a study carried out by Royal Haskoning in 2009 and 2011, and a noise study carried out by consultancy agency dGmR.

3. The specific conditions and regulations for each berth have remained unchanged;
4. The transshipment of gas covered by the IGC Code or the ADN requires an exemption at all times, and;
5. For transshipment operations of flammable or toxic liquids an exemption on the basis of the Regional Port Bye-Laws may be required.



Van Leeuwen



Plattegrond ligplaatsen tankschepen overslag - Besluitnummer 2019 / 64

Titel

N0064_v04

Tekeningnummer

Projectnummer

28-11-2019

Datum

1:25000

Schaal

A3

Formaat

AW

Getekend

- A. Afrikahaven, palen
- B. Amerikahaven wacht - en overslagpalen
- C. Hornhaven, boei 2



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