

Shipyard- and port regulation

ÖSWAG Werft Linz GmbH

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1. Definition of the port

The port and shipyard of ÖSWAG Werft Linz GmbH is a private marina (it does not classify as a protective harbor to the shipping system regulation. BGBL 334/1991, 1. Part, § 2.14, in the currently valid version). The port according to the location plan (section 10) comprises of:

- a) The harbour waters
- b) The port and shipyard which is surrounded by fence.
- c) The quay walls, which serve as a dock for watercrafts and barges.
- d) The testing quay and the mooring pontoons ÖSWAG 1, ÖSWAG 2, ÖSWAG 3.

2. Applicable Law

- ☞ Traffic order and shipping system regulations and other relevant **Austrian laws**, regulations and standards apply for the harbour basin, port area, and shipyard waterway.
- ☞ The **Austrian Road Traffic Regulations** apply within the shipyard site with the following additions:
 - ☞ The traffic signs mounted in the entrance area (street) are valid for the entire shipyard and port site (speed limit of 15 km/h, propriety of staplers and rail traffic, etc.). Violators will be directed to leave the shipyard and all future entry permit will be withdrawn.
 - ☞ All claims against the ÖSWAG Werft Linz GmbH deriving from business with the former or by staying on the harbour and shipyard site, respectively, shall be governed exclusively by Austrian law to the exclusion of the conflict of law rules by mutual agreement. The competent court at the registered office of the ÖSWAG Werft Linz GmbH has sole jurisdiction.

3. The entry and exit of watercrafts and floating bodies

- ☞ The **entry and exit of watercrafts** and floating bodies in or out of the harbour is only allowed after approval by the management. The consent of the shipyard management is needed for coordination of operations in the harbour basin. Authorization may be refused without giving reasons. The ÖSWAG Werft Linz GmbH does not assume duty to ensure traffic safety. The specific realization of the entry and exit processes such as support by a tug boat, as well as the execution of the nautical manoeuvres are exclusively carried out by the ship master or owner and is personally responsible.
- ☞ Watercrafts and floating bodies that are transport, have transported or are equipped for the transport of **hazardous or explosive substances**, may only enter the harbour without load, if it is proven immediately beforehand by an officially sworn expert or, in the case of hydrocarbon products, by shipyard personnel by means of control measurements that a concentration of 10% of the lower explosion limit of gases, vapours of highly or hardly flammable substances is not exceeded in all areas of the watercraft or floating body.
- ☞ **Docking and mooring at the test quay and pontoons ÖSWAG 1, 2 and 3**, is possible for watercrafts and floating bodies that are free of hazardous substances and explosives (as defined by the ADNR and other applicable regulations) for the purpose of control measurements after approval by the operations management. Approval is based on the information provided by the responsible skipper. If the measurement does not uphold the limits, the watercraft or floating body must immediately leave the testing quay or the pontoon ÖSWAG 1, 2 or 3 and **be degassed** again at the next locally authorised, marked location (tanker site) or during the journey **in compliance with the guidelines according to ADNR**.
- ☞ **Measurement by the shipyard personnel does not release the captain of his responsibilities under the ADNR or other applicable regulations.**
- ☞ The captain (or owner) of a watercraft or floating body that enters the harbour without registration and permission is held liable for **the costs resulting from the disruption of the workflow in the shipyard**.
- ☞ Docking of watercrafts and floating bodies should be communicated immediately to the management and services (power connection, etc.) should be requested, respectively.

- ☞ Watercrafts and floating bodies are only permitted to exit the harbour **after the signing of the transfer protocol** provided by the shipyard management and has to occur immediately thereafter. A later departure (after the end of the shipyard service period) has to be recorded in the takeover protocol.
- ☞ All manoeuvres must be performed so that wave action is avoided and the banks and harbour bottom are not washed away. All maneuvers are to be executed so that no damage is caused to third-party property. Any **grounding** within the port has to be **reported immediately to the management**.
- ☞ The skipper is exclusively responsible for proper lashing of the watercraft or floating body and must be done using the ship's own equipment. Animals on board (especially dogs) are not allowed to roam freely on board during the mooring time in the shipyard harbour. The skipper must ensure that all animals are kept in the crew area (muzzle, lead or kennel etc.).
- ☞ **Radar operation** in the port (except for a short period of time for the purpose of entry and exit when visibility is severely hindered) is **prohibited**.
- ☞ A person responsible for each watercraft and each floating body must be notified to the operations management and must be available at short notice in the event of danger. The keys and a copy of the current general plan **for decommissioned watercraft and floats** must be deposited in a sealed envelope at the management office. The envelope must bear the name and registration number of the vessel or floating craft on the outside.
- ☞ Mooring at the **mooring pontoons** (ÖSWAG 1, ÖSWAG 2, ÖSWAG 3) is only permitted after approval by the operations management. The approval of the operations management serves to coordinate movements in the harbour basin. Authorisation may be refused without giving reasons. ÖSWAG Werft Linz GmbH does not assume any obligation to ensure traffic safety. The decision on the actual execution of entry and exit procedures, e.g. support by a tugboat, as well as the execution of the manoeuvre from a nautical perspective, must be made in consultation between the skipper and shipyard management.
- ☞ With regard to ground and water protection, notices from the Linz municipal authorities prohibit ship refueling from land and the manipulation of substances or liquids that are hazardous to water in the vicinity of the mooring stations. This also includes grinding work on the ship's outer hull (see point 6). The mooring pontoons have only been authorised for the mooring of ship objects. Appropriate information boards are available on site.

4. Behavior in the yard - and port area

- ☞ Starting January 1st of 2020, there is a **strict alcohol ban** on the entire shipyard and port area. Violators be expelled from the premises without exception.
- ☞ There has been a **general ban on smoking in the workplace** in Austria since May 1st, 2018, so **smoking is strictly prohibited** on the entire premise as well as on the ships on site.
- ☞ Access from **the wharf and port area** (Pontoon, bridge, jetty, the quay wall, etc.) **to watercrafts** and barges has to be provided and secured only by the crew only. The master of the vessel is liable for the security of the jetty. If several vessels are mooring side by side, the watercraft or floating body closest to the shore has to maintain the necessary means to allow for crossing and keep the access path free. The crews of watercrafts and floating bodies, their relatives as well as visitors and suppliers are to use the shortest possible path between anchorage and shipyard gate or to the shipyard management offices.
- ☞ The **delivery of tourists**, the intake of water, food etc. on ships is to be coordinated with the shipyard management. Crew members, visitors and the shipyard workers are allowed to park on the assigned company parking lot.
- ☞ Boards with rules and restrictions, which are to be followed in the entire ÖSWAG shipyard and port area, (**Maximum speed of 15 km/h**) are mounted in the entrance area. Truck transport, Forklifts, heavy vehicles

and rail-bound vehicles have priority.

- ☞ The parking of vehicles is only allowed in the designated areas (visitor parking lot). Parking of cars under the crane path, between the slip winds, as well as in the surrounding area of the slip system is prohibited. When loading and unloading, vehicles may be parked, only **if** neither rail-bound vehicles nor the crane systems are hindered or endangered in their operation and the access routes for operating service and emergency vehicles remain free.
- ☞ **Practice driving or repairs** on vehicles are not allowed in the shipyard. The washing of vehicles in the yard is prohibited. Vehicles parked in the port area must be provided with legible messages in German or English indicating where the vehicle driver/owner can be reached at short notice.
- ☞ If a motor vehicle causes any disturbance in the shipyard and the driver is not available (longer than ten minutes), that **vehicle may** be removed from the shipyard at the expense of the operator/owner. This also applies to the shipyard entrance and visitor parking area.
- ☞ If crew members or other persons present during operation observe special incidents (fire, accident, oil leakage, burst water pipe, etc.), the management must be notified immediately (stating the name of the reporting party, affiliation to the watercraft/float, incident, location). In the event of imminent danger, the reporter must initiate the necessary rescue and safety measures himself.
- ☞ Instructions by the shipyard personnel must be followed. This does not relieve the responsible skipper, customers and suppliers from their responsibility to comply with all applicable regulations.
- ☞ **The ÖSWAG Werft Linz GmbH generally assumes no liability for motor vehicles** on the shipyard.
- ☞ **Entrance to halls, workshops and other facilities** is only permitted if previously approved by the shipyard management.

5. Access and entry and exit rules in the yard

- ☞ The **main gate to the shipyard closed to the public during night hours (Monday to Friday from 17:00 until 05:00), on Weekends and public holidays**. In this period, the shipyard and harbor area are not to be entered or exited without a valid reason. The entry of unauthorized persons and/or motor vehicles during this time is prohibited.
- ☞ Due to insurance requirements and a number of criminal incidents, a barrier system with associated intercom was installed in front of the main gate.
- ☞ An **entry permit** may be applied for at the respective shipyard management office of ÖSWAG Werft. It is possible to issue a KEY for an authorization access pass to enter the shipyard of in return for an application fee (deposit). The decision on the allocation is the sole responsibility of the respective shipyard management. For **vehicles with access pass** the barrier gate opens by license plate recognition, a slow approach to the barrier system is required.
- ☞ All those who have no entry permit, please request entry over the intercom system (to the right) at the entrance. Upon approval, the barriers will open allowing entry. If entry is rejected, notify the shipyard management.
- ☞ At the entrance gate, there are four call buttons on the intercom connecting to ÖSWAG offices for requesting entrance to the shipyard.
- ☞ In order to clarify the entrance permission, short-term parking facilities for trucks and cars are located and indicated by floor markings on the left side of the street in front of the barrier system, respectively.
- ☞ Climbing over the entrance or an attempt to open the side door with tools (rods etc.) results in acting for **trespassing and breaking and entering**.

- ☞ Entrance will be denied for companies which have **not** been commissioned by ÖSWAG for deliveries or services. We therefore ask that arrangements are made in advance and coordinated with the managements of the two ÖSWAG companies.
- ☞ **Exit** at the main gate can be done at any time, the barriers open automatically and should be approached slowly.
- ☞ The use of the internal gate is reserved exclusively for ÖSWAG employees and the crew of the ships on the mooring Pontoon 2 and mooring Pontoon 3, respectively. It must always be locked. The access road may only be used by electric carts and forklifts (max. total weight 2.5 to). Cars and trucks are not permitted on the access road.
- ☞ The entry and exit area at the main gate and the internal gate to the tow path (internal access to mooring Pontoon 2 and mooring Pontoon 3) are monitored by camera!

6. Requirements for work on ships in the harbor area

- ☞ Any activity of contractors and subcontractors in the shipyard is generally prohibited without the written permission from the shipyard management for safety and insurance reasons.
- ☞ If a shipping company commissions a subcontractor, a written work permit must be obtained from the shipyard management in advance and a current insurance policy (liability insurance) of the subcontractor must be presented. The shipyard may refuse a work permit. The shipyard must be notified of the scope and duration of the work.
- ☞ **Contractors and subcontractors** must report to the shipyard management unsolicited before starting work and inform the shipyard management of the planned work schedule. The shipyard management must record the details of the persons and the company and inform these persons of the applicable safety regulations on the shipyard premises (harbour regulations, safety regulations). This also includes work safety in confined and conductive spaces, the use of low-voltage tools (hand lamp) or pneumatic tools, as well as the use of electrical tools with isolating transformers after authorisation by a safety specialist.
- ☞ If the scope of work of the contractor is already known to the shipyard management, the work will be authorized verbally or in writing by the shipyard management. Any safety obligations are responsibility of the ship master or ship owner, if commissioned by the shipping company. The ship owner shall be fully liable for the work carried out by the crew or third parties and for any damages and accidents caused thereby. However, the owner of the vessel has the option of free evidence. Such work is not covered by the insurance of the shipyard ÖSWAG Werft Linz GmbH, nor will any liability whatsoever be assumed. Insofar as the performance of work is approved, this does not constitute a (temporary) assumption by the ÖSWAG Werft Linz GmbH of social insurance obligations or liability of the person performing the work.
- ☞ Any **contamination of the shipyard** premises and the harbour is **prohibited**. No substances of any kind may be discharged into the harbour waters. Waste is disposed of by the management at the shipowner's expense. The separation and filling of the containers to be requested by the management shall be carried out by the ship's personnel **in accordance to the waste separation regulations**
- ☞ In case of leakage of **toxic substances in the harbor water** or in the port area, the ship crew has to immediately take measures to minimize the damage and immediately inform the shipyard management.
- ☞ The ship crew is responsible for the **exact separation** of the following **waste materials**:
 - Oil, oily waste
 - Oil - water emulsions
 - Plastic
 - Paper
 - Kitchen waste
 - Repair waste: Waste, refusal and scrap from repair work **are disposed separately only after consultation** with the shipyard management.
 - Waste water: **No waste water** (dirt water, sewage, bilge water, chemicals, tank wash water, etc.) of any kind is to be discharged in the harbor waters or the port area.

- ☞ Waste materials that are not listed (e.g. batteries, LS-lamps, etc.) are to be disposed of **only after consultation** with the shipyard management
- ☞ **Pumping, removal and unloading** (in the harbor area) **are prohibited** and must first be approved by the shipyard management. Disposal companies with pump trucks are available upon requested from the shipyard management.
- ☞ **Land connections**, such as connections to **electricity, telephone, water** etc. (pay attention to potential equalization) have to be requested to and authorized by the shipyard management. Upon authorization, all land connections are prepared by the shipyard personnel only.
- ☞ **Repairs** to watercrafts and barges in the harbor and port are only **performed by shipyard personnel** or by third parties commissioned by the ÖSWAG Werft Linz GmbH. Persons that are not directly involved in the repair work have to leave the watercraft or barge during the work.
- ☞ For ships without their own waste tank, a separate **ladies and gents toilet** available for the crew on the shipyard. The key can only be collected and returned at the shipyard management office.
- ☞ **Drinking and service water connections** are available the shipyard site. Prior to taking water, the master of the vessel should ask for the type of water required. The ÖSWAG Werft Linz GmbH is not responsible for the water quality.
- ☞ **Any costs** which arise in connection with the existence of a social insurance obligation or any non-insurance shall be ultimately borne by the ship's owner, whose staff carry out work. This applies regardless of who is liable in the external relationship
- ☞ The **storage of ship parts**, equipment and operating materials on pontoons or in the yard may only be done after approval by the management. The storage areas must be returned to their previous condition after clearing.
- ☞ **Standing tests** (the turning of propellers of the main drive, active rudders etc.) may only be executed after approval by the shipyard management in the presence of the responsible captain in the testing quay area. The type or determination of the monitoring during these stand-up tests is carried out by the management. The skipper in charge must initiate any necessary safety measures on his own initiative
- ☞ **Junk goods** (e.g. refrigerators, stoves, tires etc.) may only be used and transported with a watercraft or barge after approval by the shipyard management and after ensuring that no waste remains in the port area.
- ☞ Goods may only be exported from the port area with proof of ownership (e.g., delivery note, invoice etc.). Goods of any kind may only be brought into the shipyard area with **proof of ownership** (e.g., delivery note, invoice).

7. Requirements for grinding and coating work on vessels in/out of the water

- ☞ When sanding and painting outer surfaces of the hull, it is important to ensure that no abrasive dust, no solvent, no color etc. gets in the harbour waters (water protection!). Any infringement will be prosecuted. All incurred costs for cleaning, erection of barriers, etc. are at the expense of the vessel's owner.
- ☞ When sanding other surfaces such as floors on the deck, complete retention of all sanding dust must be guaranteed.
- ☞ Paints, varnishes, solvents and other chemicals must be stored in sufficiently large, liquid-tight, media-resistant drip pans that are protected from rainwater.
- ☞ The manipulation of paints, varnishes and solvents (preparing, stirring and blending) must be carried out in sufficiently large mobile containers.
- ☞ Waste products resulting from the sanding and coating work such as sanding dust, paint and solvent residues are to be stored in liquid-tight containers and protected from rain water until proper disposal.

- ☞ Solvent used for cleaning the coating tools must be collected separately and disposed as hazardous waste. The disposal of such solvents into the sewer system is not permitted. The use of chlorinated solvents (such as perchloroethylene or 1, 1, 2 trichloro- 1, 2, 2-trifluorethane) is not permitted.
- ☞ When treating surfaces (e.g. pickling, impregnating), care must be taken to ensure that the chemical used cannot get into the sewage system, soil, groundwater or bodies of water.
- ☞ Waste water (including sanitary wastewater) must not be discharged into the harbour, but must be collected and disposed of accordingly.

8. Behavior in the event of flood risk / flood - emergency plan

As experience has shown that no flood is the same, all decisions, measures and steps taken by the management (Suppan, Krammer, Ottendorfer, Böhm) are made, discussed, clarified and ordered. Exchange of information internally and externally via mobile phone and e-mail.

Emergency-Team ÖSWAG

| | | |
|----------------------|--------------------------|----------------|
| MASCHINENBAU: | Suppan Reinhard | 0664/34 19 610 |
| | Krammer Horst | 0664/82 75 296 |
| | Zeithofer Andreas | 0664/82 75 339 |
| | Biermeier Franz | 0664/82 75 348 |

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| WERFT: | Suppan Reinhard | 0664/34 19 610 |
| | Böhm Harald | 0664/23 14 547 |
| | Reisinger Christoph | 0664/82 75 224 |

| | | |
|---------------------------------|----------------------------|----------------|
| FIRE PREVENTION OFFICER: | Reisinger Christoph | 0664/82 75 224 |
| SAFETY OFFICER: | Reisinger Rudolf | 0664/22 27 510 |

- ☞ **Alert Emergency-Team** (see above)
- ☞ Follow media, news, weather service, orientation at water levels from the upper reaches of the Danube
- ☞ Recognize danger signs, keep an eye on the company premises, take ongoing measurements
- ☞ constant exchange of information internally and externally
- ☞ Analysis and evaluation of the situation, as well as the likely development - react quickly
- ☞ Procurement of sandbags, plates, PU foam, rubber boots, rain gear
- ☞ Prevent water from entering by barricading the doors, gates and windows: erect protective dams using sandbags and panels, possibly seal with PU foam
- ☞ Prepare the flood gate for closing (when the critical mark is reached, the gate is closed based on official instructions)
- ☞ Organize the transition (ladder / stairs) via the flood gate
- ☞ Move railway construction machines, machine parts from halls (shipyard area, shipbuilding hall IV and II)
- ☞ Clearance of the hall floors, relocation of work equipment to at least table height
- ☞ Bring all important objects and documents (e.g. insurance policies, passports, company documents, valuables) to higher levels or rooms
- ☞ Switch off the electricity and heating system in the possible flooding area
- ☞ Secure containers, timber storage areas, oil tanks, gas and telephone lines
- ☞ Closing and weighing down duct openings
- ☞ Remove vehicles from the emergency area
- ☞ No entry of ships into the harbor basin
- ☞ Clarify access options via PI & Th (open gate)
- ☞ Docking pontoons / ships: ongoing checking of the binding and loosening any ropes
- ☞ Activate internal boat traffic (Zillen, motor boats)
- ☞ Make the fire service / fire engine ready for use
- ☞ Provide fire hoses, pumps, shovels, brooms, Kärcher-equipment devices
- ☞ Request excavators, wheel bearings, snow plows for sludge removal / cleaning
- ☞ Recruit a support team from volunteers, including the division of labor: who - what - where - how long is the person on the job
- ☞ Set up catering stations for the auxiliary staff

- ☞ Support for special forces
- ☞ Document the steps taken in writing and with photos
- ☞ Planning to ensure emergency operation
- ☞ Exact recording of the business interruption and immediate notification to the insurance company, state of Upper Austria; Estimate the amount of damage

| | | | |
|------------------|---------------------|------------|--------------------------------|
| <u>Alerting:</u> | Rescue | 144 | Specification: Where → Address |
| | Firefighters | 122 | What → event |
| | Police | 133 | How many injuries |
| | | | What injuries |

- ☞ **Top priority** = protection of human life
- ☞ Evacuation of employees
- ☞ ongoing information to employees
- ☞ point out possible dangers during the assistance
- ☞ do not drink tap water or water from wells → risk of contamination

9. Processing the emergency - internal debriefing

The insights gained from the emergency are to be processed by the emergency team with regard to the functionality and potential for improvement and the updating of the emergency planning. The results are documented in a report. This report is also for submission to the authorities. The following aspects must be dealt with:

Reconstruction of the situation: cause - emergency detection

Internal alarms (emergency team) / external messages (emergency services, authorities)
Accessibility / response time
Information exchange
Availability and equipment of rooms for the emergency team
Access to company-related documents

Organization: first aid
Fire water supply
Energy supply, emergency operation,
Decontamination / disposal
Replacement procurement (technology, materials)
Redistribution of affected staff

Impact: damage (people, company, technical damage, environment, neighborhood)
Adhere to official measures, requirements, instructions
External impact of the incident (e.g. media, public)

Assessment: Measures carried out with regard to their suitability
Emergency personnel organization with regard to their effectiveness
Assistance from external forces
Contingency planning with regard to opportunities for improvement
Communication with the local media
Reactions from customers, neighbors...
What can we learn from it?

Prevention: Employee information / training:
Routes, first aid services, operation of fire extinguishers,
Seek emergency behavior / gathering points
Instruction by fire brigade / police - regular inspections
Emergency planning update due to change:
Company premises / work processes / personnel structure / internal and external reporting chain

Insights from external events
Amendment of legal or technical regulations
Information / experience from authorities, fire services, insurance companies...

10. Location Plan ÖSWAG Werft Linz, winter harbor, mooring pontoons

