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REGULATION AND ADMINISTRATIVE ISSUES IN INITIATING RORO FERRY TRAFFIC

The regulatory and administrative requirements concerning the initiation of the anticipated roro ferry connection between Kunda and Loviisa were explored in the project.

Development of a new transport corridor between Estonia and Finland over the Gulf of Finland does not require substantial debate and public hearing on state or regional county level since the ports are established operators in their regions. Major hearings are usually required when greenfield projects are developed.

The regulation and administrative processes can be grouped into three different types:

- land use planning
- construction in ports
- authorization of related to other issues for roro traffic

In **land use planning** in Estonia the main legal documents are Planning Act and Environment Impact Assessment and Environmental Management System Act (EIAA). Nine months is the expected realistic time if the detailed plan needs to be revised. For Finland the detail plans are regulated by Land Use and Building Act 132/999, and Act on Environmental Impact Assessment Procedure and Decree on Environmental Impact Assessment Procedure. In Finland, the general duration of the detail plan process from a launch to its approval has increased. While the average time in major cities took around 10 months in 2004-2005, the duration in 2014-2015 was prolonged to about 16 months (environment.fi). The current estimation is that preparation of port areas for roro traffic do not require changes to the detail plans in the two ports.

For the **building of port** area the main legal document in Estonia is Building Code which regulates also the water construction. The tentative scope of construction works includes

- new roro quay together with dedicated ramp for serving particular vessels
- roro terminal area together with parking, maneuvering and service lots supporting roro traffic corridor development
- possibly improvement of public access roads connecting ports with mainland

The permits for building design take six months, if applied simultaneously whereas construction works in most realistic case may last up to 12 months. It should be noted that construction of hydrotechnical facilities (quay) should be preferably started in July after the end of dredging restriction period (if sea dredging or land reclaiming is needed).

In Finland the legal documents which regulate spatial planning regulate also the construction of objects i.e. Land Use and Building Act, Act on Environmental Impact Assessment Procedure. The construction works suggested include

- new ro-ro quay together with dedicated ramp for serving particular vessels
- ro-ro terminal area together with parking, maneuvering and service lots supporting ro-ro traffic corridor development
- possibly improvement of public access roads connecting ports with mainland
- furthermore, the relocation of several current port activities are needed to accommodate ro-ro traffic into the port area. This will require e.g. removal of land masses from the port extension area.
- port office building construction (the current one is on the tentative ro-ro yard)

Timeline for the building permit process is up to 2 months whereas construction works would take tentatively around 12 to 18 months.

As for **authorization** for establishing a regular ro-ro shipping line and ro-ro terminal no permits are required in Estonia. However, certain procedures need to be followed

- inform Estonian Environmental Board (EEB) for starting ro-ro shipping line
- reception and handling of ship generated waste and cargo residues and port pollution prevention plan shall be renewed and co-ordinated with EEB
- risk assessment if LNG bunkering is provided (Estonian Rescue Board), informing Estonian Maritime Administration (EMA).
- dangerous goods - Port Authority shall inform Estonian Rescue Board and local municipality and co-operation is conducted in the Risk Assessment
- ISPS revised, carried out by EMA. Process takes up to 6 months
- port rules shall be renewed and co-ordinated with Estonian Maritime Administration
- informing the Customs and Border Guard about starting the service

For Finland no specific permit to initiate regular vessel line exists. The need for revision of environmental permit is estimated, however, on basis of noise, emissions and traffic volume (land and sea) by the authorities (ELY). This can take up to 12 months.

The shipping company can apply an authorization from Customs for regular vessel traffic (so called RSS). This is meant for shipping lines within EU to ease the operation.

For handling dangerous goods in the port area the Government Decree on the Transport and Temporary Storage of Dangerous Goods in a Port Area is to be followed. If the volume of dangerous cargo in packaged form exceeds 10 000 tons annually, a safety report is made by the operator handling the dangerous cargo to the port authority who submits it to the Finnish Transport Safety Agency (Traficom). Traficom will notify the port of its conclusions “within reasonable time”. This may impact the internal rescue plan.

In summary, the regulation and administrative processes impact the initiation of foreseen roro traffic between Loviisa and Kunda. The major time impact is on the land use planning and environmental permit processes. If they are brought to court, it may take years. In either way the building works will take at least 18 months. Authorization and other administrative requirements can be dealt with along the land use and construction related processes, thus not delaying the commencement of the traffic.

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