

PORT REGULATIONS

PORT USE REGULATIONS for the inland port of Lüneburg on the on the Elbe Lateral Canal Km 100.23 (PUR - LÜN)

valid: from 01/05/2017

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| Version 2.0 | Annex – Scope updated | | | |
| Version 3.0 | Addition: Point 3.12 Ban on the discharge of washing water and domestic wastewater into the port basin | | | |
| | Added: Point 1.4 Reference to securing of premises/access control | | | |
| | Added: Point 6 Unauthorised use | | | |
| | Liability/administrative offence | | | |

Hafen Lüneburg GmbH (HLG)

Business and postal address: Stadtkoppel 12
Operations: Elso-Klöver-Straße 12
21337 Lüneburg

All relevant information on the port/port railway, registration of use, contact partners and current information etc., including restrictions on use, can be found at

www.hafen-lueneburg.de

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Hafen Lüneburg GmbH

Port use regulations for the inland port of Lüneburg
(PUR-LÜN)

1. General information

1.1 Owner and port operating company

The inland port of Lüneburg is a public port. The port basin, including the associated port premises, and the port railway are part of the public infrastructure. The owner of the facilities is the Hanseatic City of Lüneburg.

The port operating company is Hafen Lüneburg GmbH (HLG). It administers and manages the facilities on an equal footing with the owners and operates the port handling facilities.

It also monitors compliance with the PUR-LÜN and levies user fees for berth and rail usage. Information on current fees is published on HLG's website, at www.hafen-lueneburg.de.

1.2 Scope

These PUR-LÜN are valid for the inland port of Lüneburg within the marked boundaries which are publicly announced on the premises—see **Annex** and port plan at www.hafen-lueneburg.de

These PUR-LÜN supplement HLG's general terms and conditions and general terms of use, which take precedence.

1.3 Danger zone

The port area is a particularly dangerous area. Railway traffic, industrial trucks, cranes, unsecured quay facilities, suspended loads, crossing cargo traffic, represent a serious hazard. Port users and visitors must prepare themselves for this by paying more attention and exercising a greater amount of caution.



Hafen Lüneburg GmbH

1.4 Access to port facilities – reporting office

Access to port facilities requires the consent of Hafen Lüneburg GmbH.

Reporting office:

Hafen Lüneburg GmbH

Port master

hafenmeister@hafen-lueneburg.de

Tel.: 0049 (0)4131 85 39 10

The port area is secured against unauthorised access by fences and gates and is equipped with an access control system. Access at any time cannot be guaranteed without registration of use and approval by the port master, or without an access code.

An **access code** can be requested via www.hafen-lueneburg.de during Hafen Lüneburg GmbH's operating hours.

1.5 Port authority and port master

Port authority:

Hanseatic City of Lüneburg

Bereich Umwelt (Environment)

Bei der Ratsmühle 17a

21335 Lüneburg

umwelt@stadt.lueneburg.de

Tel.: 0049 (0)4131 309 3460

The local representative of the port authority is Hafen Lüneburg GmbH. It provides the **port master**.

It carries out the tasks, with particular reference to security tasks, relating to port, ferry and shipping matters on the basis of the Lower Saxony Port Security Act (Niedersächsisches Hafensicherheitsgesetz, NHafenSG) in conjunction with the Lower Saxony Port Regulations (Niedersächsische Hafenordnung, NHafenO) and with reference to the unloading of ship waste and cargo residues.



2. Permission, reporting requirements, safety regulations

2.1 Entry and berthing permission

Ships require **explicit permission** from HLG to **enter** the inland port of Lüneburg or to use a berth in the port of Lüneburg where

- a. there is a risk that such ships may sink;
- b. such ships are on fire or there is suspicion that they are on fire;
- c. such ships are powered by LNG or hydrogen;
- d. such ships could endanger port operations because of their design, condition, load or dimensions;
- e. the cargo of such ships has been fumigated; or
- f. such ships are intended for scrapping or are to be scrapped.

Permission from HLG in accordance with sentence 1 is not required for ships to which the head of operations of a state central command for maritime emergencies, e.g. the water police or the Federal Waterways and Shipping Administration (Wasserstraßen- und Schifffahrtsverwaltung des Bundes), has assigned a place of refuge in the inland port of Lüneburg within the context of combating a complex damaging situation.

If a ship suffers damage after it arrives in the inland port of Lüneburg which endangers public safety or order, or if one of the circumstances mentioned in point 2.1 only occurs in the port, the skipper must notify HLG of this immediately.

2.2 Reporting, information and notification requirements

- 2.2.1 The skipper must notify HLG of the arrival of the ship at least 24 hours before arrival (in writing, by e-mail, fax or telephone). If the sailing time is less than 24 hours, notification immediately after departure from the last port of departure shall be sufficient.
- 2.2.2 The reporting and notification requirements are based on the provisions of Section 8 Reporting and information requirements of the NHafenO in the respectively applicable version.
- 2.2.3 Each port user is required to immediately report to HLG any disruption to port operations or port traffic, with particular reference to disruption caused by fire, accidents, sunken or drifting ships or objects and damage to port facilities.

2.3 Dangerous goods

The handling of dangerous goods is in accordance with the regulations of the NHafenO in the respectively applicable version.



2.4 General safety regulations

2.4.1 It is forbidden

- a. to enter quay and port premises without authorisation using vehicles or vessels of any kind and/or to stay there without authorisation;
- b. to park vehicles of any kind or other objects on quay and port premises and railway tracks without authorisation;
- c. to enter loading facilities, railway tracks or vessels without authorisation;
- d. to stop in the working area of cranes, load handling equipment, wheel loaders, tractors and similar equipment without authorisation;
- e. to use or put into operation port facilities without authorisation;
- f. to remove or misuse fire extinguishing or rescue equipment without authorisation;
- g. to obstruct or otherwise hinder the use of facilities intended for mooring vessels and access to them;
- h. to bathe in port waters or to dive without authorisation;
- i. to navigate water areas using any kind of surfboards or watercraft (jet skis);
- j. to fish in the port or to lay down fishing gear; or
- k. to smoke in the port. This excludes office, social and recreation rooms and approved areas.

2.4.2 Hot work may only be carried out with the permission of the port master.

2.4.3 Salvage and diving work, scrapping work and machine repairs on ships require permission from HLG.

2.4.4 Events in the port, with particular reference to fireworks, races, sporting events, launches, parades, etc., require prior permission from HLG. The party to which permission is granted is responsible for traffic safety during such events.

2.4.5 Facilities which disturb traffic, with particular reference to luminous signs, boards and signs and similar objects may only be installed in the port with HLG's consent and must be designed in such a way that they cannot be confused with navigation signs and such that there is no glare.

2.4.6 Road traffic regulations apply in the port area. Transshipment and related loading traffic, ship clearance and rail transport take priority.



3. General provisions for traffic, stays, handling, storage

3.1 Driving speed, precautions – land vehicles and vessels

- 3.1.1 The speed of all land vehicles and vessels shall be such that they can avoid obstacles and, if necessary, stop in good time.
- 3.1.2 When berthing and putting out to sea, propellers, stern and bow thrusters must be used with special care. Turning manoeuvres are to be carried out with appropriate engine power and at an appropriate distance from the shore.
- 3.1.3 HLG may set a minimum water level or an upper limit for the draught for the port as a condition for vessels to be able to sail.
- 3.1.4 The ship's command must make use of adequate tug assistance for vessels that cannot manoeuvre safely in the port because of their dimensions, lack of engine power or for meteorological reasons or other reasons. If vessels cannot be safely towed with lines, sentence 1 applies accordingly.

3.2 Allocation of shipping berths & duration of berth

- 3.2.1 Berths at the port of Lüneburg's facilities are allocated by HLG.

There is no entitlement to the allocation of a specific berth. HLG can limit the use of the berth for a limited period of time, place several vessels next to each other and order the hauling of vessels, insofar as this is required for port-related operational matters. Allocated berths may only be changed with the permission of HLG.

- 3.2.2 The following rules apply if several ships require the same berth:

- loading or unloading ships take priority over ships requiring a waiting area in the allocation of berths.
- Ships must start cargo handling immediately after taking up the berth and must carry it out as quickly as possible. If handling is not commenced within 2 hours of mooring or if it is interrupted for more than 2 hours, the berth is to be vacated if necessary, at the request of HLG.
- Each ship must leave the berth no later than 2 hours after loading or unloading ends if necessary, at the request of HLG.
- For longer periods in port (e.g. due to repairs), the ship must take up a berth allocated by HLG.

Costs arising from the above rules shall be borne by the ship concerned.

Should a ship breach these rules, it shall be liable for all disadvantages and damages that can be proved to have been caused by such a breach, regardless of proof of fault.



3.3 Mooring and anchoring

Ships must be securely moored at the facilities provided for this purpose. HLG may order that inadequate mooring equipment cannot be used and that damaged lines and wires must be replaced. The attachment of lines and wires shall be monitored on the ship's side and adjusted to allow for immersion and removal during loading and unloading.

The bottom of the port basin is sealed by an asphalt layer, meaning anchoring is generally prohibited. Emergency anchoring is permitted only in the event of an accident, i.e. for manoeuvrability and to avoid a collision.

3.4 Hazardous vessel parts, lines, wires

Skippers shall ensure that hazardous parts of the vessel that extend beyond the hull of the vessel or cargo at its extremities, as well as any hazardous lines and wires that have been laid, are clearly marked and adequately illuminated at night or when visibility is poor. If necessary, obstacles must be removed.

3.5 Vessel land connections

3.5.1 Shore leave must be safe for the vessel. Use is forbidden if a safe land connection has not been established. It must not impede transshipment and rail operations in the port area. Rail and crane systems must not be occupied. Shore leave must be adequately illuminated when it is dark.

3.5.2 If several vessels are alongside each other, the vessel closest to the shore must tolerate jetties being laid down, the movement of people and the goods being transported for the ship's needs.

3.6 Guard

Where ships are not permanently manned or have been withdrawn from service, HLG may demand that the owner designate a person responsible for the ship. HLG can order surveillance for these ships.

3.7 Operation of ship propulsion systems and manoeuvring aids

3.7.1 Except for brief testing prior to departure, propulsion systems and manoeuvring aids on moored ships may only be operated following timely prior notification to HLG and with the permission of HLG.

3.7.2 During the engine test, the ship's command shall ensure, by means of supervision at the stern, that other vessels can be warned on approach and that the engines can be stopped immediately in case of danger.

3.7.3 Vessels which are required to turn their propellers during berthing time for operational reasons must have suitable safety equipment and are required to illuminate such equipment at night.

3.8 Loading and unloading, bunkering of ships

- 3.8.1 The loading and unloading of vessels and the provision of goods for loading or unloading (transshipment) are only permitted on the water and land areas and the facilities designated for this purpose. Otherwise, Sections 24 and 25 of the NHafenO in its respectively valid version shall apply in particular.
- 3.8.2 Transshipment areas and facilities shall be cleared of land vehicles, equipment, goods and other objects insofar as they are not required for transshipment. HLG can remove land vehicles parked without authorisation, or have these removed, at the expense of the owner of the vehicle.
- 3.8.3 During cargo handling, persons not involved in cargo handling operations are not permitted to stay in the cargo handling areas and facilities. If a motor vehicle is loaded or unloaded within the clearance gauge of rail vehicles or rail-bound transshipment equipment, the driver must not move away from their vehicle.
- 3.8.4 Water-polluting substances for the self-sufficiency of vessels may only be supplied by fixed installations, bunker boats or tank trucks that are equipped with sufficient facilities to protect against hazards to people and the environment. The bunkering operation must be reported to HLG in good time in advance.

3.9 Setting down/parking and storage of goods, vehicles and equipment

- 3.9.1 The temporary storage of goods is only permitted in areas allocated by HLG.

Other authorities' powers according to special protective regulations for the storage of goods remain unaffected.
- 3.9.2 Goods may not be temporarily stored in handling areas and facilities, on access roads and at entrances to areas and facilities for general use and in the standard clearance area of railway tracks without authorisation.
- 3.9.3 Dangerous and water-polluting liquid goods must not be handled. If necessary, an exemption must be applied for from HLG in good time in advance.
- 3.9.4 Goods may only be temporarily stored outdoors if harmful environmental effects are excluded. HLG should be contacted in good time in advance to find out which classes of goods can be handled and temporarily stored in the port for reasons relating to transportation. Information on the class of goods must also be provided to HLG no later than on registration of use.
- 3.9.5 Securing stored goods against loss of value and all other risks is the responsibility of the person entitled to dispose of the goods or the tenant of a storage area.



3.10 **Railway operation**

All necessary information, as well as user agreements and operating instructions, are available in their latest versions on HLG's website, at www.hafen-lueneburg.de.

3.11 **Contamination**

Contamination of land and water areas by the port user (ship, railway, motor vehicles, persons) must be removed by the port user at their own expense and on their own initiative.

If they do not do so even after being requested to do so by HLG, HLG may carry out the work or have it carried out at the expense of the port user.

3.12 **Ban on the discharge of washing water and domestic wastewater into the port basin**

It is generally forbidden to discharge washing water resulting from the cleaning of holds and loading units into the port basin. We would like to point out that CDNI regulations must be observed with respect to the method of cleaning and the state of discharge.

The ban on discharge into our port basin also applies to washing water where, according to the international regulations of the Commission Centrale pour la Navigation du Rhin (CDNI), it would otherwise be permitted to directly discharge this into the water.

The latest version of the CDNI's regulations can be found at www.cdni-iwt.org.

Some types of washing water resulting from the cleaning of holds may, after consultation with the port master, be discharged directly into the port's wastewater system. Corresponding discharge points are available and marked at berths A, 3 to 6 and 7 (green markings on manhole covers). The skipper is responsible for laying down pressure hoses from the barge to the discharge point. Material slots must never be discharged into the wastewater system.

Hafen Lüneburg GmbH will charge separate fees to accept washing water that results from the cleaning of holds that require special treatment, e.g. following the transportation of fertiliser.

The discharge of domestic wastewater into the port basin is also prohibited. This can also be discharged directly into the port's existing wastewater system.



4. Transhipment of goods and cargo & registration of use

- 4.1 Only HLG provides cargo handling services on vessels and trains.
 - 4.1.1 HLG provides cargo handling services on the individual request of the customer.
 - 4.1.2 The latest versions of the regulations for the **registration of use** (ship and rail transhipment) and the necessary documents are available on HLG's website, at www.hafen-lueneburg.de.
 - 4.1.3 HLG's tenants with respect to storage space rented on a long-term basis may carry out transhipment, e.g. loading of lorries, on rented areas at their own risk. They have the right to independently issue instructions to operating staff who use equipment. In this respect, operating staff are the tenant's vicarious agents. Insofar it affects safety concerns relating to port operations, HLG also has a right to issue instructions to external operating staff who use equipment.
 - 4.1.4 HLG's tenants with respect to storage space rented on a long-term basis are operators of equipment and facilities on the rented premises, including within the meaning of Section 4 et seq. of the Federal Emission Control Act (Bundes-Immissionsschutzgesetz) and the regulations issued for this purpose.

5. Domiciliary rights

- 5.1 HLG exercises domiciliary rights in the inland port of Lüneburg.
- 5.2 HLG also exercises domiciliary rights with respect to storage areas rented out for temporary storage.

6. Unauthorised use – notice of liability and administrative offences

- 6.1 In the event of the unauthorised use of port premises and railway facilities, HLG reserves the right to hold the user liable for any damage that arises.
- 6.2 The regulations of the NHafenSg in conjunction with the NHafenO also apply to the inland port of Lüneburg, in accordance with point 7.2.

As such, in accordance with Section 8 (1) and (2) of the NHafenO, unauthorised access to the port basin and berths without a ship registration is an administrative offence, according to Section 29 (2) of the NHafenSG, and is punishable with a fine of up to €10,000.



7. Final provisions

7.1 Exceptions

In justified individual cases, HLG may, on specific request, allow exceptions from the provisions of these port use regulations. If this concerns provisions where port authority authorisation is required, this is also required for the exception.

7.2 Other applicable laws

Unless these port use regulations permissibly provide otherwise, the general laws and regulations as well as the responsibilities and permission reservations according to the **NHafenSG** in conjunction with the **NHafenO** remain unaffected.

7.3 Entry into force

These port use regulations shall first come into force on 01/05/2017.

Lüneburg, 27 April 2017

signed Strehse (HLG Managing Director)



Hafen Lüneburg GmbH

Annex - Scope:

