

**Rules governing the call for expressions of interest aimed at subsidising any project designed to improve ships' operational waste and liquid and solid cargo residues management in the ports of Rouen, Le Havre and Le Havre-Antifer**

**ARTICLE 1 : REGULATORY CONTEXT**

**1.1 PRESENTATION**

The International Convention for the Prevention of Pollution from Ships, also known as MARPOL convention, lays down general prohibitions on discharges of ship-generated waste and cargo residues into the sea and requires Contracting States to ensure that adequate reception facilities are available in the ports.

The European Directive 2019/883 of 17 April 2019 on port reception facilities for ship-generated waste and cargo residues, amending Directive 2010/65/EU - and repealing Directive 2000/59/EC – and the national legislation transposing the Directive require ships' liquid and solid waste to be deposited in the ports, which must ensure the availability of adequate reception facilities. The Directive and national texts also aim to improve the availability and use of port reception facilities and the deposit of waste in these facilities.

In addition, in order to encourage ships to deliver their waste in ports, the aforementioned Directive 2019/883 introduced a fee for ship-generated waste. Transposed into French law by articles R5321-37 to R5321-39 of the Transport Code, this fee takes the form of a specific port due collected by the Seine Axis Major River & Sea Port (hereinafter referred to as 'HAROPA PORT') from ship owners, according to the ongoing rates set out in the plan for the reception and treatment of ship-generated waste and cargo residues for the ports of Rouen, Le Havre and Le Havre-Antifer.

**1.2 REFERENCE SYSTEMS**

The main texts relating to plan for the reception and treatment of ship-generated waste and cargo residues are:

- The MARPOL 73/78 Convention
- European Directive 2019/883
- The Transport Code
- The plan for the reception and treatment of ship-generated waste and cargo residues of Seine Axis Major River & Sea Port (hereinafter referred to as 'HAROPA PORT') approved by Prefectoral Order of 28 August 2023 and amended with regard to the rates of the fee by Prefectoral Order of 19 February 2024.

Nota : The plan for the reception and treatment of ship-generated waste and cargo residues of Seine Axis Major River & Sea Port is available on Rouen (DrakHAR) and Le Havre (Swing) port management applications.

**ARTICLE 2 : PURPOSE OF THE CALL FOR EXPRESSIONS OF INTEREST**

HAROPA PORT would like to improve the completeness and quality of the collection service for liquid and solid operating waste from ships regularly using the ports of Rouen, Le Havre and Le Havre-Antifer.

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For this purpose, this call for expressions of interest (CEI) is addressed to collectors, whether approved by HAROPA PORT, of liquid and/or solid ship-generated waste, with a view to awarding a grant to finance part of the investment planned by each beneficiary collector.

The purpose of this CEI is to identify one or more service providers or joint ventures (hereinafter referred to as "collectors") capable of implementing, in the ports of Rouen, Le Havre and Le Havre-Antifer, suitable means of improving the existing offer in the aforementioned ports for the collection of liquid and solid operational waste from ships using these ports.

HAROPA PORT commits to paying collectors whose project is eligible a subsidy to finance part of the planned investments.

These rules define the technical, operational and financial conditions expected of collectors wishing to submit a project under this CEI, as well as the criteria and procedures for eligibility for the grant and for determining the amount of the grant for each eligible project.

### **ARTICLE 3 : CAPACITIES REQUIRED TO RESPOND TO THE CEI**

Collectors are eligible to apply if they can demonstrate:

- a) Have experience in the collection of liquid and/or solid ship-generated waste over the last 5 years;
- b) Be the holder of an approval issued by HAROPA PORT to carry out the activity of collecting liquid and/or solid waste from ships that is valid on the date of submission of their investment project OR have submitted, on the same date, a request for approval from HAROPA PORT to carry out this same activity in the port(s) concerned. The conditions for approval by HAROPA PORT for the collection of liquid and solid waste from ships are available on the websites [www.havre-port.com](http://www.havre-port.com) and [www.capitainerie-rouen.com](http://www.capitainerie-rouen.com) and in the plan for the reception and treatment of ship-generated waste and cargo residues in effect.

### **ARTICLE 4 : PROJECT ELIGIBILITY CRITERIA**

Projects will be assessed out of 100 points by the committee referred to in Article 7, based on the following criteria, which will be used to determine their eligibility:

- a) Encourage massification in order to limit the cost of transporting collection equipment (maximum 40 points);
- b) Comply with MARPOL sorting requirements for solid waste (maximum 10 points);
- c) Provide guarantees of operational capacity, combined with technical and environmental innovation (maximum 20 points);
- d) Be adapted and deployable on as many existing quays and wharves as possible in the ports of Rouen, Le Havre and Le Havre-Antifer (maximum 30 points).

Any project that achieves a total score of at least 80 points out of 100, of which 55 points represent the sum of criteria a) and d) above, will be eligible for a grant.

The file used to assess the eligibility of the project in the light of the above criteria must contain the information detailed in article 8.

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## **ARTICLE 5 : METHODS FOR CALCULATING THE AMOUNT OF THE GRANT AND CASES OF REIMBURSEMENT**

### **5.1 – PRESENTATION**

HAROPA PORT commits to paying to the collector(s) whose project is eligible, a grant of 50% of its total amount, excluding operating costs, up to a budget ceiling of 7 million euros.

The grant paid will consider the number of projects selected if the said ceiling is exceeded (application of an adjustment coefficient to equalise the percentage of aid allocated to each eligible project).

The amount of the subsidy allocated for each eligible project will be calculated based on the budget envelope of €7 million, the number of eligible projects and the fixed and equal subsidy percentage of 50% of the total cost of the project, excluding operating costs. The notification date for projects eligible for the grant is 2 July 2025.

Without the eligible collector(s) being able to claim any right whatsoever to the allocation of the subsidy calculated in accordance with the aforementioned terms and conditions, a subsidy agreement will be signed between HAROPA PORT and the latter in accordance with the principles set out in the 4<sup>th</sup> paragraph of Article 10 of Law No.° 2000-321 of 12 April 2000 *on the rights of citizens in their relations with administrations*.

The amount of the grant allocated for each eligible project will be paid in instalments, with an advance on presentation of the estimates, interim payments on receipt of invoices and the balance on presentation of the final invoices no later than two years after notification of the grant. The terms and conditions will be set out in a financing agreement between the beneficiary and HAROPA PORT.

### **5.2 - ILLUSTRATION**

There are two possible scenarios, depending on whether the 50% funding for all eligible projects exceeds the maximum budget envelope. The two examples below describe the calculation methods in each of these cases.

#### **1<sup>st</sup> case : Envelope sufficient to finance all eligible projects :**

- Available budget : 7 million euros
- Number of projects submitted : 10 projects
- Number of projects with a score higher than X : 6 projects
- Project investment costs :

Project 1: €4,000,000

Project 2: €3,500,000

Project 3: €2,500,000

Project 4: €1,500,000

Project 5: €1,000,000

Project 6: €1,000,000

- Grant percentage: 50% of the investment cost of each project

#### **1) Calculating the grant per project**

The grant percentage is 50% of the investment cost of each project.

Project 1: €4,000,000 → 50% of €4,000,000 = €2,000,000

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Project 2: €3,500,000 → 50% of €3,500,000 = €1,750,000  
Project 3: €2,500,000 → 50% of €2,500,000 = €1,250,000  
Project 4: €1,500,000 → 50% of €1,500,000 = €750,000  
Project 5: €1,000,000 → 50% of €1,000,000 = €500,000  
Project 6: €1,000,000 → 50% of €1,000,000 = €500,000

## 2) Calculation of total grants

$2,000,000 + 1,750,000 + 1,250,000 + 750,000 + 500,000 + 500,000 = 6,750,000$

The total amount of grants is €6,750,000. This means that the sum of the grants requested does not exceed the budget envelope of €7 million euros.

## 3) Calculation of grants awarded

$€2,000,000 + €1,750,000 + €1,250,000 + €750,000 + €500,000 + €500,000 = €6,750,000$

### **2<sup>nd</sup> case : Envelope insufficient to finance all eligible projects:**

- Available budget : 7 million euros
- Number of projects submitted : 10 projects
- Number of projects with a score higher than X : 6 projects
- Project investment costs :

Project 1: €5,000,000  
Project 2: €4,500,000  
Project 3: €3,500,000  
Project 4: €2,000,000  
Project 5: €1,500,000  
Project 6: €1,000,000

- Grant percentage: 50% of the investment cost of each project

### 1) Calculating the grant per project

The grant percentage is 50% of the investment cost of each project.

Project 1: €5,000,000 → 50% of €5,000,000 = €2,500,000  
Project 2: €4,500,000 → 50% of €4,500,000 = €2,250,000  
Project 3: €3,500,000 → 50% of €3,500,000 = €1,750,000  
Project 4: €2,000,000 → 50% of €2,000,000 = €1,000,000  
Project 5: €1,500,000 → 50% of €1,500,000 = €750,000  
Project 6: €1,000,000 → 50% of €1,000,000 = €500,000

### 2) Calcul du total des subventions

$2,500,000 + 2,250,000 + 1,750,000 + 1,000,000 + 750,000 + 500,000 = 8,750,000$

The total amount of subsidies is €8,750,000, which exceeds the budget of €7 million euros.

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### 3) Grant adjustment

As the total grants (€8,750,000) exceed the budget envelope (€7,000,000), an adjustment must be made. The grant for each project will be reduced in the same proportion so that the sum of the adjusted grants is equal to €7 million euros.

The adjustment coefficient is then as follows:  $7,000,000 / 8,750,000 = 0.8$

Each grant will be multiplied by this coefficient.

### 4) Calculation of grants awarded

Project 1:  $€2,500,000 \times 0.8 = €2,000,000$

Project 2:  $€2,250,000 \times 0.8 = €1,800,000$

Project 3:  $€1,750,000 \times 0.8 = €1,400,000$

Project 4:  $€1,000,000 \times 0.8 = €800,000$

Project 5:  $€750,000 \times 0.8 = €600,000$

Project 6:  $€500,000 \times 0.8 = €400,000$

TOTAL =  $2,000,000 + 1,800,000 + 1,400,000 + 800,000 + 600,000 + 400,000 = 7,000,000$

### 5.3 POSSIBILITIES FOR REFUND OF THE GRANT PAID

HAROPA PORT may request refund pro rata temporis of the grant paid if any of the following 3 conditions are not met:

- The granted investment is not put into operation within two years of the date of signature of the grant agreement between HAROPA PORT and the beneficiary collector;
- The granted investment is not maintained in good working condition in the port(s) concerned for at least half of the period scheduled for its depreciation as specified in the tender submitted by the selected collector;
- The collector receiving the grant loses its authorisation to collect ship-generated waste for the aforementioned period.

In addition, the materials and equipment whose financing will be granted under this CEI must be maintained in good working condition in the port(s) concerned for 50% of the period stipulated for their accounting depreciation as specified in the tender submitted by the collector, failing which the amount of the subsidy allocated will be refund pro rata temporis for the period not respected.

The various items of equipment used to collect ship-generated waste and cargo residues will remain the property of the collector receiving the grant. The maintenance of this equipment will also remain the responsibility of the collector.

### ARTICLE 6 : OPERATIONAL CONDITIONS

The collector undertakes to collect and ensure the treatment of liquid and/or solid operating waste from commercial ships calling at port facilities under the authority of HAROPA PORT, regardless of their status or mode of operation.

The collector may also collect ships' cargo residues. However, priority will be given to the collection of ship-generated waste.

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The collector undertakes to use suitable collection equipment that complies with the standards in effect, as well as the human resources required to comply with the constraints linked to the collection of operational waste from ships that usually use the ports of Rouen, Le Havre and Le Havre-Antifer.

The collector undertakes to participate actively in the system for monitoring and controlling the collection of ship-generated waste and cargo residues implemented by the port authority and whose operation is specified in HAROPA PORT's plan for the reception and treatment of ship-generated waste and cargo residues. This commitment implies the obligation to follow the process and provide information relating to the collection of ship-generated waste during the ship's call.

The operation of the means implemented by the collector must comply with the provisions of the Special Police Regulations of each of the ports of Rouen and Le Havre, as well as the Plan for the reception and treatment of ship-generated waste and cargo residues in effect.

In general, the collector will comply with the orders given by the Port Officers in accordance with the Transport Code for its service to ships in the ports of Rouen, Le Havre and Le Havre Antifer.

The resources used must also comply with:

- The local regulations for the transport and handling of dangerous goods for each of the ports of Rouen and Le Havre, particularly regarding pumping operations for dangerous products and the measures to be taken to combat pollution of bodies of water. In this respect, the means deployed must be equipped with the necessary equipment to deal with minor pollution;
- the Prefectoral Order laying down permanent traffic and parking regulations for the port of Le Havre;
- The special police regulations for the port of Rouen.

Nota : in addition to the regulatory provisions, there are also nautical restrictions limiting access to certain berths depending on their location or the height of the water. Collectors can contact the Harbour Master's Offices of the ports of Rouen or Le Havre for further information on these restrictions.

The collector is responsible for producing the documents required for pumping operations such as ships/vessels or ships/barges, and in particular the regulatory checklists.

The collector whose investment project will be supported as part of this CEI must be able to provide its service to ships that usually call at the port of Le Havre. To do this, it must have a sufficiently responsive and available organisation.

The organisation implemented will be detailed in the project submitted. In particular, it will be specified how the collector organises its service in order to issue invoices within timescales compatible with the duration of the ships' calls, via the dedicated IT application provided by the port authority:

- acknowledgement of receipt of collection requests
- confirmation of collection requests to consignment agents
- confirmation that the collections will be carried out during normal port calls, so that the documents attesting to the collections can be given to the ships' captains before they set sail.

The collector whose investment project is supported under this call for expressions of interest undertakes to provide its service every day of the week, including Saturdays, Sundays and public holidays.

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The collector whose investment project is supported under this call for expressions of interest collects waste under its sole responsibility and will remain liable for its activity. They must have the necessary insurance cover.

The collector will have to demonstrate its ability to use the computer application implemented by the port authority to ensure the control and monitoring of ship-generated waste and cargo residues. Its tender will also specify the organisation put in place to guarantee the dissemination of information within timescales compatible with the duration of the ships' calls.

HAROPA PORT cannot under any circumstances guarantee:

- A minimum volume of liquid or solid waste collected;
- A minimum of maritime traffic.

## **ARTICLE 7 : PROJECT ANALYSIS COMMITTEE**

A project analysis committee will be set up to select the projects eligible for investment aid. The committee will be made up of the following members or their representatives:

- The Deputy Managing Director for Development (DGAD) ;
- The Managing Director of the Le Havre Territorial Division (DGD DTH) ;
- The Managing Director of the Rouen Territorial Division (DGD DTR) ;
- A member of the Strategic Studies, Statistics and Pricing Policy Department (ESP) ;
- One or two members from Le Havre and Rouen harbourmasters' offices.

The committee will be chaired by the Deputy Managing Director for Development or his representative.

## **ARTICLE 8 : PROJECT PRESENTATION FILE TO BE SUBMITTED TO HAROPA PORT**

### **8.1 FORMAL REQUIREMENTS**

All documents must be written in French. Each document mentioned in 8.2 below must be dated and signed by the collector.

### **8.2 CONTENTS OF THE PROJECT PRESENTATION FILE**

Collectors wishing to submit a project under this call for expressions of interest must submit a file containing the following documents:

- Presentation of the applicant company or consortium.
- General presentation including, in particular: activity reports, brochures and any other information enabling the applicant's professional references over the last 5 years to be identified.
- Composition of the capital of the company or joint ventures that may be created: indication of the reference shareholding, the group's organisation chart, the partnerships envisaged, administrative authorisation to operate. Technical and organisational capacity envisaged by the company or grouping to implement and operate the investment envisaged as part of the project presented.
- Know-how and feedback on the implementation of the project presented, including from other companies;
- Description of investments eligible for the payment of a grant and planned accounting depreciation period;

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- Copy of the current approval issued by HAROPA PORT or of the application for approval submitted to HAROPA PORT for companies or groups of companies that have not yet been approved.

The project presentation file must be compiled in accordance with the above framework and instructions, without prejudice to the candidates' right to make proposals and provide any additional information they deem relevant.

### 8.3 DEADLINE FOR SUBMISSION AND NUMBER OF COPIES TO BE PROVIDED

The presentation file must be sent no later than Wednesday 23 April 2025, in 5 copies, one of which must be reproducible, under the conditions specified in 8.4 below.

### 8.4 CONDITIONS FOR SENDING PROJECT PRESENTATION FILES

Applications must be sent by e-mail to [boris.judon@haropaport.com](mailto:boris.judon@haropaport.com) or by post in a double envelope, the inner envelope must bear the following wording in French:

NE PAS OUVRIR

Appel à manifestation d'intérêt pour améliorer l'offre et la qualité des services de collecte et de traitement des déchets par le biais des installations de réception des déchets d'exploitation et résidus de cargaison de navires.

SOCIETE : .....

The outer envelope bearing the following address:

À l'attention de M Boris JUDON-DELERUE

HAROPA PORT  
71 Quai Colbert  
76067 LE HAVRE CEDEX

If sent by post, it must be sent by registered post with acknowledgement of receipt to the address given above.

For further information, please contact

#### In Rouen :

Mr Arnaud GOGLY  
Commandant du port de Rouen  
Capitainerie  
34 quai de Boisguilbert BP4075  
76022 Rouen cedex 3  
[arnaud.gogly@haropaport.com](mailto:arnaud.gogly@haropaport.com)

#### In Le Havre :

Mr Nicolas CHERVY  
Commandant du port du Havre  
Capitainerie  
BP1413  
76067 Le Havre Cedex.  
[nicolas.chervy@haropaport.com](mailto:nicolas.chervy@haropaport.com)

*In the event of a dispute, only the French version of the rules governing the CEI shall be considered authentic.*