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Working Party on Inland Water Transport

Working Party on the Standardization of Technical and Safety Requirements in Inland Navigation

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Item 4 (c) of the provisional agenda

Standardization of technical and safety requirements in inland navigation: Prevention of pollution of inland waterways by vessels (resolution No. 21, revised)

Amendment proposal to resolution No. 21, revised: Prevention of pollution of inland waterways by vessels

Note by the secretariat*

Mandate

1. This document is submitted in line with cluster 5: Inland Waterway Transport, paragraph 5.1 of the programme of work 2018–2019 (ECE/TRANS/2018/21/Add.1) adopted by the Inland Transport Committee at its eightieth session (20–23 February 2018) (ECE/TRANS/274, para. 123).
2. At its sixty-second session, the Working Party on Inland Water Transport (SC.3) agreed to work on updating provisions of resolution No. 21, following the proposal of Romania, and asked the secretariat to prepare a proposal in consultations with Romania, Danube Commission and International Sava River Basin Commission (ECE/TRANS/SC.3/207, paras. 40–42). The annex to this document contains a draft amendment proposal for the resolution.
3. The Working Party on the Standardization of Technical and Safety Requirements in Inland Navigation (SC.3/WP.3) may wish to consider the proposal and provide recommendations for SC.3.
4. SC.3/WP.3 may also wish to approve the proposal for updating the list of reception facilities for the transfer of waste generated on board ships on European inland waterways transmitted by Romania (ECE/TRANS/SC.3/WP.3/2019/3) and, in particular, introduce the pictograms for types of wastes for all reception facilities in the list as far as it is practicable.

* The present document was submitted after the deadline because of the need to take into account consultations with member States and River Commissions.

Annex****Draft amendment proposal to resolution No. 21, revised:
Prevention of pollution of inland waterways by vessels****I. General pollution prevention policy considerations****A. Main provisions**

1. The definitions of terms used in this document correspond to those contained in chapter ~~9~~ **10** of the European Code for Inland Waterways (CEVNI), entitled “Prevention of pollution of water and disposal of waste occurring on board vessels”.

2. Inland waterways show exceptional sensitivity as to their environment and ecology, taking into account **various purposes of the water use, including those for inland water transport and** ~~the its multimodal character of the water use.~~ **Inland waterway transport is one of the most environmentally sound modes of transport, however, even if the water pollution caused by inland water transport is of minor significance, the further improvement of its environmental performance would contribute to achieving the environmental and nature-protection objectives in using inland waterways.**

3. The permissible levels of discharge into inland waters of polluting substances are laid down in legal instruments ~~on questions of~~ **which regulate the environment and ecology norms, and in** relevant regional or subregional agreements or stipulated by individual central or local authorities. These levels may **differ between countries,** ~~differ from one~~ waterways or river basins ~~to another.~~ **Recommended minimum limit and control values for onboard waste water treatment plants are given in chapter 8B and appendix 8 of the annex to resolution No. 61 containing the Recommendations on Harmonized Europe-wide Technical Requirements for Inland Navigation Vessels, revision 2.**

4. Seagoing vessels navigating on inland waterways **and river-sea vessels** must satisfy the environmental and nature-protection requirements of the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78). The river basin authority may, however, introduce for inland waterways pollution control requirements more stringent than those applicable to seagoing vessels, in specific cases where this is justified from the point of view of water use, such as for the provision of drinking water.

B. General principles

5. Governments have every right to ensure the highest possible level of environmental and ecological safety on their inland waterways based on international legal instruments and/or national regulations.

6. In so doing, governments **may take all necessary measures to effectively prevent, control and reduce pollution from vessels in navigation;** they should, however, opt for measures that, as far as possible, do not hamper the proper development of inland navigation with due respect to its integration on a pan-European level and the close interaction between inland navigation, ~~coastal,~~ **and maritime and multimodal transport.**

7. The prevention of pollution should be considered a priority. **To ensure this, governments are encouraged to introduce and develop an efficient waste management system based on the prevention, including:**

- (a) **Regular monitoring of water quality;**

** *Note by the secretariat:* the text proposed for deletion is ~~strike through~~, the new text is **bold** (in the main text) and ***bold italics*** (in titles).

- (b) **Regular monitoring of port areas;**¹
- (c) **Regular inspections to ensure that all prescriptions and requirements for the prevention of pollution from vessels are complied with;**
- (d) **Precautionary principle and preventive approach;**
- (d) **Advanced technologies and equipment applied at vessel's waste disposal operations, such as River Information Services (RIS).**

8. The on-board collection of waste and its transfer to shore for treatment should be considered the preferable option for preventing pollution of inland waterways by vessels. To that end, where economically viable and practically feasible, **a network of stationary on-shore waste reception facilities and/or mobile services (self-propelled waste collection vessels)** of the necessary capacity should be made available at appropriate distances from one another. **The list of reception facilities on the E waterway network is given in the appendix to this annex.**

9. Governments may nevertheless, wherever particular local conditions so require, allow the use on their inland waterways of on-board treatment facilities for waste generated on board ships.

10. Governments that allow the use on their inland waterways of on-board treatment facilities for waste generated on board ships should at the same time take ~~appropriate~~ measures to develop on their inland waterways of international importance an **appropriate on-shore** infrastructure for the collection, treatment and disposal of waste generated on board ~~vessels ships~~, with a view to facilitating the navigation of vessels which are not fitted with on-board treatment facilities for waste generated on board, or of vessels which do not meet the local requirements for the on-board treatment of such waste.

11. Vessels engaged in international navigation should be equipped with appropriate technical means for the collection, retention on board and transfer into reception facilities of waste generated on board.

12. Governments that do not allow the use on their inland waterways of on-board waste treatment facilities for waste generated on board ships should not prohibit vessels equipped with such facilities from navigating on their inland waterways of international importance. Special technical measures may be taken in order to exclude the possibility of operation on inland waterways of the on-board treatment facilities for waste generated on board, such as by placing them or their outlets under seals.

13. The "polluter pays" principle is to be applied. In principle, the operational costs of the on-shore reception facilities for collection, treatment and disposal of ship-borne waste should finally be borne by inland navigation. Nevertheless, it is essential to strive to ensure that payment for discharge of on-board generated waste into reception facilities should not be direct, so that the vessel operator will not be able to avoid disposal fees for such waste by discharging it into inland waterways. To that end, governments may introduce any form of payment for the collection and treatment of waste generated on board ~~ships vessels~~. In particular, financial schemes such as the coverage of shore-based collection and disposal expenses for waste generated on board ~~ships vessels~~ through additional fuel taxes and/or port duties should be considered and introduced.

II. Recommendations for the control of pollution of inland waterways

A. Measures to be taken *during bunkering operations and in transloading hydrocarbons or dangerous substances*

14. **Measures during the loading, unloading and transloading of hydrocarbons and other dangerous substances, including the substances hazardous to the environment, should include:**

¹ SC.3/WP.3 may wish to supplement this paragraph with a list of authorities that perform regular monitoring of port areas.

(a) Promote and improve the standardization of equipment with a view to avoiding or minimizing any risk of discharge during the loading, unloading and transloading of hydrocarbons and other dangerous substances. It is recommended that the corresponding provisions of the rules contained in **part 5 of the European Agreement concerning International Carriage of Dangerous Goods by Inland Waterways (ADN)** should be observed;-

15- (b) Design quays in such a way that any petroleum products or other dangerous substances spilt on the quay cannot flow off into the water (drainage of spillage into a sewage system equipped with a purification plant or other devices);-

16- (c) Equip loading and unloading points with facilities (articulated rigid pipes for transloading, vertical “aprons” to be placed between the bank and the vessel during transloading operations, or other devices) so that petroleum products or other dangerous substances spilt can be recovered;-

17- (d) Provide for floating booms or other suitable devices to limit the spread of petroleum products in basins or waterways.

15. Measures to be taken when bunkering of vessels must be in compliance with those set out in chapter 10 of CEVNI.

B. Measures to be taken in the event of a significant accidental leak of petroleum products or other dangerous substances

~~18-16. Prepare and coordinate~~ **Adequate spill response measures should be prepared, implemented and coordinated at the national level and with riparian countries, including** technical and operational plans against spillage hazards, ~~and aimed at limiting and reduce~~ **reducing** the subsequent damage if any such spillage occurs., ~~at the national level and with riparian countries.~~ These plans should be prepared with due regard to the particular circumstances of the country and the particular characteristics of the waterway. The plans would include, in particular:

(a) The installation of a communication and warning system;

(b) The designation of competent authorities for bringing the plan into operation;

(c) A list of equipment available, specifying where it is kept, and the organization of facilities for its conveyance to the site of the operation; and

(d) The training of personnel and organization of practical exercises in the use of the equipment.

C. Measures to prevent the discharge of waste generated on board ~~ships~~ vessels

~~19-17.~~ Measures to prevent the discharge of waste generated on board ~~ships~~ vessels must be in compliance with those set out in chapter ~~9-10~~ of the ~~European Code for Inland Waterways (CEVNI)~~.

D. Measures to prevent the risk of pollution during transportation of dangerous goods

~~20-18.~~ **The construction of vessels carrying dangerous goods and the measures to prevent or minimize the risk of environmental pollution by the transported goods** must comply with the corresponding requirements contained in the rules set out in the ~~European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN), parts 7 to 9.~~

III. Requirements concerning ~~technical~~ equipment of vessels and ports with a view to prevention of water pollution

A. Requirements to inland navigation vessels

~~21-19.~~ The requirements concerning the technical equipment of vessels designed to prevent water pollution must be at least as stringent as those in chapter 8B of the annex to resolution

No. 61 containing the Recommendations on Harmonized Europe-wide Technical Requirements for Inland Navigation Vessels.

~~22-20.~~ The construction and equipment requirements for vessels carrying dangerous goods must comply with those contained in the regulations appended to ~~the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN).~~

21. The newly built vessels and vessels, which shall be starting the process of reconstruction and modernization, shall be equipped with capacities and means for storage of waste in order to collect and deliver it to the reception facilities. All other vessels shall be properly equipped with capacities and means for storage of waste in order to collect and deliver it to the reception facilities, during the period established by the country.

B. Requirements for the port facilities and other reception stations

22. Reception facilities of the ports open for international traffic must be equipped with flanges on the pipeline for the reception of the bilge and household waste water in accordance with a recognized European standard and with containers for the reception of waste oil, waste grease and household refuse.
