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Economic Commission for Europe**Inland Transport Committee****Working Party on Inland Water Transport****Working Party on the Standardization of Technical
and Safety Requirements in Inland Navigation****Fifty-fourth session**

Geneva, 13-15 February 2019

Item 7 (b) of the provisional agenda

Standardization of technical and safety requirements in inland navigation:**Prevention of pollution of inland waterways by vessels (resolution No. 21, revised)****European regulations for the collection, deposit and
reception of waste produced during navigation****Note by the secretariat****I. Mandate**

1. This document is submitted in line with cluster 5: Inland Waterway Transport, paragraph 5.1 of the programme of work 2018-2019 (ECE/TRANS/2018/21/Add.1) adopted by the Inland Transport Committee at its eightieth session (20-23 February 2018) (ECE/TRANS/274, para. 123).
2. At its sixty-second session, the Working Party on Inland Water Transport (SC.3) decided to revise resolution No. 21, "Prevention of pollution of inland waterways by vessels" (ECE/TRANS/SC.3/179 and TRANS/SC.3/150) and to include this item in the agenda of the fifty-fourth session of the Working Party on the Standardization of Technical and Safety Requirements in Inland Navigation (SC.3/WP.3) (ECE/TRANS/SC.3/207, paras. 40-42).
3. SC.3/WP.3 may wish to note the information on the existing regulations and the ongoing work in the Rhine and Danube regions on this issue.

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II. Convention on Collection, Deposit and Reception of Waste Produced during Navigation on the Rhine and Inland Waterways

A. Current status

4. The Convention of 9 September 1996 on the collection, deposit and reception of waste produced during navigation on the Rhine and inland waterways (CDNI) that entered into force on 1 November 2009, has six Contracting States (Belgium, France, Germany, Luxembourg, Netherlands and Switzerland). CDNI sets up rules aimed at discouraging the production of waste, channelling waste towards a network of dedicated reception stations throughout the network of navigable waterways, ensuring funding for these initiatives at the international level in accordance with the “polluter pays” principle, and monitoring compliance with the bans on discharging the waste in question into the surface water.

5. Several amendments have been introduced to CDNI since 2009, the most important of which are:¹

- Amendment to Appendix V in 2009 concerning the maximum and testing values for onboard waste-water treatment plants accompanied by harmonization with the corresponding standards applicable on the Danube;
- Amendment to Annex 2 (oily and fatty waste) in 2010 pertaining to the system for financing waste reception plants (article 6 of CDNI) was adopted, thus facilitating an electronic payment system. This system has been in operation since 1 January 2011;
- Amendment to Annex 2 (cargo-related waste) in 2012: certain types of transportation have been exempted from the obligations on unloading certificates (article 6.03). The format of the unloading certificate (Appendix IV) was amended in 2013;
- Several amendments to the unloading standard and Appendix III in 2009 and 2011;
- Amendment to Article 9.03 of Part C (other waste) of Annex 2 in 2013 stipulating that the responsibility for ensuring compliance with the ban on the discharge of domestic wastewater by a passenger vessel carrying more than 50 passengers resides with its skipper. For vessels carrying more than 50 passengers which are equipped with on-board waste water treatment plants, fitted before 1 January 2011, a transitional regime was introduced;
- Amendments to articles 3.03, 7.02 and 7.04 were introduced in 2016; and
- Amendments to articles 5.01 and 7.04 were introduced in 2017.

6. The electronic payment system for oily and greasy waste produced during operation of vessels came into force on 1 January 2011. It is supported by the software SPE-CDNI² aimed to handle Part A. that covers the inland navigation fleet within the scope of CDNI. According to CDNI, payments of a disposal charge are effected by vessel operators during the bunkering of gasoil to a national institution and then transferred to the relevant vessel operator’s ECO-account by this institution within a database system. The administration system enables national institutions of the contracting states to manage account holders and ECO-accounts with the associated ECO-cards, gasoil stations (GOS), vessels and terminals. It was planned that the national institutions start issuing the new ECO card in autumn 2018, and by the end of 2018 it would replace the cards currently in use.

¹ www.cdni-iwt.org/wp-content/uploads/2015/06/cdni_2014_EN.pdf.

² www.cdni-iwt.org/wp-content/uploads/2018/10/Brochure-SPE_en.pdf.

B. Application of the Convention by contracting parties

7. In Germany, CDNI is applied to all craft navigating on inland waterways excepts recreational boats or sea-going vessels. In accordance with Article 3 (1) of CDNI, it is not allowed to discharge waste into the inland waterway. However, according to Article 9.01, para. 3 of Annex 2 to CDNI, an exemption may be granted to cabin vessels and passenger ships with up to 50 passengers to discharge waste water into the inland waterway; cabin and passenger vessels carrying more than 50 people are not allowed to do so, unless they are fitted with an on-board treatment plant.

8. In the Netherlands, the CDNI provisions are implemented into national legislation. There are three sets of legislative acts regulating this subject:

- Water Law (Waterwet): <http://wetten.overheid.nl/BWBR0025458/2018-07-01>
- Decision on waste produced by vessels navigating on the Rhine and inland waterways (Scheepsafvalstoffenbesluit Rijn- en binnenvaart): <http://wetten.overheid.nl/BWBR0012019/2012-03-17>
- Regulation on waste produced by vessels navigating on the Rhine and inland waterways (Scheepsafvalstoffenregeling): <http://wetten.overheid.nl/BWBR0031351/2016-07-01>.

III. Regulations and projects for waste management in the Danube region

A. Basic Rules of Navigation on the Danube

9. In the Danube region, the Basic Rules of Navigation on the Danube (DFND) apply. the fifth revision of DFND has been harmonized with the European Code for Inland Waterways (CEVNI), revision 5, and adopted at the ninetieth session of the Danube Commission held on 29 June 2018 with the effective date of 1 July 2019.³

B. National provisions in the Danube region⁴

10. In Austria, the current regulation is based on chapter 10 of the Basic Rules of Navigation on the Danube (DFND), revision 4. It is intended to implement DFND revision 5 by 2019. As mentioned in DFND, the national regulations are also applicable. The term “waste water” includes domestic waste water, waste water from the cargo holds/tanks and waste water from bilges. Domestic waste water: the equipment of vessels has to conform to Directive 2006/87/EC, the Rhine Regulations or resolution No. 61. The discharge is prohibited, if the treated waste water does not meet the requirements of these regulations. For other types of waste water, the general Austrian regulation on the protection of water (Wasserrechtsgesetz) applies. For most types of cargo, the discharge of waste water is prohibited.

11. In Romania, the legal framework on this issue is:

- Law No. 271/2017 modifying the Government Ordinance No. 20/2012 regarding the port reception facilities for the transfer of waste generated by ships and cargo. This law is transposing the European Commission Directive (EU) 2015/2087 of 18 November 2015 amending Annex II to Directive 2000/59/EC of the European

³ ECE/TRANS/SC.3/207, para. 13.

⁴ For Ukraine, see ECE/TRANS/SC.3/WP.3/2019/10.

Parliament and the Council on port reception facilities for ship-generated waste and cargo residues;

- Order of the Transport Ministry No. 859/2013 for the approval of the “Danube navigation regulation in the Romanian sector – edition 2013”;
- Part I of chapter 10 “Prevention of water pollution and disposal of waste resulted from vessels” of the Regulations for the River Danube;
- Part II of chapter 10 “Water pollution prevention and disposal of waste resulted from vessels” of the Regulations for the Maritime Danube; and
- Order of the Transport Ministry No. 636/2010 approving the framework for port regulation.

12. In Serbia, the waste water discharge from vessels on inland waterways is prohibited. It is regulated by:

- Law: the Inland Navigation and Ports Act (“Official Gazette of the Republic of Serbia” Nos. 73/10, 121/12, 18/15, 96/15, 92/16, 104/16, 113/17, and 41/18), Part V “Prevention of water pollution caused by vessels”, Article 63; and
- Book of rules: Prevention of Water Pollution caused by Inland Navigation (“Official Gazette of the Republic of Serbia” No. 102/17): Article 4 (Bilge water), Article 11 (Waste water from passenger ships) that will come into force from 1 June 2019.

13. In Slovakia, the prohibition of waste water discharge from vessels into inland waterways in national legislation is regulated by paragraphs 5 and 6 of Article 19 “Use of water for sailing and floating of wood” of Act No. 364/2004 Coll. about water and on amendments to Act of the Slovak National Council No. 372/1990 Coll. on offenses as amended (Water law).

C. Project WANDA

14. The project WANDA (Waste management for inland Navigation on the DANube),⁵ is a transnational project funded by the South East Europe Transnational Cooperation Programme of the European Union (2009-2012) aimed at concerted development and implementation of preventive measures to ensure a sustainable, environmentally sound and transnationally coordinated approach in ship waste management along the Danube through:

- The development of national ship waste management concepts
- The implementation of pilot actions for the collection, treatment and disposal of ship waste on the Lower and Upper Danube
- The elaboration of a financing model for these specific activities, based on the “polluter pays” principle.

D. Project CO-WANDA

15. The project CO-WANDA,⁶ a transnational project funded by the South East Europe Transnational Cooperation Programme of the European Union in 2012-2014, was based on the findings of the WANDA project. The main focus was on initial work for a binding treaty

⁵ A presentation about WANDA was made at the forty-first session of SC.3/WP.3.

⁶ www.danube-navigation.eu/projects/co-wanda-convention-for-waste-management-for-inland-navigation-on-the-danube.

– the International Ship Waste Convention aimed at providing clear guidelines for ship waste management along the Danube. The project activities included:

- Advancement of available ship waste management systems, common strategies for waste prevention, cargo-related wastes and wastes from passenger vessels
- Implementation of practical tests and pilot activities along the Danube, covering the Upper, Middle and Lower Danube region: testing of the financing model for oily and greasy ship wastes elaborated in WANDA, waste cards for vessels, integration of River Information Services into waste disposal services and connecting financing systems of maritime Danube ports to Danube Inland Waterway System
- Development of the International Danube Ship Waste Convention which introduces a financing system using vignettes for vessels to pay to use the waste services in all countries, based on pilot tests in Austria, Bulgaria, Croatia, Hungary, Romania and Slovakia.

16. Some 188 ships registered for the Pilot Programme on the Electronic Vignette System, which allowed vessels to dispose of their oily and greasy ship-borne waste at predefined waste collection points, free of charge. During the pilot programme from July 2013 to June 2014, ships disposed of 549 m³ of bilge water, 35 m³ of waste oil and 2.6 tonnes of solid oily and greasy wastes.

E. Project CODENAV

17. The project CODENAV (System for ship-generated waste collection and processing in the maritime Danube ports) (2010-2014) aimed to increase the quality of the ship-generated waste collection and processing services and the response in cases of pollution, through purchasing ships, installations and equipment, as well as through infrastructure works, which were necessary for the collection and processing of the waste from river vessels passing through the ports of Braila, Galati and Tulcea.

IV. Next steps

18. The joint meeting of the contracting parties to CDNI and DC was held on 31 October 2018 in Vienna.⁷ The meeting focused on CDNI and possible modernization of the Danube recommendations towards developing a binding regulatory framework to ensure better waste management and disposal and contribute to environmental protection. The discussions resulted in a detailed overview of the current situation concerning the reception and disposal of waste produced during navigation of inland waterways, both within the scope of CDNI and on the Danube. To be able to carry on cross-border inland navigation in Europe in accordance with guidelines that are as consistent as possible, both sides advocated the greatest possible harmonization of provisions and discussed possible collaboration. DC will continue its efforts to harmonize its own recommendations on the handling of cargo waste with CDNI requirements, however, it was mentioned that ultimately only a binding regulatory framework would meet the requirements for environmentally friendly waste disposal.

⁷ www.cdni-iwt.org/wp-content/uploads/2018/08/cpccp18_01en.pdf.