

# **Westshore Terminals Limited Partnership**

## **REGULATIONS & NOTICE TO SHIPS**

**1 Roberts Bank  
Delta, British Columbia  
Canada V4M 4G5**

Telephone: (604) 946-4491

Fax: (604) 946-3430

Berth One – Latitude 49°00'39" N, Longitude 123°09'57"W

Berth Two – Latitude 49°00'52" N, Longitude 123°09'22"W

(North American Datum 1983)

# C O N T A C T S

## EMERGENCY CONTACTS:

1.	Police, Fire, Ambulance	911
2.	Air/Sea Rescue Emergency (Coast Guard)	1-800-567-5111
3.	Pollution Control Emergency (Coast Guard)	1-800-889-8852
4.	Westshore Terminals - Operations Centre	(604) 946-3469
5.	Westshore Terminals - Security Guardhouse (24 hr.)	(604) 946-3453
	Cellular:	(604) 315-6863
6.	Port Facility Security Officer:	(604) 946-3434
		(604) 946-3436
7.	Transport Canada – Security/Emergency Preparedness	(604) 666-4765
8.	Marine Communications and Traffic Services	(604) 666-6011
	Harbour Master	(604) 666-6012

# INDEX TO REGULATIONS

	<b>PAGE</b>
<b>1. DEFINITIONS</b>	
<b>2. INTRODUCTION/APPLICATION OF REGULATIONS</b>	<b>1</b>
<b>3. NOTICE OF ARRIVAL</b>	
3.1 Notice of Arrival	<b>1</b>
<b>4. TUGS</b>	<b>2</b>
<b>5. BERTHING</b>	
5.1 Notice of Readiness	<b>2</b>
5.2 Criteria for Berth Allocation	<b>3</b>
5.3 Charges	<b>4</b>
<b>6. MOORING</b>	
6.1 General	<b>5</b>
6.2 Berth 1	<b>5</b>
6.3 Berth 2	<b>6</b>
6.4 Charges	<b>6</b>
<b>7. LOADING</b>	
7.1 General	<b>6</b>
7.2 Cargo Declaration	<b>7</b>
7.3 Load Plan	<b>8</b>
7.4 Draught Surveys	<b>8</b>
7.5 Gangway	<b>9</b>
7.6 Geared Vessels	<b>9</b>
7.7 Loading Provisions & Supplies	<b>10</b>
<b>8. REGULATORY AUTHORITIES/SAFETY</b>	
8.1 Transport Canada	<b>11</b>
8.2 Harbour Master	<b>11</b>
8.3 Safety & Security	<b>12</b>
8.4 Radar at Berth	
<b>9. POLLUTION</b>	<b>14</b>
<b>10. INDEMNITY/DAMAGES</b>	
10.1 Indemnities	<b>15</b>
10.2 Damages	<b>15</b>
<b>11. GENERAL</b>	<b>16</b>
<b>12. TERMINAL TECHNICAL INFORMATION</b>	
12.1 General	<b>16</b>
12.2 Berth 1 - Information	<b>17</b>
12.3 Berth 1 - Figures	<b>17</b>
12.4 Berth 2 - Information	<b>18</b>
12.5 Berth 2 - Figures	<b>18</b>
12.6 Walkways/Missions to Seamen	<b>18</b>
12.7 Vessel Berthage, Line and Water Charges	<b>18</b>

# TERMINAL REGULATIONS

## **1. Definitions:**

- 1.1. “Master”: in relation to any Vessel, means any person (except a pilot) having command or charge for the time being of that Vessel.
- 1.2. “Regulations”: means this complete document including all attachments referenced herein and attached hereto.
- 1.3. “Terminal”: means that area of land and water at Roberts Bank, Delta, B. C. leased by Westshore Terminals Limited Partnership from the Vancouver Port Authority and includes all equipment, structures, buildings and bulk loading facilities located thereon. Terminal includes the General Manager of the facility and any duly authorized management representative, as the context so infers or requires.
- 1.4. “Vessel” or “Vessels”: means any ship, boat and every other kind of floating Vessel used or designed for use for any purpose on the sea. It shall also mean, as the content so infers or requires, any Master, pilot, crew, owner (including disponent owners or part owners of Vessel and any person or entity responsible for the navigation and management of Vessel), and any agent of Vessel.

## **2. Introduction/Application of Regulations:**

- 2.1. These Regulations have been prepared by Terminal for the convenience of Vessels using Terminal. Terminal shall not be liable for any losses or damages whatsoever that may be suffered as a result of any errors or omissions in the Regulations.
- 2.2. The Regulations set out in this document are applicable to all Vessels. Any Vessel ready to use, actually using or departing from Terminal shall abide by and observe all of the Regulations at all times.
- 2.3. The General Manager of Terminal, or any duly authorized management representative, shall have an irrevocable right at any time to board any Vessel for the purpose of verifying full compliance with these Regulations or to document and investigate any suspected non-compliance.

## **3. Notice of Arrival:**

- 3.1. Vessels may communicate with Terminal through their appointed agent. Local time should be used in all communications with Terminal regarding notification of arrival.

#### 4. Tugs:

- 4.1. Any Vessel entering, departing from or being moved within Terminal shall engage the services of tugs for that purpose. If the Master determines that the Vessel requires tugs to warp along the berth face, the Vessel shall arrange for the services of tugs for that purpose. Terminal does not undertake to make such services available, any such arrangement is between the tug company and Vessel. Vessels are reminded that adequate power should be ordered for entering or departing as further assistance is generally at least four hours away.
- 4.2. Notice of intent to dock is required by the tug company 24 hours in advance of the proposed docking time, to be followed by four hours final notice. At the time final notice is given, the appropriate tug service charges are considered as incurred, and will be invoiced whether Vessel docks at the specified time or not.
- 4.3. Notice of intent to depart from dock is required by the tug company 12 hours in advance of the intended departure time, to be followed by four hours final notice. At the time final notice is given, the appropriate tug service charges are considered as incurred, and will be invoiced whether Vessel departs at the specified time or not.
- 4.4. In the event that either arrival or departure is delayed, Vessel has the option of retaining the ordered tugs on standby, or cancelling and reordering tug service. Terms, conditions, rates and further details should be obtained from the tug company.
- 4.5. Tug service to Vessels is rendered under terms of "United Kingdom Standard Conditions for Towage and other Services (revised 1974)."

#### 5. Berthing:

##### 5.1. Notice of Readiness

- 5.1.1. Inbound Vessels will generally be loaded in turn, in order of arrival for the designated berth at the pilot boarding station (at Fairway Buoy, off Brotchie Ledge, near Victoria) providing that:
  1. They are ready in all respects to receive cargo.
  2. All the cargo is available at Terminal.
  3. Loading is in accordance with instructions received from the shipper(s) and/or charterers.
  4. Terminal is the first loading facility to which Vessel has been scheduled to load.
- 5.1.2. Barges, as a norm, are scheduled for loading between Vessel arrivals.
- 5.1.3. For those Vessels arriving from points other than the Fairway Buoy (e.g. other B. C. ports, a partially loaded Vessel from the Inner Harbour, etc.), the order of arrival will be determined from the time of acceptance of Notice of Readiness.
- 5.1.4. The custom of the Terminal is to accept Notice of Readiness one hour after arrival at berth or anchorage within Port of Vancouver limits unless Vessel has commenced loading sooner. **Terminal requires that the tender and acceptance time on any Notice of Readiness be exactly the same.**

- 5.1.5. Vessels shall arrive with minimum ballast so as not to delay shiploading.
- 5.1.6. **Transport Canada (Marine Safety Branch) is responsible for enforcement of the International Maritime Organization resolution A.713 (17) regarding Safety of Ships Carrying Solid Bulk Cargoes. They reserve the right to carry out inspection for structural deficiencies of any ship intended to carry bulk cargoes, according to the M.O.U. of Port State Control.**
1. More typically these inspections are for vessels **10 years or older** but can be for all vessels.
  2. In order to avoid loading delays, particularly when Terminal has a backlog of vessels at anchorage, **Terminal reserves the right to insist that this inspection be carried out prior to berthing.**
  3. If vessel undergoes Bulk Carrier inspection, regardless of whether at berth or at anchorage, the Notice of Readiness can only be presented upon successful completion of inspection. To avoid disputes, **it is recommended the vessel obtain a passing slip from Transport Canada with the date and time of release.**
- 5.1.7. Ore-oil and OBO Vessels having discharged petroleum products at a discharge port before arrival at Terminal must advise Terminal of the fact at least 24 hours before berthing. Arrangements are to be made for an independent chemist and a licenced marine surveyor to board with the pilot (at Fairway Buoy). Providing Vessel is declared gas-free and the holds clean, Vessel may proceed directly to Terminal. Vessel is subject to further inspection by Transport Canada on arrival at Terminal. Expenses for surveyors and chemists are the responsibility of Vessel.

5.2. Criteria for Berth Allocation

- 5.2.1. The following criteria and dimensions for each of Terminal's two berths are for the assistance of Vessels contemplating loading at Terminal. Please refer to Clause 12 (Terminal Technical Information) of these Regulations for more comprehensive information and details.

Terminal reserves the right to restrict certain Vessels to a specific berth because of their size or configuration. In particular, the following **maximum criteria shall apply** unless otherwise stipulated by Terminal.

	<u>Berth No. 1</u>	<u>Berth No. 2</u>
Deadweight	250,000 dwt	100,000 dwt*
Length overall	350m (1,148 ft.)	263m (863 ft.)
Length between end hatches (centre to centre)	243m (800 ft.)	184m (604 ft.)
Beam	53m (175 ft.)	42m (138 ft.)
Loaded draught	21m (69 ft.)	18m ( 59 ft.)
Air draught at berth face	18m (59 ft.)	22m ( 72 ft.)
Air draught to top of hatch cover	20m (65ft.)	24m (78 ft.)

	<u>Berth No. 1</u>	<u>Berth No. 2</u>
Vessels with deck gear (see Clause 7.6 of these Regulations)		Load only at Berth 2
Maximum Berthing Velocity:		
Lateral component of velocity:	12 cm/sec. (0.4 ft./sec.) for a 250,000 dwt Vessel fully loaded	12 cm/sec. (0.4 ft./sec.) for 100,000 dwt Vessel fully loaded
Water Depth at Berth ( <b>Minimum</b> ):	22.9m (75 ft.) (see Figure 4)	20.8m (68 ft.) (see Figure 8)

\* Under certain conditions Berth 2 is capable of accommodating Vessels of approximately 180,000 DWT. Vessels exceeding 100,000 DWT require special permission from Terminal and shall comply with the following restrictions:

- Partially loaded vessels arriving at Berth No. 2 of between 100,000 DWT and 125,000 DWT shall not exceed a lateral component of berthing velocity of 12cm/sec (0.4 ft/sec) and shall not arrive loaded to more than 58% of deadweight.
- Partially loaded vessels arriving at Berth No. 2 of between 125,000 DWT and 150,000 DWT shall not exceed a lateral component of berthing velocity of 12 cm/sec (04.ft/sec) and shall not arrive loaded to more that 48% of deadweight.
- Partially loaded vessels arriving at Berth No. 2 of between 150,000 DWT and 180,000 DWT shall not exceed a lateral component of berthing velocity of 12 cm/sec (0.4 ft/sec) and shall not arrive loaded to more that 43% of deadweight.

\*At Berth No. 2, vessels larger than 100,000 DWT may be required to warp along the Berth face to facilitate loading.

- 5.2.2. At Berth No. 1, all Vessels of an overall length less than 315 m (1,033 ft.) shall be berthed port side to the berth, subject to satisfactory deployment of mooring lines, gangway requirements and recommendations of the pilot. Vessels greater than 315 m overall length shall be berthed starboard side to the berth unless otherwise requested by Terminal.
- 5.2.3. At Berth No. 2, all Vessels shall be berthed starboard side to the berth, weather permitting, unless otherwise requested by Terminal.
- 5.2.4. No Vessel shall be moored or fastened to any wharf except to bollards or other securing places provided for the purpose.
- 5.2.5. Every Vessel at a berth shall be properly moored, fastened or anchored as the case may require and it is Vessel's responsibility at all times to see that lines are kept taut and secure.
- 5.2.6. No person shall trespass on, and no Vessel shall secure to, ride by, damage, injure, or otherwise interfere with any bollard, pile, dolphin, or buoy. Only those bollards of the wharf structures and buoys designated by Terminal shall be used to secure a Vessel.

### 5.3. Charges

- 5.3.1. The charges set out in Clause 12.7 (Figure 10) of these Regulations shall be paid to Terminal in respect of any Vessel occupying a berth.

## 6. Mooring:

### 6.1. General

In order to assist Vessels with safe moorage, Terminal has prepared schematic mooring plans as further set out in Clause 12.3 (Figures 1 and 2) and Clause 12.5 (Figure 6) of these Regulations. Adherence to these mooring plans will also likely diminish the potential for abrasion to mooring lines. No steel mooring lines are to be deployed to a floating mooring buoy or non-quick-release equipped bollard. During tie-up steel mooring lines shall be fed along the deck and dropped to an available quick-release equipped hook. When using heaving lines, the ends of which are equipped with “monkey fists”, Vessel’s crew shall exercise extreme caution to avoid possible injury to longshore personnel. All mooring lines are to be fitted with rat guards. Additional information is provided below. Tag lines should be checked to ensure that they are in good condition.

### 6.2. Berth 1

- 6.2.1. Berth No. 1 is located on the south-western side of Terminal. Vessels occupying this berth will be subject to the marine environment of the Strait of Georgia. The tidal range at the berth may exceed 4.0 metres (13.1 ft.) on Spring tides. Tidal currents at the berth can attain velocities of approximately two knots, generally running north-west and south-east. These, in conjunction with relatively strong wind conditions, may result in substantial mooring loads. Operational experience has indicated that winds from the north and east quadrants, when associated with certain current conditions, may result in Vessel moving off the berth. **Adequate line watch shall be maintained at all times by Vessel to ensure Vessel does not move off berth.**
- 6.2.2. The preferred mooring arrangements at Berth No. 1 are port side to the berth for Vessels up to 315 m (1,033 ft.) in overall length, and starboard side to the berth for Vessels of greater length, unless otherwise requested by Terminal. Clause 12.3 (Figure 1) indicates the preferred location for Vessels berthed port side to the berth. It is recommended that smaller Vessels (around 50,000 DWT) should berth at the extreme western end of the wharf, where one of the buoy moorings can be utilized. When a Vessel is berthed at the eastern end of the wharf, it is important to ensure that mooring lines deployed to the eastern buoy are clear of the main wharf structure. Clause 12.3 (Figure 2) shows the recommended mooring arrangement for Vessels berthed starboard side to the Berth. As indicated, the recommended Vessel placement eliminates the potential for mooring line abrasion from contact with the corner of the wharf.
- 6.2.3. At Berth No. 1, storm bollards are provided at two locations on the wharf, to allow deployment of additional breastlines in the event of winds from the north or east quadrants (off-berth) exceeding 35 knots. Before deploying these lines, Vessel shall ensure that the shiploader has ceased operation and has travelled to its tie-down location at the eastern end of the runway. Similarly, storm lines should be removed promptly before shiploading resumes.

### 6.3. Berth 2

- 6.3.1. At Berth No. 2, dual quick release hooks with powered capstans are installed on four mooring dolphins. The dolphins affected are those located near the middle of the quadrant beam for each shiploader, as shown in Clause 12.5 (Figure 6). Mooring lines may be pulled to the dolphins indicated by means of tag lines thrown to the linesmen. Crew members should avoid drooping excess line into the water.
- 6.3.2. Any Vessel scheduled to moor at Berth No. 2 should determine the operational status of the powered capstans from the operations control centre at Terminal prior to docking. In the event that the powered capstans are not in operation, Vessel lines must be passed along the deck to a point above the bollard for which it is intended and lowered to the linesmen below. See Clause 12.5 (Figure 6).
- 6.3.3. Cape size Vessels docking at Berth No. 2 may use the mooring hooks located on the southwest corner of Deltaport to tie up stern lines. See Clause 12.5 (Figure 6).

### 6.4. Charges

- 6.4.1. The charges set out in Clause 12.7 (Figure 10) of these Regulations shall be paid to Terminal in respect of each tying up and letting go of Vessel's lines.

## **7. Loading:**

### 7.1. General

- 7.1.1. Terminal operates year round, 7 days per week, 24 hours per day. Normal working days are weather working days of 24 consecutive hours, including Saturdays and Sundays, but excluding the following statutory holidays:

New Year's Day from noon on December 31 to 0800 hours on January 2;

Good Friday; Easter Monday;

Victoria Day (the Monday before May 25);

Canada Day (the first day of July);

B. C. Day (the first Monday in August);

Labour Day (the first Monday in September);

Thanksgiving Day (the second Monday in October);

Remembrance Day (November 11);

From noon on December 24, Christmas Day (December 25) and Boxing Day (December 26);

Any other statutory holiday or holidays which may be declared by the Federal or Provincial Governments; and any other holiday or holidays which may be provided for by collective agreement between Terminal and its employees.

Terminal may elect, at its option, to work on some of the above-mentioned holidays, in which case no additional charge will be assessed to any Vessel designated by Terminal to be loaded.

- 7.1.2. The sole responsibility for loading a Vessel rests with the Master, as is customary. It is essential that Vessel have a responsible officer on deck at all times during loading to ensure correct loading in each hatch. Also, see provisions set out in Clause 7.3.1 regarding load plan and hatch openings.
- 7.1.3. Vessels will provide all necessary lights for night loading and will remove and replace hatch covers. Charges and costs arising from delays due to non-compliance with this provision shall be Vessel's responsibility.
- 7.1.4. Vessel shall take all reasonable steps within its areas of responsibility to ensure that loading operations proceed and are completed as soon as possible. Once loading has been completed it is expected that Vessel shall depart as soon as possible. Delays caused by Vessel to shiploading operations due to non-compliance with these Regulations or any other Vessel-caused delay, may attract, after an initial warning letter, a minimum charge of \$1,000 (Canadian currency) per hour. This charge is payable on invoice rendered by the Company within seven (7) days of date of invoice.
- 7.1.5. There are 68 different conveyor routes which may be used to transfer coal from train or stockpile onto Vessels. There is substantial variation in length of different routes and allowances shall be made by Vessel for weight of coal which must be run off the conveyor belts before loading actually ceases. It is essential that inadvertent overloading of Vessels be prevented since there are no cargo discharge facilities available at Terminal.

## 7.2. Cargo Declaration

- 7.2.1. Transport Canada regulations prohibit commencement of loading until the Master of Vessel is in possession of a Cargo Declaration for the brand(s) of coal to be loaded. Such Cargo Declaration is required to include information regarding the susceptibility of the cargo to emit methane or self-heat. Vessels should, as a matter of routine, obtain the Cargo Declaration(s) from coal supplier.
- 7.2.2. Alternatively, Cargo Declarations may be obtained from the coal supplier or their local representative through the Vessel's agent. This request should be made not less than three days prior to arrival at Terminal. Terminal does not undertake to supply Cargo Declarations.
- 7.2.3. Transport Canada regulations also stipulate that Vessels intending to load coals with methane-emitting, self-heating or unknown characteristics for the first time in Canada be subject to safety inspection by a Transport Canada prior to commencement of loading. To minimize delays, such Vessels should make arrangements to have the inspection conducted prior to, or immediately on, arrival at Terminal.

### 7.3. Load Plan

- 7.3.1. Loading plans must be presented to the operations foreman at Terminal on arrival at the loading berth. In order to improve loading rates, Terminal strongly recommends that Vessels intending to load more than one brand of coal have loading plans prepared, such that loading may commence with any of the brands to be loaded. Furthermore, it is strongly recommended that only those hatches required for the current brand of coal be open to prevent inadvertent loading of the wrong brands and to minimize exposure to inclement weather.

### 7.4. Draught Surveys

- 7.4.1. All Vessels are required to have a final draught survey. Although Terminal belt scales are highly accurate and reliable, the final draught survey is the determining measurement. It is essential that inadvertent overloading of Vessel be prevented since there are no cargo discharge facilities available at Terminal.
- 7.4.2. The weight of each shipment shall be determined by a survey of Vessel's draught using Vessel's immersion scale by a licenced marine surveyor. To facilitate the draught survey, a Vessel loading bulk cargo should observe the following recommendations as applicable.
1. Suitable ladders should be placed at the location of midship and stern draught marks on the offshore side of Vessel.
  2. Draught marks should be legible at all times.
  3. Vessel should possess trim correction tables for all tanks. Otherwise, all ballast tanks should be either full or empty during the survey.
  4. Deballasting prior to berthing should be done with caution in order to avoid excessive freeboard on arrival at the berth. Excessive freeboard may prevent use of the shiploader or, particularly on a rising tide, may result in damage to the shiploader and/or Vessel. Vessel should note the limitations on air draught given in Clause 5.2.1 of these Regulations and should contact Terminal, before berthing, if in doubt.
  5. Vessels at Berth No. 1 with air draught to top of hatch covers greater than 19.0 metres (62 feet) may be required to partly open or partly close hatches as appropriate to provide adequate clearance for movement of the shiploader chute and/or adequate clearance to the underside of the shiploader boom. See Clause 12.3 (Figure 4).
  6. The shore belt scales are not used for exact export determination of total quantity loaded. Therefore, draught checks should be performed by Vessel, and sufficient tonnage should be kept in reserve for final trim.
  7. On smaller Vessels where the loading rate could exceed the deballasting rate, it may be advisable for Vessel to pump out a portion of its ballast before coming alongside, subject to weather conditions and the pilot's requirements for manoeuvrability of Vessel.
  8. Reasonable access to Vessel and co-operation by Master and crew shall be given at all times for the purposes of carrying out draught surveys.

## 7.5. Gangways

- 7.5.1. Terminal's gangways are available for use by Vessels' crews as a service and are the responsibility of Vessel while being used. **Adequate watch should be maintained on the gangways at all times to ensure that they are safe for use and not abused or damaged by tidal and Vessel movements.**
- 7.5.2. The Marine Occupational Safety and Health Regulations, the Vancouver Port Authority Regulations and the Canada Shipping Act require that all gangways be fitted with suitable safety nets. All Vessels arriving at Terminal shall comply with all provisions set out in these various statutes and regulations.
- 7.5.3. At **Berth No. 1**, the gangways should be secured in such a way as to avoid twisting and lifting off the dock surface. Vessels berthed port side to should make use of the gangway landing platform installed at the west end of the berth. Gangways shall be positioned and maintained so they do not conflict at any time with the traversing movement of Shiploader #1. When loading is nearly completed it may be necessary to deploy a portable gangway which spans between the dock and Vessel's rail. **At any location where personnel could fall from a gangway, suitable safety nets must be fitted. No more than two people are to use a portable gangway simultaneously. See Clause 12.3 (Figure 5) of these Regulations.**
- 7.5.4. At **Berth No. 2**, the gangway should be positioned to avoid contact with hatch covers. The gangways in use at Berth 2 are enclosed by wire mesh, which satisfies the safety net requirement. **Gangway capacity is four people (total 1,000 lbs.) evenly distributed.**

## 7.6. Geared Vessels

- 7.6.1. Once loading operations have commenced, cranes and derricks shall not be used without the express permission of Terminal.
- 7.6.2. Vessels having above-deck equipment such as cranes, derricks or light standards, may experience difficulty in loading at Terminal. They also face significant risk of causing damage to and/or receiving damage from Terminal shiploading equipment. Any of this equipment that can be lowered out of the way must be lowered.
- 7.6.3. Prior authorization from Terminal should be obtained before any such geared Vessel is permitted to dock at Terminal. Terminal should be advised of the type and dimensions of the above-deck gear well in advance of arrival of the geared Vessel, and Vessel shall observe any special docking instructions issued by Terminal. Geared Vessels will normally dock at Berth No. 2 unless otherwise directed by Terminal.
- 7.6.4. In order to complete loading of a geared Vessel, it is often necessary to reposition Vessel one or more times along the dock to permit the shiploaders to reach between the above-deck gear to access all hatches. Occasionally, it is necessary to move Vessel away from the berth during repositioning to prevent damage to shiploaders and/or Vessel's gear. The extra costs for tugs and pilot as required for such repositioning will be the full responsibility of Vessel.

7.6.5. Terminal will not accept responsibility for damage to above-deck equipment on such Vessels.

7.7. Loading Provisions & Supplies

7.7.1. General - Berths 1 & 2:

1. Any loading of provisions and supplies must be co-ordinated with Terminal Foreman to ensure there is no conflict with coal loading operations.
2. Provisions and supplies may be loaded onto Vessel provided that all of such can be transported by normal highway transport cartage and be loaded via the use of Vessel cranes. Please note that maximum vehicle loading allowed on any of berth's approach trestle or wharf structures is H-20 (20 tonnes) unless otherwise expressly agreed to by Terminal General Manager.
3. No tractor-trailer transport vehicles are permitted on any berth.
4. Loading of provisions and supplies is also permitted by barge.
5. No other loading arrangements are permitted.

7.7.2. Gangways: Use of gangways is permitted if the requirements set out in Clause 7.5 of these Regulations are complied with. Take special notice of all capacity/load restrictions.

7.7.3. No bunkering or taking aboard of bulk lubricants will be permitted at Terminal. A bulk lubricant is any container exceeding 250 litres capacity. Other restrictions regarding provisions and supplies are as set out in:

1. Canada Shipping Act and amendments.
2. Vancouver Port Authority Regulations.
3. Canadian Environmental Protection Act and amendments.

7.7.4. Chandler duties and responsibilities:

1. Chandlers shall provide Terminal security with:
  - (a) Name of chandler and driver
  - (b) Name of Vessel provisions and supplies are being delivered to.
  - (c) Berth where Vessel is located.
  - (d) Approximate amount and nature of goods being delivered.
  - (e) Expected time to unload goods.
2. Chandlers shall remove all dunnage, pallets and other materials, scrap or garbage arising from the delivery of the provisions and supplies to Vessel.
3. Chandlers shall observe all safety rules, regulations and signage of Terminal.
4. Any repeated failure by chandler to observe any Regulation may result in chandler being refused access to Terminal, at Terminal's sole discretion.
5. All port chandlers shall have a valid Port Access Card.

7.7.5. Vessel shall be responsible for the proper lifting, slinging and securing of all goods discharged from or loaded onto Vessel, as per the Transport Canada "Code of Safe Working Practices on Board Ships". Any damage that may occur as a result of the failure or breakage of lifting gear, slings or mode of securing, shall be the full responsibility of Vessel.

- 7.7.6 If any cargo or other material is, by accident or otherwise, dropped or let fall overboard from a Vessel, Vessel shall, forthwith, report the occurrence to Terminal, and shall take all steps and do all things necessary to recover such cargo or material. All expenses of recovery shall be the full responsibility of Vessel. If the cargo or material is environmentally toxic then Vessel must immediately contact the Coast Guard – Pollution Control Emergency.

## 8 Regulatory Authorities & Safety:

### 8.1 Transport Canada (Marine Safety Branch)

- 8.1.1 Vessels should be aware that there are Marine Communication and Traffic Services (MCTS) systems in operation in the coastal waters of British Columbia. Traffic routing systems are set out on the appropriate charts. Details on MCTS procedures are available in the latest Canadian “Notice to Mariners” Annual Edition, or by contacting any MCTS Traffic Centre at (604) 666-6011.
- 8.1.2 Transport Canada has established regulations governing safety requirements and other precautions for Vessels loading coal in Canadian waters. These regulations are contained in Transport Canada publication No. TP 10944E, "Notice to Shipmasters Loading Coal." Vessels should be familiar with these requirements before arriving at Terminal.
- 8.1.3 See Clause 5.1.6 regarding inspections for structural deficiencies of any Vessel intending to carry solid bulk cargoes.
- 8.1.4 Vessel radar shall not be in operation or standby mode at any time while at berth.

### 8.2 Harbour Master

- 8.2.1 The Harbour Master's office is responsible for water pollution control within the Port of Vancouver. No Vessel may discharge ballast water without the express permission of the Harbour Master or one of his representatives. Harbour Master's representatives when boarding Vessels to conduct ballast checks will require to see one of the following:
1. Log Book entry (in English)
  2. Abstract of the Log Book entry
  3. Company or other administrative form giving details of the mid ocean exchange of ballast water. These details must include the following information:
    - (a) position of exchange, latitude and longitude
    - (b) place where ballast water originally taken
    - (c) amount of ballast water
    - (d) ballast tanks which have had water exchanged
    - (e) details if ballast not exchanged.
- 8.2.2 The discharge of petroleum products or other toxic materials and garbage into the waters of Canada is prohibited by strictly enforced regulations which provide heavy penalties on summary conviction. Every precaution must be taken to prevent escape of petroleum products from a Vessel. Should such an escape occur, the regulations require that you immediately report it to Coast Guard – Pollution Control Emergency.

- 8.2.3 All dangerous goods transported within the Port of Vancouver (which includes Roberts Bank) must carry a permit issued by the Harbour Master's office. Municipal fire departments are advised of the movement and storage of all dangerous goods at Terminal. Explosive or highly inflammable goods shall not be loaded or unloaded at Terminal except with the written permission of the General Manager, and then, only at places and times as directed. A request to load or unload such goods shall be made at least 48 hours before the intended time of loading or unloading. A Dangerous Goods Permit must be issued by the Harbour Master's office before such goods may be loaded or unloaded.
- 8.2.4 Any Vessel moored at a berth at Terminal shall notify Terminal of any intention to undertake repairs to engines or other repairs of whatsoever nature. No work of any such nature shall be commenced unless the express permission and consent of the General Manager of Terminal is obtained. Permission must also be obtained from the Harbour Master, and if permission is granted, then all requirements stipulated by the Harbour Master must be followed. A tug (or tugs) may be required by the Harbour Master to be in attendance when repairs to main engines and/or other machinery affecting the seaworthiness of Vessel are undertaken. The propellers of a Vessel shall not be worked while Vessel is moored to bollards, floating moorings or dolphins at Terminal unless the express permission and consent of the General Manager of Terminal is obtained.
- 8.2.5 No hot work may be performed onboard any Vessel at berth without a "Welding Permit" issued by the Harbour Master's office.
- 8.2.6 The Harbour Master can be contacted 24 hours a day via the Marine Communications and Traffic Services (MCTS) Center: 604-666-6011 or VHF Channel 12, for all marine emergencies, including collision, grounding, striking, pollution, fire on Vessel, man overboard and medical emergency. Once the emergency service has been called, Master must immediately call Terminal operations control centre at telephone 604-946-3469 so that proper directions can be given to emergency vehicles arriving at Terminal.

### 8.3 Safety & Security

- 8.3.3 A three digit telephone number (911) is the emergency number to contact fire, police and ambulance. This number applies at Terminal and throughout the whole Greater Vancouver area.
- 8.3.4 There are a number of statutory and regulatory requirements governing Vessel and Terminal operations, including but not necessarily limited to:
1. Canada Shipping Act and amendments.
  2. Vancouver Port Authority Regulations
  3. Canadian Environmental Protection Act and amendments
- 8.3.5 When a Vessel is at Terminal, it is expected that the Master will give priority to the safety of his Vessel and Terminal in accordance with the normal practice of good seamanship. Master is responsible for safe mooring at Terminal, and all cargo handling operations on Vessel.

8.3.6 The following safety regulations are generally accepted and practised in the marine transport industry, additional regulations specific to Terminal are incorporated:

1. Vessel shall provide a sufficient level of personnel to attend moorings and conduct cargo transfer operations in safety, and to enable Vessel departure from the berth in an emergency.
2. Vessel mooring lines shall be tended to keep Vessel in position and lines taut at all times.
3. Vessel access gangways and safety nets shall be tended and kept safely rigged and illuminated.
4. No person shall remove or interfere with any lifesaving gear or appliance except for the purpose of saving life.
5. No person shall smoke or light matches or fires in an area or place where smoking is prohibited by Terminal.
6. No person shall discharge any firearm, or explode any detonator or other signal, excepting as a signal of distress, or use any explosive on any Vessel or otherwise within Terminal.
7. Vessel radar shall not transmit during cargo operations utilizing shiploaders.

8.3.7 Vessels arriving at Terminal should be aware of the following safety advisories:

1. If Vessel is equipped with “Suez” style davit cranes forward of the accommodation section of Vessel, it is Vessel’s responsibility to ensure that the davit cranes are stored abreast of Vessel’s last working hatch. This is required to ensure minimal interference with the operation of the coal shiploaders.
2. If Vessel is equipped with navigational or communication antennas within the working areas of the hatches these antennas should be removed during the course of the loading of Vessel. If these antennas are incapable of being temporarily removed Vessel shall notify Terminal’s operations foreman of their presence so that it may be noted on the loading sheets.
3. **No crew member shall leave a Vessel unless wearing a safety vest or suitable reflective clothing and a hard hat. Entry to Terminal will be denied without this required protective clothing.** Vessel’s agent may obtain spare safety vests from Terminal’s security department. Such will be provided on a loaner basis and must be returned to Terminal. Any losses will be the responsibility of Vessel.

### 8.3.8 Security

1. Further to the “*International Ship and Port Facility Security Code*” (ISPS) and Government of Canada “*Marine Transportation Security Act*” programs, a compliance security certificate has been issued for Terminal. The certificate certifies that the compliance of the port facility with the provisions of the “*Marine Transportation Security Regulations*” has been verified and that the port facility operates in accordance with an approved port facility security plan.

### 8.3.9 Access Control

1. All persons who wish to enter Terminal will be required to show a valid Port Pass ID card (photo identification badge) to the Security Guard and advise of their business reason for access. Only persons with a valid business reason will be allowed access.
2. Persons without a valid Port Pass ID card will be directed to a secondary inspection area where picture proof of identification and a valid business reason must be given before access will be granted. These persons may be issued a Visitor pass. While at Terminal, all persons are required to wear their Port Pass ID card or Visitor badge above the waist.
3. The “Port Facility Security Officer” (PFSO) and the Security Station are to be advised of all ship visits by chandlers, contractors, visitors, family members, deliveries and others in advance of the persons/services arriving at Terminal. This can be undertaken through the Vessel Agent. Crew members leaving Vessel must also advise the Security Station prior to departing Terminal.

### 8.3.10 MARSEC Level Co-Ordination

1. When notified of an increase in the “Marine Security” (MARSEC) level, Terminal will ensure that the vessel(s) interfacing with the marine facility are notified of the new MARSEC level and a declaration of security is implemented.

## 9 Pollution:

- 9.2 In the event of a spill of petroleum products or other toxic materials, Vessel at fault is responsible for clean up under the Canada Shipping Act (Pollution Prevention Regulations). If the clean up is not satisfactory, Harbour Master or Canadian Coast Guard may initiate clean up at the expense of Vessel. The Canada Shipping Act requires all Vessels to have a fully functional response plan, which must incorporate the name of Vessel's response authority and a designated response organization. Vessel's response authority is the person(s) designated to initiate the response plan with the response organization. The legislation covering response organizations and response plans became law in October 1995.
- 9.3 No bunkering or taking aboard of bulk lubricants will be allowed at Terminal. In addition, the transfer of bunker/diesel fuel internally on board Vessel is strictly forbidden.
- 9.4 Regulations governing the emission of pollutants to the atmosphere (such as smoke) are defined under the Canada Shipping Act.
- 9.5 No cleaning of decks is permitted while alongside.

## 10 Indemnity/Damages:

### 10.2 Indemnities

10.2.3 No act, matter or thing done or omitted to be done by Terminal or by any person, acting with the authority of Terminal, or by any person whomsoever, in good faith and without negligence for the purpose of the construction, management, operation, maintenance and use of any harbour works, or of the port or approaches thereto, or for the purposes of regulating, mooring, moving, directing or managing Vessels in the port and approaches thereto or, for the purposes of handling, accommodating or moving cargo or persons, shall subject Terminal or any person as aforesaid to any liability in respect thereof, provided that nothing in these Regulations shall affect or diminish any liability of any person to Terminal.

10.2.4 Notwithstanding that Terminal may have acted negligently or willfully, neither Terminal nor any officer or employee of Terminal shall be under any liability to any person for:

- Any loss, damage or injury to any Vessel while at or within Terminal.
- Any loss, damage, injury or expense arising out of any failure to ensure that a berth or access to Terminal, or any harbour works or any part thereof is made available (either at all, or at any particular time, including any time previously notified or agreed) to any Vessel.

### 10.3 Damages

10.3.3 Terminal may sue for and recover damages in any court of competent jurisdiction from Vessel, for any injury, damage or loss caused by such Vessel to any harbour works or to any works or property of, or under the management or control of Terminal, provided that, without limiting the generality of the foregoing, Vessel at the direction of Terminal shall repair and make good to the reasonable satisfaction of Terminal any such injury, damage or loss.

## 11 General:

### 11.2 Fresh water

Fresh water is available, the hoses and hose connections must be supplied by Vessel and connected by Vessel's crew. See Figure 10 attached for charges. The use of dock-mounted fire hoses for supply of fresh water to Vessels is prohibited. For further information, please direct your inquiries to Terminal's operations superintendent or foreman.

### 11.3 Alcohol and illegal drugs

Terminal has a policy of zero tolerance for the use of or trading alcohol and illegal drugs at Terminal or on board Vessels at any berth.

### 11.4 Missions to Seafarers/Telephone

The Missions to Seafarers has a building located near Berth 2 and Terminal's operations control centre. It is normally open daily from 16:00 hours to 23:00 hours. Pay telephones are located in front of this building. Visitors and Vessel crew are reminded that hard hats and high visibility vests are mandatory while moving around Terminal, especially at night. Walkway routes are shown in Clause 12.6 (Figure 9).

### 11.5 Miscellaneous

No person shall remove or cause to be removed or assist in removing any matter whatsoever from the bed, shore, or banks of Terminal.

No one is permitted to fish or crab on Terminal's property or on any vessel berth at Terminal at any time.

Vessels berthing at Terminal must ensure that rat guards are in place.

## 12 Terminal Technical Information:

### 12.1 General

The following information is applicable to Terminal's **Berth No. 1** and **Berth No. 2** and is for the assistance of and shall be used by Vessels contemplating loading at Terminal:

Note: where an asterisk (\*) appears in all Clauses below, all vertical dimensions are relative to Tide and Chart Datum 2005, as follows:

Extreme high water	(EHWL):	+5.36m (+17.6 ft.) estimated
Higher high water	(HHWL):	+4.83m (+15.9 ft.)
Mean sea level	(MSL):	+3.08m (+10.10 ft.)
Lower low water	(LLWL):	+0.06m (+0.2 ft.)
Extreme low water	(ELWL):	-0.04m (-1.3 ft.) estimated

The density of the water alongside the berths varies between 1012 kg/m<sup>3</sup> and 1025 kg/m<sup>3</sup> and is normally determined by the licenced marine surveyor(s) at the time of draft survey.

## 12.2 Berth 1 - Information

The following information is applicable to Terminal's **Berth No. 1** and is for the assistance of and shall be used by Vessels contemplating loading at Terminal:

12.2.1 Extreme Horizontal Shuttling Range of Discharge Chute with boom horizontal:

28.7m (94 ft. 0 in.). Normal operating range approximately 28m (92 ft.).

12.2.2 Normal Operating Chute Reach from Berth Face (measured to chute centerline when chute is hanging vertically):

	Minimum (Shuttle Retracted)	Maximum (Shuttle Extended)
with boom elevated 27° above horizontal:	9.2m (30. ft. 0 in.)	35.4m (116 ft. 0 in.)
with boom elevated 15° above horizontal:	10.45m (34 ft. 3 in.)	38.3m (125 ft. 9 in.)
with boom horizontal:	10.45m (34 ft. 3 in.)	39.0m (128 ft. 0 in.)

In practice, the action of the coal stream trajectory from the horn at the end of the chute results in the actual minimum values being slightly less than shown and the actual maximum values being slightly greater than shown.

Normal Operating Longitudinal Travel along Wharf:	244.86m (803 ft. 4 in.)
Operating (loading) range of Shiploader Boom:	15° above horizontal to 10° below horizontal
Maximum angle for shuttle travel:	27° above horizontal
Shiploader-parked position (Boom clear of berth face):	75° above horizontal
Vertical Telescopic Range of Discharge Chute:	2.4m (7 ft. 10 in.)

12.2.3 Vertical Clearance under boom above HHWL, at berth face:  
**with boom elevated 15° above horizontal (max loading angle): 19.6m (64 ft. 2 in.)\***

12.2.4 Vertical Distance of Bottom of Chute and Horn above HHWL, with boom elevated 27° and chute shuttled in:  
**with chute telescope retracted: 18.5m (60 ft. 4 in.)\***

12.2.5 Clearance envelope under shiploader Portal for Vehicles on Wharf:  
13.1m (43 ft. 2. in.) wide, 5.8m (19 ft. 0 in.) high

## 12.3 Berth 1 - Figures

The information set out in the Figures attached hereto, as listed below, is applicable to Terminal's Berth No. 1 and shall be used by Vessels contemplating berthing and loading at Terminal.

- Figure 1: Berth No. 1 - Ships Docked Port Side to the Berth
- Figure 2: Berth No. 1 - Ships Docked Starboard Side to the Berth
- Figure 3: Berth No. 1 - Shiploader Plan
- Figure 4: Berth No. 1 - Shiploader Elevation
- Figure 5: Berth No. 1 - Safety Nets

## 12.4 Berth 2 - Information

The following information is applicable to Terminal's **Berth No. 2** and is for the assistance of and shall be used by Vessels contemplating loading at Terminal:

- 12.4.1 Horizontal Shuttle Range of Boom: 22.86m (75 ft.)
- 12.4.2 Operating Slewing Arc of Boom: 71°
- 12.4.3 Maximum Luffing Range of Shiploader Boom:  
45° above horizontal to 30° below horizontal
- 12.4.4 Vertical Clearance at Berth Face under Boom above HHWL:  
18.3m (59 ft. 11 in.) with boom elevated 18° and fully extended\*  
25.7m (84 ft. 5 in.) with boom elevated 18° and fully retracted,\*  
16.6m (54 ft. 5 in.) with boom horizontal.\*
- 12.4.5 Vertical Distance of Bottom of Chute above HHWL:  
19.0m (62 ft. 5 in.) with boom elevated 18°\*
- 12.4.6 Maximum Boom Reach from Berth Face:  
34.9m (114 ft. 6 in.) with boom elevated 18° and fully extended  
12.04m (39 ft. 6 in.) with boom elevated 18° and fully retracted  
36.27m (119 ft.) with boom horizontal and fully extended  
13.41m (44 ft.) with boom horizontal and fully retracted

## 12.5 Berth 2 - Figures

The information set out in the Figures attached hereto, as listed below, is applicable to Terminal's Berth No. 2 and shall be used by Vessels contemplating berthing and loading at Terminal.

Figure 6: Berth No. 2 - Typical Mooring Arrangements

Figure 7: Berth No. 2 - Shiploader Plan

Figure 8: Berth No. 2 - Shiploader Elevation

## 12.6 Walkways/Missions to Seamen

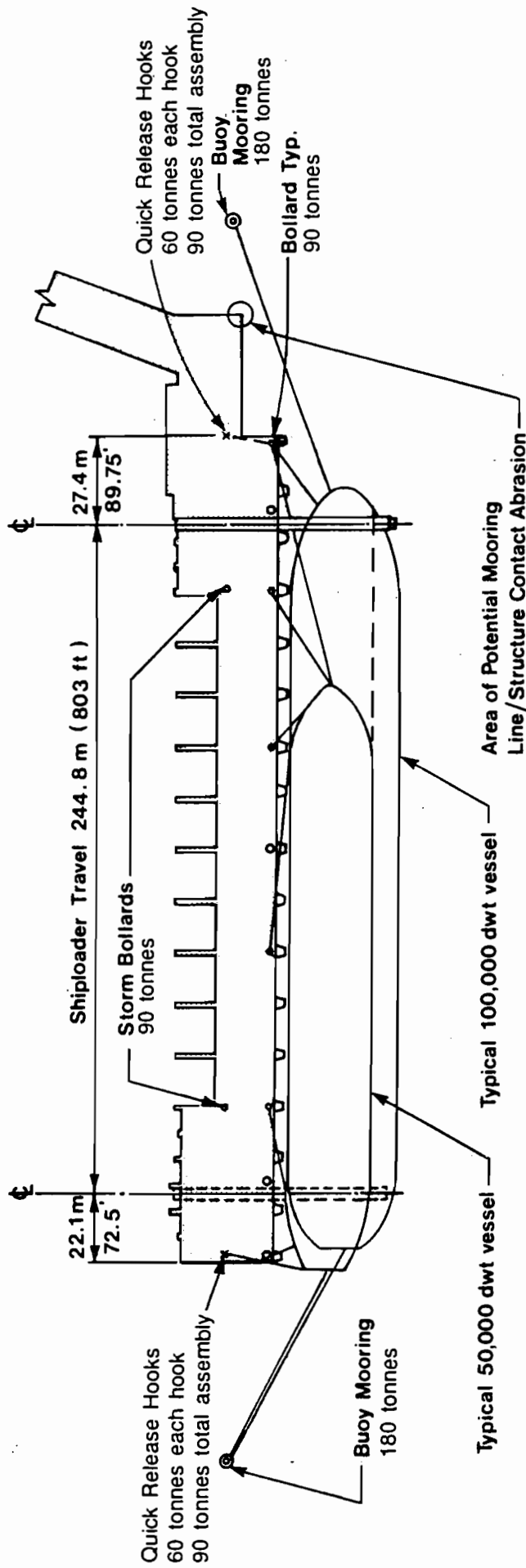
The information set out in the Figure attached hereto, as listed below, is applicable to Terminal and shall be used by any person walking to or from a berth area and the Missions to Seamen building. Access to any other area of Terminal is expressly prohibited.

Figure 9: - Missions to Seamen/Walkways

## 12.7 Vessel Berthage, Line and Water Charges

The information set out in the Figure attached hereto, as listed below, is applicable to Terminal and shall be used by Vessel to determine amounts owed to Terminal for berthage, line and water charges.

Figure 10: - Vessel Berthage, Line and Water Charges



# Westshore Terminals

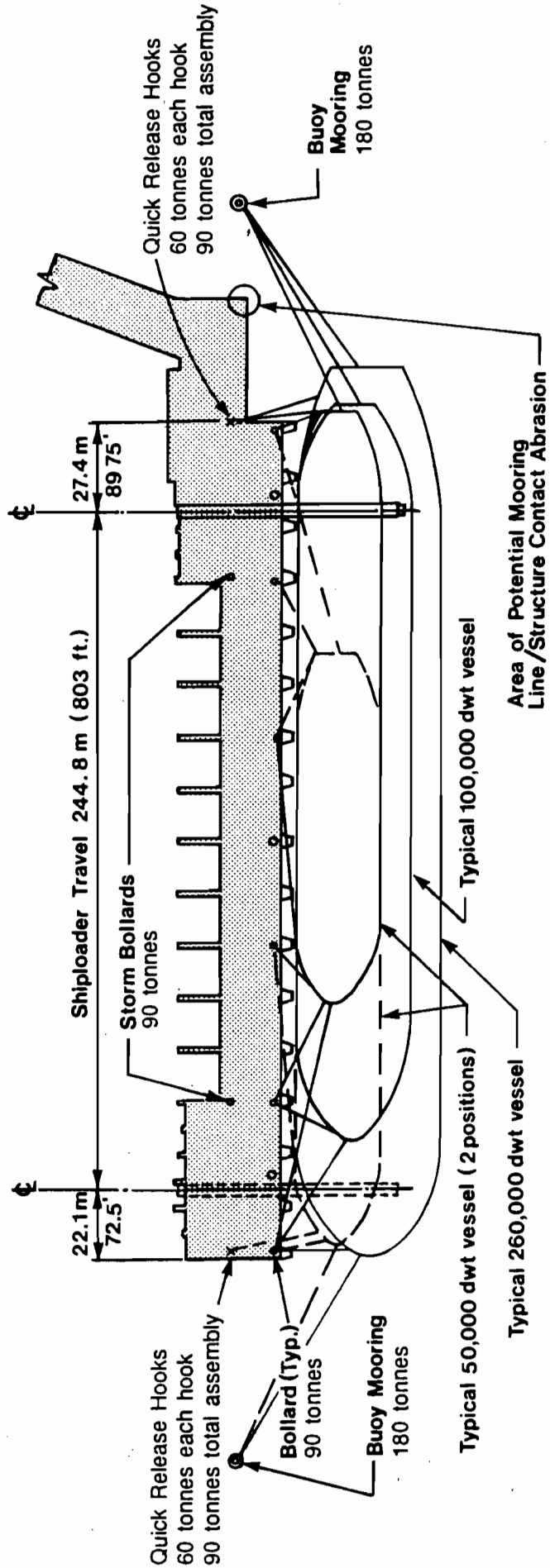
## Typical Mooring Arrangements

### Berth No. 1 - Ships Docked Port Side to the Berth

NOT TO SCALE

Figure 1

THIS FIGURE IS NOT TO BE USED FOR NAVIGATION

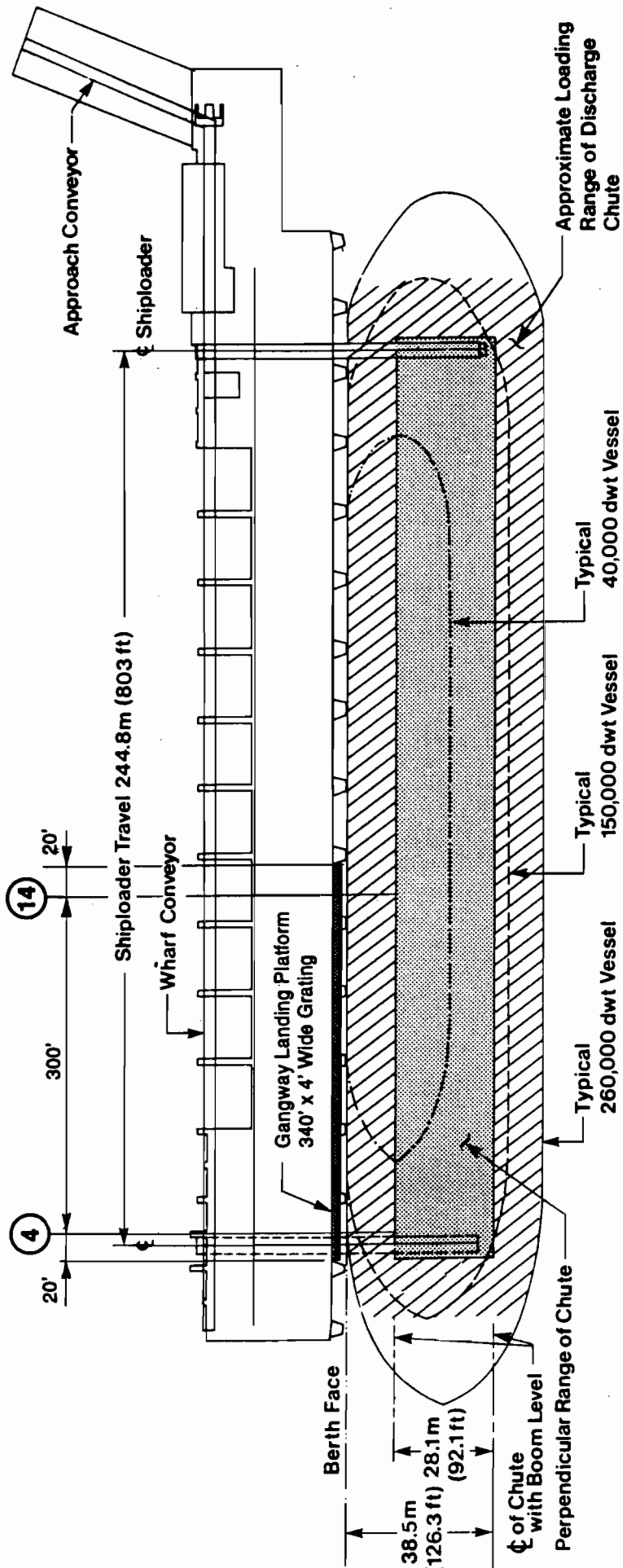


## Westshore Terminals Typical Mooring Arrangements Berth No. 1 - Ships Docked Starboard Side to the Berth

NOT TO SCALE

THIS FIGURE IS NOT TO BE USED FOR NAVIGATION

Figure 2



# Westshore Terminals

## Berth No. 1 - Shiploader Plan

NOT TO SCALE

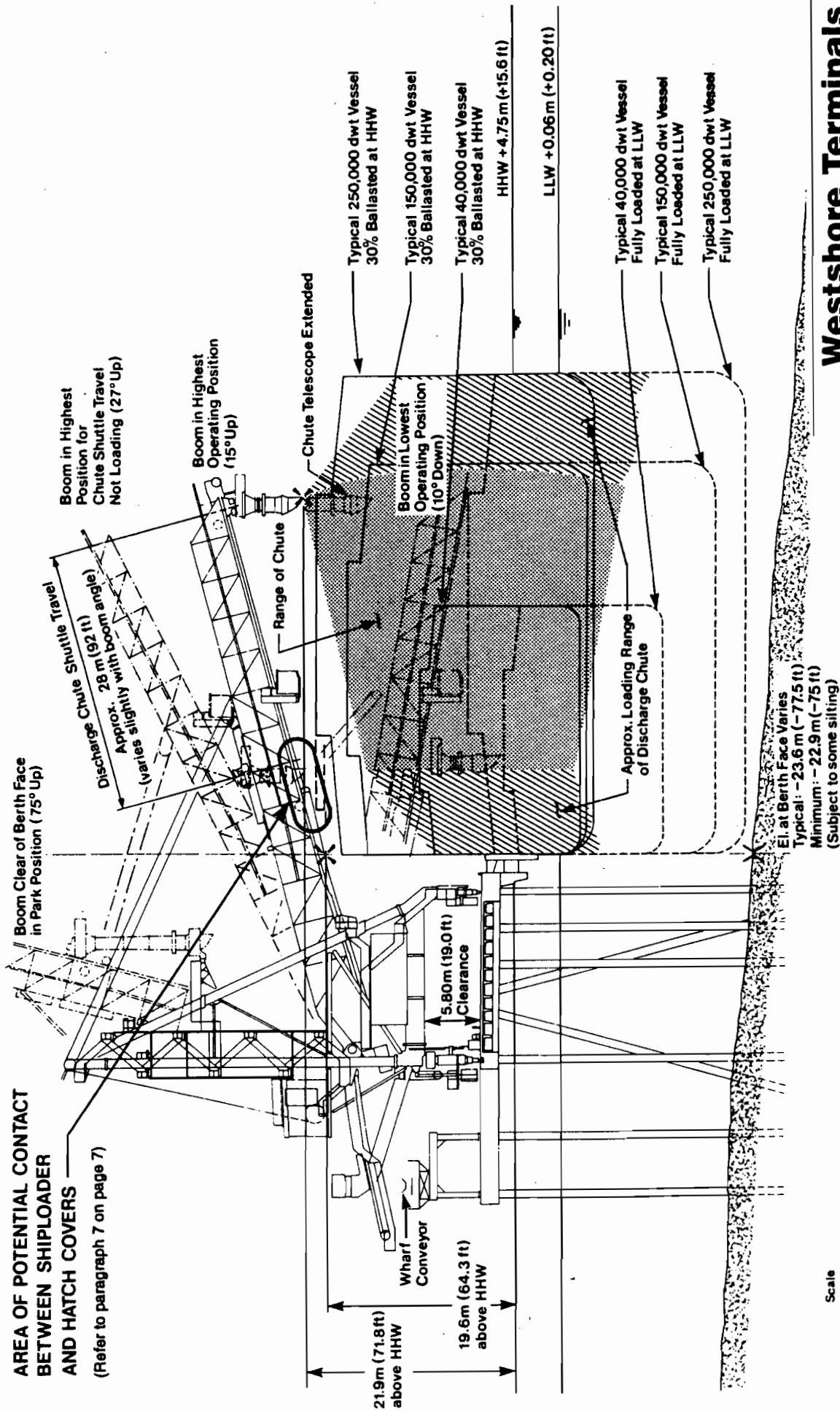
January 2001

THIS FIGURE IS NOT TO BE USED FOR NAVIGATION

Figure 3

**AREA OF POTENTIAL CONTACT  
BETWEEN SHIPLOADER  
AND HATCH COVERS**

(Refer to paragraph 7 on page 7)



Note: Elevations are to Tide and Chart Datum 1980

January 2001

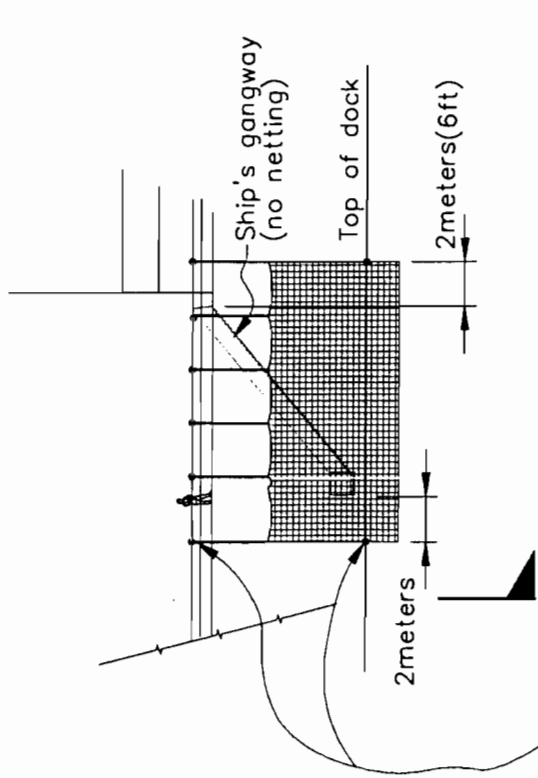
THIS FIGURE IS NOT TO BE USED FOR NAVIGATION

**Westshore Terminals  
Berth No. 1 - Shiploader Elevation**

Figure 4

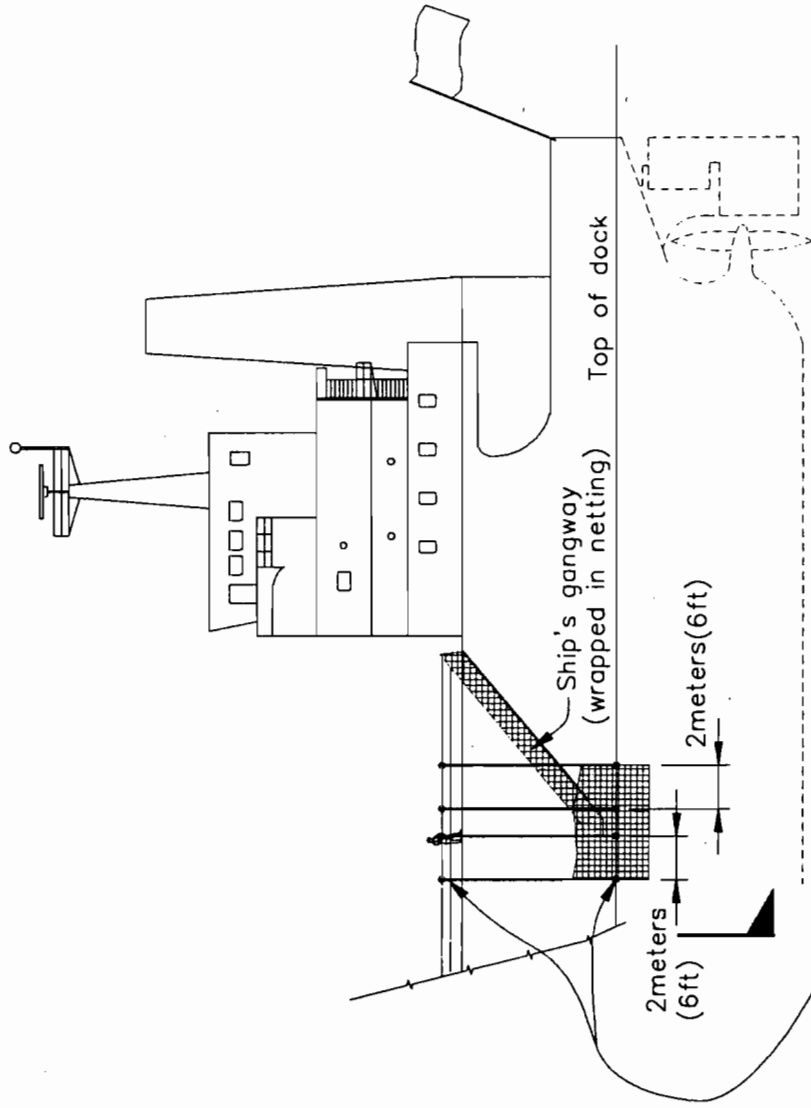
**ATTENTION CHIEF OFFICER**

LOADING WILL NOT COMMENCE  
UNTIL SAFETY NETS ARE IN PLACE.



Safety net must be tied to handrails on the ship and to bull rail on the dock and extend 2 meters(6ft) on either side of the total gangway area if the ship's gangway is not wrapped with netting.

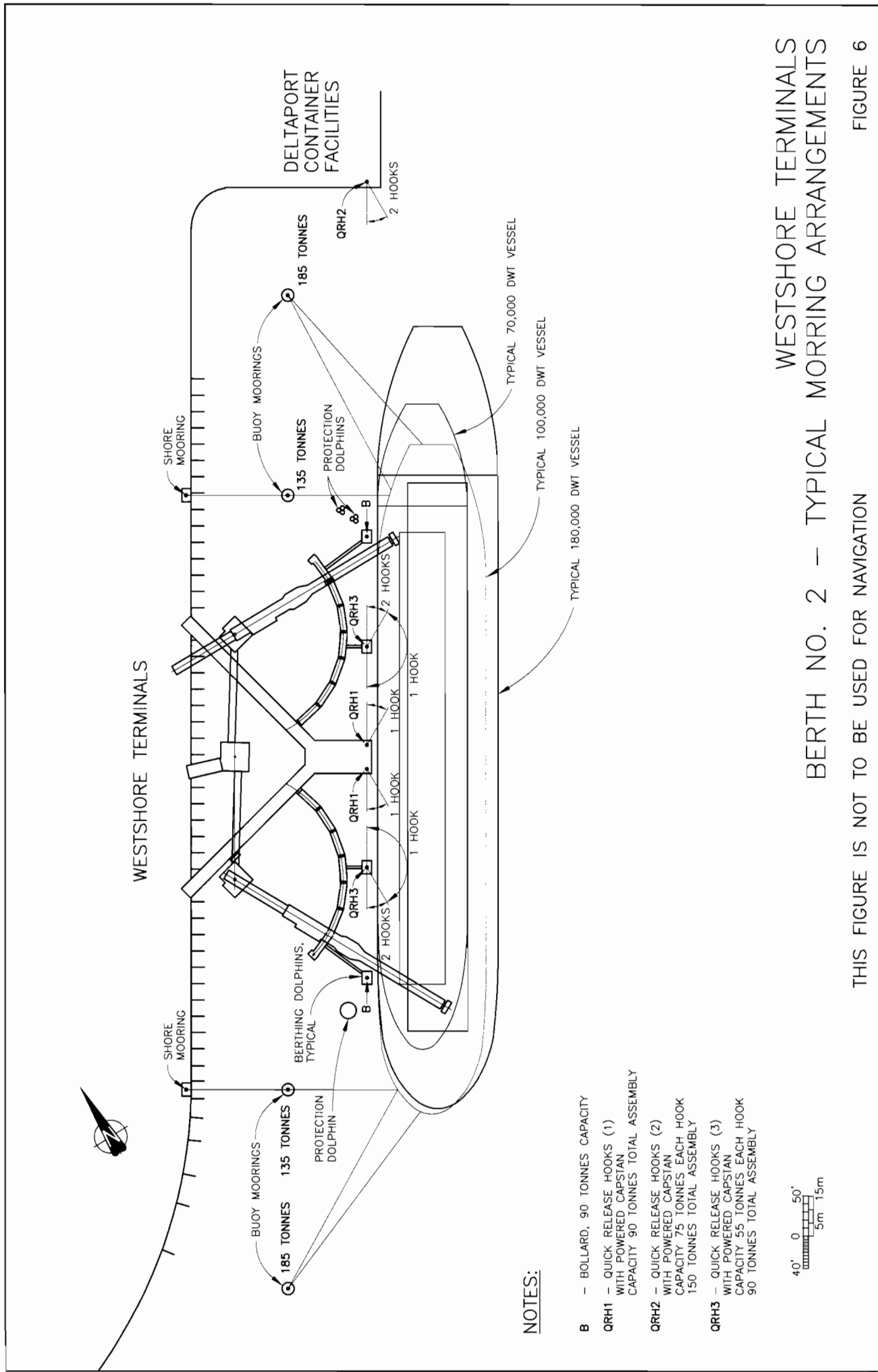
Case 1 : Ship's gangway without netting.



Safety net must be tied to handrails on the ship and to bull rail on the dock and extend 2 meters(6ft) on either side of the landing area if ships gangway is wrapped in netting.

Case 2 : Ship's gangway with netting.

**Westshore Terminals Limited**  
**Berth No. 1**  
**Safety nets**



WESTSHORE TERMINALS

DELTAPORT  
CONTAINER  
FACILITIES

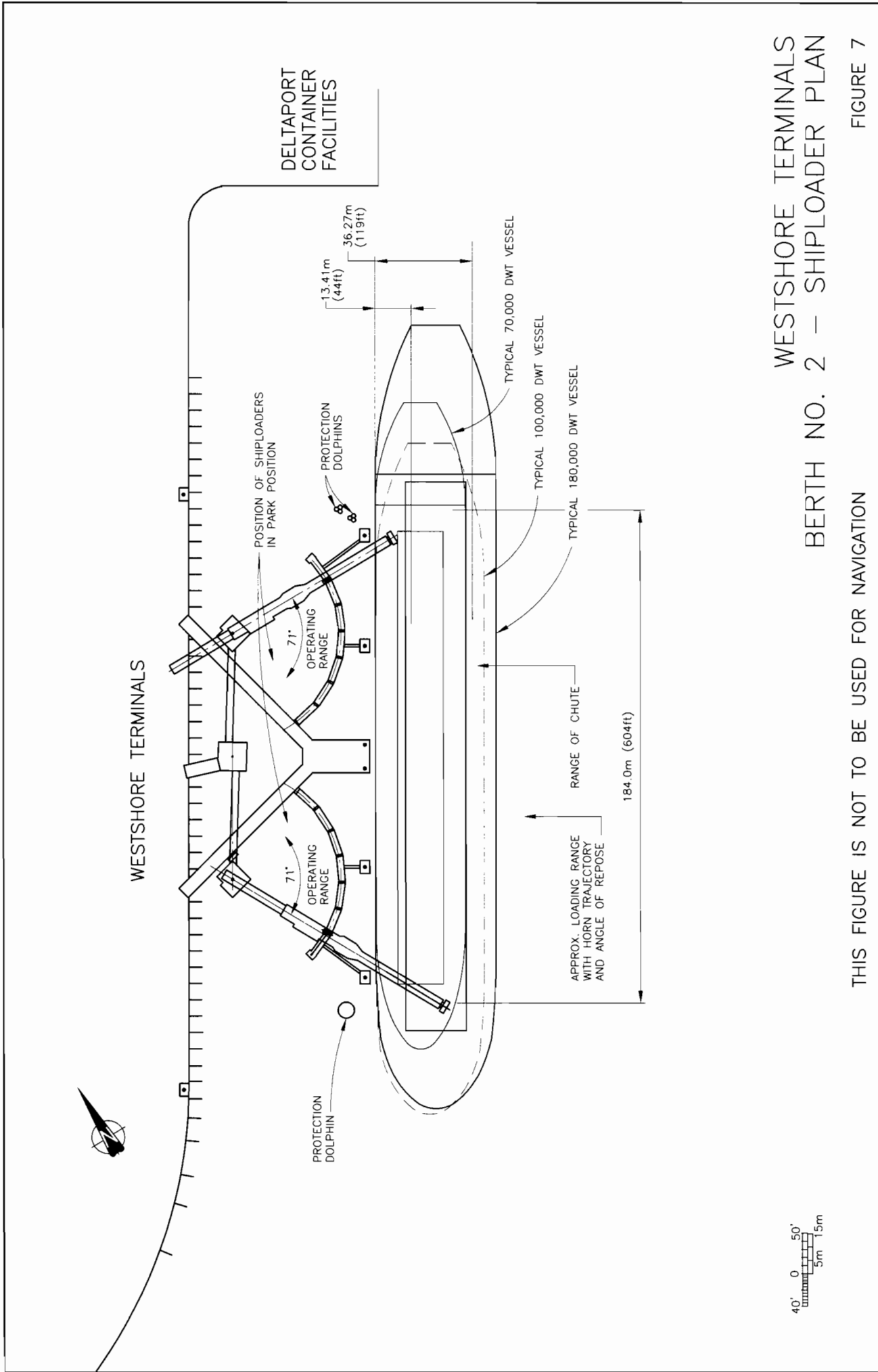
**NOTES:**

- B** - BOLLARD, 90 TONNES CAPACITY
- QRH1** - QUICK RELEASE HOOKS (1)  
WITH POWERED CAPSTAN  
CAPACITY 90 TONNES TOTAL ASSEMBLY
- QRH2** - QUICK RELEASE HOOKS (2)  
WITH POWERED CAPSTAN  
CAPACITY 75 TONNES EACH HOOK  
150 TONNES TOTAL ASSEMBLY
- QRH3** - QUICK RELEASE HOOKS (3)  
WITH POWERED CAPSTAN  
CAPACITY 55 TONNES EACH HOOK  
90 TONNES TOTAL ASSEMBLY



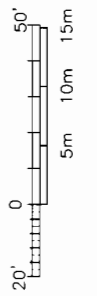
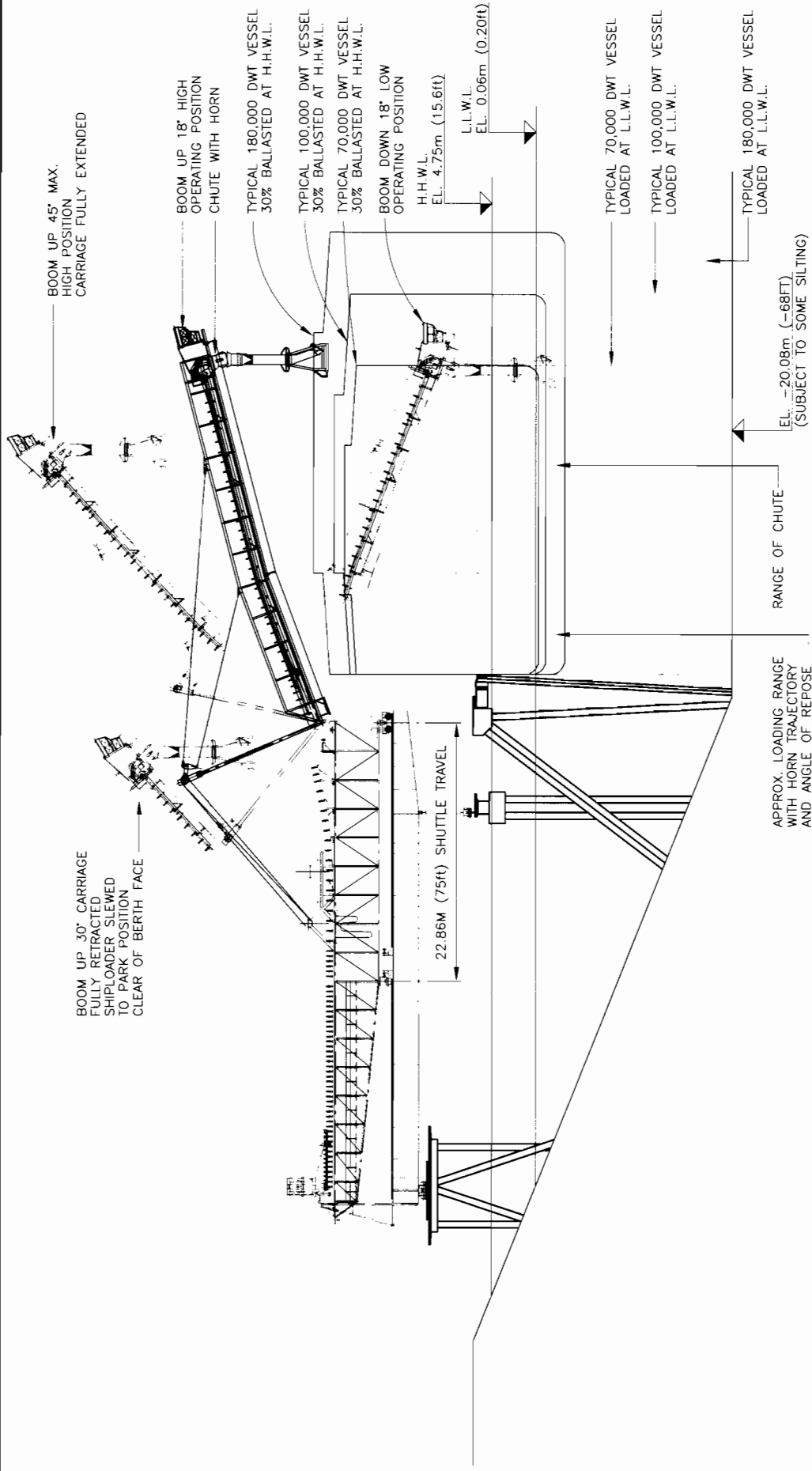
WESTSHORE TERMINALS  
BERTH NO. 2 - TYPICAL MORRING ARRANGEMENTS

THIS FIGURE IS NOT TO BE USED FOR NAVIGATION



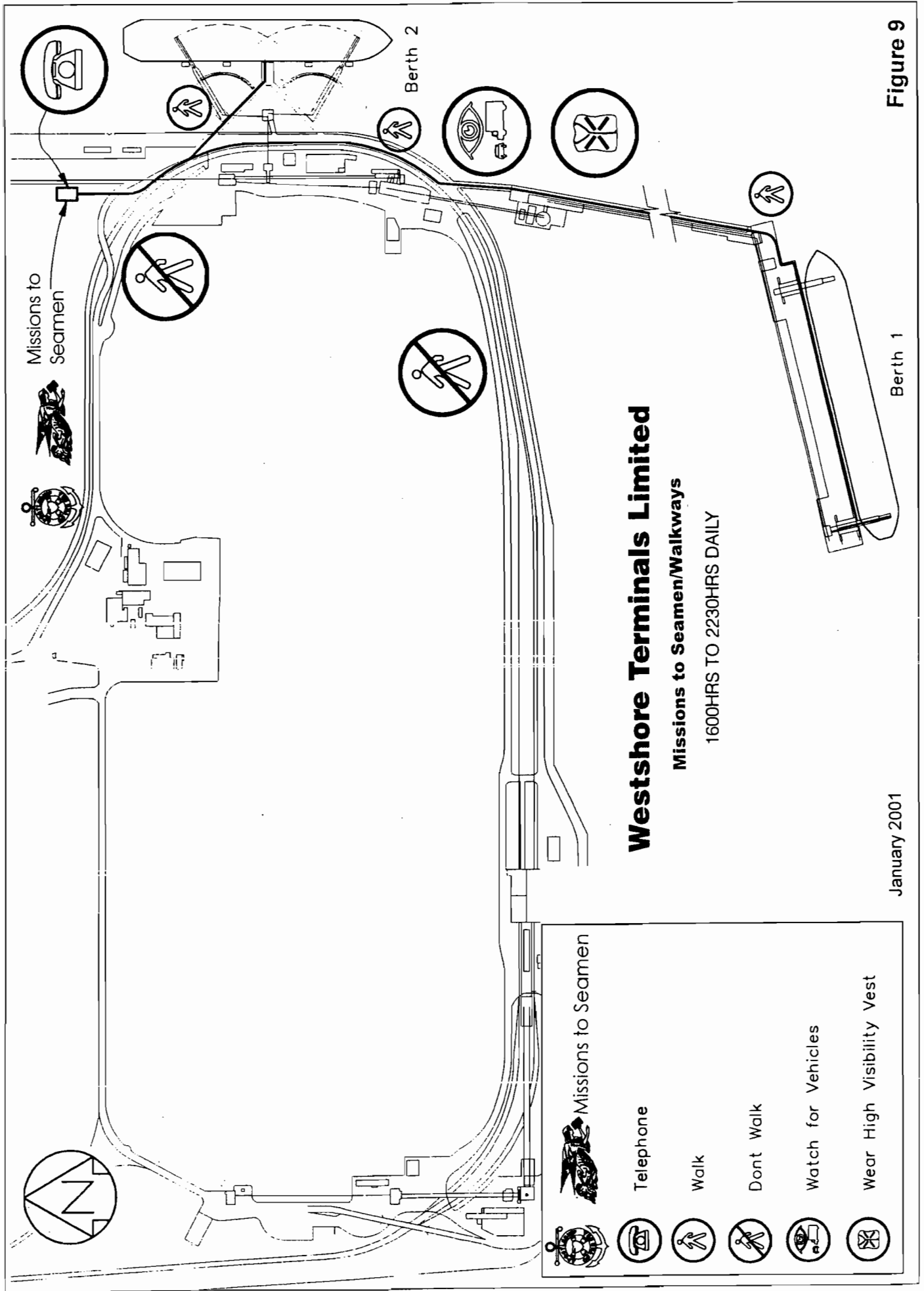
WESTSHORE TERMINALS  
 BERTH NO. 2 – SHIPLOADER PLAN

FIGURE 7



WESTSHORE TERMINALS  
 BERTH NO. 2 - SHIPLOADER ELEVATION  
 FIGURE 8





THIS FIGURE IS NOT TO BE USED FOR NAVIGATION



# Westshore Terminals Limited

Missions to Seamen/Walkways

1600HRS TO 2230HRS DAILY

	Missions to Seamen
	Telephone
	Walk
	Dont Walk
	Watch for Vehicles
	Wear High Visibility Vest

January 2001

Figure 9

Dated: January 1, 2010

Revision #: 4

Authorizing Signature:

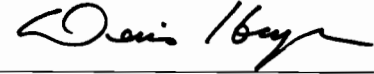


Figure 10

## WESTSHORE - VESSEL BERTHAGE, LINE AND WATER CHARGES

### VESSEL BERTHAGE CHARGES:

1. The charges set out below shall be paid to Terminal in respect of any Vessel occupying a berth. All charges shall be paid before Vessel leaves Terminal, provided that Terminal, in its discretion, may accept in lieu of payment a guarantee from the agent for Vessel that the charges will be paid within **seven days** after the departure of Vessel from Terminal. All charges are payable in the lawful currency of Canada.
2. Berthage charges on the overall length of each Vessel commence when the first line is made fast and terminate when the last line is cast off. Charges shall be paid by Vessel to Terminal as follows:  
\$6.00 per linear metre overall for each consecutive eight (8) hour period.
3. In the event Vessel's last line is cast off within the first four hours of the last consecutive 8 hour period then charges for such last period shall be:

If last line cast off at or within 1 <sup>st</sup> hour of such period	\$0.75 per linear metre overall
If last line cast off at or within 2 <sup>nd</sup> hour of such period	\$1.50 per linear metre overall
If last line cast off at or within 3 <sup>rd</sup> hour of such period	\$2.25 per linear metre overall
If last line cast off at or within 4 <sup>th</sup> hour of such period	\$3.00 per linear metre overall
4. In the event Vessel's last line is cast off at or within the last four hours of the last consecutive 8 hour period then charges for such last period shall be at the full normal rate set out herein.
5. **Interest of 1.5% per month will be charged on overdue accounts.**

### VESSEL LINE CHARGES:

1. The following charges will be assessed for tying up and letting go of Vessel's lines:  
\$3,100.00 per call
2. There are no charges for linesmen used for shifting a Vessel along a wharf, when required.

### WATER CHARGES:

The following connection charge will apply if water is required: \$400.00