

## NON AUTHORITATIVE TRANSLATION

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

**Decision No. 2024/34****Permit for the bunkering of Liquefied Methane with a bunker ship**

The Director of the Central Nautical Management North Sea Canal Area

**Having regard to:**

- Article 1.1 of the Regional Port Bye-laws for the North Sea Canal Area 2023;
- Article 1.5 of the Regional Port Bye-laws for the North Sea Canal Area 2023, which provides that the Mayor and Aldermen may attach regulations and restrictions to a permit to protect the interest of the permit concerned;
- Article 8.1, paragraph 1, of the Regional Port Bye-laws for the North Sea Canal Area 2023, and the Decree based thereon, which provide that Methane is designated as a fuel that may only be bunkered with a permit from the Mayor and Aldermen;
- Article 8.2, paragraphs 1 and 2, of the Regional Port Bye-Laws for the North Sea Canal Area 2023, which provide that minimum requirements can be set for the permit and for the holder of the bunkering permit;
- Article 8.3, paragraphs 2 and 3, of the Regional Port Bye-Laws for the North Sea Canal Area 2023, and the Decree based thereon, which provide that the permit holder has a safety management system for the bunkering Liquefied Methane in place of which the proper functioning has been demonstrated by means of an audit in accordance with the audit protocol established by the International Association of Ports and Harbors (IAPH);
- Article 8.7, paragraphs 1, 2, and 3, of the Regional Port Bye-Laws for the North Sea Canal Area 2023, and the Decree based thereon, which provide that a bunker checklist must be used when bunkering Methane;
- Article 10.2, paragraph 1 of the Regional Port Bye-Laws for the North Sea Canal Area 2023, which provide that decisions granted by or pursuant to the Regional Port Bye-Laws for the North Sea Canal Area 2019 and that are in force at the time of entry into force of the Regional Port Bye-Laws for the North Sea Canal Area 2023 are regarded as decisions by or pursuant to the Regional Port Bye-Laws for the North Sea Canal Area 2023;
- The Regional Port Bye-laws for the North Sea Canal Area 2023 Mandate Decree 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 of Amsterdam;
- The Regional Port Bye-laws for the North Sea Canal Area 2023 Mandate Decree 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 of Zaanstad;
- The Regional Port Bye-laws for the North Sea Canal Area 2023 Mandate Decree 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 of Velsen;

**Having considered that:**

- On the 12<sup>th</sup> of March 2024, the undersigned applied for a permit for bunkering liquefied methane, in relation to which the following relevant data were submitted:
  - Name of the applicant : T. Fekkes
  - Company representative of : Titan LNG Supply B.V.

- With its registered office in : Amsterdam
- KBO (CBE) Company number : KvK 69517088
- The applicant has demonstrated that he has a safety management system of which the proper functioning has been demonstrated by means of an audit in accordance with the audit protocol established by the International Association of Ports and Harbors (IAPH);
- The bunker ship FlexFueler 001 has been registered by the applicant to operate under this permit;
- The bunker ship FlexFueler 001 has been included in the conducted audit in accordance with the audit protocol of the IAPH and it has been demonstrated that this ship can be safely deployed for the supply of liquefied methane;
- The bunker ship FlexFueler 002 has been registered by the applicant to operate under this permit;
- The bunker ship FlexFueler 002 has been included in the conducted audit in accordance with the audit protocol of the IAPH and it has been demonstrated that this ship can be safely deployed for the supply of liquefied methane;

**Has decided the following:**

- I. In this Decree, in addition to the Regional Port Bye-laws for the North Sea Canal Area 2023, the following terms are defined as stated below:
  - a. Mayor and Aldermen: The Municipal Executive;
  - b. Bunker Management Plan: A plan containing the (safety) procedures for the bunkering operation, including the procedures for simultaneous operations (SIMOPS) approved by a classification society.
  - c. Bunkering Operation: All activities before, during and after the bunkering of liquefied methane that are part of the safety procedure as described in the checklist for bunkering (the bunker checklist);
  - d. Bunker Checklist: The Liquefied Gas (LG) Series version B list with operational checks established by or on behalf of the IAPH and published on the IAPH website;
  - e. Notification Portal: The digital portal of the Director of the Central Nautical Management North Sea Canal Area for reports and notifications and for submitting permit applications. The portal can be accessed at [www.portofamsterdam.com](http://www.portofamsterdam.com);
  - f. Near Miss: An undesirable event that under other circumstances could have resulted in an incident;
  - g. Reality Check: A check during the execution of the bunkering operation whether the procedures of the safety management system are effective;
  - h. Terminal Information Sheet: Part of the bunker checklist containing information for the terminal where the ship to be bunkered is berthed;
  - i. Safety Management System: A system that supports a company in operating effectively and safely in order to meet system and operational safety criteria; a system that ensures good performance with regard to safe operations by the company, or by companies involved in these operations, with respect to the prevention of safety or environmental incidents, and the improvement of the safety and environmental performance; a system supported by ICT, where appropriate.
- II. To grant the applicant a permit to bunker liquefied methane with the above-mentioned bunker ship FlexFueler 001 and the above-mentioned bunker ship FlexFueler 002 within the municipalities of Amsterdam, Velsen and Zaanstad.
- III. This permit also covers bunker ships registered by the applicant of which the registration has been approved in writing by the Director of the Central Nautical Management North Sea Canal Area.

- IV. The permit will be granted for the period of 13-06-2024 to 13-06-2029.
- V. The application, including the information submitted in the application form, as referred to in article 8.3 of the Regional Port Bye-laws for the North Sea Canal Area 2023, is part of the permit.
- VI. The applicant, being the permit holder, is responsible to supervise compliance with the regulations attached to the permit.
- VII. The following regulations are attached to the permit:

**1. Permitted bunker activities**

- a. This permit relates exclusively to the bunkering of liquefied methane to another ship from a bunker ship that is capable for liquefied methane.
- b. The bunkering operations take place at a location permitted by or on behalf of the Mayor and Aldermen in accordance with the regulations and restrictions, if any, attached to that location.
- c. The bunkering operations take place in accordance with the provisions of the bunker checklist.
- d. The bunker ship maintains a continuous listening watch on VHF 14.

**2. Other regulations**

- a. The bunker ship must moor at a berth within the operational area if so designated, unless mooring outside the operational area takes place with the permission of the Director of the Central Nautical Management North Sea Canal Area in response to a request to that effect made by the Skipper or Captain of the bunker ship on VHF channel 14.
- b. Under no circumstances may methane be released into the atmosphere, either during or outside the bunkering operation.
- c. The Terminal Information Sheet of the bunker checklist must be fully completed and handed over to the person in charge at the terminal prior to the bunkering operation.
- d. The bunker checklist must be kept on board the ships involved in the bunkering operation during and until at least 24 hours after the completion of the bunkering operation.
- e. The permit holder ensures that no other simultaneous operations take place on the receiving ship during the bunkering operation, unless these activities are specifically mentioned and approved of in a bunker management plan, approved by the classification society, with procedures for simultaneous operations during the bunkering operation.

**3. Notifications**

- a. 24 hours prior to a bunkering operation, a pre-notification must be given to the Director of the Central Nautical Management North Sea Canal Area through the port's notification portal. The pre-notification contains the items as listed on the notification portal of the Director of the Central Nautical Management North Sea Canal Area. Any changes to this notification must be reported to the Director of the Central Nautical Management North Sea Canal Area prior to commencement of the operations.
- b. The commencement and completion of the transfer must be reported to the Director of the Central Nautical Management North Sea Canal Area (Port Information VHF channel 14).
- c. Simultaneous operations as referred to under 2.e must be reported in advance by telephone to the Director of the Central Nautical Management North Sea Canal Area (+31 20 523 4600).
- d. Any events, incidents or near misses must be reported immediately by telephone to the Director of the Central Nautical Management North Sea Canal Area (+31 20 523 4600).
- e. Potentially imminent danger to public safety must be immediately reported to the emergency services (call the emergency number 112), providing them with the information necessary for their action, as referred to in ADN marginal number 1.4.1.2.

#### 4. Reporting

Every six months, the Director of the Central Nautical Management North Sea Canal Area must be provided with reports through a reporting form adopted by and available on request from the Director of the Central Nautical Management North Sea Canal Area. The report must include the following subjects:

- a. The number of bunkering operations and with which bunker ship these bunkering operations have been carried out;
- b. The location at which the bunkering operations have taken place and which ships have been bunkered;
- c. The flow rate used and the temperature of the liquefied methane bunkered;
- d. The volume in m<sup>3</sup> of each bunkering operation;
- e. The number of incidents;
- f. The number of near misses.

#### 5. Closing provisions

- a. The permit holder must immediately report any changes to the provisions of this permit to the Director of the Central Nautical Management North Sea Canal Area.
- b. The Director of the Central Nautical Management North Sea Canal Area reserves the right to continue to monitor the functioning of the safety management system by means of audits or reality checks during the term of the permit.
- c. If the outcome of the audit or reality check, or if any other circumstance gives reason for it, the Director of the Central Nautical Management North Sea Canal Area may decide to withdraw or amend the permit.
- d. The Director of the Central Nautical Management North Sea Canal Area may at any time stop a bunkering operation from the point of view of order, safety and the environment.

Non-compliance with one or more of the regulations of this permit is considered as a violation of the provisions under or pursuant to the Regional Port Bye-laws for the North Sea Canal Area 2023.

Thus established on behalf of the Mayors and Aldermen of Amsterdam, Zaanstad and Velsen on the 12<sup>th</sup> of June 2024.

The Director of the Central Nautical Management North Sea Canal Area



J.H.M. Mateyo

## **Please Note**

*In accordance with the Algemene Wet Bestuursrecht (the Dutch General Administrative Law Act), an interested party can lodge a notice of objection against a decision within six weeks after its publication. The notice of objection must be sent to the municipal authority concerned. The notice of objection must be sent to the following addresses: Burgemeester en Wethouders van Amsterdam, Postbus 202, 1000AE Amsterdam; Velsen, Postbus 465, 1970 AL IJmuiden; Zaanstad, Postbus 2000, 1500 GA Zaandam. The notice of objection must be signed and must contain at least the name and address of the person lodging the objection, the date, a description of the decision 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 Municipality of Amsterdam also enables you to lodge a digital objection through its website at [www.amsterdam.nl/bezwaar/jb](http://www.amsterdam.nl/bezwaar/jb). For this option you will need a DigiD. The notice of objection has no suspensive force. If, pending the objection procedure, the situation requires a suspension or immediate relief, an application to grant suspension or provisional relief can be submitted to the judge in preliminary relief proceedings of the Administrative-Law Sector of the Court of Haarlem, Postbus 1621, 2003 BR Haarlem if it concerns the permits of Velsen and Zaanstad; or to the judge in preliminary relief proceedings of the Administrative-Law Sector of the Court of Amsterdam, Parnassusweg 226, Postbus 75850, 1070 AW Amsterdam if it concerns the permit of Amsterdam. For this procedure, court fees are due. You can also submit the above application digitally at <http://loket.rechtspraak.nl/bestuursrecht>. For this option you will need a DigiD. Please visit the above-mentioned site for more information.*