



# Economic and Social Council

Distr.: General  
4 April 2011  
English  
Original: French

---

## Economic Commission for Europe

### Inland Transport Committee

#### Working Party on Inland Water Transport

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

###### Thirty-ninth session

Geneva, 15–17 June 2011

Item 2 (c) of the provisional agenda

###### European Code for Inland Waterways (CEVNI)

## New amendment proposals to CEVNI

### Addendum

### Note by the secretariat

### Mandate

1. At its thirty-eighth session, the Working Party on the Standardization of Technical and Safety Requirements in Inland Navigation (SC.3/WP.3) considered the proposal to align the provisions of Chapter 10 of CEVNI “Prevention of pollution of water and disposal of waste occurring on board vessels” with those of the 1996 Convention on the Collection, Deposit and Reception of Waste produced during Navigation on the Rhine and Inland Waterways (CDNI). The secretariat was asked to make available, if possible, the text of the Convention in all ECE working languages (ECE/TRANS/SC.3/WP.3/76, para. 31 (f)).
2. In this regard, the secretariat recalls that the basic text of the Convention, together with annex 1, was issued in 1997 (TRANS/SC.3/WP.3/R.118). This document is available on the website of the thirty-ninth session of Working Party SC.3/WP.3. Annex 2 of the Convention is reproduced in the annex to the present document.
3. The Working Party would like to examine the text of the above-mentioned Convention, with the help of the CEVNI expert group, and decide whether amendments should consequently be made to Chapter 10 of CEVNI.

## **Annex**

### **Annex 2 to the Convention on the Collection, Deposit and Reception of Waste produced during Navigation on the Rhine and Inland Waterways**

#### **Implementing Regulations**

#### **Part A**

#### **Collection, deposit and reception of oily and greasy waste occurring during the operation of the vessel**

#### **Chapter I**

#### **Obligations of the reception facilities**

##### **Article 1.01**

##### **Certification of deposit**

Operators of reception facilities shall certify that the vessel has deposited oily and greasy waste occurring during its operation, by making an entry in the used-oil log, a model of which is contained in appendix I.

#### **Chapter II**

#### **Obligations of the boatmaster**

##### **Article 2.01**

##### **Prohibition on discharging and dumping**

1. Vessels shall be prohibited from throwing, discharging or allowing to run into the waterway oily or greasy waste occurring during the operation of the vessel.
2. In the event of the accidental discharge of waste referred to in paragraph 1 above or the threat of such discharge, the boatmaster shall notify the nearest competent authorities without delay, indicating as precisely as possible the nature, quantity and position of the discharge.
3. Discharge into the waterway of water separated by approved oil separator vessels shall be exempted from the prohibition contained in paragraph 1 if the maximum content of residual oil after separation is consistently and without prior dilution in accordance with national requirements.

##### **Article 2.02**

##### **On-board collection and processing of waste**

1. The boatmaster shall ensure the separate collection on board of oily and greasy waste occurring during the operation of the vessel in receptacles provided for the purpose and the collection of bilge water in the engine room bilges.

The receptacles shall be stored on board in such a way that any leakage of the contents may be easily noticed and prevented in time.

2. It shall be prohibited:
  - (a) To use mobile tanks stored on the deck for the collection of waste oil;
  - (b) To burn waste on board;
  - (c) To introduce oil- or grease-dissolving or emulsifying cleaning agents into the engine room bilges except for products that do not make the treatment of bilge water by the reception facilities more difficult.

### **Article 2.03**

#### **Used-oil log, deposit at reception facilities**

1. All motorized vessels using diesel oil shall have on board a valid used-oil log, issued by the competent authority and in line with the model contained in appendix I. The log must be kept on board. Following its renewal, the previous log must be kept on board for at least six months after the last entry made.
2. The oily and greasy waste occurring during the operation of the vessel shall be deposited, against written acknowledgement, at the reception facilities at regular intervals, depending on the condition and operation of the vessel. The written acknowledgement shall consist of an entry made in the used-oil log by the reception facility.
3. Seagoing vessels that have an oil record book as provided for by the International Convention for the Prevention of Pollution by Ships (MARPOL) are not required to keep the log referred to in paragraph 1.

## **Chapter III**

### **Organizing and financing the disposal of oily and greasy waste occurring during the operation of the vessel**

#### **Article 3.01**

##### **Definitions**

For the purpose of the application of this Chapter, the following definitions are used:

- (a) "Vessel operator": natural or legal person responsible for costs incurred during the operation of the vessel, including purchase of the fuel used. In the absence of a vessel operator, this shall be the owner of the vessel;
- (b) "CDNI-EPS": electronic payment system, consisting of accounts (EcoCard accounts), magnetic cards (EcoCards) and mobile electronic terminals.

#### **Article 3.02**

##### **National agency**

The national agency shall collect the disposal charge and submit to the international equalization and coordination authority proposals for establishing the required national network of reception facilities. The agency shall also record at regular intervals, in line with a standard international model, the quantities of oily and greasy waste disposed of, as well as the sum of the disposal charges received. The national agency or competent authority shall verify the costs of disposal. The national agency is represented on the international equalization and coordination authority and must pay the provisional and definitive amounts determined by that body that are due to other national agencies under the financial equalization scheme on the dates laid down.

### **Article 3.03**

#### **Collection of the disposal charge**

1. The disposal charge is 7.5 euros (plus VAT) per 1,000 litres of diesel oil supplied. The amount to be paid shall be calculated on the basis of the volume of diesel oil at 15° C.
2. The person responsible for paying the disposal charge shall be the vessel operator.
3. The disposal charge shall be paid at the time of refuelling. The amount of the payment transaction for the disposal charge shall be in proportion to the quantity of diesel oil supplied.
4. Payment of the disposal charge shall be made using the CDNI-EPS system. National agencies shall all use CDNI-EPS.
5. The procedure for payment of the disposal charge using CDNI-EPS shall be based on the principle whereby the vessel operator pays an appropriate amount to a national agency, from which disposal charges that subsequently become due are deducted. The procedure shall consist of the following stages:
  - (a) The vessel operator or his representative asks for an EcoCard account to be opened with the national agency of his choice;
  - (b) The national agency supplies one or more EcoCards, issued against the relevant EcoCard account to be used for payment of the disposal charge;
  - (c) The vessel operator or his representative pays an appropriate amount into the bank account of the national agency, to credit the EcoCard account to be used for payment of the disposal charge;
  - (d) The disposal charge is paid, and is charged against the relevant EcoCard account, using the EcoCard. The transaction is processed by the refuelling station, by means of a mobile electronic terminal. To this end, the boatmaster gives the EcoCard to the refuelling station at the time of refuelling.
6. As a derogation from paragraph 4, the disposal charge may be paid by means of a written procedure, in the following specific cases:
  - (a) There is no CDNI-EPS system, or the system is not working;
  - (b) The boatmaster does not submit an EcoCard, or submits an invalid EcoCard;
  - (c) The balance of the relevant EcoCard account is insufficient.
7. In the cases described in paragraph 6, the refuelling station shall provide its national agency, within a period of not more than seven working days, with the data required for payment of the disposal charge in respect of the supply of diesel oil in question. The national agency shall take the necessary steps to obtain payment of the charges due. If necessary, it may refer the file to another national agency.
8. In the cases described in paragraphs 6 (b) and 6 (c), the administrative costs shall be paid by the vessel operator to the national agency in the country of refuelling; the amount of these costs shall be fixed in a uniform manner for all Contracting Parties by the international equalization and coordination authority.
9. In individual cases where, according to the national agency, application of the procedure provided for in paragraphs 4 and 5 for payment of the disposal charge is not appropriate, the national agency shall be authorized to make individual arrangements for the supply of diesel oil and payment of the disposal charge. These arrangements, which must be notified in advance to the international equalization and coordination authority, must comply with the other provisions of this Chapter.

10. The arrangements for implementing the procedures described in this article shall be determined nationally, after coordination within the international equalization and coordination authority.

### **Article 3.04**

#### **Verifying receipt of the disposal charge and the costs of reception and disposal**

1. The refuelling station shall provide written acknowledgement of each diesel oil filling operation. The following shall be specified, as a minimum: name of the vessel; unique European identification number, or any other indicator allowing the vessel to be identified; name of the vessel operator, or master; quantity of diesel oil supplied/handed over (in litres corresponding to volume at 15° C, rounded up to the nearest litre); date and place; and signatures of the master and the refuelling station.

2. The receipt showing the payment transaction for the disposal charge, carried out using the CDNI-EPS system, shall be attached to the diesel oil refuelling certificate. Copies of the certificate and receipt shall be given to the boatmaster, who shall keep them on board for at least 12 months. Copies of the certificate and receipt shall be kept by the refuelling station for at least 12 months.

3. If recourse is made to the written procedure specified in article 3.03, paragraph 6, the refuelling station shall indicate on the diesel oil refuelling certificate that the vessel operator has not paid the disposal charge.

4. Consistency between the quantities of diesel oil supplied and the amount of the disposal charges paid shall be verified by the national agency or the competent authority on the basis of the diesel oil refuelling certificates, which must be submitted by the refuelling stations.

5. The competent authority may verify, on board vessels, payment of the disposal charge, and the quantities of oily and greasy waste disposed of, including, by comparing the journeys made, as listed in the appropriate vessel documents, with the information shown on the diesel oil refuelling certificates.

6. The national agency or the competent authority may check the data held by reception facilities on the quantities disposed of, and the cost of disposal, on the basis of the appropriate documents.

7. The national agency or the competent authority shall be authorized to check data on the quantities of diesel oil supplied to vessels required to pay the disposal charge.

8. The arrangements for implementing this procedure shall be determined nationally, after coordination within the international equalization and coordination authority.

## **Chapter IV**

### **International financial equalization**

#### **Article 4.01**

##### **International equalization and coordination authority**

1. The international equalization and coordination authority shall meet once a year, in the final quarter, in order to decide on the financial equalization for the previous year and, if appropriate, propose to the Conference of Contracting Parties changing the amount of the disposal charge and adapting the existing network of reception facilities, as necessary, to meet navigation requirements and ensure the efficiency of disposal. It may meet at any time at the proposal of the secretariat or if the representatives of two national agencies so request.

2. The international equalization and coordination authority shall set out in its rules of procedure the standard procedures and arrangements for provisional and annual equalization.

3. All financial operations relating to the disposal charge shall be expressed in euros.

#### **Article 4.02**

##### **Provisional financial equalization**

1. National agencies shall communicate the following information to the secretariat of the international equalization and coordination authority quarterly, on 1 February, 1 May, 1 August and 1 November:

(a) The quantities of oily and greasy waste received and disposed of in the course of the previous quarter;

(b) The total cost of the reception and disposal of the quantities indicated under (a) above;

(c) The quantities of diesel oil supplied to vessels required to pay the disposal charge;

(d) The total amount of disposal charges received;

(e) The financial consequences of the measures referred to in article 6, paragraph 1, fifth sentence, of the present Convention.

The arrangements for implementing this procedure shall be decided on by the international equalization and coordination authority.

2. For each quarter that has passed, on the basis of the figures communicated in accordance with paragraph 1 above and the equalization procedure provided for in article 4.04 below, the international equalization and coordination authority shall calculate the provisional amounts of the quarterly financial equalization and communicate these figures to the national agencies within two weeks of receipt of all the information stipulated in paragraph 1.

3. Those national agencies in a debtor position with regard to the quarterly financial equalization are required to make the payments due to those national agencies in a creditor position within four weeks of receipt of the payment order.

#### **Article 4.03**

##### **Annual financial equalization**

1. National agencies shall submit their annual balance sheet for the previous year to the secretariat of the international equalization and coordination authority no later than 15 October of the current year. At its ordinary meeting, the international equalization and coordination authority shall establish the financial equalization for the previous year.

2. The national agencies are required to make the payments due under the definitive financial equalization for the previous year in compliance with article 4.02, paragraph 3, above.

#### **Article 4.04**

##### **Financial equalization procedure**

1. The financial equalization referred to in articles 4.02 and 4.03 above shall be determined as follows for each national agency:

$$C_n = \frac{Z_n}{\sum Z_n} \cdot \sum X_n - X_n$$

where:

- $C_n$  = amount of equalization of a national agency N  
 positive sign: the agency is in a creditor position with regard to equalization  
 negative sign: the agency is in a debtor position with regard to equalization
- $X_n$  = revenue of a national agency N from disposal charges, in accordance with article 4.02, paragraph 1, above
- $Z_n$  = actual cost to a national agency N of reception and disposal, in accordance with article 4.02, paragraph 1, above
- $\sum X_n$  = total revenue, for all national agencies combined, from disposal charges
- $\sum Z_n$  = total actual costs, for all national agencies combined, of reception and disposal

2.  $C_n$  amounts that are less than a minimum percentage of a national agency N's revenue from the disposal charge shall not be included in the equalization procedure. The minimum percentage shall be set by the international equalization and coordination authority.

## **Part B**

### **Collection, deposit and reception of cargo-related waste**

#### **Chapter V**

#### **General provisions**

##### **Article 5.01**

##### **Definitions**

For the purpose of the application of this Part, the following definitions are used:

- (a) "Exclusive transport operations": successive transport operations during which the same cargo or another cargo, the carriage of which does not require the prior cleaning of holds or tanks, is carried in the vessel's hold or cargo tank;
- (b) "Cargo remnants": liquid cargo remaining in the cargo tanks or in the pipes after unloading when a stripping system has not been used, and dry cargo remaining in the holds after unloading before manual or mechanical sweepers or suction facilities are used;
- (c) "Cargo residues": liquid cargo that cannot be discharged from tanks or pipes using the stripping system and dry cargo that cannot be removed from the hold by the use of manual or mechanical sweepers or suction facilities;
- (d) "Stripping system": system in accordance with appendix II allowing tanks and piping to be drained and stripped as completely as possible, save for cargo residues that cannot be removed by stripping;
- (e) "Handling residues": cargo that falls on the vessel outside the hold during handling;

(f) “Swept hold”: hold from which the cargo has been removed using means of cleaning such as manual or mechanical sweepers, but without the use of suction or washing apparatus, and containing only cargo residues;

(g) “Stripped tank”: tank from which cargo remnants have been removed using a stripping system and containing only cargo residues;

(h) “Vacuum-cleaned hold”: a hold from which cargo remnants have been removed using a suction technique and containing considerably fewer cargo residues than a swept hold;

(i) “Discharge of remnants”: removal of cargo remnants from the holds and from the tanks and pipes using suitable means (e.g. manual or motorized sweepers, suction facility, stripping system) enabling the following standards to be achieved:

“swept” clean, or

“vacuumed” clean for the hold;

“stripped” clean for the tank;

along with the removal of handling residues, packagings and means of stowage;

(j) “Swilling out”: removal of cargo residues from swept or vacuumed holds and stripped tanks using steam or water;

(k) “Swilled out hold or tank”: a hold or tank that, following swilling out, is suitable for any category of cargo;

(l) “Swilling out water”: water from the swilling out of swept or vacuumed holds or stripped tanks; it also includes ballast water or rainwater from these holds or tanks.

## **Article 5.02**

### **Obligation of Contracting States**

The Contracting States undertake to establish, or to have established, the infrastructures and other conditions necessary for the deposit and reception of cargo remnants, handling residues, cargo residues and swilling out water, within a period of five years following the entry into force of the present Convention.

## **Article 5.03**

### **Seagoing vessels**

This Part B shall not apply to the loading or unloading of seagoing vessels in sea ports located on maritime navigation routes.

## **Chapter VI**

### **Obligations of the boatmaster**

#### **Article 6.01**

##### **Prohibition on discharging and dumping**

1. Vessels shall be prohibited from throwing, discharging or allowing to run into the waterway any parts of the cargo or cargo-related waste.
2. Swilling out water containing cargo residues that, under appendix III, may be discharged into the waterway shall be exempted from the prohibition in paragraph 1 above, providing that the provisions of the said appendix are observed.
3. In the event of the discharge of matter that, under appendix III, must be deposited for special processing, or in the event of the threat of such discharge, the boatmaster shall

notify the nearest competent authorities without delay, indicating as precisely as possible the position, quantity and nature of the discharge.

4. The competent national authority shall assess the acceptability of the discharge of cargo-related waste deriving from goods that are not included in the list of goods set out in appendix III of the Implementing Regulations and shall lay down a provisional unloading standard.

The Conference of the Contracting Parties shall examine the proposal and supplement the list of goods as appropriate.

## **Article 6.02**

### **Transitional provisions**

1. The following transitional provisions shall apply for a period of five years after the entry into force of the present Convention.

(a) For dry cargoes:

- Where, in appendix III, the “vacuumed condition” unloading standard is required, the “swept condition” shall be authorized
- Where, in appendix III, the dumping of swilling out water into the sewer system is required, discharge into the waterway shall be authorized if the “swept condition” unloading standard has been respected

(b) For liquid cargoes:

The stripping of cargo tanks in compliance with article 7.04 shall not be required, but the existing systems must be used as far as possible, even if they do not yet comply with appendix II.

2. If the required conditions are met for observance of the “vacuumed condition” unloading standard, for the deposit of swilling out water at reception facilities or for the stripping of tank vessels, the competent national authority may prescribe, in all or part of its territory, that even before the end of the transitional period the provisions of appendix III shall apply without restriction as to the types of goods concerned. The competent national authority shall first inform the Conference of Contracting Parties.

## **Article 6.03**

### **Unloading certificate**

1. Vessels that are unloaded at a location that is within the scope of application of the present Convention must have on board a valid unloading certificate, in line with the model in appendix IV.

The unloading certificate must be kept on board for at least six months after it has been issued.

For vessels without a crew, the unloading certificate may be kept by the vessel operator in a place other than on board.

2. During discharge of remnants and deposit and reception of cargo-related waste, the unloading standards and the requirements of appendix III on deposit and reception shall be applicable.

3. After loading, the vessel may not continue its journey until the boatmaster has ensured that the handling residues have been removed.

4. The vessel may not continue its journey after unloading until the boatmaster has confirmed in the unloading certificate that the cargo remnants and the handling residues have been taken care of.

5. The provisions of paragraph 4 above shall not apply to vessels carrying out exclusive transport operations.

6. When the holds or tanks are washed and the swilling out water may not be discharged into the waterway, in accordance with the unloading standards and the requirements of appendix III on deposit and reception, the vessel may not continue its journey until the boatmaster has confirmed in the unloading certificate that the swilling out water has been deposited or that a reception facility has been indicated to him.

## **Chapter VII**

### **Obligations of the vessel operator, the charterer, the consignee of the cargo and the operator of the handling facility**

#### **Article 7.01**

##### **Reception certificate**

1. In the unloading certificate referred to in article 6.03 above, the consignee of the cargo shall attest to the unloading of the cargo, the unloading of cargo remnants, and, to the extent to which he is responsible, the swilling out of holds or cargo tanks and the reception of cargo-related waste or, as appropriate, the designation of a reception facility.

2. If the consignee of the cargo does not collect the swilling out water that may not be discharged into the waterway, the operator of the reception facility shall attest to the reception of the swilling out water.

#### **Article 7.02**

##### **Handing over the vessel**

1. When the vessel operator hands over the vessel to the charterer, a standard of unloading must have been achieved such that the cargo may be carried and delivered without suffering damage. As a general rule, this shall mean the “swept hold” or “stripped tank” unloading standard, with the vessel being free of any handling residues.

2. A more stringent unloading standard, or swilling out, may be agreed in advance.

3. When loading operations commence, the vessel shall be deemed to have been handed over by its operator in a condition that meets the requirements laid down in paragraph 1 or 2 above.

#### **Article 7.03**

##### **Loading and unloading**

1. The loading and unloading of a vessel shall include the measures necessary for discharging remnants and for swilling out provided for in this Part B. Cargo remnants shall, to the extent possible, be added to the cargo.

2. During loading, the charterer shall ensure that the vessel is kept free of handling residues. In the event of such residues occurring, the charterer shall ensure that they are disposed of after loading, unless agreed otherwise.

3. During unloading, the consignee of the cargo shall ensure that the vessel is kept free of handling residues. In the event of such residues occurring, the consignee of the cargo shall ensure that they are disposed of. Handling residues shall, to the extent possible, be added to the cargo.

#### **Article 7.04**

##### **Return of the vessel**

1. For dry cargoes, the consignee of the cargo shall ensure that, after unloading, the hold is returned in a swept or vacuumed condition, in accordance with the unloading standards and the requirements on deposit and reception set out in appendix III. The consignee shall be required to collect any cargo remnants and any handling residues that have occurred on board the unloaded vessel.

For liquid cargoes, the charterer shall ensure that, after unloading, the tank is returned in a stripped condition. Unless otherwise provided for in the contract for carriage, the boatmaster shall carry out the unloading, including discharging any remnants, using a stripping system. The piping intended for collecting cargo remnants must be fitted with a connection system in accordance with model 1 in appendix II. When the stripping system is being used on board, the counter-pressure in the piping system used by the consignee of the cargo shall, before the stripping operation commences, not exceed 3 bar. The operator of the handling facility shall be required to collect the cargo remnants.

2. The obligation to return the hold or cargo tank in a swilled out condition shall be incumbent on the consignee of the cargo, for a dry cargo, and on the charterer, for a liquid cargo, if:

(a) The vessel was in that condition before it was last loaded, as attested to — where swilling out is incumbent on the consignee of the cargo — by the unloading certificate drawn up for the previous cargo; and if

(b) The vessel has transported goods the cargo residues of which mixed with swilling water may not be discharged into the waterway under the unloading standards and the requirements on deposit and reception set out in appendix III.

3. Paragraphs 1 and 2 above shall not apply to the holds and tanks of vessels carrying out exclusive transport operations.

4. If, at the end of the unloading period or after the agreed number of lay days, the consignee of the cargo or the charterer does not return the vessel in accordance with the provisions of the present article and those of article 7.03 above, the vessel operator may restore the vessel — or have it restored — to the prescribed condition. All the costs incurred, including the costs of demurrage — provided that such costs are not the responsibility of the operator — shall be borne by the consignee of the cargo or the charterer.

#### **Article 7.05**

##### **Cargo residues and swilling out water**

1. For dry cargoes, the consignee of the cargo shall be required to collect the swilling out water produced after swilling out in compliance with article 7.04, paragraph 2, or, after consultation with the vessel operator, to indicate a reception facility to the boatmaster.

2. The charterer of a liquid cargo is required to indicate to the vessel operator, in the contract for carriage, a reception facility for the swilling out water produced after swilling out in compliance with article 7.04, paragraph 2.

3. The reception facility should be located near the place of unloading or on the route leading to the vessel's next place of loading or unloading.

## **Article 7.06**

### **Costs**

1. For dry cargoes, the costs incurred for discharging remnants and swilling out holds in accordance with article 7.04 above and for the reception of swilling out water in accordance with article 7.05, paragraph 1, above — including any costs incurred through resulting delays or detours — shall be borne by the consignee of the cargo. The same shall apply to costs incurred for precipitation water that has penetrated the holds after loading has commenced and before unloading has been completed, as referred to in article 7.03, paragraph 1, where there has been no agreement to transport the cargo in a covered hold.

In the case of exclusive transport operations for the same charterer, the charterer is required to collect, at his own expense, and prior to loading, any precipitation water that has penetrated the holds since the end of the previous unloading operation.

2. For liquid cargoes, the costs incurred for discharging remnants and swilling out tanks in accordance with article 7.04, and for the reception of swilling out water in accordance with article 7.05, paragraph 2, above — including any costs incurred through resulting delays or detours — shall be borne by the charterer.

3. The costs incurred for the deposit of swilling out water from holds and tanks that do not comply with the prescribed unloading standards shall be borne by the vessel operator.

## **Article 7.07**

### **Agreement between the charterer and the consignee of the cargo**

The charterer and the consignee of the cargo may agree between themselves to apportion obligations in a manner other than that established in the present Annex, so long as this does not affect the vessel operator.

## **Article 7.08**

### **Transfer of rights and obligations from the charterer or the consignee of the cargo to the operator of a handling facility**

If the charterer or the consignee of the cargo uses the services of a handling facility for loading or unloading a vessel, the operator of this facility shall be subrogated to the rights and obligations incumbent on the charterer or the consignee of the cargo referred to in article 7.01, paragraph 1, and in articles 7.03, 7.04 and 7.05. With regard to article 7.06, such subrogation shall apply only to the costs of the removal and reception of handling residues.

## **Article 7.09**

### **Transport documents**

The charterer shall indicate on the contract for carriage and in the transport documents the name and the four-digit number, in accordance with appendix III, of each category of substances handed over for carriage.

## **Part C**

### **Collection, deposit and reception of other waste occurring during the operation of the vessel**

## **Chapter VIII**

### **General provisions**

## **Article 8.01**

### **Definitions**

For the purpose of the application of this Part, the following definitions are used:

- (a) “Domestic waste water”: waste water from galleys, messes, bathrooms and laundries and human waste water;
- (b) “Household refuse”: on-board organic and inorganic household waste and food remains that do not, however, contain components of the other types of waste defined occurring during the operation of the vessel;
- (c) “Sludge”: residues occurring on board the vessel during the operation of an on-board sewage plant;
- (d) “Slops”: mixtures of cargo residues with swilling out water, rust or mud, whether or not suitable for pumping;
- (e) “Other special waste”: waste occurring during the operation of the vessel other than oily and greasy waste and other than the waste covered by (a) to (d) above;
- (f) “Passenger cabin vessels”: passenger vessels with cabins for the overnight accommodation of passengers.

## **Article 8.02**

### **Obligations of the Contracting States**

1. The Contracting States undertake to make available reception facilities for household refuse, or to have them made available:
  - (a) At handling facilities or in ports;
  - (b) At dedicated mooring posts for passenger vessels mooring there;
  - (c) At certain holding areas and locks for vessels passing through.
2. The Contracting States undertake to install reception facilities for slops and for other special waste in ports, or to have them installed, within no more than five years of the entry into force of the present Convention.
3. The Contracting States undertake to install reception facilities for domestic waste water at certain mooring posts used as habitual holding areas or overnight holding areas, or to have them installed, in accordance with the provisions of article 4, paragraph 1, of the present Convention, no later than the date indicated in article 9.01, paragraph 3:
  - (a) For passenger cabin vessels with more than 50 sleeping berths; and
  - (b) For passenger vessels permitted to carry more than 50 passengers.

## **Chapter IX**

### **Obligations of the boatmaster**

#### **Article 9.01**

##### **Prohibition on discharging and dumping**

1. Vessels shall be prohibited from throwing, discharging or allowing to run into the waterway household refuse, slops, sludge or other special waste.
2. In the event of the accidental discharge of the waste referred to in paragraph 1 above or the threat of such discharge, the boatmaster shall notify the nearest competent authorities without delay, indicating as precisely as possible the position, quantity and nature of the discharge.

3. Discharge of domestic waste water shall be prohibited in the case of:
  - (a) Passenger cabin vessels with more than 50 sleeping berths, after 1 January 2005;
  - (b) Passenger vessels permitted to carry more than 50 passengers, from 1 January 2010 onwards.

In other cases, discharge of domestic waste water into the waterway shall be authorized.

4. The prohibition under paragraph 3 above shall not apply to passenger vessels with an on-board sewage treatment plant that meets the maximum, minimum and test values mentioned in appendix V.

5. The prohibition under paragraph 3 above shall not apply to seagoing vessels in seaports located on maritime navigation routes, so long as the vessels are subject to the provisions of the International Convention for the Prevention of Pollution by Ships (MARPOL).

### **Article 9.02**

#### **Derogations from the prohibition on discharging domestic waste water**

The Contracting States may agree, for those vessels referred to in article 9.01, paragraph 3, for which the prohibition on discharging domestic waste water is difficult to implement in practice or would incur unreasonable expense, on an appropriate procedure for possible derogations, and establish the conditions under which such derogations may be considered to be equivalent.

### **Article 9.03**

#### **On-board collection and processing of waste; deposit at reception facilities**

1. The boatmaster shall ensure the on-board collection and separate deposit of the waste referred to in article 9.01, paragraph 1.

If possible, household waste shall be deposited separately according to the following categories: paper, glass, other recyclable materials and other waste.

2. The waste referred to in article 9.01, paragraph 1, may not be incinerated on board.
3. Operators of passenger vessels fitted with an on-board sewage treatment plant that complies with appendix V shall ensure, in an appropriate manner, that the deposit of sludge is carried out as prescribed, and certified on the basis of the national provisions.

## **Chapter X**

### **Obligations of the reception facility operator**

#### **Article 10.01**

##### **Reception by the reception facilities**

1. The operator of the reception facility shall ensure that the waste referred to in article 9.01, paragraph 1, can be deposited separately.
2. The operator of the reception facility shall certify that the boatmaster has deposited the slops in accordance with national requirements.