

LOCAL PORT REGULATIONS
ON THE TRANSPORT AND HANDLING
OF HAZARDOUS MATERIALS
IN THE PORT OF
CHERBOURG-EN-COTENTIN

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TABLE OF CONTENTS:

Chapter 1 – General provisions	4
◆ APPLICABLE CONVENTIONS AND CODES	5
◆ DEFINITIONS	5
Part I – REQUIREMENTS RELATING TO THE APPLICATION OF THESE REGULATIONS	9
Section I – Regulations	9
Section II – Experts and operators	11
Part II – Provisions relating to port operation	12
Section I – Provisions relating to ships, boats and transport units	12
Section II – Provisions relating to wharves, hard standings and sheds	17
Section III – Provisions relating to the prevention and abatement of pollution, disasters and accidents due to hazardous materials	21
Section IV – Security	24
Part III – Provisions specific to handling	26
Section I – Cargo loading, unloading, handling and transshipment operations	26
Section II – Particular operations	26
Section III – Handling of bulk hazardous materials	27
Section IV – Handling on board mixed cargo ships designed to carry solid goods or liquid bulk goods	28
Section V – Handling of packages of hazardous materials	28
Section VI – Admission – Loading and unloading containers	29
Part IV – Provisions specific to ships and boats	29
Section I – Safety measures to be taken on ships and boats	29
Section II – Safety measures to be taken on lighters and LASH carriers	31
Section III – Safety measures to be taken on service vessels	31
Section IV – Nautical precautions – Mooring	31
Section V – Lighting and heating on board ships and boats	32
Section VI – Boilers, engines and galley hot plates	33
Section VII – On-board repairs	33
Section VIII – Personnel on board ships and boats	33
Section IX – What to do in the event of an accident	33

Part V – Adaptation, servicing and repair work on board tankers carrying or having carried bulk hazardous materials or on specialised installations, structures and hard standings34

Chapter 2 – Principles applicable to classes of hazardous materials 36

Class 1 – Explosive substances and articles36

Class 2 – Compressed, liquefied or dissolved gases52

Class 3 – Flammable liquids.....57

Class 4.1 – Flammable solids.....60

Class 4.2 – Spontaneously combustible solids62

Class 4.3 – Dangerous when wet materials63

Class 5.1 – Oxidising agents64

Class 5.2 – Organic peroxides68

Class 6.1 – Toxic substances70

Class 6.2 – Infectious substances71

Class 7 – Radioactive materials72

Class 8 – Corrosive materials.....76

Class 9 – Miscellaneous hazardous substances and articles77

ANNEXES:

- Annex 1 – General Plan of the Port of Cherbourg-en-Cotentin
- Annex 2 – Classification - Transportation of hazardous materials
- Annex 3 – Block diagram - Shipping of hazardous materials
- Annex 4 – Rules on the segregation of hazardous materials
- Annex 5 – Storage areas for class 1 hazardous materials
- Annex 6 – Berthing and storage areas at the Quai des Flamands terminal
- Annex 7 – Berthing area at the cross-Channel ferry terminal
- Annex 8 – Supply area for vehicles and handling equipment

Chapter 1 - General

SCOPE

These **Local Port Regulations** apply to the admission, transport, storage ashore and handling of hazardous materials at the port of Cherbourg-en-Cotentin, within the administrative boundaries of the civilian port defined, on the landward side, by a Prefectoral Order dated 9 August 1996 determining the administrative boundaries of the port of Cherbourg and, on the seaward side, by Inter-Prefectoral Order no. 143-2014/DDTM/DML/GL of 10 February 2014 delimiting the civilian port of Cherbourg on the seaward side.

A general plan of the port of Cherbourg- en-Cotentin is provided as Annex 1 to these regulations.

These regulations apply to:

- transport of bulk and packaged goods;
- bunkering and loading operations involving hazardous materials;
- ships, boats, vehicles and wagons containing or which have contained hazardous materials other than in packages, where they have not been appropriately cleaned, degassed, and, if necessary, decontaminated;
- transport, handling and storage operations carried out in commercial ports by the Ministry of Defence, or on its behalf, outside the particular provisions defined by joint interministerial instructions issued by the Ministers of Defence and Maritime Ports.

These regulations do not apply to:

- access and mooring of the ships and boats of the Ministry of Defence in the port of Cherbourg- en-Cotentin, or to the measures to be taken and checks to be carried out on such vessels.

The transport and handling of hazardous materials within the administrative boundaries of the civilian port of Cherbourg are subject to the requirements of the regulation annexed to the Ministerial Order of 18 July 2000 regulating the transport and handling of hazardous materials in seaports (referred to as the "RPM") and the requirements of these regulations, which complete it. These regulations apply without prejudice to the regulatory provisions on movements within the mixed use zone.

In the interest of simplification, the word "port" is used to refer to the scope of these regulations in the whole of this document.

APPLICABLE CONVENTIONS AND CODES

See RPM

DEFINITIONS

For the application of these regulations, unless explicitly provided otherwise, the following definitions will apply:

Admission: Admission is the administrative authorising of the passage of hazardous or polluting materials through the port;

AIS: An Automatic Identification System is an automated system for exchanging messages between ships and between ships and facilities on land which provides the identity, status, position and route of the ships.

Port authority: The port authority is the president of the *Syndicat Mixte Ports Normands Associés*, pursuant to Article L.5331-5 of the French Transport Code, and their delegated representative(s);

Authority vested with port police powers: The authority vested with port police powers is the Prefect of Manche, pursuant to Article L.5331-5 of the French Transport Code, and their delegated representative(s) and for the application of these regulations, the dock masters and assistant dock masters, pursuant to Article L.5331-11 of the Transport Code;

Boat: Any floating craft that is not normally used for marine navigation. This term covers, in particular, floating craft used for inland navigation;

Harbourmaster's office: As defined by Article R. 301-6 of the French Maritime Ports Code (*Code des ports maritimes*), the harbourmaster's office is staffed by civil servants and officers with port police powers, whether they work for the authority vested with port police powers or the port authority. It is responsible for relations with users;

Shipper: Any person by whom, in whose name or on whose behalf a contract for the carriage of goods is entered into with a carrier;

Tank: Tanks include portable tanks, multiple element gas containers and road tanker vehicles;

Package: Any goods not loaded in bulk (see the RPM definitions) are considered as being transported in packages;

Container: Transport unit:

- a) permanent in nature and therefore strong enough to withstand repeated use;
- b) specially designed to facilitate the carriage of goods by one or more modes of transport, without intermediate reloading
- c) designed for easy attachment and/or handling, corner pieces being provided to this effect;
- d) approved in accordance with the International Convention for Safe Containers.

Vehicles and packaging are not containers.

Degassing:

Under these regulations, degassing is the operation certified by a gas free certificate, issued by an expert accredited by the authority vested with port police powers, which consists of introducing new air into a chamber to evacuate the toxic, flammable or inert gases;

Storage ashore: Storage ashore refers to the parking or storage of any transport unit detached from the means of moving it, package or Intermediate Bulk Container (IBC) destined to be loaded onto a ship or boat or to be collected for onward transport by road, rail or sea after being unloaded from a ship or boat;

Safety distance: The term safety distance is used to refer to the minimum isolation distance to be left around a ship, boat, vehicle or storage area containing hazardous materials. The notion of a safety distance also applies to the transshipment links used to handle hazardous materials. Unless otherwise provided for the different classes, this distance is fixed at 25 metres;

Service vessel: Any floating craft assigned to the operation, maintenance or surveillance of the port and its access routes. The service vessels used in the ports are ships or boats depending on the particular uses they are assigned to.

Transport unit: Tanker vehicle, road freight transport vehicle, tank wagon, goods wagon, multimodal container, tank container, multimodal portable tank or multiple element gas container (MEGC);

Expert: Person chosen for their technical knowledge and tasked with making examinations, observations and assessments of a fact or specific subject. Experts are accredited nominatively by the authority vested with port police powers in light of their competencies (knowledge of the properties of the materials transported, the construction and operation of vessels, etc.)

The authority vested with port police powers may call upon experts to assist it with the inspections they need to carry out in order to apply the provisions of these regulations;

Operator: For any operation involving the transport, handling and temporary storage of hazardous materials within the boundaries of the port, or for all of these operations carried out on a given site, the operator is the organisation contractually responsible for the operation or, failing that, the organisation that has custody of the goods. Its role with regard to safety is described in § 12-2 Section II of Part I of the RPM and these regulations.

To take account of certain particularities, the Authority vested with port police powers reserves the right to specifically designate the operator within the meaning of these regulations. By default, the last operator considered is the last known operator;

Terminal operator: The owner of a terminal or the holder of the domain occupancy title or the person responsible for the operation of the terminal on their behalf.

The following are identified as terminal operators:

- companies with a terminal operation agreement, a public equipment concession, a land lease or authorisation for private equipment with a public service obligation granted by the Port Authority;
- the company SAS Port de Cherbourg for the cross-Channel terminal.
- SPEC-SAS for the Quai des Flamands terminal.

Naked fire: Any material that is in flames or in the process of igniting or red hot, any spark or electric arc not contained within a sealed enclosure. Any process or equipment liable to ignite a gas or gaseous mixture may also fall under the notion of naked fire/light;

IBC: IBC Code refers to the International Code for the Construction and Equipment of Ships carrying Dangerous Chemicals in Bulk and the amendments thereto currently in force;

IGC: IGC Code refers to the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk and the amendments thereto currently in force;

ISA: Individual storage area refers to a quantity of hazardous materials of the same class where there is no separation between them;

IMSBC: IMSBC Code refers to the currently valid International Maritime Solid Bulk Cargoes Code

Inerting: Under these regulations, inerting is the operation certified by a certificate, issued by an expert accredited by the authority vested with port police powers, which consists of introducing an inert gas into a container which has held flammable liquids in order to obtain an “inerted container”;

INF: The INF Code is the International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes on board Ships;

ISPS: The ISPS Code is the International Ship and Port Facility Security Code. This code made up of two Parts (A and B) was adopted on 12 December 2002 by Resolution 2 of the Conference of Contracting Governments to the International Convention on the Safety of Life at Sea (SOLAS Convention) of 1974.

Hazardous materials: For the purposes of these regulations, hazardous materials shall be understood as:

- The materials listed in the IMDG Code when carried in packages;
- The dangerous liquid chemicals listed in Chapter 17 of the IBC Code when carried in bulk;
- The liquefied gases listed in Chapter 19 of the IGC Code when carried in bulk;
- The solid materials belonging to Group B in the IMSBC Code when carried in bulk;
- The hazardous materials subject to the regulations set out in § 11-1-2 of the RPM;

Pollutants: For the purposes of these regulations, pollutants shall be understood as:

- Hydrocarbons as defined in Annex I of the MARPOL Convention;
- Noxious liquid substances as defined in Annex II of the MARPOL Convention;
- Harmful substances as defined in Annex III of the MARPOL Convention;

Bulk goods: Are considered as carried in bulk: any goods loaded directly into the cargo spaces of ships or boats, or into a container permanently fixed onto the ship or boat without being held in place by any type of intermediate device;

Packaged goods: Are considered as carried in packages: any goods loaded under conditions different to those described above (goods not carried in bulk);

Package handling: All operations involving the loading and unloading of a ship, boat, vehicle, etc., the placing in and retrieval from storage, grouping and sorting, transshipment and all auxiliary operations relating to packages, with the exclusion of the roll-on/roll-off (RoRo) method of loading and unloading of ships and boats;

Ship: Any floating craft normally used for maritime navigation and therefore subject to the regulations applicable to that form of navigation;

Specialised berth: A specialised berth, which may be public or private, is a berth with permanent fixtures and equipped with safe operating systems and means of protection appropriate to the physical and chemical properties of the goods handled, should any failure occur.. It is situated in a sector of the port allowing specific safety measures to be taken;

RoRo berth: Berth where a RoRo vessel can be docked and loaded/unloaded. This berth is equipped with a linkspan allowing vehicles to drive on and off the vessel;

Spreader: Handling device used by stevedores to lift containers;

Parking: Vehicle parking is understood as referring to any transport unit with its drive unit which remains in one place without moving. Stops made by road vehicles necessary to the transporting of hazardous materials are not considered as parking as long as such stops correspond strictly to the time needed to carry out the administrative formalities or checks inherent in the port's activities.

Transshipment: For goods carried in bulk, transshipment is understood as the moving of cargo from one ship or boat to another ship or boat while in transit. For goods carried in packages or containers, transshipment is understood as moving cargo from one ship or boat to another ship or boat with or without temporary storage on land (including the vessel-land-vessel transfers);

Transit: Hazardous materials in transit are materials on board the ship or boat which are not handled in any way and remain on board while the ship or boat is in port;

Transport: The action of carrying hazardous materials in the port by any means whatsoever;

Mixed use zone: Zone defined by Inter-Prefectoral Order no. 165-2014/DDTM/DML/CPC of 10 February 2014 establishing the general regulations for the policing of navigation, anchoring and fishing applicable to the Cherbourg harbours and surrounding areas.

Safety zone: The safety zone for a group of ships, boats, vehicles, yards and storage areas containing hazardous materials is the zone generated by applying the notion of safety distance to each of these elements for which the main or subsidiary hazard is flammability or explosibility.

Part I – Requirements relating to the application of these regulations

Section I – Regulations

Article 11-1 – TRANSPORT REGULATIONS

See RPM

11-2 – OTHER APPLICABLE REGULATIONS

11-2-1

See RPM

11-2-2

See RPM

These regulations apply without prejudice to the provisions of the French Environment Code, in particular concerning the regulations on facilities classified as constituting a risk to the environment (ICPEs) and the regulations on pressure vessels.

11-2-3 Local regulations

11-2-3-1

See RPM

11-2-3-2

See RPM

11-2-3-3

See RPM

11-2-3-4 Accidents and incidents

All incidents, accidents or damage occurring on a ship containing hazardous materials while it is in port, including at anchorage, must be reported immediately to the harbourmaster's office-

Operators and terminal operators are under an obligation to inform the harbourmaster's office without delay of any significant accidents or incidents involving hazardous materials and those that are liable to affect the interests mentioned in Article L. 551-2 of the Environment Code. Operators must also inform the operator of the terminal concerned.

An accident report or, at the request of the port authority, an incident report will be provided by the terminal operator to the port authority. It will contain details of the following:

- the circumstances and causes of the accident or incident;
- the effects on people and the environment;
- the measures taken or envisaged to avoid a similar accident or incident and to mitigate the effects in the medium and long term;
- a description of the inspections carried out and modifications made to equipment following the incident or accident.

Operators will provide terminal operators with all the information necessary to produce this report. It must be submitted to the port authority within one month.

The port authority will collect the declarations and use them to constitute a database allowing an accident analysis to be taken into account and conclusions drawn.

11-3 – EXEMPTIONS FOR ONE-OFF OPERATIONS

See RPM

Section II – Experts and operators

Article 12-1 – EXPERTS

See RPM

Article 12-2 – THE OPERATOR

See RPM

The operator must ensure that the hazardous materials under its responsibility have been duly declared by the shippers concerned as being correctly identified, packed, marked and labelled in compliance with the relevant regulations.

The operator must ensure that the transport equipment used to carry hazardous materials meets the regulatory requirements applicable to said materials (approvals, warning signs, danger placards, etc.).

The operator must ensure that the transport units under its responsibility have not incurred any damage that would affect their strength or reliability. It must ensure in particular that they do not leak.

The operator must ensure that a statement of the stocks of hazardous materials in its custody is available at all times and held at the disposal of the port's harbourmaster's office and the emergency services. This stock statement will indicate for each hazardous material:

- quantity (mass or volume);
- the precise technical name;
- UN number;
- its location (wharf, parking area, hard standing, etc.);

Documents and certificates must remain in the possession of the person or organisation with custody of the hazardous materials whilst they are in the port area.

Article 12-3 – SHIPPER

The shipper or its representative must ensure that the documents and certificates concerning the hazardous materials have been issued, that the materials are correctly identified, packed, marked and labelled so that they comply with the applicable regulations.

Part II – Provisions relating to port operation

Section I – Provisions relating to ships, boats and transport units

Article 21-1 – DECLARATION AND AUTHORISATION

See RPM

All the declarations required by the regulations and in particular by the RPM completed by these local port regulations (RPL) must be sent electronically to the harbourmaster's Office using computer applications compatible with those used by the authority vested with port police powers.

The authority vested with port police powers or its qualified representatives may take any useful measures to check that the hazardous materials transported have all the necessary safety guarantees and to check the accuracy of the declarations.

Agreement prior to transport:

In order to ensure that the port is able to receive the most sensitive hazardous materials, ships' captains, ship owners, charterers and forwarding agents for ships carrying hazardous or polluting materials, shippers of hazardous materials in packages or their representatives must obtain the agreement of the authority vested with port police powers before bringing the materials into the port of Cherbourg- en-Cotentin.

The hazardous materials concerned are:

- Those carried in bulk;
- Class 1 materials (with the exception of class 1.4, and loads with a mass of less than 10 kg);
- Class 2 and 3 materials in tanks;
- Class 2.3 materials;
- Class 7 materials;
- Ammonium nitrate and ammonium nitrate fertilisers in classes 5.1 and 9.

The agreement prior to transport referred to above will specify the practical conditions of the planned port visit, in particular the incoming mode of transport and duration of storage in the port where it is authorised.

21-1-1 Arrival and departure by sea

See RPM

The declaration provided for in Article 21-1 of the RPM will include all the information mentioned in the declaration provided for in Annex I to the RPM. It does not concern the ships' stores or shipboard equipment. It must be provided to the authority vested with port police powers electronically, except where this is proven to be technically impossible.

Shipping orders may be requested and must be submitted to the authority vested with port police powers as soon as possible in the event of an incident or accident.

As the movements of ships and transport units carrying hazardous materials require the prior authorisation of the commander of the naval base to pass through the mixed use military port of Cherbourg, the harbourmaster's office informs the military authority of the planned movements of the ships concerned giving at least 24 hours' notice, and confirms this information at least 6 hours before the actual arrival or departure. Passenger ships are exempted from this obligation.

21-1-1-1 Arrival and departure by sea – exemptions

See RPM

21-1-2 Arrival and departure by rail or road

See RPM

Any storage at the Quai des Flamands terminal is subject to prior authorisation by the harbourmaster's office.

21-1-3 Obligation to provide information and admission of ships, boats and vehicles

See RPM

Regardless of its mode of transport, any hazardous material assimilable with nuisance-generating waste or waste as defined by Articles R. 541-7 to R. 541-11 of the French Environment Code must be the subject of the specific submission to the authority vested with port police powers of the documents required under Articles R. 541-62 to R. 541-64 of said Environment Code, relating to the particular provisions concerning cross-border movements of waste. The prior agreement of the authority vested with port police powers must be obtained as defined in Article 21-1.

Ships and boats carrying bulk hazardous materials must have the material safety data sheets for the products concerned on board.

21-1-4 Obligations of the shipper towards the ship's captain or operator

See RPM

Article 21-2 – CONDITIONS

21-2-1

See RPM

Orders issued by the Maritime Prefect for the Channel and the North Sea govern the conditions of anchorage and use of the waters of the mixed area.

Any ship or boat may only moor or load and unload at the berth assigned to it by the authority vested with port police powers.

The time a ship carrying hazardous materials may remain berthed in the port is limited to the time required for loading and unloading operations.

When it authorises the entry, movement or departure of a ship or boat carrying hazardous materials, the authority vested with port police powers may order special precautions to be taken by the ship or boat where general safety requires it. In particular, it may prohibit movements at night or in unfavourable weather conditions, or require the use of tugs.

21-2-2

See RPM

21-2-3

The port of Cherbourg- en-Cotentin does not possess any specialised berths dedicated to the handling of bulk hazardous materials.

21-2-4 Road vehicles and rail wagons

The maximum speed at which road vehicles and rail wagons may travel on the wharves and hard standings used to store or handle hazardous materials is 30 km/h.

Whenever possible loaded road vehicles and rail wagons or those coming to load or unload hazardous materials must remain in the port for as short a time as possible. In the event that they need to be parked, this will be done in accordance with the requirements of Chapter 2 of these regulations.

The operator of each terminal draws up a "traffic and parking plan" and keeps it up to date at all times. The plan sets out the particular measures concerning the receipt, movement and parking of vehicles containing hazardous materials or moving in enclosed or restricted access areas of the port. The operator must ensure that this plan is known to the terminal's users and will make them aware of it by means of appropriate notices.

21-2-4-1 Cross-Channel area

The time vehicles carrying hazardous materials which are authorised to park at the cross-Channel terminal may spend queueing to board ferries is limited to 2 hours. Vehicles carrying hazardous materials that are prohibited from parking at the cross-Channel terminal must join the queue as late as possible in order to minimise the time they are stationary.

The operator must take all useful measures to reduce the risks, e.g. by segregating vehicles carrying hazardous materials.

Vehicles carrying certain classes of hazardous materials are authorised to park for a short time, but never more than 72 hours, in the spaces provided in the trailer waiting area at the cross-Channel terminal. These spaces are defined in Annex 7 to these regulations and marked out on the ground.

Whether or not a road vehicle may be parked in the above-mentioned spaces depends on it meeting the following conditions, in accordance with the flowchart on the shipping of hazardous materials provided in Annex 3 to these regulations.

- The vehicle is not carrying hazardous materials in classes 1 (except for subdivision 1.4S), 2.3, 6.2 and 7 subject to the INF Code, or ammonium nitrate and ammonium nitrate fertilisers, whatever their class;
- The vehicle is not carrying a tank of class 2.1, 2.2 or 3 hazardous materials;
- One of the spaces defined in Annex 7 to these regulations is available;
- The vehicle is in order as regards the administrative formalities defined by the RPM completed by these RPL.

If the vehicle does not meet all of these conditions, the authority vested with port police powers may send it to the area provided at the Quai des Flamands terminal as defined in Annex 6 to these regulations or prohibit it from remaining on port grounds. Vehicles carrying hazardous materials may only access roll on-roll off berths, from the Quai des Flamands terminal, at the moment of boarding.

By way of an exception, the authority vested with port police powers may also send vehicles to the spaces reserved for vehicles carrying class 1 materials at the Quai des Flamands jetty. This solution can only be applied if there are no class 1 materials present at the same time and that checks are carried out after the departure of the vehicle to ensure that no leaks occurred while it was standing.

When they are subject to restrictions on their movements, vehicles disembarking from ferries are allowed to park at the cross-Channel terminal in the same spaces and subject to the same conditions.

21-2-5

See RPM

With the exception of strict operating needs and operations authorised in advance by the

authority vested with port police powers and subject to the conditions imposed by the latter, no ship, boat, service or pleasure craft may enter the safety zone of a ship or boat containing flammable or explosive hazardous materials.

Article 21-3 – SIGNALLING OF SHIPS, BOATS, ROAD VEHICLES AND RAIL WAGONS CONTAINING HAZARDOUS MATERIALS IN THE PORT.

See RPM

Ships carrying or that have carried hazardous materials must keep their AIS transmitter in operation while they are in the port.

Article 21-4 – SHIP AND BOAT BUNKERING

See RPM

Bunkering operations carried out by any means (by ship, lighter, tanker lorry, pipes, etc.) are systematically subject to the written authorisation of the authority vested with port police powers.

Bunkering operations must take place following a procedure established and kept up to date at all times by the authority vested with port police powers. This procedure requires, among other things, that all precautions be taken to avoid any pollution, in particular when connecting hoses, and that drivers constantly supervise the operations.

Article 21-5 – REFUELLING VEHICLES AND HANDLING EQUIPMENT

See RPM

Vehicles and handling equipment may only be refuelled at the locations specifically provided for the purpose and authorised by the authority vested with port police powers. These locations are defined in Annex 8 to these regulations.

Refuelling operations must take place following a procedure established and kept up to date at all times by the operator of the vehicles and handling equipment concerned. This procedure specifies all the measures that must be taken to control the risks associated with such operations and in particular the risk of environmental pollution. It will be submitted to the authority vested with port police powers for their opinion and must remain available to the latter at all times. The operator must ensure that its personnel are familiar with this procedure, in particular by providing training and posting up appropriate information notices.

Section II – Provisions relating to wharves, hard standings and sheds

See RPM

Article 22-1 – OPERATIONS ON WHARVES AND HARD STANDINGS

See RPM

By way of an exemption and where the conditions allow it, the authority vested with port police powers may allow stuffing and destuffing operations subject to compliance with the particular instructions it gives.

Overpacking is subject to authorisation by the authority vested with port police powers and will require that the following conditions be met:

- each package of hazardous materials keeps its markings and labels in accordance with the provisions of the IMDG Code;
- the packaging of the package is not damaged;
- the initially intended function of each item of packaging is not compromised by the overpacking;
- the requirements of the IMDG Code on the separation of materials are met;
- packaging for stuffing is compliant with the IMDG Code and bears the marking and labels of the goods it contains;
- a certificate is drawn up after every stuffing operation.

The authority vested with port police powers may interrupt any handling operations involving hazardous materials at any time if the requirements of the SOLAS and MARPOL Conventions are not being met and, more generally, if they deem that it is not taking place under satisfactory, safe conditions.

Article 22-2 – MOVEMENT OF PERSONS ON THE WHARVES AND HARD STANDINGS

Notwithstanding the provisions of the port security regulations, movements of persons on the wharves and hard standings used to store or handle hazardous materials is prohibited in the safety zone to anyone whose presence is not justified by the commercial operations relating to the ship, boat or goods, or by safety or port operations, or whose presence or attitude risks endangering public safety. Dock masters always have access to the enclosed areas, sheds and any other place within the administrative boundaries of the port for the purpose of doing their job.

Access to any ship, boat or storage area containing hazardous materials is subject to the permission of the ship's captain, the operator in charge of the storage area or the authority vested with port police powers.

Safety rules such as the ban on smoking, carrying a cigarette lighter or matches within the boundaries of terminals where flammable, combustible or explosive hazardous materials are present, or the requirement not to be under the influence of any alcoholic, narcotic or hallucinogenic substance, must be strictly adhered to on the wharves and hard standings, as well as in the sheds.

Emergency, rescue and assistance services must be able to access the wharves and hard standings at all times.

The terminal operator must inform the terminal's users and passers-by of the above-mentioned requirements and, more generally, of all requirements or instructions relating to their safety, by means of appropriate signs and notices.

Article 22-3 – STORAGE ASHORE AND SAFE STORAGE

22-3-1 Storage ashore

See RPM

Operations involving the storage ashore of hazardous materials require the prior written authorisation of the authority vested with port police powers.

However, in the cross-Channel terminal spaces defined in Article 21-2-4-1 of these regulations, and in line with the requirements of that article, unaccompanied trailers may be stored with no need to request such prior authorisation.

For hazardous materials, whatever their type, the operator must have all the information needed to precisely locate them and obtain, if necessary from the shipper or the recipient's safety manager, the information on the nature and dangers of each of the hazardous substances and the first aid measures applicable in the event of an accident. This information must be readily available to the authority vested with port police powers or the emergency response services at all times.

The maximum quantities of hazardous materials that can be stored ashore at the port of Cherbourg-en-Cotentin terminals and the associated safety measures are detailed for each class of hazardous materials in Chapter 2 of these regulations.

The maximum storage times are also specified for each class of hazardous materials in Chapter 2 of these regulations. Where it is not specified, the maximum storage time is three consecutive working days by default, unless otherwise required by the authority vested with port police powers.

This storage time does not apply within the perimeter of facilities classified as constituting a risk to the environment (ICPEs) that have been lawfully authorised and which are in full compliance with the regulations that apply to them.

If the maximum times provided for by these regulations are found by the authority vested with port police powers to have been exceeded, or it is informed of such a situation by the operator, the harbourmaster's office may issue the person responsible for the hazardous material concerned (ship's agent for imports or forwarding agent for exports) with formal notice to remove it. The hazardous materials will then be removed at the expense and under the responsibility of the owner or their representative, without prejudice to the criminal penalties applicable under the French Transport Code.

The operator of the vehicles and handling equipment present in the safety zones must ensure that they meet the applicable standards and regulations. They must be able to provide the authority vested with port police powers with the documentary evidence of their compliance, at any time.

The separation distances between units, individual storages areas and transport units defined in Annex 4 and in Chapter 2 of these regulations must be respected for any hazardous materials that are parked or stored and, where possible, being moved.

Tanks containing hazardous materials must not be stacked.

Hazardous material storage areas ashore must be at least 25 metres away from any building and from the boundaries of the port area.

Fumigation:

Fumigated containers can only be parked on the port inside a specially fenced off space. They are segregated and the area where they are parked is delimited.

When fumigation operations are permitted by the authority vested with port police powers, they can only be carried out inside a fenced off area. Signs should clearly indicate the nature of the operations and the prohibition on entering the area. Fumigation operations are prohibited near terminals used by passenger vessels.

22-3-2 Secure depots

See RPM

Article 22-4 – HOT WORK ON WHARVES AND HARD STANDINGS

See RPM

Servicing and maintenance works:

All servicing and maintenance works in the facilities or in the vicinity of areas where there is a flammable, explosive and toxic risk can only take place after submitting a pre-

established dossier specifying the nature of the works, the risks involved, how they will be integrated into the facilities or units in operation and the measures to be taken for their performance and monitoring.

The works will be the subject of a permit issued by a duly authorised named person designated by the operator of the terminal or facility where the works are to take place.

22-4-1 – Permit-to-work or hot work permit

Works leading to an increase in risk (e.g. use of a flame or heat source) can only be performed with the authorisation of the authority vested with port police powers and after they have issued a permit to--work (*permis d'intervention*), and any hot work permit (*permis de feu*), accompanied by specific instructions on the performance of the works, where applicable.

The permit-to-work, along with any hot work permit and any specific instructions, is drawn up and signed by the operator or a person they have named and designated. When the works are performed by an outside contractor, the permit to work, along with any hot work permit and specific instructions, is co-signed by the operator and the outside contractor or a named the persons they have designated.

The permit will set out:

- the reasons for its issuance. The reason why these works cannot be performed outside of the facility or risk areas must be justified;
- the period of validity;
- the nature of the hazards;
- the type of equipment that can be used;
- the preventive measures that must be taken, in particular atmosphere testing, the fire and explosion hazards, the making safe of the installations;
- the means of protection to be used, in particular personal protective equipment, firefighting equipment, etc. provided to the personnel carrying out the works.

All works and other interventions must be preceded by a visit of the site by the operator or its representative immediately before they start, to check that the predefined conditions are met.

On completion of the works and before activities resume, the facilities must be checked by the operator, or its representative, and the representative of any outside contractor.

The operator must retain permits-to-work and hot work permits so that they are available to the authority vested with port police powers for at least a year.

Article 22-5 – LIGHTING EQUIPMENT

See RPM

Article 22-6 – ENGINES AND SHORE-BASED FACILITIES

See RPM

Article 22-7 – TELEPHONE – RADIOTELEPHONE

With the exception of specially adapted equipment, the use of mobiles is prohibited in the

safety zones. Devices that are not specially adapted must be switched off.

227-7-1

See RPM

Throughout the operations, the ship must maintain a radio watch on VHF channel 12, unless orders are given to the contrary by the harbourmaster's office, depending on the nature of the goods carried.

22-7-2

See RPM

**Section III – Provisions relating to the prevention and abatement of pollution,
disasters and accidents due to hazardous materials**

Article 23-1 – GENERAL PREVENTION AND ABATEMENT MEASURES

See RPM

In the event of an accident or incident, the operator and/or the ship's captain or the boat's skipper must inform the harbourmaster's office immediately in line with the requirements of Article 11-2-3-4 of these regulations.

23-1-1 General provisions

See RPM

The port authority has an emergency plan for the port of Cherbourg- en-Cotentin which it keeps up to date at all times. This plan clearly describes the operational requirements relating to the emergency measures to be taken, depending on the case, by the authority in charge or manager of the infrastructure, the owner or the operator, as well as their obligations with regard to informing and alerting persons liable to be affected by an accident of the dangers, the safety measures and how to behave.

The port authority must fully review and update the emergency plan every 3 years. A copy of this plan and the updates must be sent to the Regional Director for the Environment, Planning and Housing (*Directeur Régional de l'Environnement de l'Aménagement and du Logement*) for Basse-Normandie, the Departmental Director of the Fire and Rescue Services (*Directeur Départemental des Services d'Incendie and de Secours*) for Manche, the harbourmaster's office of the port of Cherbourg- en-Cotentin and all the terminal operators at the port of Cherbourg- en-Cotentin.

The port authority draws up and implements a written procedure, and provides the human and material resources to guarantee that there is a systematic effort to find ways to improve the provisions of the emergency plan. This will specifically include:

- the organisation of periodic testing (annually at least) of the emergency response system and/or means;
- training of personnel who are part of emergency response teams;
- analysis of these drills and training, and pinpointing the lessons to be learned;
- analysis of accidents that have occurred on other sites and learning from them, where relevant;
- taking account of risk assessment updates;
- periodic and systematic review of the content of the emergency plan at least once every three years – this can be coordinated with the actions mentioned above;

All of the emergency response equipment, in particular firefighting equipment and alarm dissemination systems, must be kept accessible and in working order at all times. This equipment must be inspected at least annually by a competent contractor, the choice of which will be submitted to the harbourmaster's office for approval.

The establishments at the port of Cherbourg- en-Cotentin that are accessible to the public, in particular the passenger terminal and the Cité de la Mer museum, must have an emergency response plan. This plan sets out the arrangements for receiving the emergency services and controlling disasters, incidents and accidents caused by hazardous materials, and describes the organisation and functioning of its systems. It includes an evacuation plan as well as a description of how it ties in with the port of Cherbourg- en-Cotentin 's emergency plan. This plan is kept up to date at all times and is submitted to the harbourmaster's office for approval.

The authority vested with port police powers ensures that the fire safety regulations are provided to ships' captains and boat skippers as soon as they arrive in the port. In the event of an incident, a ship or boat can only be moved with the permission of the authority vested with port police powers.

The risks associated with the hazardous materials transported or handled as well as the related safety instructions must be familiar to and taken into account by all personnel in charge of transporting or handling them. The safety data sheets for the hazardous materials handled or transported must be available to personnel.

Personnel must be given appropriate training. This training must include in particular a precise description of the risks associated with the hazardous materials handled, the actions to be taken in the event of an incident or accident and practice in the use of emergency response equipment.

Any ship or boat whose means of fire prevention and firefighting are inadequate must inform the authority vested with port police powers of this fact immediately. Any intervention on such equipment can only take place with the prior agreement of the authority vested with port police powers.

23-1-2 Dissemination of alarms

See RPM

Anyone who discovers a fire must immediately raise the alarm with the fire and emergency services by dialling 18 or 112. The person raising the alarm must not end the call until all useful information has been provided and only after being told they can do so by the fire and emergency services

They must then inform the port harbourmaster's office, the operator of the facility and the captain of the ship concerned, where necessary.

Depending on the situation and based on its knowledge of the activities being carried out in the port, the harbourmaster's office may take all useful measures to enable the fire and emergency services to intervene under good conditions and to avoid any secondary accidents. If necessary, it will raise the alarm with the persons and departments concerned.

The Maritime Prefecture and the naval base must be kept informed of the foreseeable consequences that could go beyond the scope of the civilian port authority's competence.

A precise description of the process of raising the alarm describing the roles of the different actors involved is included in the port of Cherbourg- en-Cotentin 's emergency plan.

Article 23-2 – SPECIFIC PRECAUTIONS TO PREVENT THE POLLUTION OF PORT WATERS

General provisions

The port of Cherbourg- en-Cotentin has an "Port Water Pollution Contingency Plan" which must be kept up to date at all times and submitted to the authority vested with port police powers for approval.

If the port waters are polluted, the operator, the ship's captain, the boat or service vessel skipper or any other person who becomes aware of the pollution must report it to the harbourmaster's office without delay.

23-2-1

See RPM

23-2-2

See RPM

Hazardous waste materials from ships and boats must be disposed of according a specific protocol approved by the authority vested with port police powers. They are subject to management rules imposed by the Basel Convention and the laws enacted to enforce it.

Other residues and waste are kept on board under the same conditions as for their transport at sea.

The conditions of their offloading must meet the requirements set out in the plan for the receipt and treatment of ship-generated waste and cargo residues defined in Article R. 121-2 of the French Maritime Ports Code.

The provisions of Article 23-2-1 also apply to the offloading of sewage covered by Annex IV of the MARPOL Convention 73/78.

23-2-3

See RPM

The refuelling vessel authorised to carry out bunkering, can treat small accidental spills into the sea with absorbent products or floating booms.

Article 23-3 – PRECAUTIONS AGAINST THE POLLUTION OR CONTAMINATION OF SHEDS, WHARVES AND HARD STANDINGS

See RPM

Section IV – Surveillance

Specific surveillance is required to ensure the safe holding of hazardous materials on wharves and hard standings to reinforce port safety on top of the permanent arrangements. It is carried out separately and independently of the measures provided for in the port facility security plans drawn up in application of the ISPS Code.

Article 24-1 – WHEN PRESENT IN THE PORT

See RPM

Surveillance of hazardous materials is carried out by competent personnel trained in the risks associated with the hazardous materials guarded and in what to do in the event of an

incident or accident. This will consist of effective, continuous surveillance, day and night. Surveillance may be carried out remotely according to arrangements approved by the authority vested with port police powers.

If the surveillance is carried out by the security guards employed by a private contractor, the latter must be approved by the Prefect after consulting the port of Cherbourg- en-Cotentin harbourmaster's office. If the requirements of these regulations are not met or the directives of the authority vested with port police powers not followed, this approval may be revoked at any time following a simple decision by the harbourmaster's office.

The security personnel carrying out the surveillance are responsible for ensuring the regulatory requirements are met and may call on the harbourmaster's office if necessary. In case of need or an incident, the security guards must immediately, and as a priority, inform the harbourmaster's office and the operator.

The security guard(s) must be clearly identifiable.

The authority vested with port police powers may require the presence of first response equipment and safety equipment appropriate to the risks posed by the hazardous materials guarded.

Road vehicles may be guarded by the driver or the approved escort agent for the first 12 hours they are parked. After that, they are guarded by an approved private contractor.

The authority vested with port police powers may require the setting up or strengthening of the surveillance of the hazardous materials present in the port at any time.

As long as a ship or boat is in the port, on-board surveillance is obligatory. It is carried out by the crew under the responsibility of the captain or skipper, or by an approved security company. This surveillance will include constant monitoring of access to the vessel.

While a ship or boat carrying hazardous materials in packages is in port, surveillance ashore is not required, except for the particular provisions of Chapter 2 of these regulations or any other specific regulations.

Article 24-2 – DURING HANDLING OPERATIONS AND STORAGE ASHORE

See RPM

Part III – Provisions specific to handling

Section I – Cargo loading, unloading, handling and transshipment operations

Article 31-1 – CONDITIONS

See RPM

The authority vested with port police powers may impose an order on the loading or offloading of hazardous materials.

Article 31-2 – PROHIBITIONS

See RPM

Section II – Particular operations

See RPM

Article 32-1 – OPERATIONS CONCERNING TRANSPORT UNITS

See RPM

Stops made by road vehicles necessary to the transporting of hazardous materials are not considered as parking as long as such stops correspond strictly to the time needed to carry out the administrative formalities or checks inherent in the port's activities.

Transport units carrying hazardous materials in transit must respect the separation distances defined in Annex 4 of these regulations at all times, as well as any separation distances specific to the different classes of hazardous materials detailed in Chapter 2 of these regulations. Particular attention must be paid to avoid any unplanned grouping of vehicles during the journeys.

Rail wagons waiting on the track must comply with the directives and locations imposed by the authority vested with port police powers.

The storage of containers of hazardous materials ashore for less than 72 hours may be permitted by the authority vested with port police powers in the spaces defined in Chapter 2 of these regulations or in any other appropriate locations that it imposes.

In addition to the provisions of Article 21-2-4 of these regulations, the parking of road vehicles and rail wagons carrying hazardous materials in the port must comply with the regulations specific to those modes of transport.

As necessary, the authority vested with port police powers will make the authorisation of access to the port of vehicles carrying hazardous materials conditional upon compliance with any requirements they deem useful, such as a given itinerary or times of day.

Operators must draw up a procedure describing the handling operations for transport units when unfavourable weather conditions are liable to increase the risks, and keep it updated. This procedure must be presented to the employees in charge of handling operations, especially during training sessions.

Unless otherwise provided for by the authority vested with port police powers, vehicles will use marked lanes and follow road signs whenever they exist. On the hard standings, they must keep to a speed of below 30 km/h.

Article 32-2 – NIGHT OPERATIONS

See RPM

Outside of any particular requirements imposed by the authority vested with port police powers, night operations are permitted without restriction for hazardous materials.

Section III – Handling of bulk hazardous materials

Handling and storage ashore of bulk hazardous materials is prohibited in the port of Cherbourg- en-Cotentin.

Article 33-1 – AUTHORISED PLACES AND OPERATING PROCEDURES

Not applicable

Article 33-2 – CONDUCT AND MONITORING OF BULK HANDLING OPERATIONS

Not applicable

Article 33-3 – CONTROL OF THE HANDLING OF BULK LIQUID AND GASEOUS PRODUCTS

Not applicable

Article 33-4 – HOSES, LOADING AND UNLOADING ARMS

Not applicable

Article 33-5 – EQUIPOTENTIAL BONDING

Not applicable

Section IV – Handling on board mixed cargo ships designed to carry solid goods or liquid bulk goods

Article 34-1 – CONDITIONS

Not applicable

Section V – Handling of packages of hazardous materials

Article 35-1 – PROVISIONS RELATING TO THE OPERATOR

See RPM

The operator must visually examine the outside of all containers, trailers, packages or tanks to check their physical condition, insofar as it can affect their strength, and in order to detect, where applicable, any signs of leakage of the contents. If any of these checks reveals defects that risk affecting the safety of the handling, storage or transport operations, a comprehensive inspection must be carried out to determine whether further handling, storage or transport operations are possible.

The operator must check if all the containers, trailers, packages or tanks containing hazardous materials are correctly labelled or marked in accordance with the information received and the applicable regulations.

The operator must immobilise all containers, trailers, packages or tanks showing signs of leaks or serious structural damage and inform the authority vested with port police powers and the SDIS 50 (Departmental Fire and Rescue Service) as soon as possible. The conditions of their evacuation will then be the subject of an operating procedure validated by the authority vested with port police powers and the SDIS 50.

The operator must ensure that any directives issued as and when by the authority vested with port police powers and the SDIS 50 are respected.

If leaks of hazardous materials have been observed, the operator must undertake, in consultation with the harbourmaster's office and the SDIS 50, appropriate clean-up operations with the aim of minimising the pollution of the environment and preventing any risks due to possible incompatibilities with the next hazardous materials to be stored in the same spot.

Article 35-2 – PROVISIONS RELATING TO PACKAGES

See RPM

Any package or transport unit showing anomalies or leaks must be declared to the authority vested with port police powers at the earliest opportunity.

Containers, trailers, packages and found to be damaged on board ships cannot be offloaded without the agreement of the authority vested with port police powers, which may validate an operating procedure, if appropriate.

Ventilation, inspection and cleaning of tanks containing or having contained hazardous materials is prohibited outside of the specialised facilities.

Section VI – Admission – Loading and unloading containers

Article 36-1 – GENERAL PROVISIONS

See RPM

The operator must ensure that containers and portable tanks used to transport hazardous or polluting materials have been approved in accordance with the International Convention for Safe Containers and the relevant provisions of the IMDG Code, or that they have a certificate or approval issued by the competent authority.

The operator must examine the outside of all containers or tanks to check their physical condition, insofar as it can affect their strength, and in order to detect, where applicable, any signs of leakage of the contents

The operator must check if all the containers or tanks containing hazardous materials are correctly labelled or marked in accordance with the IMDG Code and the appropriate standards applicable to the mode of transport used.

Stacking of containers of hazardous substances is prohibited.

Article 36-2 – CSC PLATE

See RPM

Part IV – Provisions specific to ships and boats

Section I – Safety measures to be taken on ships and boats

Article 41-1 – REQUIREMENTS RELATING TO INERTING AND DEGASSING OPERATIONS

See RPM

No handling operations, no repair work or work involving the use of hot spots or flames may be undertaken on board a non-inerted or non-degassed ship or boat without the permission of the authority vested with port police powers.

The cost of the certificates issued after inerting or degassing operations will be borne by the ship or boat.

Gas free certificate:

The certificate must include at least the percentage of the lower explosive limit (LEL), the percentage of oxygen (O₂), the CO content (ppm) and H₂S content (ppm).

The dock master present during the inspection may request any other measurements they deem necessary.

The original of the gas free certificate is given to the ship's captain or boat skipper by the expert accredited by the authority vested with port police powers. In case of need, the harbourmaster's office keeps an up-to-date list of the accredited experts along with their contact details.

The certificate issued after degassing operations is valid for a period decided by the expert accredited by the authority vested with port police powers, and limited by default to 24 hours.

Inerting certificate:

The original of the inerting certificate is given to the ship's captain or boat skipper by the expert accredited by the authority vested with port police powers. In case of need, the harbourmaster's office keeps an up-to-date list of the accredited experts along with their contact details.

Authorisation of hot work once a gas free certificate has been issued:

Once a gas free certificate has been issued, the authority vested with port police powers can issue authorisations to carry out hot work (using open flames) after they have inspected the cleanliness of the places where the work is to be performed.

The dismantling of the sections of pipe on which hot work is to be performed is obligatory.

Ventilation, degassing and washing operations on holds and tanks are subject to authorisation by the authority vested with port police powers, as is the opening of tank openings, covers and lids.

Ships equipped with closed loading and closed sampling systems are obliged to use their installation.

Ventilation, degassing and washing operations on holds and tanks must be carried out in accordance with the ship's operating manual and the requirements of the authority vested with port police powers in the locations designated for this purpose.

Article 41-2 – MISCELLANEOUS REQUIREMENTS

See RPM

The detailed plans of the ship or boat and its cargo plan (manifest or list) must be on board

so that they can quickly be made available to the authority vested with port police powers or a qualified representative of the Port Authority, as well as the authorities and departments competent in matters relating to prevention and abatement of pollution and other incidents and accidents linked to hazardous materials.

In the event of a fire on board a ship or boat, on the port wharves or in the vicinity of the wharves, the ships' captains and boat skippers must muster their crews and be ready to apply the measures required by the commander of the emergency operations and the authority vested with port police powers or by their qualified representatives.

Section II – Safety measures to be taken on lighters and LASH carriers

Article 42-1 – RULES APPLICABLE

See RPM

Section III – Safety measures to be taken on service vessels

Article 43-1 – RULES APPLICABLE

See RPM

Service vessels that are required to enter the safety zones must be powered by safe diesel engines which meet the regulatory requirements and whose exhaust system is fitted with a spark arrestor (e.g. a metal mesh screen);

Section IV – Nautical precautions – Mooring

Article 44-1 – MEASURES APPLICABLE TO ALL SHIPS AND BOATS

See RPM

Ships come alongside the quayside, which allows for easier unberthing.

The authority vested with port police powers may impose on ships and boats carrying hazardous materials any precautions they deem useful.

Mooring:

Vessels must have enough mooring lines in good condition to handle its tonnage, the berth and the weather conditions during the call.

Article 44-2 – MEASURES SPECIFIC TO SHIPS AND BOATS LOADED WITH MATERIALS WHOSE PRIMARY OR SUBSIDIARY HAZARD IS FLAMMABILITY OR EXPLOSIVITY

44-2-1 Mooring

See RPM

Ships and boats containing hazardous or polluting materials must be ready to be towed away in the event of a fire on board or nearby.

Unless otherwise authorised by the authority vested with port police powers, ships must keep their means of propulsion, winches and gear in working order and ready for use.

Unless authorised by the authority vested with port police powers, no repairs or work on the fire detection and extinction systems that is liable to render them even temporarily unusable is permitted.

44-2-2 Lifeboats

See RPM

Article 44-3 – MEASURES SPECIFIC TO DOUBLE MOORED SHIPS AND BOATS

44-3-1 General provisions

See RPM

44-3-2 Double mooring and unmooring manoeuvres for a tanker

See RPM

Section V – Lighting and heating on board ships and boats

Article 45-1 – RULES APPLICABLE

See RPM

Section VI – Boilers, engines and galley hot plates

Article 46-1 – RULES APPLICABLE

See RPM

Section VII – On-board repairs

Article 47-1 – RULES APPLICABLE

See RPM

The agreement of the authority vested with port police powers and the operator or their representatives is obligatory for any repairs that involve hot working or which reduces ships or boats' ability to manoeuvre, even if they are moored at berths dedicated to ship repairs.

This agreement will set the beginning, end and conditions under which the repairs may take place. The authority vested with port police powers may require that a prevention plan be drawn up depending on the extent of the risks and the type of works to be carried out. The plan will formalise the safety requirements to be met and the role of the different persons involved, as well as what to do in the event of an incident or accident. Depending on the scale and nature of the works to be carried out, the presence of a security guard or an exclusion zone around the ship may be imposed by the authority vested with port police powers.

Section VIII – Personnel on board ships and boats

Article 48-1 – RULES APPLICABLE

See RPM

Section IX – What to do in the event of an accident

Article 49-1 – RULES APPLICABLE

See RPM

**Part V – Adaptation, servicing and repair work
on board tankers carrying or having carried
bulk hazardous materials or on specialised installations,
structures and hard standings.**

See RPM

Article 51 – PERSONNEL WHO MUST REMAIN ON BOARD

See RPM

Article 52 – ADMISSION

See RPM

The admission of a degassed and/or inerted ship or boat to the travel lift is subject to its ability to maintain its degassed and/or inerted status by its own means or by external means. Daily checks are carried out by an accredited expert chemist in the presence of the qualified representative of authority vested with port police powers.

Article 53 – INSPECTIONS AND REPAIRS TO SHIPS AND BOATS CONTAINING OR THAT HAVE CONTAINED FLAMMABLE LIQUIDS

See RPM

Article 54 – INERTED SHIPS

54-1 General provisions:

See RPM

54-2 Special precautions:

See RPM

54-3 Works authorised:

See RPM

Inspections and repairs to inerted ships are subject to prior authorisation by the authority vested with port police powers. It is only given after an examination, at the ship or boat's expense, by an accredited expert chemist and on presentation of the inerting certificate issued. The authority vested with port police powers or its qualified representative will then decide which berths will be used for the inspections or repairs.

The inerting of the ship must be maintained throughout the time it is in port by any means whatsoever. The ship's captain or boat skipper must inform the authority vested with port police powers immediately of any anomaly in the inerting.

The prior authorisation issued by the authority vested with port police powers will specify the frequency and arrangements for the checks. The works will be interrupted immediately if the required inerting conditions are no longer guaranteed. The resumption of the works will be subject to the issuing of a new authorisation by the authority vested with port police powers following a new examination by an accredited expert.

Article 55 – WORKS ON INSTALLATIONS, EQUIPMENT OR HARD STANDINGS AT SPECIALISED BERTHS

See RPM

Chapter 2 - Principles applicable to classes of hazardous materials

Class 1 – Explosive substances and articles

GENERAL REQUIREMENTS

Article 110 – SCOPE

See RPM

Article 111 – EXEMPTIONS

SEE RPM

MEASURES APPLICABLE

The handling, parking and storage ashore of class 1 hazardous materials may be authorised by the authority vested with port police powers at the Quai des Flamands terminal and in the areas defined in Annex 5 to these regulations.

The embarkation and disembarkation of vehicles carrying class 1 hazardous materials may be authorised by the authority vested with port police powers at the RoRo berths as long as the requirements set out below are met.

Article 112 – ADMISSION AND MOVEMENT OF GOODS

Unless specifically authorised by the authority vested with port police powers, no class 1 hazardous material is admitted within the administrative boundaries of the civilian port of Cherbourg, unless it is the subject of a call by the ship that is to transport it.

No vehicle or transport unit loaded with class 1 hazardous materials is authorised to enter or park within the administrative boundaries of the civilian port of Cherbourg without the prior authorisation of the authority vested with port police powers, unless an exemption is granted by the authority vested with port police powers.

The authority vested with port police powers may prohibit the entry, loading or unloading in the port, or require the removal as quickly as possible of any class 1 hazardous material that does not comply with the regulatory requirements.

112-1 Declaration of goods

Any admission into the port of class 1 hazardous materials must be declared by the shipper or its representative to the authority vested with port police powers before the goods are loaded to be brought to the port.

The arrangements for the declaration of class 1 hazardous materials are those set out in Article 21-1 of the RPM completed by Article 21-1 of these regulations.

112-2 – Admission of class 1 hazardous materials

Admission of class 1 hazardous materials is subject to the agreement prior to transport provided for by Article 21-1 of these regulations, which will define the practical conditions of their arrival in the port area and inform the declarant of the related safety instructions. Hazardous materials in division 1.4 and those in other divisions with a net explosive mass of no more than 10 kilograms, and which are not stored, are exempt from the agreement prior to transport.

Safety instructions are drawn up by the operator of the facility where the class 1 hazardous materials are handled and stored for each operation. These must be kept up to date at all times and forwarded to the authority vested with port police powers.

Article 113 – ADMISSION AND MOVEMENT OF SHIPS, BOATS AND VEHICLES IN THE PORTS

113-1 Admission of ships and boats

Inter-Prefectoral Order no. 165-2014/DDTM/DML/CPC of 10 February 2014 establishing the general regulations for the policing of navigation, anchoring and fishing applicable to the Cherbourg harbours and surrounding areas provides that the movement and anchoring of ships carrying more than 450 tonnes equivalent TNT of explosive materials which have a mass explosion hazard (class 1.1 or 1.5) are prohibited unless a one-time exemption is granted by the Maritime Prefect, the maritime authority in the mixed use zone.

Independently of the submission of the declaration and the indications given in Article 21-1 of these regulations, any ship or boat loaded with class 1 hazardous materials approaching the port must contact the authority vested with port police powers and indicate the location and quantities of these goods on board on arrival and on departure, the handling operations planned while the ship or boat is in port, as well as the condition of the ship and its cargo, in particular any defects or anomalies concerning the hazardous materials that it is carrying. The authority vested with port police powers may ask for any other information they deem useful.

Cargo ships (ferries excluded) carrying class 1 hazardous materials must report their date of arrival at least 24 hours in advance as well as the classes and net explosive mass, on entry and on departure, to the Cherbourg naval base, which will give permission to pass through the port and, if necessary, set up naval control.

Tug

With the exception of ferries, when a ship carrying class 1 hazardous materials or materials which have a mass explosion hazard, the port safety tug must be on stand-by so that it is ready to respond immediately to any request for an urgent intervention made by the harbourmaster's office.

113-2 Parking, embarkation and disembarkation points

See RPM

The embarkation and disembarkation of class 1 hazardous materials are authorised only at Quai des Flamands for cargo ships and at the ferry linkspans for RoRo ships.

Ships loaded with class 1 hazardous materials are only authorised to remain docked in the port of Cherbourg for the time necessary to their commercial operations. Interruptions in the commercial operations must be reported to the authority vested with port police powers, which will decide whether to allow the ship to remain in the port.

Simultaneous presence of class 1 and class 7 hazardous materials:

The presence of a ship loaded with class 1 hazardous materials at Quai des Flamands or class 1 hazardous materials on the Flamands hard standing is prohibited while a ship carrying class 7 hazardous materials subject to the INF Code is in port.

113-3 Net mass of explosive material admissible on a docked ship

See RPM

Inter-Prefectoral Order no. 165-2014/DDTM/DML/CPC of 10 February 2014 establishing the general regulations for the policing of navigation, anchoring and fishing applicable to the Cherbourg harbours and surrounding areas provides that the movement and anchoring of ships carrying more than 450 tonnes equivalent TNT of explosive materials which have a mass explosion hazard (class 1.1 or 1.5) are prohibited unless a one-time exemption is granted by the Maritime Prefect, the maritime authority in the mixed use zone.

The active mass of explosive material admissible on board ships is defined by berth in the tables below: This mass is expressed in equivalent TNT for 1.1 and 1.5 class explosives, that is to say by multiplying their net explosive mass by the TNT equivalent factor applicable to the materials carried. If the TNT factor for the product or a value proven to be amplifying is not provided, the value taken by default is 1.5. For explosives in classes other than 1.1 and 1.5, the active mass of explosive material is merged with the net explosive mass.

PORT OF CHERBOURG-EN-COTENTIN
LOCAL REGULATIONS ON THE TRANSPORT AND HANDLING OF HAZARDOUS MATERIALS

Quai des Flamands:

The maximum masses of active material admissible on board ships at Quai des Flamands, expressed in tonnes, are provided in the tables below. These values are calculated based on the rules set out in Articles 113-3 and 114-2 of the RPM, taking as the active mass value admissible per individual storage area for the adjacent hard standing, respectively 18, 180 and 2500 tonnes.

Divisions 1.1, 1.2, 1.5 and 1.6.

Position on board	Mass in packages (tonnes)	Mass in unit loads (tonnes)	Mass in containers or rolling (tonnes)
Deck cargo	18	36	72
Below deck	36	72	144
Below the water line	90	180	180

Divisions 1.3.

Position on board	Mass in packages (tonnes)	Mass in unit loads (tonnes)	Mass in containers or rolling (tonnes)
Deck cargo	180	360	450
Below deck	360	450	450
Below the water line	450	450	450

Divisions 1.4.

Position on board	Mass in packages (tonnes)	Mass in unit loads (tonnes)	Mass in containers or rolling (tonnes)
Deck cargo	2,500	2,500	2,500
Below deck	2,500	2,500	2,500
Below the water line	2,500	2,500	2,500

The maximum total mass of active material admissible for divisions 1.1 and 1.5 together is 180 tonnes.

The maximum total mass of active material admissible for all the divisions together, except for division 1.4, is 450 tonnes.

The maximum total mass of active material admissible for all the divisions together is 2,500 tonnes.

Cross-Channel terminal:

The maximum masses of active material admissible on board ships at the ferry linkspans expressed in tonnes, are provided in the tables below. These values are calculated based on the rules set out in Articles 113-3 and 114-2 of the RPM, taking a K-factor equal to 4.

Class	Berth 2	Berth 4		Berth 6
		(1)	(2)	
1.1, 1.5	7,800	8,900	4,500	200
1.2, 1.6	9,700	12,800	8,900	100
1.3	30,000	30,000	30,000	30,000
1.4	50,000	50,000	50,000	50,000

Masses expressed in kilograms

(1): With no ferry at berth 2

(2): With a ferry at berth 2

If there are several divisions on board at the same time, the following rules apply cumulatively:

- ⤴ the most restrictive value of these divisions is applied to the sum of the masses of active material in divisions 1.1, 1.2, 1.5 and 1.6;
- ⤴ the value for division 1.3 is applied to the sum of the masses of active material in each division, to the exclusion of that in division 1.4;
- ⤴ the value for division 1.4 is applied to the sum of the masses of active material in each division.

113-4 Special case of a ship with class 1 hazardous materials on board in transit in the port

See RPM

The quantities admissible at Quai des Flamands can be doubled under the conditions provided for in Article 113-4 of the RPM, subject to their not exceeding 450 tonnes mass of active hazardous material in divisions 1.1 and 1.5 together.

113-5 Minimum distances between ships and boats

See RPM

113-6 Admission and movement of vehicles

All measures must be taken to limit as far as possible the time class 1 hazardous materials spend in the port.

113.6.1 – Admission, movement and parking of vehicles intended to embark and

disembark from RoRo ships.

Vehicles loaded with class 1 hazardous materials must access RoRo berths as late as possible. Only one vehicle loaded with class 1 hazardous materials is allowed on the linkspan at a time. Parking of road vehicles loaded with class 1 hazardous materials near the ship is strictly limited to the time required to embark or disembark.

Whenever possible, road vehicles loaded with class 1 hazardous materials embarking at RoRo berths will board last, after passengers have boarded and non-hazardous materials and hazardous materials not in class 1 have been loaded.

If road vehicles carrying class 1 hazardous materials are unloaded at RoRo berths, they will disembark first and the vehicles will leave the port immediately.

However, by way of an exception or in a case of force majeure, the parking of road vehicles may be permitted by the authority vested with port police powers at the Quai des Flamands terminal under the conditions provided for in Article 113.6.2 of these regulations.

113.6.2 – Admission, movement and parking on the wharf and hard standing at Quai des Flamands of road vehicles carrying class 1 hazardous materials intended to be loaded on a cargo ship

Vehicles loaded with class 1 hazardous materials must access Quai des Flamands as late as possible. Only one vehicle loaded with class 1 hazardous materials is allowed on the wharf at a time. Parking of road vehicles loaded with class 1 hazardous materials near the ship is limited to the time strictly necessary to their handling.

As they await loading or for customs formalities purposes, the parking of road vehicles may be permitted by the authority vested with port police powers for a maximum of 72 hours and as long as they are guarded at all times in accordance with the requirements set out in Article 115 of these regulations. In this case, the vehicles must park in the spaces at the Quai des Flamands terminal defined in Annex 5 of these regulations and respect the separation distances defined in Annex 4 of these regulations as well as in Article 114 of the RPM completed by Article 114 of these regulations.

113.6.3 – Admission, movement and parking of rail wagons on the wharves and hard standing at Quai des Flamands

Parking of wagons loaded with class 1 hazardous materials is subject to authorisation by the authority vested with port police powers.

Wagons loaded with class 1 hazardous materials must access Quai des Flamands as late as possible. Unless technically impossible, only one wagon loaded with class 1 hazardous materials is allowed on the Quai des Flamands at a time. Parking of the wagon near the ship is strictly limited to the time necessary to their handling.

As they await loading or for customs formalities purposes, the parking of wagons may be permitted by the authority vested with port police powers for a maximum of 72 hours and as long as they are guarded at all times in accordance with the requirements set out in Article 115 of these regulations. In this case, they are parked in the spaces designated by

the authority vested with port police powers in zone "E" of the Flamands hard standing, defined in Annex 5. Safety distances between each wagon and from other hazardous materials situated on the terminal are imposed based on the separation distances defined in Annex 4 and the requirements of Article 114 of these regulations. The maximum tonnage per wagon is limited to 18 tonnes of active mass of explosive material. This mass is expressed in equivalent TNT for 1.1 and 1.5 class explosives, that is to say by multiplying their net explosive mass by the TNT equivalent factor applicable to the materials carried. If the TNT factor for the product or a value proven to be amplifying is not provided, the value taken by default is 1.5. For explosives in classes other than 1.1 and 1.5, the active mass of explosive material is merged with the net explosive mass.

When the goods have been offloaded from the ship and placed in the wagons, the latter must leave the wharf and the hard standing as quickly as possible. Wagons are not allowed to park in the port area.

Movements of wagons are subject to authorisation by the authority vested with port police powers. Such movements may not take place during handling operations on class 1 hazardous materials. Before authorising the movement of a wagon, the tracks must be checked by the operator to ensure they are in good condition, not obstructed and that any nearby hazardous materials are an adequate distance away.

Article 114 – STORAGE ASHORE

See RPM

Class 1 hazardous materials must stay in the port for the shortest time possible. They may not be stored ashore for more than 72 hours unless a specific exemption is granted by the port commander or their representative, who may require any further measures they deem useful.

The storage ashore of class 1 hazardous materials may be authorised by the authority vested with port police powers only in the following two locations at the Flamands terminal, the limits of which are defined in Annex 5 to these regulations:

- The first is in the part known as the "dangerous area" (*parc dangereux*) at the Flamands terminal, location "A1" in Annex 5 of these regulations;
- The second is in the part dedicated to stuffing containers, unit loads and packages, location "A2" in Annex 5 of these regulations.

PORT OF CHERBOURG-EN-COTENTIN
LOCAL REGULATIONS ON THE TRANSPORT AND HANDLING OF HAZARDOUS MATERIALS

These two locations are marked out on the ground or by any other appropriate means that is visible at all times. They also have signs indicating the presence of hazards due to the presence of explosive materials, and that smoking and hot spots are prohibited.

The storage ashore of class 1 hazardous materials is not allowed in the presence (storage ashore or handling) of class 7 hazardous materials subject to the INF Code at the Flamands terminal.

The storage ashore of class 1 hazardous materials is not allowed in the presence (storage ashore or handling) of ammonium nitrate or ammonium nitrate fertiliser in the Z2 zones defined in the table below.

The storage ashore of class 1 hazardous materials must respect the separation distances from hazardous materials defined in Annex 4 of these regulations. The individual storage areas of class 1 hazardous materials must be situated at all times a minimum of 25 m away from any flammable or combustible substances and any building containing such substances.

The storage in sheds of class 1 hazardous materials is prohibited, unless specifically authorised by the Prefecture in compliance with the regulations on facilities classified as constituting a risk to the environment (ICPEs).

Hazardous materials are placed in individual storage areas taking account of any incompatibilities between the different compatibility groups defined in the table below:

PORT OF CHERBOURG-EN-COTENTIN
LOCAL REGULATIONS ON THE TRANSPORT AND HANDLING OF HAZARDOUS MATERIALS

Combinations permitted for grouping in individual storage areas of class 1 goods

GROUPE de compatibilité	A	B	C	D	E	F	G	H	J	K	L	N	S
A	X												
B		X											X
C			X	X	X		X					a, b	X
D			X	X	X		X					a, b	X
E			X	X	X		X					a, b	X
F						X							X
G			X	X	X		X						X
H								X					X
J									X				X
K										X			
L											c		
N			a, b	a, b	a, b							a	X
S		X	X	X	X	X	X	X	X			X	X

X: Grouping authorised in the same individual storage area

a: Different articles assigned to division 1.6, compatibility group N, can only be placed together in the same individual storage area as articles of division 1.6, compatibility group N, if it is proved by testing or analogy that there is no additional risk of sympathetic detonation between the articles. Otherwise, they must be treated as hazard division 1.1.

b: When articles of compatibility group N are placed together in the same individual storage area with materials or articles of compatibility groups C, D or E, the articles of compatibility group N must be considered as having the characteristics of compatibility group D.

c: Packages containing materials and articles of compatibility group L may be placed together in the same individual storage area with packages containing materials or articles of the same type belonging to the same compatibility group.

Net mass per location:

The active mass of explosive material allowed per individual storage area in the two locations mentioned above is defined in the three tables below. This mass is expressed in equivalent TNT for 1.1 and 1.5 class explosives, that is to say by multiplying their net explosive mass by the TNT equivalent factor applicable to the materials carried. If the TNT factor for the product or a value proven to be amplifying is not provided, the value taken by default is 1.5. For explosives in classes other than 1.1 and 1.5, the active mass of explosive material is merged with the net explosive mass.

If several hazard divisions are present in the same individual storage area, the most restrictive conditions are applied. Thus, for an individual storage area including several hazard divisions, the separation distance from the other storage areas will be that associated with the most penalising product.

PORT OF CHERBOURG-EN-COTENTIN
LOCAL REGULATIONS ON THE TRANSPORT AND HANDLING OF HAZARDOUS MATERIALS

TABLEAU A : ZONE A1 (voir annexe 5)

Classe de matière dangereuse	Masse nette maximale de matière explosible par flot, en kg, exprimée en équivalent TNT pour les classes 1.1 et 1.5	Type d'effets redoutés					Distances d'effets (m)					Distance minimale entre lots (m)					
		Effets Létaux Significatifs (SELS)					Effets Létaux (SEL)					Effets Indirects		Sans mesures anti-projections ni écran thermique		Avec mesures anti-projections et écran thermique	
		Z1	Z2	Z3	Z4	Z5	Z1	Z2	Z3	Z4	Z5						
1.1	18 000	135	210	300	580	1155	Voir tableau C ci-dessous					Voir tableau C ci-dessous		Voir tableau C ci-dessous			
1.2	18 000	25	135	300	400	800	Voir tableau C ci-dessous					65		15			
1.3	180 000	145	200	285	370	NA***	Voir tableau C ci-dessous					200		30			
1.4	2 500 000	NA***	5	10	25	NA***	Voir tableau C ci-dessous					25		30			
1.5	18 000	135	210	300	580	1155	Voir tableau C ci-dessous					95		15			
1.6	18 000	135	210	300	580	1155	Voir tableau C ci-dessous					95		15			

TABLEAU B : ZONE A2 (voir annexe 5)

Classe de matière dangereuse	Masse nette maximale de matière explosible par flot, en kg, exprimée en équivalent TNT pour les classes 1.1 et 1.5	Type d'effets redoutés					Distances d'effets (m)					Distance minimale entre lots (m)					
		Létaux Significatifs (SELS)					Effets Létaux (SEL)					Effets Indirects		Sans mesures anti-projections ni écran thermique		Avec mesures anti-projections et écran thermique	
		Z1	Z2	Z3	Z4	Z5	Z1	Z2	Z3	Z4	Z5						
1.1	10 000	110	175	300	475	950	Voir tableau C ci-dessous					55		15			
1.2	10 000	25	135	300	400	800	Voir tableau C ci-dessous					75		15			
1.3	10 000	55	75	110	140	NA***	Voir tableau C ci-dessous					15					
1.4	10 000	NA***	5	10	25	NA***	Voir tableau C ci-dessous					75		15			
1.5	10 000	110	175	300	475	950	Voir tableau C ci-dessous					75		15			
1.6	10 000	110	175	300	475	950	Voir tableau C ci-dessous					75		15			

TABLEAU C : ZONES A1 et A2 (voir annexe 5)

Classe de matière dangereuse	Masse nette de matière explosible par flot, en kg, sans dépasser les maxima définis par les tableaux ci-dessus	Type d'effets redoutés					Distances d'effets (m)					Distance minimale entre lots (m)					
		Effets Létaux Significatifs (SELS)					Effets Létaux (SEL)					Effets Indirects		Sans mesures anti-projections ni écran thermique		Avec mesures anti-projections et écran thermique	
		Z1	Z2	Z3	Z4	Z5	Z1	Z2	Z3	Z4	Z5						
1.1	Q **	Max(5Q _{net} ^{1/3} , 25)	Max(8Q _{net} ^{1/3} , 135)	Max(11Q _{net} ^{1/3} , 300)	Max(22Q _{net} ^{1/3} , 400, 750 ⁽¹⁶⁾)	Max(44Q _{net} ^{1/3} , 800, 150Q ⁽¹⁷⁾)	10 m si Q<5 tonnes, 15 m si 5 tonnes<Q<25 tonnes, 20 m si 25 tonnes<Q<50 tonnes Et 25m si Q>50 tonnes					2,4Q ⁽¹⁸⁾		0,5Q ⁽¹⁹⁾			
1.2	Q **	25	135	300	400	800	10 m si Q<5 tonnes, 15 m si 5 tonnes<Q<25 tonnes, 20 m si 25 tonnes<Q<50 tonnes Et 25m si Q>50 tonnes					2,4Q ⁽¹⁸⁾		0,5Q ⁽¹⁹⁾			
1.3	Q **	2,5Q ⁽¹²⁾	3,5Q ⁽¹³⁾	5Q ⁽¹⁴⁾	6,5Q ⁽¹⁵⁾	NA***	10 m si Q<5 tonnes, 15 m si 5 tonnes<Q<25 tonnes, 20 m si 25 tonnes<Q<50 tonnes Et 25m si Q>50 tonnes					3,5Q ⁽¹⁵⁾		0,5Q ⁽¹⁹⁾			
1.4	Q **	NA***	5	10	25	NA***	10 m si Q<5 tonnes, 15 m si 5 tonnes<Q<25 tonnes, 20 m si 25 tonnes<Q<50 tonnes Et 25m si Q>50 tonnes					2,4Q ⁽¹⁸⁾		0,5Q ⁽¹⁹⁾			
1.5	Q **	Max(5Q _{net} ^{1/3} , 25)	Max(8Q _{net} ^{1/3} , 135)	Max(11Q _{net} ^{1/3} , 300)	Max(22Q _{net} ^{1/3} , 400, 750 ⁽¹⁶⁾)	Max(44Q _{net} ^{1/3} , 800, 150Q ⁽¹⁷⁾)	10 m si Q<5 tonnes, 15 m si 5 tonnes<Q<25 tonnes, 20 m si 25 tonnes<Q<50 tonnes Et 25m si Q>50 tonnes					2,4Q ⁽¹⁸⁾		0,5Q ⁽¹⁹⁾			
1.6	Q **	Max(5Q _{net} ^{1/3} , 25)	Max(8Q _{net} ^{1/3} , 135)	Max(11Q _{net} ^{1/3} , 300)	Max(22Q _{net} ^{1/3} , 400, 750 ⁽¹⁶⁾)	Max(44Q _{net} ^{1/3} , 800, 150Q ⁽¹⁷⁾)	10 m si Q<5 tonnes, 15 m si 5 tonnes<Q<25 tonnes, 20 m si 25 tonnes<Q<50 tonnes Et 25m si Q>50 tonnes					3,5Q ⁽¹⁵⁾		0,5Q ⁽¹⁹⁾			

*QTNT : masse nette de matière explosible exprimée en kilogrammes équivalent TNT - **Q : masse nette de matière explosible exprimée en kilogrammes - *** NA : Non applicable

114-1 Classification

See RPM

114-2 Hazard study

See RPM

114-3 Distances applicable

The separation distances between individual storage areas applicable to the different hazard divisions for each of the two locations at the Flamands terminal where class 1 hazardous materials can be stored are indicated in the two last columns of the above table:

- The next to the last column shows the distances if no measures are taken to prevent transmission by projection or thermal radiation;
- The last column shows the reduced distances that can be applied if measures are taken to reduce transmission by projections or thermal radiation.

The measures to prevent transmission by projections or thermal radiation consist of a double row of stacked containers. The length of the row of protective containers must extend at least two metres past the edge of the individual storage area of class 1 hazardous materials (height and width). The minimum distance between the edge of the individual storage area and the screen is two metres. These containers are filled with an inert material (such as sand, earth, etc.). These containers are solidly attached to each other.

Other technical measures may be authorised by the authority vested with port police powers, subject to it being demonstrated that they perform at least as well. The demonstration will be the subject of the filing of a specific pyrotechnic hazard study.

Any storage area ashore must be situated at a distance at least equal to the significant lethal effects distance associated with the most penalising product (corresponding to zone Z2 defined in the second table in Article 114 above) from any area where humans are present.

Article 115 – SURVEILLANCE

See RPM

This surveillance is carried out in line with the requirements set out in Article 24-1 of these regulations.

The harbourmaster's office may impose any surveillance measures that it deems useful, for example based on the number of vehicles, the hazard that the goods represent, the likelihood that the drivers will raise the alarm, etc.

The authority vested with port police powers may allow class 1 hazardous materials to be guarded remotely subject to the application of the following conditions:

- Installation of an optical and thermal video system covering the zone in its entirety, with transfer to a dedicated video surveillance room at the terminal;
- Assignment of a person dedicated to the operation of the aforementioned equipment, who will be present throughout the time when the goods are in the port;
- Triggering of an alarm procedure if an incident is detected.

When an area is equipped with the means of surveillance listed above, their use is mandatory.

The guards will be equipped with communication devices compatible with the type of hazardous materials being guarded and meeting the requirements of Article 116-2 of the RPM ("Radio and radar apparatus").

115.1 – Measures to be taken relating to surveillance

115.1.1 – Guarding of road vehicles

Road vehicles carrying class 1 hazardous materials must be permanently guarded by their drivers or by a security contractor.

The person responsible for the road vehicles guarded must ensure that the guard is able to move them or have them moved within a very short space of time when ordered to do so by the authority vested with port police powers.

Whenever they are parked for more than 12 hours, the area where road vehicles loaded with class 1 hazardous materials must be guarded by placing one guard for one to three vehicles, two guards for four vehicles or more.

A 25-metre safety zone will be kept around the parking area.

115.1.2 – Guarding of rail wagons

Rail wagons carrying class 1 hazardous materials must be permanently guarded by a security contractor

The person responsible for the wagons guarded must ensure that they are able to move them or have them moved within a very short space of time when ordered to do so by the authority vested with port police powers.

The parking area for wagons loaded with class 1 hazardous materials must be permanently guarded by placing one guard for one to three wagons, two guards for four to seven wagons and then one guard for every three extra wagons.

A 25-metre safety zone will be kept around the parking area.

115.1-3-1 Guarding storage areas ashore

The storage area for class 1 hazardous materials must be permanently guarded by placing one guard for one to three individual storage areas (ISA), two guards for four to seven ISAs, and then one guard for every three extra ISAs.

The containers must be placed so that the doors are visible to the guards.

A 25-metre safety zone will be kept around the storage area.

115.1.4 – Guarding of ships

Guarding of ships containing class 1 hazardous materials is mandatory.

Outside of the commercial operations, this can be done:

- either by crew members who keep an effective watch over the water and the ship access points, and who have communication devices to raise the alarm in the event of any incident or accident that might occur on board or on the wharf;
- or by a security contractor in line with the requirements set out in Article 24-1 of these regulations.

A 25-metre safety zone will be cordoned off around the ship on the wharf.

Article 116 – CARGO LOADING, UNLOADING, HANDLING AND TRANSSHIPMENT OPERATIONS

116-1 Authorisations and prohibitions

The handling company must ensure before any operations that the handling and transport equipment is appropriate for class 1 hazardous materials.

It must ensure that they are up to date with their regulatory inspections, compliant with the relevant standards, that their mobile accessories are in good condition, that they are suitable for the type of packages handled and that they have adequate lifting capacity for the job to be done. They must also ensure that the personnel are trained to use them and are in possession of instructions for their use.

The handling company must make sure the certificates of conformity for the vehicles used and the proof of the training of the personnel using them are available to the authority vested with port police powers at all times

The authority vested with port police powers may prohibit or stop the handling of class 1 hazardous materials at any time, e.g. when the weather conditions are deemed unfavourable.

116-2 Other provisions

See RPM

116-3 Transshipment

Lorry-to-lorry transshipment operations (consolidation or deconsolidation) may be authorised by the authority vested with port police powers after transmission of the declaration provided for in Article 21-1 of the RPM and subject to meeting the following requirements:

- These operations may only take place in the area dedicated to container and unit load stuffing with packages location "A2" in Annex 5 of these regulations;
- These operations are the subject of safety instructions drawn up by the company in charge of carrying them out. These instructions must be kept up to date at all times and forwarded to the authority vested with port police powers.

Article 117 – ADMISSION, LOADING AND UNLOADING OF CONTAINERS

See RPM

Container loading and unloading operations are subject to authorisation by the authority vested with port police powers. They may only take place in the area dedicated to container or unit stuffing with packages, location "A2" in Annex 5 of these regulations;

These operations will be the subject of safety instructions drawn up by the cargo handling company in charge of carrying them out. They must be kept up to date at all times and forwarded to the authority vested with port police powers. These instructions must specify at least the following requirements:

- All hazardous materials must remain in their packaging. No hazardous material must be handled other than in its regulatory transport packaging;
- The minimum separation distances defined in Annex 4 and in Article 114 of these regulations must be kept at all times between the individual storage areas in order to avoid their virtually simultaneous explosion;
- A 100-metre safety perimeter is in place during container stuffing and destuffing operations;
- The aforementioned security perimeter is guarded at all times;
- The aforementioned safety perimeter is only accessible to personnel authorised to handle class 1 hazardous materials by the company responsible for the operations;
- The handling truck bringing in the class 1 hazardous materials follows a predefined, flagged route to access the stuffing area;
- The spreader follows a predefined, flagged route to go to the container storage area;

- The operations are conducted by an advisor certified in the safe transport of class 1 hazardous materials;
- No transport unit or handling equipment other than that declared as meeting the standards is allowed inside the safety zone for the operation;

The authority vested with port police powers is informed when the operation is finished.

The authority vested with port police powers may impose any additional measures or changes to the sequence of operations that they deem useful, e.g. for safety or security reasons.

Article 118 – PERSONNEL ON BOARD SHIPS AND BOAT

See RPM

Article 119 – REFUELLING

Unless authorised in advance by the authority vested with port police powers and under the conditions laid down by that authority, refuelling and bunkering operations are prohibited during the handling of class 1 hazardous materials.

These operations are subject to authorisation by the harbourmaster's office and will be carried out before or after the handling operations. Bunkering operations must take place following a procedure established and kept up to date at all times by the authority vested with port police powers.

Article 120 – AMMONIUM NITRATE

See RPM

Ammonium nitrate and ammonium nitrate fertilisers that fall within class 1 are subject to the requirements relating to divisions 1.1 and 1.5.

Class 2:

COMPRESSED, LIQUEFIED OR DISSOLVED GASES

GENERAL PROVISIONS

Article 210 – SCOPE

See RPM

Article 211 – PROPERTIES

See RPM

MEASURES APPLICABLE TO BULK CLASS 2 MATERIALS

Article 212 – PROVISIONS APPLICABLE TO THE TRANSPORT AND HANDLING OF BULK CLASS 2 MATERIALS

The handling and transport of bulk class 2 hazardous materials is prohibited in the port of Cherbourg- en-Cotentin.

Article 213 – ADMISSION AND MOVEMENT OF SHIPS AND BOATS IN THE PORTS

Ships carrying gas are subject to Inter-Prefectoral Order no. 165-2014/DDTM/DML/CPC of 10 February 2014 establishing the general regulations for the policing of navigation, anchoring and fishing applicable to the Cherbourg harbours and surrounding areas.

213.1 Time in port

Not applicable

213-2 Safety of movements

Not applicable

Article 21-214 – SHIP AND BOAT BUNKERING AND HANDLING OF PACKAGES

Not applicable

Article 215 – SURVEILLANCE

Not applicable

Article 216 –DISASTER PREVENTION AND ABATEMENT

Not applicable

Article 217 – HANDLING

Not applicable

Article 218 – PORTABLE HEATERS AND PUMPS

Not applicable

Article 219 – PRECAUTIONS TO TAKE TO AVOID ACCIDENTAL EMISSIONS OF GAS

Not applicable

Article 220 – EVACUATION AND CLOSURE OF ON-BOARD LIVING QUARTERS

Not applicable

MEASURES APPLICABLE TO CLASS 2 MATERIALS IN PACKAGES

As far hazardous materials arriving at the port to be shipped by sea are concerned, the port's organisation is summarised in the flowchart provided as Annex 3 to these regulations.

Article 221 – DECLARATION OF GOODS

The arrangements for declaring class 2 hazardous materials are those set out in Article 21-1 of the RPM completed by Article 21-1 of these regulations.

The admission of class 2.1 and 2.2 hazardous materials in tanks as well as class 2.3 materials is subject to the agreement prior to transport described in Article 21-1 of these regulations.

Article 222 – STORAGE ASHORE

The storage ashore of class 2 hazardous materials is subject to authorisation by the authority vested with port police powers. Such storage is only possible for a maximum of 72 hours unless a specific exemption is granted by the port commander or their representative, who may require any further measures they deem useful.

The tanks used to hold class 2 hazardous materials must comply with the pressure equipment (PE) regulations.

When it is authorised, the storage ashore of class 2 hazardous materials must respect the segregation distances defined in Annex 4 of these regulations. The storage area must be at least 100 metres away from any area where people are working (wharf, cargo handling area, wind turbine assembly workshop, etc.) and from housing.

No storage of combustible materials or other hazardous materials is allowed within 50 metres of this storage area.

The storage area must be clearly identified and accompanied by danger and no-fire signs.

TANKS:

The storage ashore of class 2.3 tanks is prohibited in the port of Cherbourg- en-Cotentin.

The storage ashore of class 2.1 and 2.2 tanks may be authorised by the authority vested with port police powers in locations B, C and D of the Quai des Flamands terminal, defined in Annex 6. In each of these locations, the maximum mass of class 2.1 and 2.2 hazardous materials allowed is 20 tonnes.

SMALL CONTAINERS:

The storage ashore of small containers of class 2.3 hazardous materials with a unit mass of less than 1 kilogram may be allowed by the authority vested with port police powers in locations B, C and D at the Quai des Flamands terminal, defined in Annex 6. In each of these locations the maximum mass of class 2.3 hazardous materials allowed is 100 kilograms.

The storage ashore of small containers of class 2.1 and 2.2 hazardous materials with a unit mass of less than 1 kilogram may be allowed by the authority vested with port police powers in locations B, C and D at the Quai des Flamands terminal, defined in Annex 6, and it is allowed on the ferry parking areas defined in Annex 7 to these regulations. In each of these locations, the maximum mass of class 2.1 and 2.2 hazardous materials allowed is 20 tonnes.

Article 223 – PARKING, LOADING AND UNLOADING OF CLASS 2 MATERIALS

Parking of class 2 hazardous materials is subject to authorisation by the authority vested with port police powers. They may not be parked for more than 72 hours unless a specific exemption is granted by the port commander or their representative, who may require any further measures they deem useful.

Class 2 hazardous materials brought in by sea, rail or road must be declared to the authority vested with port police powers at least 24 hours before their arrival, by the person responsible for handling or the shipper or its representative, by presenting a duplicate of the certificate of shipping, transport or loading of hazardous or polluting materials already drawn up.

On presenting these documents the following information must also be provided: incoming

transport mode (lorry, wagon, ship) and destination of the goods, specifying whether they are to be stored on the wharf, loaded onto a ship or evacuated directly from the port.

Class 2 hazardous materials being loaded onto or unloaded from ferries may be stored at the cross-Channel terminal in the locations and under the conditions defined in Article 21-2-4-1 of these regulations. In this case, they are exempt from the need to seek prior authorisation.

TANKS:

The parking of transport tanks of class 2.1 and 2.2 hazardous materials tanks may be authorised by the authority vested with port police powers in locations B, C and D at the Quai des Flamands terminal, defined in Annex 6. These tanks may be loaded onto or unloaded from RoRo ships at the RoRo berths or cargo ships at Quai des Flamands.

The parking of class 2.3 hazardous materials tanks is prohibited in the port of Cherbourg-en-Cotentin. These tanks may only enter the port area for immediate boarding and they must leave the port as soon as they are unloaded. These tanks can only be loaded onto RoRo ships and must only be unloaded from RoRo ships. These loading and unloading operations may only take place at RoRo berths.

In order to minimise the time they spend between the ship or boat and the areas provided for their parking and storage ashore, the containers, tanks and packages must only leave the storage area when the conditions are met to enable them to be loaded immediately. The parking of vehicles carrying class 2 hazardous materials outside the spaces provided to this effect is strictly prohibited.

Whenever possible, tanks of class 2 hazardous materials must only be loaded at the RoRo berths after non-hazardous materials and passengers. They may only park at the RoRo berths for the time strictly necessary to the loading operations. If several class 2 tanks are due to be loaded at a RoRo berth, a tank may only be taken to the RoRo berth once the previous tank has been loaded.

SMALL CONTAINERS:

The parking of road vehicles carrying small containers of class 2.3 hazardous materials with a unit mass of less than 1 kilogram may be allowed by the authority vested with port police powers in locations B, C and D at the Quai des Flamands terminal, defined in Annex 6. In each of these locations the maximum mass of class 2.3 hazardous materials allowed is 100 kilograms.

If the transport vehicle is carrying at least one small container with a unit mass greater than 1 kilogram, it may only enter the port area for immediate boarding. It must leave the port immediately after being unloaded. The loading and unloading operations may only take place on RoRo ships at RoRo berths.

The parking of road vehicles carrying small containers of class 2.1 and 2.2 hazardous materials with a unit mass of less than 1 kilogram may be allowed by the authority vested with port police powers in locations B, C and D at the Quai des Flamands terminal, defined in Annex 6, and it is also allowed on the ferry parking areas defined in Annex 7 to these

regulations.

Article 224 – HANDLING CLASS 2 MATERIALS

The handling and transport of class 2.3 hazardous materials is prohibited in the port of Cherbourg- en-Cotentin.

The handling of class 2.1 and 2.2 hazardous materials is only allowed at Quai des Flamands.

Article 225 – Surveillance

Storage ashore:

Any storage ashore of tanks of class 2 hazardous materials must be guarded.

Any storage ashore of tanks of class 2.1 and 2.2 hazardous materials must be guarded from a mass of 100 kilograms upwards.

Any storage ashore of tanks of class 2.3 hazardous materials must be guarded from a mass of 1 kilogram upwards.

Parking:

Any parking of tanks of class 2 hazardous materials must be guarded.

Any parking of class 2.3 hazardous materials must be guarded from a mass of 1 kilogram upwards.

Class 3 – Flammable liquids

GENERAL REQUIREMENTS

Article 310 – SCOPE

See RPM

Article 311 – PROPERTIES

See RPM

MEASURES APPLICABLE TO BULK FLAMMABLE LIQUIDS

The transport and handling of bulk class 3 hazardous materials is prohibited in the port of Cherbourg- en-Cotentin, with the exception of bunkering operations with ships. Bunkering operations must take place following a procedure established and kept up to date by the authority vested with port police powers.

Article 21-312 – SHIP AND BOAT BUNKERING

See RPM

Article 313 – SURVEILLANCE

See RPM

Article 314 –DISASTER PREVENTION AND ABATEMENT

See RPM

Article 315 – EVACUATION AND CLOSURE OF ON-BOARD LIVING QUARTERS

See RPM

MEASURES APPLICABLE TO FLAMMABLE LIQUIDS IN PACKAGES

As far hazardous materials arriving at the port to be shipped by sea are concerned, the port's organisation is summarised in the flowchart provided as Annex 3 to these regulations.

Article 316 – DECLARATION OF GOODS

The arrangements for declaring class 3 hazardous materials are those set out in Article 21-1 of the RPM completed by Article 21-1 of these regulations.

The admission of class 3 hazardous materials in tanks is subject to the agreement prior to transport described in Article 21-1 of these regulations.

Article 317 – STORAGE ASHORE

The storage ashore of class 3 hazardous materials is subject to authorisation by the authority vested with port police powers. Such storage is only possible in the locations provided for by these regulations for a maximum of 72 hours unless a specific exemption is granted by the port commander or their representative, who may require any further measures they deem useful.

When it is authorised, the storage ashore of class 3 hazardous materials must respect the segregation distances defined in Annex 4 of these regulations. The storage area must be at least 100 metres away from any area where people are working (wharf, cargo handling area, wind turbine assembly workshop, etc.).

No storage of combustible materials or other hazardous materials is allowed within 50 m of this storage area.

The storage area must be clearly identified and accompanied by danger and no-fire signs.

TANKS:

The storage ashore of class 3 tanks may be authorised by the authority vested with port police powers in locations B, C and D at the Quai des Flamands terminal, defined in Annex 6.

SMALL CONTAINERS:

The storage ashore of small containers of class 3 materials may be authorised by the authority vested with port police powers in locations B, C and D at the Quai des Flamands terminal, defined in Annex 6 to these regulations, and it is also allowed on the ferry parking areas defined in Annex 7 to these regulations:

Class 3 hazardous materials in small containers must be grouped into individual storage areas with a maximum mass of 25 tonnes.

Article 318 – PARKING, LOADING AND UNLOADING OF CLASS 3 MATERIALS

Class 3 hazardous materials brought in by sea, rail or road must be declared to the authority vested with port police powers at least 24 hours before their arrival, by the person responsible for handling or the shipper or its representative, by presenting a duplicate of the certificate of shipping, transport or loading of hazardous or polluting materials already drawn up.

On presenting these documents the following information must also be provided: incoming mode of transport (lorry, wagon, ship), destination of the goods specifying whether they are to be stored on the wharf, loaded onto a ship or evacuated directly from the port.

Class 3 hazardous materials being loaded onto or unloaded from ferries may be stored at the cross-Channel terminal in the locations and under the conditions defined in Article 21-2-4-1 of these regulations. In this case, they are exempt from the need to seek prior authorisation.

TANKS:

The parking of class 3 tanks may be authorised by the authority vested with port police powers in locations B, C and D at the Quai des Flamands terminal, defined in Annex 6. Loading and unloading operations may take place at the RoRo berths or at Quai des Flamands.

Whenever possible, tanks of class 3 hazardous materials must only be loaded at the RoRo berths after the loading of non-hazardous materials and passengers is finished. On arrival, they are unloaded first and before starting the unloading of non-hazardous materials and passengers.

In order to minimise the time they spend between the ship or boat and the areas provided for their parking and storage ashore, the tanks of class 3 hazardous materials must only leave the storage area when the conditions are met to enable them to be loaded immediately. Parking outside the area for storage ashore is prohibited.

They may only park at the RoRo berths for the time strictly necessary to the loading operations. If several tanks of class 3 hazardous materials are due to be loaded at a RoRo berth, a tank may only be taken to the RoRo berth once the previous tank has been loaded.

SMALL CONTAINERS:

The parking of road vehicles carrying small containers of class 3 materials may be authorised by the authority vested with port police powers in locations B, C and D at the Quai des Flamands terminal, defined in Annex 6 to these regulations and it is also allowed on the ferry parking areas defined in Annex 7 to these regulations.

Article 319 – HANDLING OF CLASS 3 MATERIALS

The handling of class 3 hazardous materials is only permitted at Quai des Flamands.

Article 320 – SURVEILLANCE

Any storage ashore or parked vehicles carrying 3 hazardous materials in a tank must be guarded.

Class 4.1 – Flammable solids

GENERAL REQUIREMENTS

Article 410 – PROPERTIES

See RPM

MEASURES APPLICABLE

Article 411 – STORAGE ASHORE

See RPM

If they cannot be loaded or unloaded without being stored ashore, class 4.1 hazardous materials may be allowed by the authority vested with port police powers in locations B, C and D at the Quai des Flamands terminal, defined in Annex 6 to these regulations.

They must be stored **in individual storage areas with a maximum mass of 200 tonnes**, well ventilated and shaded from the sun. Such temporary storage ashore may not exceed 72 hours unless a specific exemption is granted by the port commander or their representative, who may require any further measures they deem useful.

When it is authorised, the storage ashore of class 4.1 hazardous materials must respect the segregation distances defined in Annex 4 of these regulations.

The storage area must be at least 50 metres away from any area where people are working (wharf, cargo handling area, wind turbine assembly workshop, etc.) and from housing.

If self-reactive materials are placed in storage ashore, the area must first be cleaned and all traces of greasy substances and impurities (such as acids) removed, and it must be ventilated and shaded from the sun.

Article 412 – SURVEILLANCE

See RPM

If class 4.1 hazardous materials are placed in storage ashore or vehicles containing them are parked, the gatehouse must be informed of the presence and location of such goods.

The operator will specify the method of surveillance of the class 4.1 containers subject to temperature control in a procedure that is kept up to date at all times and made available to the authority vested with port police powers.

Article 413 – HANDLING

The handling of class 4.1 hazardous materials is only permitted at Quai des Flamands.

Article 414 – PARKING, LOADING AND UNLOADING POINTS

The parking of class 4.1 hazardous materials may be authorised by the authority vested with port police powers in locations B, C and D at the Quai des Flamands terminal, defined in Annex 6.

Loading and unloading operations may take place at the RoRo berths or at Quai des Flamands.

Class 4.2 – Spontaneously combustible solids

GENERAL PROVISIONS

Article 420 – PROPERTIES

See RPM

MEASURES APPLICABLE

Article 421 – SURVEILLANCE

See RPM

Article 422 – STORAGE ASHORE

Class 4.2 hazardous materials may be authorised by the authority vested with port police powers in locations B, C and D at the Quai des Flamands terminal, defined in Annex 6 to these regulations.

They will be stored **in individual storage areas with a maximum mass of 200 tonnes**. They may not be stored ashore for more than 72 hours unless a specific exemption is granted by the port commander or their representative, who may require any further measures they deem useful.

When it is authorised, the storage ashore of class 4.2 hazardous materials must respect the segregation distances defined in Annex 4 of these regulations.

The storage area must be at least 50 metres away from any area where people are working (wharf, cargo handling area, wind turbine assembly workshop, etc.) and from housing.

Class 4.3 – Dangerous when wet materials

GENERAL PROVISIONS

Article 430 – PROPERTIES

See RPM

MEASURES APPLICABLE

Article 431 - PACKAGE HANDLING

See RPM

Article 432 – STORAGE ASHORE

Class 4.3 hazardous materials may be authorised by the authority vested with port police powers in locations B, C and D at the Quai des Flamands terminal, defined in Annex 6 to these regulations.

They will be stored **in individual storage areas with a maximum mass of 200 tonnes**. They may not be stored ashore for more than 72 hours unless a specific exemption is granted by the port commander or their representative, who may require any further measures they deem useful.

When it is authorised, the storage ashore of class 4.3 hazardous materials must respect the segregation distances defined in Annex 4 of these regulations.

The storage area must be at least 50 metres away from any area where people are working (wharf, cargo handling area, wind turbine assembly workshop, etc.).

Class 5.1 – Oxidising agents

GENERAL PROVISIONS

Article 510 – PROPERTIES

See RPM

MEASURES APPLICABLE

Article 511 – CARGO LOADING, UNLOADING, HANDLING AND TRANSSHIPMENT OPERATIONS

See RPM

PARTICULAR PROVISIONS RELATING TO AMMONIUM NITRATE

See RPM

Article 512 – PROPERTIES

512-1 Risks linked to decomposition

See RPM

512-2 Risks of explosion

See RPM

Article 513 – TYPES OF AMMONIUM NITRATE AND AMMONIUM NITRATE FERTILISERS

See RPM

Article 514 – ADMISSION AND MOVEMENT OF SHIPS AND BOATS IN THE PORTS

See RPM

Admission:

The granting of the authorisation to enter the port by the authority vested with port police powers is subject to the presence of the disaster control systems described in Article 518 of the RPM.

The granting of this authorisation may also be dependent on the inspection of the cargo on the ship or boat by an expert. This expert will check the quality of the goods (in particular compliance with standard NF U 42-001 or Regulation (EC) No. 2003/2003 of the European Parliament and of the Council of 13 October 2003 relating to fertilisers, that there is no smoke in any of the holds, that the temperature of the different holds is normal and the

hatch cover closure system is operating properly.

For any movement of a ship or boat carrying ammonium nitrate, the authority vested with port police powers may order special precautions to be taken by the ship or boat.

Maximum quantities admissible on boats and ships

The maximum tonnage of ammonium nitrate and ammonium nitrate fertilisers in class 5.1 or 9 and hot ammonium nitrate solutions which can be admitted to the port of Cherbourg-en-Cotentin on the same ship or boat is 640 tonnes.

Special measures when ships or boats loaded with ammonium nitrate and ammonium nitrate fertilisers are moored in the port

The following measures apply:

- there must be a permanent means of communication in place between the ship or boat and the shore throughout the time the ship or boat is in port, provided by the ship or boat;
- other ships, boats and service vessels are prohibited from going within 25 metres of a moored ship or boat loaded with ammonium nitrate or ammonium nitrate fertiliser;
- as well as having its means of propulsion and gear in working order and ready for use, any ship or boat loaded with ammonium nitrate or ammonium nitrate fertiliser must have a metal safety trailer in place and secured on the towing bollards at the bow and stern, with the eye kept approximately 1 metre above the water and enough rope coiled on the deck, so that a tug can tow them without approaching the holds containing ammonium nitrate or ammonium nitrate fertilisers.
- bunkering operations involving supplying the ship with combustibles (oils, fuel, etc.) and generally any incompatible products are prohibited during handling operations on this class of materials.

Article 515 – RESTRICTIONS AT UNLOADING AND LOADING

See RPM

Conditions of acceptance at the RoRo berths:

The authority vested with port police powers may authorise ships other than ferries requiring the use of the RoRo berths and carrying ammonium nitrate and/or ammonium nitrate fertilisers to use the RoRo berths as long as there are no ferries in the vicinity during the loading and unloading operations, i.e.:

- At berth 2 if there is no ferry at berth 4 and vice versa,

The parking of vehicles carrying ammonium nitrate or ammonium nitrate fertilisers is prohibited on the ferry parking areas defined in Annex 7 to these regulations.

Article 516 – STORAGE ASHORE

See RPM

The storage ashore of ammonium nitrate or ammonium nitrate fertilisers directly in bulk is prohibited in the port of Cherbourg- en-Cotentin.

The authority vested with port police powers may authorise the storage ashore of ammonium nitrate or ammonium nitrate fertilisers for containers loaded with packages, including intermediate bulk containers and Big Bags as well as generally in packaged form.

Storage ashore is allowed in the form of individual storage areas (ISAs) with a maximum mass of 250 tonnes and for a maximum period of 72 hours. If the ammonium nitrate or ammonium nitrate fertilisers are packed in Big Bags, the ISAs must not be more than two Big Bags high.

The storage of ammonium nitrate or fertilisers not compliant with standard NF U 42001 or Regulation (EC) No 2003/2003 of the European Parliament and of the Council of 13 October 2003 relating to fertilisers is prohibited if there are class 1 or class 7 hazardous materials, under the INF Code, present at Quai des Flamands, in storage ashore, in a parked vehicle, or on a moored ship or boat in the port.

Separation distances:

Any storage ashore of ammonium nitrate or ammonium nitrate fertilisers must respect the minimum separation distances defined in Annex 4 to these regulations.

Any storage ashore must be at least 200 metres away from any area where people are working (wharf, cargo handling area, wind and marine turbine assembly workshops, etc.) and from housing.

Any storage area must be situated at least 50 metres away from any material that is combustible or liable to lead to contamination (oils, dust, etc.).

The storage area must be clean and free of any materials incompatible with the fertilisers, such as explosives, combustible materials, chlorinated materials, chlorates, nitrites and base reaction substances. The storage ashore of packages containing ammonium nitrates and/or ammonium nitrate fertilisers on wooden pallets is prohibited.

The topography of the terrain must be such that no other material stored nearby can, in the event of a loss of containment (leaking liquids, emission of dust, etc.), lead to the contamination of the ammonium nitrate or ammonium nitrate fertilisers.

The storage area ashore must be enclosed by a barrier. Signs clearly indicating that smoking and hot spots in the vicinity are prohibited must be placed nearby and visible at all times.

Prevention of risks linked to storage ashore:

The location of the storage areas and the nature and quantity of the products stored must

be kept up to date and easily identifiable, thanks to noticeboards, for the fire and emergency services as soon as they arrive on site in the event of an accident. The brand names of products must be accompanied by the common names of the products to ensure that they are easily understood by the fire and emergency services.

The installation must be accessible to allow the fire and emergency services to do their job.

In order to limit the quantity of decomposing fertiliser, in the event of a fire breaking out nearby or in the case of fertilisers liable to produce self-sustained decomposition, appropriate handling equipment must be available to enable an ISA to be split.

Article 517 – SURVEILLANCE

The guarding of storage areas ashore or parked road vehicles containing ammonium nitrate – other than liquid in a hot concentrated solution – or class 5.1 or 9 ammonium nitrate fertilisers – other than liquid in a hot concentrated solution – is mandatory when the mass of these products exceeds 200 tonnes.

The guarding of storage areas ashore or parked road vehicles containing ammonium nitrate or ammonium nitrate fertilisers that are not compliant with standard NF U 42001 r Regulation (EC) No 2003/2003 of the European Parliament and of the Council of 13 October 2003 relating to fertilisers is mandatory when the mass of these products exceeds 10 tonnes.

Guarding must be done on site and may not be done remotely.

Article 518 –DISASTER PREVENTION AND ABATEMENT DURING SHIP LOADING AND UNLOADING OPERATIONS

See RPM

Article 519 – CONTROL OF DISASTER PREVENTION AND ABATEMENT DURING SHIP LOADING AND UNLOADING OPERATIONS

The operator of the berths and port areas receiving ammonium nitrate and ammonium nitrate fertilisers has a duty to ensure a water supply is permanently available in close proximity as required by Article 518 of the RPM.

The operator must be able to prove the availability of fixed and mobile equipment.

A committee made up of a representative of the authority vested with port police powers, the operator, the Departmental fire and rescue service, of the municipalities of Cherbourg-en-Cotentin and Tournaville is in charge of controlling compliance with the requirements of Article 519 of the RPM.

At the request of the authority vested with port police powers or any other member of the aforementioned committee, proof must be provided that the firefighting equipment is operational. This will involve proving that a water supply with enough pressure is available for a long enough period of time, as well as all the information that the committee or one of its representatives deems useful.

Annual tests will be carried out and the results recorded in a special register. Any anomalies discovered will be reported to the members of the committee, which will then take the necessary measures.

Class 5.2 – Organic peroxides

GENERAL PROVISIONS

Article 520 – PROPERTIES

See RPM

MEASURES APPLICABLE

Article 521 – STORAGE ASHORE

See RPM

The parking and storage ashore of class 5.2 hazardous materials may be authorised by the authority vested with port police powers in locations B, C and D at the Quai des Flamands terminal, defined in Annex 6 to these regulations, as long as the minimum separation distances defined in Annex 4 to these regulations are respected and the following requirements met.

- A minimum distance of 200 metres from class 1 and 7 materials and class 5.1 and 9 ammonium nitrate and ammonium nitrate fertilisers is respected at all times;
- Placed in individual storage areas (ISAs) with a maximum mass of 5 tonnes at least 30 metres apart;
- The area must be properly cleaned, all traces of greasy substances and impurities (such as acids) removed, and it must be ventilated and shaded from the sun;
- A distance of at least 40 metres from any container containing more than 20 tonnes of flammable liquids or solids must be respected;
- A distance of at least 100 metres from the boundary of the port and any areas where people are working (assembly of wind turbines, factories, etc.).

The parking, loading and unloading of organic peroxides requiring temperature control or of type B are subject to the agreement of the authority vested with port police powers. The operator must draw up a set of instructions and forward them to the authority vested with port police powers.

The parking of vehicles carrying ammonium class 5.2 hazardous materials is prohibited on the ferry parking areas defined in Annex 7 to these regulations.

Article 522 – SURVEILLANCE

See RPM

Article 523 – CARGO LOADING, UNLOADING, HANDLING AND TRANSSHIPMENT OPERATIONS

See RPM

Class 6.1 – Toxic substances

GENERAL PROVISIONS

Article 610 – PROPERTIES

See RPM

MEASURES APPLICABLE

Article 611 – STORAGE ASHORE

The storage ashore of tanks and packages in packing group I is prohibited.

The storage ashore of tanks and packages in packing groups II and III may be authorised by the authority vested with port police powers in locations B, C and D at the Quai des Flamands terminal, defined in Annex 6 to these regulations, subject to the minimum separation distances defined in Annex 4 to these regulations being respected and the following requirements met:

- Storage ashore more than 100 metres away from any areas where people are working (wind turbine assembly area, cargo handling areas, etc.);
- A distance of at least 25 metres from any flammable or combustible materials is respected;
- Class 6.1 hazardous materials must be grouped into individual storage areas with a maximum mass of 10 tonnes;

612 – HANDLING

The operator must keep handling operations on containers of hazardous materials to a minimum and take care not to carry out such operations in the immediate vicinity of the individual storage areas.

613- SURVEILLANCE

Guarding of class 6.1 hazardous materials is mandatory. It must be done by personnel trained in the risks associated with the hazardous materials guarded and equipped with appropriate protective equipment (masks, goggles, gloves, etc.).

Class 6.2 – Infectious substances

GENERAL PROVISIONS

Article 620 – PROPERTIES

See RPM

MEASURES APPLICABLE

Article 621 – STORAGE ASHORE

See RPM

The storage ashore of class 6.2 hazardous materials with UN nos. 2814, 2900, 3291 and 3373 is subject to authorisation by the authority vested with port police powers after first obtaining the agreement of the Regional Health Authority (*Agence Régionale de Santé, ARS*). The authority vested with port police powers and the ARS will lay down the practical arrangements and requirements relating to such storage.

The minimum separation distances between a package of class 6.2 hazardous materials and other hazardous materials are those defined in Annex 4 to these regulations.

The parking of vehicles carrying class 6.2 hazardous materials is prohibited on the ferry parking areas defined in Annex 7 to these regulations.

Article 622 – CARGO LOADING, UNLOADING, HANDLING AND TRANSSHIPMENT OPERATIONS

See RPM

Loading, unloading, handling and transshipment of class 6.2 hazardous materials are subject to authorisation by the authority vested with port police powers, who will designate the locations where they can be carried out.

Class 7 – Radioactive materials

GENERAL PROVISIONS

Article 710 – PROPERTIES

See RPM

Article 711 – SPECIFIC REGULATIONS

Admission of class 7 hazardous materials is subject to authorisation by the authority vested with port police powers.

Radioactive materials covered by the INF Code:

Simultaneous presence of class 1 and class 7 hazardous materials:

The presence of a ship loaded with class 1 hazardous materials at Quai des Flamands or class 1 hazardous materials on the Flamands hard standing is prohibited while a ship carrying class 7 hazardous materials subject to the INF Code is in port.

a) General:

For radioactive materials subject to the INF Code, admission will be subject, depending on the UN number, the origin or destination of the materials, to particular requirements specifying the conditions under which they may come into the port. These requirements will be drawn up in consultation with the government departments concerned, the authority vested with port police powers, the representatives of the authorised carrier and the cargo handling company, as well as the representative of the shipowner or forwarding agent concerned.

The requirements will include all or part of the measures in the paragraphs that follow.

b) Berth:

Ships carrying radioactive materials covered by the INF Code are placed at Quai des Flamands after authorisation by the authority vested with port police powers.

These ships are only docked if the handling equipment required is available and if they can be dealt with immediately.

Quai des Flamands cannot accommodate any handling operations on hazardous materials as long as a ship carrying radioactive materials covered by the INF Code is docked. These operations can resume after authorisation by the authority vested with port police powers.

c) Handling operations:

Lifting operations on Quai des Flamands are incompatible with the movement of ships in the Darse des Mielles basin, which is bounded to the north by the Jetée des Flamands jetty and the line linking the end of the latter with the end of berth 4.

Throughout the cargo handling operations, the ship will be in touch with the harbourmaster's office, which may authorise or suspend these handling operations according to the shipping traffic.

d) Mooring of ships:

If the ship is obliged to remain in port outside of the cargo handling operations, it may be assigned to another berth in a closed area of the port.

The ship's captain must keep the crew and equipment on board for safety reasons. They will be informed of the port instructions by the authority vested with port police powers.

e) Physical delimitation of the stretch of water:

A physical delimitation of the stretch of water 200 metres long and 100 metres wide around the ship is installed as soon as possible after it docks and maintained until it leaves the port.

f) Tug:

On arrival and departure of a ship carrying class 7 hazardous materials subject to the INF Code, the port safety tug must remain on stand-by, in order to guarantee an immediate intervention on docking or putting to sea, if necessary.

711-1 Provisions relating to the protection and control of nuclear materials:

See RPM

711-2 Provisions relating to the protection of workers against the dangers arising from ionising radiation:

See RPM

MEASURES APPLICABLE

Article 712 – STORAGE ASHORE

See RPM

The storage ashore of class 7 hazardous materials may be authorised by the authority vested with port police powers at the Flamands terminal.

Radioactive materials subject to the INF Code are evacuated immediately without parking

or storage ashore.

In the event of a force majeure, the authority vested with port police powers may authorise parking or storage ashore of radioactive materials, but for the shortest possible time. Such parking will be inside a closed off area of the Flamands terminal. The hazardous materials concerned must be guarded in accordance with the requirements of Article 713 of the RPM completed by Article 713 of these regulations.

The authority vested with port police powers may impose any practical conditions and additional requirements that they deem useful.

712-1 Separation from other goods and locations occupied by people

See RPM

712-2 Limitation of the quantity of radioactive materials stored

See RPM

The separation distances between class 7 individual storage areas (ISAs) and between these ISAs and the other hazardous or non-hazardous materials are fixed by Article 712 of the RPM as well as the separation distances defined in Annex 4 to these regulations.

Article 713 – SURVEILLANCE

See RPM

Article 714 – PRECAUTIONS AGAINST THE POLLUTION OR CONTAMINATION OF SHEDS, WHARVES AND HARD STANDINGS

714-1 Wharves and hard standings

See RPM

The first check to confirm the absence of radioactive contamination must be carried out 24 hours after the departure of the goods at the latest and, if necessary, repeated every 24 hours.

A copy of the report on the check mentioned in Article 714-1 of the RPM must be provided to the authority vested with port police powers.

714-2 Decontamination

See RPM

Article 715 - PACKAGE HANDLING

See RPM

Article 716 – TRANSPORT DOCUMENTS

In addition to the transport documents provided with the declaration, the authority vested with port police powers may request to see all the documents relating to the materials transported and to the organisation of their transport that they deem useful.

Class 8 – Corrosive materials

GENERAL PROVISIONS

Article 810 – PROPERTIES

See RPM

Article 811 – STORAGE ASHORE

The storage ashore of class 8 hazardous materials is authorised at the Flamands terminal in locations B, C and D defined in Annex 6 of these regulations. The authority vested with port police powers may authorise their storage ashore in other locations and require any additional measures that they deem useful.

These hazardous materials must be stored in individual storage areas with a maximum mass of 100 tonnes. They may not be stored ashore for more than 72 hours unless a specific exemption is granted by the port commander or their representative, who may require any additional measures they deem useful.

The separation distances between a transport unit loaded entirely or partially with class 8 hazardous materials and another transport unit loaded entirely or partially with hazardous materials are defined in Annex 4 to these regulations.

Class 9 – Miscellaneous hazardous substances and articles

GENERAL PROVISIONS

Article 910 – PROPERTIES

See RPM

MEASURES APPLICABLE

Article 911 – STORAGE ASHORE

See RPM

The storage ashore of class 9 hazardous substances and articles at the Flamands terminal is authorised without any further restrictions for containers loaded with packages, including intermediate bulk containers (IBCs).

The authority vested with port police powers may require any safety measures they deem necessary depending on the specific hazards – pollutants, release of dioxins by fire, fine particulate matter, etc. – posed by class 9 hazardous materials. The hazardous materials concerned will be the subject of specific instructions laying down the practical storage conditions.

Article 912 – FERTILISERS CONTAINING AMMONIUM NITRATE

See RPM

Article 913 – OTHER CLASS 9 HAZARDOUS MATERIALS

See RPM

Article 914 – SURVEILLANCE

Except for fertilisers containing ammonium nitrate, for which, in accordance with Article 912 of the RPM, the conditions relating to the organisation of the surveillance are the same as for ammonium nitrate and fertilisers containing ammonium nitrate in class 5.1, surveillance of class 9 hazardous materials is not mandatory, whatever their quantity, unless required by the authority vested with port police powers.