

Amendment proposals to Chapter 10

Note by the secretariat

1. At its twenty-seventh meeting, the CEVNI Expert Group asked the secretariat to prepare a comparison of Chapter 10 of CEVNI and the Convention on Collection, Deposit and Reception of Waste Produced during Navigation on the Rhine and Inland Waterways (CDNI), version 2014 with a view of possible updating Chapter 10. The present document reproduces the text of CDNI articles, which could be the basis for updating Chapter 10.
2. Furthermore, some modifications are proposed to Article 1.01 of CEVNI based on the comparison of terms and definitions applied in CEVNI, CDNI and ADN.

A. Amendments introduced in CDNI since 2009

3. An overview of amendments introduced to CDNI since 2009, is given in the foreword to the consolidated text of CDNI as of November 2014¹ and reproduced in this section:

“Since 2009, the Contracting Parties Conference has adopted a number of amendments to the implementing regulations (Annex 2), the most important of which are briefly presented below:

In 2010 a major amendment to Annex 2 (oily and fatty waste) pertaining to the system for financing waste reception plants (article 6 of the CDNI) was adopted, thus facilitating an electronic payment system. This system has been in operation since 1 January 2011.

As regards Part B (cargo-related waste), Annex 2 was amended in 2012 to improve consideration of standard practices in inland navigation. As a result, certain types of transportation have been exempted from the obligations on unloading certificates (article 6.03). The format of the unloading certificate (Appendix IV) was amended in 2013 to enable two distinct certificates to be used depending on whether the shipping in question is of the dry or tanker variety. Moreover, there were a number of amendments to the unloading standard and Appendix III in 2009 and 2011.

An addition was made to Article 9.03 of Part C (other waste) of Annex 2 in 2013 to stipulate that the responsibility for ensuring compliance with the ban on the discharge of domestic wastewater by a passenger vessel carrying more than 50 passengers resides with its skipper. For vessels carrying more than 50 passengers which are equipped with on-board waste water treatment plants, fitted before 1.1.2011, a transitional regime was introduced. Finally, Appendix V had already

¹ The unofficial English version of the consolidated text of CDNI as of November 2014 is available at www.cdni-iwt.org/wp-content/uploads/2015/06/cdni_2014_EN.pdf

been the subject of an amendment in 2009 concerning the maximum and testing values for on-board waste-water treatment plants accompanied by harmonisation with the corresponding standards applicable on the Danube.

Furthermore, further details concerning the geographical scope of the CDNI in Germany were provided in 2004.”

4. From the amendments introduced to CDNI for the indicated period, Articles 6.03 and 9.03 may be considered with the purpose of amending Chapter 10 of CEVNI, while other amendments are less or not relevant to the scope of CEVNI.

B. Terms and definitions

5. Amendment proposal to Article 10.01, paragraph 1:

- (a) Definition of waste generated on board (definition (a)):

“Waste generated on board”: substances or articles defined in (b) to (h) below, of which the person in charge disposes or of which he/she intends or is required to dispose.

Reasons: definitions (g) and (h) should be covered by definition (a);

- (b) Definition of oily and greasy waste occurring from the operation of the vessel (definition (c)):

“Oily and greasy waste occurring from the operation of the vessel”: used oil, bilge water and other oily and greasy waste such as used grease, used filters, used rags, containers, ~~and~~ receptacles **and packagings** for such wastes.

Reasons: Harmonization with CDNI and ADN;

- (c) Definitions (b), (c), (g): when defining different types of wastes, some definitions use “generated from the operation of the vessel” is applied, while in other definitions “occurring from the operation of the vessel” is applied. It would be desirable to harmonize the wording, where it is possible. The same proposal applies to Article 10.01, paragraph 2, definitions (a) and (d);

- (d) Definition of “reception facility” (definition (k)):

“reception facility”: a vessel or **an onshore** facility ~~on land~~ approved by the competent authorities for the collection of waste occurring on board”.

Reasons: an editorial change;

- (e) a new definition “bunkering station” could be introduced:

“Bunkering station”: a station where vessels take on supplies of gas oil”.

Reasons: this term is used in Article 10.07 bis and Annex 11.

6. Amendment proposal to Article 10.01, paragraph 2:

Definition of “slops” (definition (c)):

“Slops”: a mixture of cargo residues ~~with swilling-out~~ **and washing** water, rust or ~~mud sludge, whether or not~~ **which is either** suitable **or not suitable** for pumping;

Reasons: Harmonization with CDNI and ADN.

C. Amendments to Article 10.04

7. The Article may be modified with due regard of Articles 9.01-9.03 of CDNI which are reproduced below.

“Article 9.01

Prohibition of dumping and discharging

- (1) Dumping or discharging domestic refuse, slops, cleansing slurry and other special waste into the waterway from vessels is prohibited.²
- (2) In the event of the waste referred to in paragraph 1 above escaping or threatening to escape, the boatmaster must notify the nearest competent authority without delay, indicating as precisely as possible where the incident has occurred and the quantity and nature of the substance involved.³
- (3) The dumping of domestic waste water is prohibited in the case of:
 - a) cruise vessels⁴ with more than 50 sleeping berths, after 1 January 2005,
 - b) passenger vessels⁵ permitted to carry more than 50 passengers, from 1 January 2010 onwards.

In all other cases the dumping of domestic waste water into the water shall be authorised.

- (4) The prohibition provided for in paragraph 3 above shall not apply to passenger vessels with an on-board sewage treatment plant that meets the limit and check values mentioned in Appendix V.
- (5) The prohibition provided for in paragraph 3 above shall not apply to seagoing vessels in seaports located on maritime navigation routes on condition that they are subject to the provisions of the International Convention for the Prevention of Pollution from Ships (MARPOL).

Article 9.02

Waivers of the prohibition on dumping domestic waste water

The Contracting States may agree, for those vessels referred to in paragraph 3 of Article 9.01 for which the prohibition on dumping domestic waste water is difficult to achieve in practice or would incur unreasonable expense, an appropriate procedure for making waivers possible and lay down the conditions under which such waivers may be considered as being equivalent.

Article 9.03

Collection and treatment on board; deposit at reception stations

- (1) The boatmaster must ensure that the waste referred to in paragraph 1 of Article 9.01 is collected and deposited separately. If possible, domestic refuse

² Covered by Article 10.04, paragraph 1.

³ Covered by Article 10.04, paragraph 3.

⁴ “Cruise vessel” means a passenger vessel with cabins for the overnight accommodation of passengers (CDNI, Article 8.01, definition (f)).

⁵ “Passenger vessel” means a vessel built and fitted out for the transport of passengers (CDNI, Article 1, definition (h)).

should be deposited separately in the following categories: paper, glass, other recyclable materials, and other waste.

(2) The waste referred to in paragraph 1 of Article 9.01 may not be incinerated on board.

(3) The operators of passenger vessels fitted with an on-board sewage treatment plant that complies with Appendix V must themselves ensure that the cleansing slurry is properly deposited and appropriately corroborated in accordance with national regulations.

(4) The master of a passenger vessel subject to the prohibition on the dumping of domestic waste water under paragraph 3 of article 9.01 shall be required to ensure that the domestic waste water is collected onboard the vessel in an appropriate manner and deposited at a reception station or facility in accordance with paragraph 3 of article 8.02 where the passenger vessel does not possess an on-board sewage treatment plant in accordance with paragraph 4 of article 9.01.”

D. Amendments to Article 10.08

8. The Article may be modified with due regard of Article 6.03, paragraphs 1 and 7, of CDNI which are reproduced below.

(a) Article 6.03.1, the third paragraph:

“Where this is a vessel without a crew, the attestation of unloading may be kept by the carrier in a place other than on board.”

(b) Article 6.03.7

“Paragraphs 1 and 4 do not apply to vessels which by their type and design are suitable for, and are used for:

- a) transporting containers,
- b) transporting mobile cargo (ro-ro), break bulk and heavy cargo and large equipment,
- c) delivering fuels, drinking water and shipboard supplies to seagoing and inland navigation vessels (supply vessels),
- d) collecting oily and greasy waste from seagoing and inland navigation vessels,
- e) transporting liquefied gases (ADN type G),
- f) transporting liquid sulphur (at 180 °C), cement powder, fly ash and comparable loads that are carried as bulk material or a pumpable cargo, employing an appropriate and dedicated system for loading, unloading and storing the cargo onboard,
- g) transporting sand, gravel or dredged material from the dredging location to the place of unloading if the vessel in question has been built and equipped solely for such transportation,

where the vessel in question has also really transported only the aforementioned loads or cargoes and did so as its last cargo.

This provision shall not apply to the carriage of mixed cargoes using such vessels.

Should equivalent conditions exist, the competent authority may on a case by case basis exempt a vessel from applying paragraphs 1 and 4 when engaged in special transport operations. Proof of this exemption is to be carried on board the vessel.”
