

RULES AND REGULATIONS

For The

Port of Johnstown,

ON

**Township of
Edwardsburgh/Cardinal**

MARINE TERMINAL

Effective 1 Jan. 1, 2014

Revisions

Origination
Revision 1
Revision 3
Revision 4
Revision 5
Revision 6
Revision 7
Revision 8
Revision 9
Revision10

1 November 2013
Revision 2

Port of Johnstown

3035 County Road #2
JOHNSTOWN, Ontario K0E 1T1 Canada

Robert Dalley, CPE-General Manager

Office: (613)925-4228 Ext 101

Cell: (613) 246-5620

Fax: (613) 925-5022

rdalley@portofjohnstown.com

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Port of Johnstown, ON Marine Terminal Rules & Regulations

Section 1:00 Introduction

1:01 Objective and Authority

The objectives of these Rules & Regulations governing safety, security and other general operating regulations at the Marine Terminal and facilities operated by the Johnstown Marine Terminal are due in part to Canadian Federal, Provincial and Municipal regulations. These regulations are in addition to those provisions contained in the Terminal Tariff.

1:02 Applicability

These Rules and Regulations apply to all vessels, businesses and organizations and their representatives or agents which service vessels at the Johnstown Marine Terminal during marine operations or cargo handling.

1:03 Terminals Not Public Thoroughfares

The marine facilities and associated properties of the Johnstown Marine Terminal are not public thoroughfares and access may be restricted to the general public by the Manager under the MTSR Marine Terminal Security Plan.

Section 2:00 Definitions

Whenever used in these Rules & Regulations, the following terms shall have the following meaning as indicated:

Manager: The authorized General Manager of the Johnstown Marine Terminal or the Manager's designee unless specifically stated otherwise herein, reference to the "Manager" shall include any authorized designee.

Solicitation: Written or verbal communication, approaching or initiating a conversation with any person on Terminal property, or any person employing or inducing any other person to approach or initiate a conversation with any person on Terminal property, other than a person who is engaged in business authorized by the Johnstown Marine Terminal for the sole purpose to service a vessel and /or the vessel's passengers.

Terminal: Any facility owned, leased or managed by the Township of Edwardsburgh/Cardinal and operated by the Port of Johnstown Marine Terminal and related facilities used in the transitioning of cargo from land to a waterborne vessel or from a waterborne vessel to land, or for the storage of cargo handled by the Port or Marine Terminal, on its property, wharves and piers.

Section 3:00 Solicitation

No person shall engage in solicitation of business or vessel personnel on terminal property, including within the Terminal premises, except to the extent expressly authorized herein.

Section 4:00 Conduct

The Johnstown Marine Terminal reserves the right to hold organizations, businesses, representatives or agents responsible for any violations of these Rules and Regulations.

- a. All authorized representatives or agents of businesses or organizations shall so conduct and carry on their business at the Terminal as to maintain a friendly, cooperative, though competitive relationship with their competitors engaged in like business at the Terminal. Said persons shall not engage in open and public disputes, disagreements, or conflicts tending to deteriorate the quality of service or be incompatible to the best interest of the Terminal and the workers at the Terminal.
- b. All authorized representatives or agents, businesses or organizations shall conduct themselves in an orderly and proper manner at all times so as not to annoy, disturb or be offensive to personnel and others at the Terminal. Said persons shall not provide misleading information concerning their own service or any other service at the Terminal.
- c. Inappropriate language (including but not limited to profanity, racial slurs or slant) and gestures will be considered offensive behavior and will be punishable by the removal of individuals for a period at the discretion of the Manager.
- d. Repeated violations will result in the loss of privilege to provide services in any terminal facility. This loss of privilege, and the duration thereof, will be determined by the Manager.

Section 5:00 Operational Requirements

- a. All businesses and organizations are required to provide the Johnstown Marine Terminal with a list of approved employees or volunteers verifying their employment and citing reason for their presence at the terminals, prior to the issuance of identification badges.
- b. All employees or volunteers representing authorized businesses must wear and make visible their terminal access badge at all times when at

the terminals. Any persons that do not have an access badge on their person will not be able to access the terminals. There will be no exceptions. Under the Canadian Marine Transportation Security Regulations, terminal identification badges will not be issued without a valid Federal security background check.

- c. Personnel not engaged in authorized vessel operations will be restricted to specific terminal areas.
- d. Anyone engaged in business during a vessel visit without an access badge will be removed from the property. There will be no exceptions.
- e. No vehicles will be allowed in cargo handling areas during cargo operations.
- f. Parking for badge holders will be in designated areas in the terminal only. Such areas will be determined by the Manager.

Section 6:00 Communications

6:01 Communications Before Berthing

Application for berthing at marine facilities must be made in advance in writing. Such request shall include the vessel name, owner, dates of required usage, services required and other information as requested. The Manager or his designee may accept a verbal request for berthing which shall be confirmed in writing.

6:02 Communications Alongside

The Johnstown Marine Terminal shall provide a radio to the vessel for direct communication with the Manager, designee and security personnel. The radio shall be monitored at all times by a person fluent in the English language.

6:03 Emergency Communications

In the event of an emergency aboard the vessel, the Manager shall be immediately notified and advised about the nature of the emergency, steps being taken to contain it and what assistance is required.

Section 7:00 Mooring at Berths

7:01 Mooring Lines, Fenders, Guards

The vessel is responsible, at all times, for keeping all mooring lines tightly secured. Supplemental mooring lines and/or fenders may be required by the Manager as conditions dictate. The vessel shall also deploy and properly affix rat guards on all lines.

7:02 Mooring Alongside

The vessel is responsible, at all times, for keeping all mooring lines tightly secured whenever supply vessels, bunker barges or other vessels are tied up alongside.

7:03 Winches

The vessel is responsible, at all times, for tending all mooring winches to insure that the vessel is adequately moored alongside the berth. This shall include the frequent inspection of constant tension winches.

7:04 Tugs

The vessel is responsible, at all times, for keeping direct communications with tugs attending them while docking or undocking, and in case of emergencies.

7:05 Weather and Traffic

The vessel shall, at all times, pay strict attention to weather conditions, water levels, currents, condition of mooring or other circumstances while at a marine facility. In the event of a deep draft vessel transit access to/from the vessel may be suspended and the gangway removed until any vessel surge has abated.

7:06 Hot Work and Other Maintenance

- a. Hot work and other maintenance that may impact Johnstown Marine Terminal piers without the express permission of the Manager while at the berth is prohibited.
- b. All hot work shall be conducted in accordance with the Rules and Regulations established by the Municipal Fire Department of the Township of Edwardsburgh/Cardinal and Safety Requirements of the Johnstown Marine Terminal.
- c. A permit for hot work is required. Such permit shall be issued by the Manager.
- d. Maintenance may be conducted on interior sections of the vessel when alongside.
- e. Chipping paint on the hull or other part of the vessel where paint chips may enter the water is prohibited.
- f. Painting of the hull or other part of the vessel where paint may enter the water is prohibited.

7:07 Discharge of Sewage, Gray Water, Bilge Water, Oil or Other Liquids

- a. Pumping untreated sewage into the waters of Ontario is strictly prohibited by Federal and Provincial law. The discharge of gray water, dirty ballast or other fluids deemed inappropriate by the Manager while berthed at port facilities is prohibited. Discharges by vessels utilizing treatment equipment approved under Canadian Federal Standards is permitted under the authority of the Manager whose determination shall be final.
- b. Sewage discharge facilities are not available at the Terminal. A contractor provided by the vessel shall remove bilge water, oil or other liquid materials.

7:09 Stack Emissions

The visible emission of stack gasses or other emissions that contain any odors as deemed objectionable by the Manager while berthed at Johnstown Marine Terminal facilities is prohibited.

7:10 Trash

The disposal of trash into the water is prohibited. A contractor provided by the vessel must remove trash.

7:11 Bunkering and Fueling

Bunkering and fueling at Johnstown Marine Terminal facilities is permitted. When a vessel takes on bunkers or fuel, a pre-transfer conference shall be held with the vessel, vendor and Manager. Smoking shall not be allowed on weather decks or the pier during transfer operations.

7:12 Emergency Wires

As directed by the Manager, emergency towing wires shall be properly rigged on the offshore side forward and aft. These wires are to be kept near the water surface at all times.

7:13 Gangways

- a. Gangways shall be kept in safe working order at all times and shall be kept free of litter, tripping or slipping hazards at all times. The vessel is responsible for tending gangway connections on the vessel and ashore if the gangway is provided by the vessel. Terminal personnel are prohibited from handling vessel gangways except in case of emergency.
- b. Gangways provided by the Terminal shall be tended at the ship's rail by vessel personnel. Terminal labour shall tend the gangway where the

gangway rests on the pier or wharf area.

7:14 Line handling

The Johnstown Marine Terminal will provide line handling services upon request . Such services may also be contracted through a licensed stevedore. Contract services are available in the Terminal.

7:15 Lighting

The vessel shall provide sufficient and safe lighting at the accommodation hatch and gangway during all times of darkness.

7:16 Dust and Impacts of Stored Bulk Cargos

All firms and personnel handling bulk cargoes on the property of the Port of Johnstown shall at all times control the generation of dust associated with those cargoes if due to environmental conditions, such dust shall be carried by wind or precipitation and impact the terminal proper or surrounding neighborhoods. Such control shall include covering with tarps, wetting down, fixed or covered storage or any other method deemed appropriate by the Manager. The Manager reserves the right to suspend operations should the efforts of those handling cargo is not effective, may direct the removal of such cargo from the Terminal proper or undertake any efforts to mitigate the impact of cargoes at the handler's expense.

Section 8:00 Security

8:01 Security Conference

The Marine Facility Security Officer (MFSO) shall conduct a security conference with the vessel prior to passengers and crew being disembarked. Ship Security Officer and the Terminal Facility Security Officer must complete a Declaration of Security when required and set up communications prior to the offloading of passengers & crew.

8:02 Communications

Communications between the vessel and Marine Facility Security Officer (MFSO) shall be conducted as set forth in Section 6:00 of this document.

8:03 Crew Passes and Identification

Prior to departing the vessel, all crewmembers shall receive a crew pass from the vessel. Upon return, the crewmember must show the pass at the Terminal gate.

8:04 Visitor Passes

Prior to entering the Terminal, personnel must be cleared for entry by the vessel

and the Terminal. The vessel shall provide a list of expected visitors or notify the Terminal of any visitors who need to obtain a vessel boarding pass and Terminal pass. The Manager reserves the right to refuse entry to visitors into the Terminal.

8:05 Screening

All crewmembers must show their crew or boarding pass to the security guard at the Terminal gate and shall then proceed directly to the vessel.

8:06 Access to Terminal

Access to the Terminal and Terminal property is controlled in accordance with Section 8:09 of this document. Access to the vessel shall be stopped if the MFSO finds an unsafe condition exists due to security, weather or other emergency.

8:07 Control of Personnel on Terminal

- a. The Manager shall establish rules for Terminal access. Personnel shall be issued color-coded badges to designate their permissible access during marine operations and shall be subject to Canadian Federal Security Regulations (MTSR).
- b. The Manager reserves the right to limit the number of terminal access badges issued to each company or organization.
- c. All badge holders will be required to sign in with Security during cruise ship visits.
- d. A fee of \$25.00 will be charged to replace any lost or stolen badge.

8:08 Unauthorized Persons

Unauthorized person or persons shall be detained by Security to determine reason for trespass. They shall be turned over to the police if warranted.

8:09 Levels of Access and Display of Badges

Levels of Terminal access will be determined by the Manager..

8:10 Crew Manifest

A passenger and crew manifest along with a visitor and guest list must be forwarded by the ship's operator or by the designated ship's agent to the Facility and is required a minimum of 24 hours prior to the ship's arrival.

8:11 Federal Identification Credential

All persons requiring unescorted access to secure areas of vessels, facilities and

Terminal facilities regulated by Canadian Federal Security Regulations must possess a Federal identification before such access will be granted.

Section 9:00 Bunkering and Fueling

9:01 Ship/Shore Safety List

Ship/Shore safety lists include a pre-transfer conference and Declaration of Inspection. These shall be completed and submitted to the Manager by the vessel and vendor before transfer operations begin.

9:02 Fire Fighting Equipment and Communications

- a. Prior to transfer operations, at least two ship fire hoses shall be laid out and connected to the fire main nearest the transfer station; one forward and one aft. At least two handheld dry chemical fire extinguishers shall be conveniently placed for use at the ship's manifold.
- b. The vessel and vendor shall maintain direct communications at all times during transfer operations.

9:03 Notices

The Manager shall be notified in advance that fueling operations will take place. In the event of a spill onboard or into the water, it is the Master's responsibility to shut down operations, immediately notify Transport Canada and other required Federal, Provincial and local authorities and contain the spill.

9:04 Access to Vessel during Fueling

Access to the vessel by way of the gangway will not normally be prohibited or restricted during fueling operations. The Manager shall prohibit access to the vessel if, in his/her opinion, an unsafe situation has developed or is developing.

9:05 Flags and Lights

During fueling operations a "Bravo" flag shall be flown from the outermost halyard on the yardarm. A red light shall be displayed on the mast in times of darkness.

9:06 Emergency Shutdown

If the Master, Manager or Person in Charge (PIC) of fueling operations finds cause or suspects' cause of an unsafe condition, the transfer operations shall immediately stop. Transfer operations shall also be stopped during thunder storms.

Section 10:00 Safety

10:01 Safety Regulations

All safety regulations as established by the Manager or under Federal authority shall be complied with at all times.

10:02 Personal Safety Equipment and Medical Emergencies

a. Personal safety equipment is required to be used at all times when appropriate by Terminal staff, contract labour and vessel crews. This shall include floatation work vests, hard hats, hearing protection, steel toed shoes, high visibility safety vests, float coats, lifejackets, and clothing offering full body coverage, respirators, gloves or other equipment as appropriate.

b. In the event of serious injury or illness, at the Terminal or on a vessel, the local Medical Rescue Service shall be called and first aid administered as required until Emergency Medical personnel arrive. Notification shall be made by calling the emergency number provided by the Terminal Manager.

10:03 Safety Inspections

The Manager or designee of Johnstown Marine Terminal reserves the right to conduct safety inspections of vessels to insure they are in compliance with Johnstown Marine Terminal Rules and Regulations. The Manager or local Fire Department may carry out such inspections without notice.

Section 11:00 Miscellaneous

11:01 Vehicle Warning Lights/Alarms

Maintenance or vehicles working on piers when vessels are alongside and moving shall display a flashing amber light. Security vehicles shall display a flashing green light. All maintenance vehicles shall be equipped with backup alarms.

11:02 Vehicle Access to Vessel

a. Access to a berthed vessel by taxi, van, bus or other vehicle shall not be granted by the vessel without permission of the Manager.

b. All vehicles and persons permitted to travel on piers may be searched prior to being permitted into the Terminal by security personnel. Contract labour receiving stores shall be responsible for delivery inspections at the Terminal or when deliveries are made from outside the Terminal to the delivery docks.

c. Vehicles requiring access to the pier shall be escorted to a point deemed appropriate by the Manager. Such point shall be clear of

gangway access, bollards, leads of lines, building doors and pedestrian flow.

d. Drivers of vehicles authorized to enter the Terminal shall present their photo license, delivery order or manifest and shall receive a vehicle pass. Drivers shall be instructed as to the Terminal's traffic pattern and be monitored when transiting to their delivery or pick up location.

11:03 Access by Other Than Vessel Personnel

Family, friends and acquaintances of passengers or crew will not be permitted access to the vessel without the express permission of the Manager.

11:04 Crew Lists

A copy of the passenger and crew list for every vessel shall be provided by the vessel to the Manager for use by security personnel.

11:05 Dunnage and Pallets

The vessel is responsible for the removal of all dunnage and pallets or other containers associated with stores or cargo.

11:06 Unlawful Acts

Persons conducting unlawful acts on the berth or Terminal shall be handed over to the Terminal Security staff and the RCMP or local Police Department.

11:07 Additional Security

At the discretion of the Manager, additional security personnel may be required at the sole cost to the vessel.

11:08 Military and Public Vessels Crew Security

Military and public vessels calling on the Port, may at the discretion of the Manager, be required to provide additional security at the vessel's expense or supplement security with vessel personnel as deemed appropriate by the Manager.

11:09 Firearms, Ammunition and Explosives

a. Only duly authorized security personnel, law enforcement officers, members of the armed force on official duty shall carry weapons, ammunition or explosives in the Johnstown Marine Terminal or its associated facilities.

b. No firearm or explosive device shall be carried in any “carry on” luggage or onto a vessel.

c. Discharge or use of any weapon at the Terminal is prohibited, except in the performance of official duties.

e. Cargo operations shall be shut down if deemed necessary for the safety of law enforcement personnel.

11:10 Persons Intoxicated

Intoxicated or troublesome persons shall be confined to their quarters on the vessel. In the event of an altercation at the Terminal, the Manager shall notify Terminal Security and the local Police Department.

11:11 Smoking

There shall be no smoking on any weather deck or any location on the dock. The Master shall designate interior smoking areas on the vessel. Smoking in Terminal buildings is prohibited.

11:12 Lifeboat Suspension

Lifeboats or other items shall not be suspended over the side of the vessel without the Manager’s authorization.

11:13 Landing Skiffs

The vessel shall not land skiffs, small boats or other types of craft onto the Terminal, or adjacent waters without the Manager’s authorization.

11:14 Radioactive Material

Radioactive material may not be handled at the Terminal without express permission of the Manager.

11:15 Compressed Gas

The delivery or removal of compressed gas bottles from a vessel is permitted. Bottles shall be retained aboard the vessel until delivery or removal is expected.

11:16 Handicapped Access

Handicapped persons may be allowed on Terminal property provided accommodations for safe transit to and from the vessel are provided by the vessel.

11:17 Confinement of Visitors and Crew

The Johnstown Marine Terminal Manager or security staff reserves the right to detain or confine visitors and/or crew for safety, security or other appropriate reasons.

11:18 Long Term Berth Leases

The Johnstown Marine Terminal reserves the right to establish leases for long term berthing which shall contain provisions for compliance with these regulations.

11:19 Additional Rules and Regulations

Additional Rules and Regulations for vessel mooring at the Terminal may be found in the Johnstown Marine Terminal Tariff.

11:20 Public Tours of Vessels

Tours of vessels by the general public are not permitted unless pre-arranged and approved by the Manager in conformance with Federal Security Regulations. Any costs associated with the management of public tours, security or additional port staff shall be at the sole cost of the vessel.

11:21 Fishing Vessels and Other Craft Mooring at Terminal

All fishing vessels, crews, agents or persons conducting business with fishing vessels or other commercial vessels moored at the Johnstown Marine Terminal and authorized to be on the facility shall comply with all Rules and Regulations as set forth herein.

11:22 Lay Berthing

- a. All crews, agents or persons connected with vessels that are berthed at the Johnstown Marine Terminal inactive status shall be required to comply with all Rules and Regulations as set forth herein.
- b. All requirements for inspections, compliance with Federal, Provincial and other regulations, as well as vessel access and other requirements for any vessel berthed at the Terminal in short or long term lay berthing (inactive status) shall be included in the lay berthing agreement between the Manager and the vessel owner, operator or agent.