

**Memorandum of Understanding for the Transport of Packaged Dangerous Goods on Ro – Ro  
Ships in the Baltic Sea  
Copenhagen 15 – 17 June 2004 edition**

In general, the transport of dangerous goods by sea shall be affected in accordance with the provision of SOLAS and of the International Maritime Dangerous Goods Code (IMDG Code). This Memorandum of Understanding (MoU) lays down the exceptions (Annex 1) based on the MSC Circ. 1075, when transporting dangerous goods covered by the Regulations Concerning the International Carriage of Dangerous Goods by Rail (RID) and Annexes A and B of the European Agreement Concerning the International Carriage of Dangerous Goods by Road (ADR) on board ro-ro ships in the Baltic Sea. The IMDG Code shall be basis for all transport operations.

The following has been agreed between the participating countries

- 1) This Memorandum of Understanding (MoU) shall come into force not later than 1 January, 2005. It shall replace the Memorandum of Understanding revised at the MoU Conference in Riga 18 – 20 June 2002 and Stockholm 17 – 19 June 2003.
- 2) The competent authorities in charge in ports should arrange for a representative proportion of checks to be conducted on consignments.
- 3) Amendments to this MoU shall be made in accordance with the procedures in Annex 2.
- 4) This MoU is valid until revoked by the member states.

**Memorandum of Understanding for the Transport of Packaged Dangerous Goods in the Baltic  
Sea**

**Section 1  
Application**

(1) By derogation from the provisions of the IMDG Code, these provisions may be applied on all Ro/Ro ships operating within the Baltic Sea proper, the Gulf of Bothnia, the Gulf of Finland and the entrance to the Baltic Sea bounded in the north by the line Skaw-Lysekil provided that the requirements following below are met.

(2) Ro/Ro ships having been issued with a Document of Compliance in accordance with Section 8 below may carry, at the same time, cargo transport units (CTUs) which either fulfil the requirements of RID/ADR or of the IMDG Code.

(3) Dangerous goods, which either fulfil the requirements of the IMDG Code or RID or ADR may be loaded together in the same CTU (see Section 4).

**Section 2  
Definitions**

(1) The terms used in this MoU refer to the IMDG Code except those listed below in this section

(2) Shipowner means company as defined in the ISM Code.

(3) On-deck stowage means stowage on the weather deck.

(4) Under deck stowage means stowage in a cargo space; in an open ro-ro cargo space, unless it is considered by a competent authority to be a weather deck; and/or in a closed ro-ro cargo space, as appropriate.

(5) Low Wave Height Area (LWHA) is a sea area where according to the Agreement concerning specific stability requirements for ro-ro passenger ships undertaking regular scheduled international voyages between or to or from designated ports in North West Europe and the Baltic Sea, 28 February 1996 (Stockholm Agreement), set into effect on 1 April 1997, the significant wave height does not exceed 2.3 metres more than 10 % of the year. Traffic in other areas can be considered as LWHA traffic by the competent authorities concerned if equivalent safety can be assured.

(6) The competent authorities in accordance with these provision are:

Denmark                      Danish Maritime Authority  
                                    Vermundsgade 38 c  
                                    DK-2100 COPENHAGEN O  
                                    E-Mail: info@dma.dk

Estonia                      Estonian Maritime Administration  
                                    Maritime Safety Division  
                                    Valge 4  
                                    EST-11413 Tallinn  
                                    E-Mail: mot@vta.ee

Finland	Finnish Maritime Administration P.O. Box 171 FIN-00181 HELSINKI E-Mail: keskushallinto@fma.fi
Germany	Federal Ministry of Transport, Building and Housing P.O. Box 20 01 00 D-53170 BONN E-Mail: Ref-A33@BMVBW.bund.de
Lithuania	Maritime Safety Administration Janonio 24 LT-5800 KLAIPEDA E-mail: msa@msa.lt
Latvia	Maritime Administration of Latvia 5 Trijādibas iela LV-1048 RIGA E-Mail: lja@lja.bkc.lv
Poland	Ministry of Infrastructure Str. Chalubinskiego 4/6 PL-00928 WARSAW E-Mail: info@mi.gov.pl
Sweden	Swedish Maritime Administration Maritime Safety Inspectorate SE-601 78 NORRKÖPING E-Mail: inspektion@sjofartsverket.se

### **Section 3** **Transport of dangerous goods**

(1) Dangerous goods that are classified, packaged, marked, labelled, documented and loaded together on or in a CTU or unit load in accordance with the requirements of RID, ADR or the IMDG Code may be transported in accordance with the provisions of this MoU.

(2) The application of packing instruction R001 or section 4.1.4 of ADR or RID is allowed only for the traffic in LWHA.

(3) Tanks shall either comply with Chapter 4.2 ADR/RID/IMDG Code, as amended, or comply with Chapter 4.3 ADR/RID, as amended. Tanks with open venting devices should not be permitted for transport on board of Ro/Ro ships.

(4) Bulk containers shall comply with chapter 7.3 ADR, as amended or 4.3 of the IMDG Code, as amended.

### **Section 4** **Loading and placarding of CTUs**

(1) Packages (packagings, large packagings or IBCs) containing dangerous goods shall be segregated from each other within CTUs in accordance with the provisions of the IMDG Code. For traffic in LWHA packages with segregation categories 1 and 2 of table 7.2.1.16 of the IMDG Code may be loaded together in the same CTU. Paragraph 7.5.2.2 Note a of RID/ADR may be used for traffic in LWHA.

(2) Placarding and marking of CTUs containing dangerous goods shall be in accordance with the provisions of the IMDG Code or RID/ADR, see Section 5.  
CTUs containing Marine Pollutants have to be marked according to the IMDG Code.

## **Section 5**

### **Transport of CTUs**

CTUs containing dangerous goods may be carried on Ro-Ro ships in accordance with the following provisions:

(1) A container/vehicle packing certificate (CTU packing certificate) shall be issued for each CTU containing dangerous goods. The model CTU packing certificate shall comply with the IMO/ILO/UN ECE Guidelines<sup>1</sup> for packing of Cargo Transport Units (CTUs) referred to in Section 9 (2). For mixed loading for traffic in LWHA, the packing certificate shall state that any prohibition of mixed loading as specified in Section 4 (1) sentence 2, has been complied with. In that case the following has to be stated in the packing certificate: "Packed together according to the MoU".

(2) When dangerous goods are transported in accordance with Chapter 3.4 of RID or ADR the consignor or his representative shall provide the master with the following information: "Dangerous goods in limited quantities of class(es) ...".

When dangerous goods are transported in accordance with paragraphs 1.1.3.1, 1.1.3.2 or 1.1.3.4 of RID /ADR the consignor or his representative shall inform the master that these paragraphs are used.

(3) CTUs as referred to in 1.1.3.4 RID/ADR and 1.1.3.6 ADR shall display, on two opposite sides a neutral orange-coloured plate from the time they are loaded on, until the time they are unloaded from a Ro/Ro ship. The responsibility for fitting such plates shall rest with the person actually placing the CTU ready for loading on board the Ro/Ro ship.

## **Section 6**

### **Stowage and segregation between CTUs**

(1) Segregation between CTUs shall be in accordance with the provisions of the IMDG Code, except that for LWHA traffic no separation is required for segregation categories 1 and 2 in table 7.2.4.2 of the IMDG Code.

(2) Stowage and segregation of class 1 shall be in accordance with the IMDG Code and the Document of Compliance (SOLAS 1974, II-2/19)

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<sup>1</sup> See IMDG Code, 5.4.2 and Supplement, 4.4.2.

(3) The following table shall apply to the stowage of CTU containing dangerous goods:

**Stowage table for CTUs containing packaged dangerous goods of classes 2 to 9**  
**Note: Stowage shall also be in accordance with the Document of Compliance (SOLAS 1974, II-2/19) or the Letter of Compliance referred to in Section 8 of the MoU.**

Description and class as specified in IMDG Code/RID/ADR		Cargo ships or passenger ships carrying either not more than 25 passengers or 1 passenger per 3 metres of length <sup>1)</sup>		Other passenger ships	
Description	Class	On deck	Under deck	On deck	Under deck
Gases	2				
-flammable gases.	2.1	permitted	Prohibited	Prohibited	prohibited
-non-flammable non-toxic gases.	2.2	permitted	permitted <sup>3</sup>	Permitted <sup>3</sup>	permitted <sup>3</sup>
-toxic gases	2.3	permitted	prohibited	Prohibited	prohibited
Flammable liquids	3				
- packing group I or II		permitted	Permitted	Permitted	prohibited
- packing group III		permitted	Permitted	Permitted	permitted
Flammable solids	4.1 <sup>2</sup>				
- UN No.1944, 1945, 2254, 2623		permitted	Permitted	Permitted	permitted
- other UN numbers		permitted	Prohibited	Permitted	prohibited
Substances liable to spontaneous combustion	4.2	Permitted	Prohibited	Permitted	prohibited
Substances which give off flammable gases in contact with water	4.3	permitted <sup>1</sup>	Prohibited	Permitted <sup>1</sup>	prohibited
Oxidizing substances	5.1	Permitted	Permitted	Permitted	prohibited
Organic peroxides	5.2 <sup>2</sup>	Permitted	Prohibited	Prohibited	prohibited
Toxic substances	6.1				
- packing group I or II		permitted	Prohibited	Permitted	prohibited
- packing group III		permitted	Permitted	Permitted	permitted
Infectious substances	6.2	Permitted	Permitted	Prohibited	prohibited
Radioactive material	7	Permitted	Permitted	Permitted	permitted
Corrosive substances	8				
- packing group I or II		permitted	Prohibited	Prohibited	prohibited
- liquids packing group III		permitted	Permitted	Permitted	prohibited
- solids packing group III		permitted	Permitted	Permitted	permitted
Miscellaneous dangerous substances and articles	9	Permitted	Permitted	Permitted	permitted

Notes pertaining to this table:

A: If the stowage of dangerous goods is prohibited according to this table for one item contained in a CTU loaded with mixed dangerous goods, this prohibition applies to the whole unit within that compartment.

<sup>1</sup> The carriage of Ferrosilicon of UN number 1408 when transported in bulk packagings, in containers, road vehicles or rail wagons, tank containers or demountable tanks is allowed only when accompanied by a certificate stating that the material was stored under cover, but in the open air, and that the particle size is representative of the material stored.

<sup>2</sup> For the stowage of these substances, chapter 7.7 of the IMDG Code shall be complied with in addition to the provisions of ADR.

<sup>3</sup> Refrigerated gases of ADR or of stowage categorie "D" of the IMDG Code are prohibited.

<sup>4)</sup> The total number of passengers shall not be more than 1 person per 1 metre of the length of the ship.

B: Substances assigned to special provision SP 900 of the IMDG Code are prohibited.

C: If the stowage of dangerous goods is prohibited according to this table, but is permitted under the provisions of the IMDG Code, the stowage requirements of the IMDG Code may be applied instead.

## **Section 7**

### **Additional duties for the consignors.**

- (1) The consignor shall ensure that, in addition to the information required by the provisions of RID/ADR, the dangerous goods are identified as „MARINE POLLUTANT“, if applicable.
- (2) If liquid dangerous goods to be transported having a flashpoint of 61°C or below (in °C closed – cup (c.c.)), the flashpoint range in accordance with the relevant packing group may be indicated.

## **Section 8**

### **Requirements applicable to ships**

- (1) Ships shall, with regard to design and equipment, fulfil the requirements of regulation II-2/54 of SOLAS 74, as amended. For ships constructed on or after 1 July 2002 regulation II-2/19, SOLAS 74 as amended, shall be applicable. The Document of Compliance shall include information specifying the classes of dangerous goods, which may be stowed in the individual cargo spaces of the ship.
- (2) Ships constructed before 1 September 1984 already provided with a letter of compliance may continue to transport dangerous goods in accordance with the requirements applicable at the time, when the letter of compliance was issued. However, these ships shall comply with the requirements of Chapter 7.4 of the IMDG Code.
- (3) A Letter of Compliance issued in accordance with the MoU is considered to be equivalent as being specified in 7.4.5.7 of the IMDG Code.

## **Section 9**

### **Additional requirements**

- (1) During the voyage, CTUs containing dangerous goods shall be secured in compliance with the Cargo Securing Manual approved by the Administration. As far as practicable, IMO Resolution A.581(14) of 20 November 1985 shall be observed. CTUs without facilities for lashing may not be offered for transport under the provisions of this MoU.
- (2) The IMO/ILO/UN/ECE Guidelines for Packing of Cargo Transport Units (CTUs) shall be observed for all cargo transport units.
- (3) Ro-Ro vessels shall have on board current versions of:
  - a) the International Maritime Dangerous Goods Code (IMDG Code);
  - b) the Emergency Procedures for Ships Carrying Dangerous Goods (EmS);
  - c) the Medical First Aid Guide for Use in Accidents Involving Dangerous Goods (MFAG);
  - d) the applicable Regulations Concerning the International Carriage of Dangerous Goods by Rail (RID) or Annexes A and B of the European Agreement Concerning the International Carriage of Dangerous Goods by Road (ADR), as appropriate to the mode of transport.
- (4) Shipowners shall ensure that the persons they appoint and who are involved in the transport of CTUs under the provisions of the present MoU are made familiar, through repeated training, with the application of the relevant provisions, in particular, with those of ADR or RID. They shall ensure that the persons involved will be issued with a certificate stating that they have been trained and informed accordingly.
- (5) The competent authorities concerned may grant exemptions for a period of not more than 1 year, provided an equivalent level of safety is maintained. The MoU member states shall be notified of such exemptions.
- (6) The competent authorities as listed in Section 2 above should arrange for a representative proportion of checks to be conducted on consignments using a checklist (Appendix).

(7) The number and results of checks shall be presented at the MoU meetings and circulated to the competent authorities concerned.

## **Section 10**

### **Transitional Regulations**

On board cargo ships and passenger ships carrying not more than 1 passenger per 1 meter length of the ship CTUs may be stowed under deck under the conditions according to section 7 of the Memorandum of Understanding in the version of Würzburg (24 to 26 August 1999) by using the approval of the competent authority having granted such a stowage until 31 December 2002.

For such stowage under deck table 2 of the Würzburg version and segregation of the CTU's on this deck as laid down in IMDG 7.2.4.2 (Table of segregation of cargo transport units on board ro-ro ships), shall be used. All other requirements shall be according to this version of the Memorandum.

## **Section 11**

### **Entry into force**

(1) This amendment to the Memorandum of Understanding shall come into force not later than 1 January 2006.

(2) The German and English versions of this amendment to the Memorandum of Understanding shall be equally authoritative.

### **Appendix of Annex 1 of the MoU**

Part 1 to 4:

- (1) Competent Authorities
- (2) Checklist for road transport
- (3) Checklist for transport in ro-ro ships
- (4) Report of competent Authorities

### **Appendix of the MoU**

#### **Guidelines for joint checks according to section 9 (6) in the Memorandum of Understanding for the transport of dangerous goods in ro-ro ships in the Baltic Sea (MoU)**

##### **1. Purpose**

To ensure safe international transport of dangerous goods in connection with ro-ro transport, and to coordinate joint checks carried out in ports within the area covered by the MoU.

##### **2. Application/Scope**

- 2.1 This guideline is applicable to the participating countries competent Authorities (listed in Part 1) performing joint checks on transport of dangerous goods.
- 2.2 Joint checks on dangerous goods should be performed in accordance with the checklist for road transport (Part 2) under the provisions of Directive 95/50/EC as amended by Directive 2004/112/EC or with the checklist for transport of dangerous goods in ro-ro ships in the Baltic (Part 3)

##### **3 Definitions**

- 3.1 Joint checks are checks, which are agreed upon by the Member States with connecting ship routes. Joint checks concerns export traffic only.

- 3.2 Competent Authority: Any national Authority related to check of dangerous goods.

#### **4 Procedures of joint checks**

- 4.1 Each Member State should perform four joint checks annually.
- 4.2 Member States should exchange plans for joint checks annually on December 1st at the latest. Plans should be submitted between Member States with connecting ship routes and the Authorities should agree to a mutual timetable for joint checks for one year at a time.
- 4.3 The execution of the joint checks should be coordinated between the competent Authorities of Member States with connecting ship routes.
- 4.4 Joint checks should, in general, be unannounced.
- 4.5 Joint checks should be performed on basis of checklists for road transport and/or sea transport.  
(Part 2 / 3)
- 4.6 Coordination should ensure that the same transport unit is only checked by one competent Authority on any joint check.
- 4.7 Competent Authorities within the MoU can participate in joint checks as observers in any check performed by other Member States.
- 4.8 At the end of each joint check, the competent Authority submit a report containing information as stipulated in Part 4, which is in accordance with the MSC/Circ. 859, to the responsible Administration appointed by MoU conference.
- 4.9 The responsible Administration submits an annual report of the joint checks to the MoU conference and IMO, on behalf of the Member States.
- 4.10 The report should be evaluated at the MoU Conference and action should be taken as appropriate.

#### **5 Others**

- 5.1 Member states, which do not follow this guideline, have to secure a safe international transport of dangerous goods on equivalent base. They inform the responsible Administration (4.8) about their activities.
- 5.2 Joint checks should be performed in accordance with the requirements of Chapter XI-2 of SOLAS in conjunction with the International Ship and Port Facility Security (ISPS) Code.



# CHECKLIST FOR INSPECTIONS IN ACCORDANCE WITH THE MoU

2. Date

3. Time

1	Place				1.1 Terminal	1.3 Company
4	4.1 Nationality	4.2 Reg. number	5. Trailer/semi-trailer/container	5.1 Nationality	5.2 Reg. number	1.2 Harbour
6	Carrier, address				1.4 System	1.5 Road
7	Driver			Driver's assistant		
8	address			address		
9	Consignor			Place of loading		
10	address					
11	Consignee			Place of discharge		
12	address					
13	Total quantity of dangerous goods per transport unit kg					
14	ADR 1.1.3.6 quantity limit exceeded <input type="checkbox"/> 11.1 Yes <input type="checkbox"/> 11.2 No					
15	Transport with <input type="checkbox"/> 12.1 Tank <input type="checkbox"/> 12.2 Bulk <input type="checkbox"/> 12.3 Package <input type="checkbox"/> 12.4 Other					
16	Transport in accordance <input type="checkbox"/> 12.9 ADR <input type="checkbox"/> 12.10 <input type="checkbox"/> 12.11 IMDG Code <input type="checkbox"/> 12.12 CAO-TI					
17	<input type="checkbox"/> 12.13 RID <input type="checkbox"/> 12.14 <input type="checkbox"/> 12.15 MoU <input type="checkbox"/> 12.16 Other					
18	* A) Checked: B) Not in acc. C) NA * A) * B) * C) Risk-categ. Note					
19	13.1 DGD 13.2 Stowage plan					
20	Written instructions					
21	15.1 Bilateral 15.2 Multilateral 15.3 Nat. auth.					
22	Cert. of app. for vehicles 16.1 Vehicle					
23	17.1 Driver's training certificate (ADR 8.2.1, 8.2.2)					
24	17.2 Other ADR-training					
25	18 Cargo approved for transport					
26	19 Vehicle approved for the transported cargo					
27	20 Provisions related to the mode of transport (bulk, kolli, tank)					
28	21 Prohibition of mixed loading					
29	22.1 Handling 2)					
30	22.2 Loading/stowage 2)					
31	22.3 Cargo securing 2)					
32	23.1 Leakage 2)					
33	23.2 Damage to package/vehicle 2)					
34	24 UN packaging marking/tank marking (ADR 6) 2)					
35	25.1 Package marking (5.2.1)					
36	25.2 Package labelling (5.2.2)					
37	26 Tank/vehicle placarding (5.3.1)					
38	27 Placarding/markings of cargo transport units (5.3.2, 5.3.3, 5.5)					
39	28.1 Scotch					
40	28.2 Warning equipment					
41	28.3 Warning vest					
42	28.4 Handlamp(s)					
43	29 Equipment acc. to the goods carried (ADR 8.1.5(b))					
44	30 Other equipment specified in the written instruc. (ADR 8.1.5(c))					
45	31.1 Type A (ADR 8.1.4.1(a) / 8.1.4.2)					
46	31.2 Type B (ADR 8.1.4.1(b,c))					
47	40 Other					
48	39 The most serious risk category of established infringements					
49	41 Authority/officer having carried out the inspection (sign)				Clarification of signature	

1) To be filled only if relevant for an infringement

2) Check of visible violation

### 3. Time

[illegible]

Annex 3

## Report of the common controls 200X

Date:

Submitted by:

Country of origin of CTU's

	D	DK	EST	FIN	POL	SE	LV	LT	other	Total
1 Number of CTUs examined										
2 Number of CTU's with deficiencies total										
3 In particular										
3.1 placarding and marking										
3.2 labelling (of packages)										
3.3 documentation										
3.4 packaging (inappropriate or damaged)										
3.5 portable tank or road tank vehicles										
3.6 stowage/securing inside CTU's										
3.7 segregation of cargo										
3.8 Container Safety Convention (CSC) Safety Approval Plate										
3.9 tie down attachments of road vehicles										

**Denmark**

Responsible for the control of transports  
of dangerous Goods on board ships in Danish  
ports  
Danish Maritime Authority  
Survey and Inspection Division  
Svend Karstensen and Jan Steen Jørgensen  
Vermundsgade 38C  
DK-2100 Copenhagen E  
Phone: +45 3917 4663  
Fax: +45 3917 4401  
E-mail: ska@dma.dk

Safety & Environmental Legislation Division  
Anne Lene Ries  
Vermundsgade 38C  
DK 2100 Copenhagen E  
Phone: +45 3917 4617  
Fax: +45 39 20 4412  
E-mail: alr@dma.dk  
Dangerous Goods at sea (IMDG, MoU)  
Legislation and co-ordination

Ships based controls  
including Port State Controls  
Ministry of the Interior  
Emergency Management Agency  
Allan Thomsen  
Datavej 16  
DK-3460 Birkerød  
Phone: +45 45 825 400  
Fax: +45 45 826 565  
E-mail: at@brs.dk

Dangerous Goods by Rail (RID)  
Legislation and co-ordination  
National Rail Authority  
Jens Olsen and Steen Riis Thomsen  
Adelgade 13  
DK-1304 Copenhagen K  
Phone: +45 7226 7069/ +45 7226 7061  
Fax: +45 7226 7070  
E-mail: jeo@trafikstyrelsen.dk and  
srt@trafikstyrelsen.dk

National Commission of the Danish Police  
Traffic Police  
Henrik Brunstedt and Michael Balvits  
Ellebjergvej 52,2  
DK-2450 Copenhagen SV  
Phone: +45 33 910 910 EXT 7485 and 7471  
Fax: +45 33 43 01 59  
E-mail: rpchi-tvs@politi.dk  
Land based controls and legal proceedings

## **Estonia**

Mr. Jaak Arro  
Head of Dangerous Goods Section  
Ship Control Department  
Estonian Maritime Administration  
Valge 4  
11413 Tallinn  
ESTONIA  
Phone: +372 620 5715  
Fax: +372 620 5706  
E-mail: Jaak.Arro@vta.ee

## **Finland**

n.n.  
P.O. Box 171  
FIN-00181 Helsinki  
Phone : +358 204 48 4317  
Fax: +358 204 48 4336  
E-mail: magnus.fagerstrom@fma.fi

Finnish Maritime Administration  
Gulf of Finland Ship Inspection Division  
P.O. Box 308  
FIN-00181 Helsinki  
Tel. +358 204 48 50  
Fax +358 204 48 5100

Finnish Maritime Administration  
Southwestern Ship Inspection Division  
Mr Seppo Nousiainen  
P.O.Box 209  
FIN-20101 Turku  
Tel. +358 204 48 6156  
Fax + 358 204 48 6144  
E-mail seppo.nousiainen@fma.fi

Finnish Maritime Administration  
Mr Rainer Dahlblom  
Gulf of Bothnia Ship Inspection Division  
P.O. Box 20  
FIN-65101 Vaasa  
Tel. +358 204 48 7330  
Fax +358 204 48 7325  
E-mail rainer.dahlblom@fma.fi

## **Germany Mecklenburg-Pommerania**

Innenministerium Mecklenburg-Vorpommern

Referat II 430/1

Herr Lothar Gomoll

Karl-Marx-Str 1

19055 Schwerin

Tel: +49 385/588 2439

Fax: +49 385/588 2480

e-mail: lothar.gomoll@im.mv-regierung.de

Wasserschutzpolizeidirektion

Mecklenburg-Vorpommern

Sachbereich Hafensicherheit/Gefahrgut

Herr Detlev Kießlich

Schiffbauerring 59

18109 Rostock

Tel.: +49 381/1236 368

Fax: +49 381/1236 334

e-mail: wspd.mv.gefahrgut@t-online.de

Wasserschutzpolizeiinspektion Rostock

Leiter der Inspektion

Herr Lakomy

Warnowenn

18109 Rostock

Tel.: +49 381/1270 412

Fax: +49 381/1270 422

Wasserschutzpolizeistation Rostock Seehafen

Stationsleiter

Herr Meyer

PF 48 11 55

Ost-West-Straße 30

18133 Rostock

Tel.: +49 381/350 5860

Fax: +49 381/350 5861

Wasserschutzpolizeiinspektion Sassnitz

Leiter der Inspektion

Herr Stoltz

Bahnhofsstraße 03

18456 Sassnitz

Tel.: +49 38392 / 30834

Fax: +49 38392 / 30829

Wasserschutzpolizeiinspektion Sassnitz

Leiter Ermittlungsdienst

Herr Büttner

Bahnhofsstraße 03

18456 Sassnitz

Tel.: +49 38392 / 30831

Fax: +49 38392 / 30829

# Germany Schleswig-Holstein

Innenministerium  
des Landes Schleswig-Holstein  
Herr Ingo Berger  
IV 4212  
Düsternbrooker Weg 92  
24105 Kiel  
Tel.: +49 431/988 3169  
Fax: +49 431/988 3198  
E-Mail: [Ingo.Berger@im.landsh.de](mailto:Ingo.Berger@im.landsh.de)  
Polizeiliche Grundsatzangelegenheiten,

Wasserschutzpolizeidirektion  
Schleswig-Holstein  
Sachbereich 1116, Gefahrgut  
Mühlenweg 166 / Haus 10  
Tel.: +49 431/160 6160  
Fax: +49 431/160 6129

Wasserschutzpolizeirevier Kiel  
Hafensicherheitsdienst  
Düsternbrooker Weg 82  
24105 Kiel  
Tel.: +49 431/6310  
Fax: +49 431/6309  
Außenstelle Ostuferhafen  
Ostuferrhafen 15  
24149 Kiel  
Tel. und Fax: +49 431/26127  
E-Mail: [wspr.kiel@t-online.de](mailto:wspr.kiel@t-online.de)

Wasserschutzpolizeistation Puttgarden  
Fährbahnhof  
23769 Puttgarden  
Tel.: +49 4371/864 1810  
Fax: +49 4347/864 1819

Wasserschutzpolizeirevier Lübeck-  
Travemünde  
Zentrale Gefahrgut-  
Auskunftsstelle/Hafensicherheitsdienst  
Herr Uwe Jacobshagen  
Skandinavienkai  
23570 Lübeck-Travemünde  
Tel.: +49 4502/880880  
Fax: +49 4502/8808819  
E-Mail: [zga.sh@t-online.de](mailto:zga.sh@t-online.de)

Ministerium für Wirtschaft, Technologie und  
Verkehr des Landes Schleswig-Holstein  
Herr Voß  
VII 426  
Düsternbrooker Weg 94  
24105 Kiel  
Tel.: +49 431/988 4740  
Fax: +49 431/988 4700  
E-Mail: [walter.voss@wimi.landsh.de](mailto:walter.voss@wimi.landsh.de)  
Grundsatzangelegenheiten, Einzelfragen

Hafenamt der Landeshauptstadt Kiel  
Herr Melzer  
Bollhörnkai 1  
24103 Kiel  
Tel.: +49 431/901 1173  
Fax: +49 431/94477

Hansestadt Lübeck  
Hafen- und Seemannsamt  
Herr Gröne  
Falkenstr. 11  
23564 Lübeck  
Tel.: +49 451/122 5918  
Fax: +49 451/122 5924

## **Lithuania**

Safe Shipping Administration  
Janonio 24  
LT 5800 Klaipeda,  
Director - Sigitas Sileris  
Tel. (+3706) 499766  
Fax (+3706) 499770  
E-mail: msa@msa.lt

## **Sweden**

Swedish Maritime Administration  
Maritime Safety Inspectorate  
Caroline Petrini  
601 78 Norrköping  
Tel.: +46 11 19 14 39  
Fax: +46 11 23 99 34  
E-mail: caroline.petrini@sjofartsverket.se

Swedish Coast Guard  
Anders Melander  
Björkstigen 4  
185 34 Vaxholm  
Tel: +46 8 776 28 03  
Mobile +46 70 669 15 04  
Fax +46 8 716 26 02  
E-mail: anders.melander@coastguard.se