Port Reception Facility Study

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FINAL REPORT
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Port Reception Facilities Study Croatia

Final Report

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Zoetermeer, 2 November 2009

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Executive Summary

Accidental marine pollution still attracts major public attention, however operational pollution by illegal discharges into the sea is considered to be the main source of pollution of the marine environment by ships. This is particularly true for the Mediterranean Sea, a particularly sensitive area in terms of chronic pollution due to its geographical, oceanographic and ecological specificities designated as a special area under MARPOL Annex I with more stringent discharge requirements. Therefore the countries shall ensure that adequate reception facilities are available in their ports for collecting the ships generated wastes and oily residus.


The purpose of this contract is to enhance the administrative and technical efficiency of the Maritime Administration in the field of monitoring and management of vessels, flag state implementation and port waste reception facilities evaluation.

It is expected that the Study will serve as a basis for:

- The assessment and approval of Port Waste Management Plans
- Identifying the most appropriate solutions for development of port reception facilities
- Making amendments to the relevant Croatian legislation and associated by-laws;
- Planning the investment requirements of the MSTI;
- Planning regional waste management facilities.

The project outputs focused on (1) ship generated liquid and solid wastes and cargo residues covered by Annexes I and V to MARPOL Convention and on (2) international ports open to public traffic. In addition, the Project will also take into consideration, without going in detail, the requirements of special purpose ports open to international traffic (e.g. marinas, industrial ports and shipyard ports) and ports open to domestic public traffic.
1 Implementation Framework

1.1 Institutional set-up & overall project organisation

Responsibilities
The Central Finance and Contracting Agency (CFCA) is acting as the Contracting Authority for the project. Ms Sanja Galekovic has been appointed as project manager among the staff of the Tendering and Contract Implementation Division of the CFCA. The Project Manager may decide on all issues related to the technical elements of this project (mainly the deliverables as outlined in section 4.2. of the Terms of Reference), as identified in Article 8 of the Special Conditions for Service Contracts. Ms Galekovic will however always do this in consultation with the PIU at the beneficiary institution.

Management structure
The Project Partner institution is the Ministry of Sea, transport and Infrastructure (MSTI), where a project implementation unit (PIU) is located. The Senior Programme Officer (SPO) at the MSTI is responsible for the technical management and authorisations associated with the project, follow-up contract implementation and monitoring, approval of contract outputs and confirmation to the CFCA that no technical constraints (as opposed to procedural or budgetary constraints) exist in relation to the CFCA’s processing contractual payments.

The consultant
The consortium, consisting of NEA Transport Research and Training the Netherland (lead) and PM Group Ireland brings together a team of key experts with both the project management skills, financial expertise and technical expertise in the field of ports reception facilities.

The consortium proposes an approach with clearly defined phases and tasks leading to measurable activities, project results and specific project objectives, under certain assumptions, as defined in the project’s Logical Framework matrix attached in Annex I.

The Consultant will ensure that experts are adequately supported and equipped. In particular it will ensure that there is sufficient administrative, secretarial and interpreting provision to enable experts to concentrate on their primary responsibilities. It must also transfer funds as necessary to support its activities under the contract and to ensure that its employees are paid regularly and in a timely fashion.

The Consultant will ensure the proper functioning of the Steering Committee, including the holding of regular meetings, the preparation and circulation of the agenda, the writing and distribution of minutes, and follow-up to the Committee decisions. The Consultant has to keep them in a file as project documentation. These tasks will be performed in co-ordination with the Project Partner.
1.2 Staff & qualifications

The consortium has provided skills, capabilities and knowledge through the team of key experts:

- Team Leader: Jean Claude Sainlos
- Senior Financial Expert: Rob Scheepbouwer
- Senior Technical Expert 1: Darko Domovic
- Senior Technical Expert 2: Jan Stap

**Team Leader: Jean Claude Sainlos**

Jean Claude SAINLOS from 1978 to 1986 worked as “chargé de mission” at the Inter-ministerial Mission for the Sea, a coordinating body for the sea and maritime affairs attached to the office of the French Prime Minister. In 1986 he moved to UNEP in Nairobi as program officer at the regional seas program (OCA/PAC). He was appointed Director of REMPEC in Malta (the IMO/UNEP Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea) in December 1988. He joined the International Maritime Organization headquarter in London in July 1998 as Senior Deputy Director of the Sub Division for pollution response and coordination of technical cooperation within the Marine Environment Division. In January 2003 he was appointed Director of the Marine Environment Division and he retired in January 2007. As director of REMPEC he initiated activities of the Centre on reception facilities and as Director of the Marine Environment Division of IMO he was the Secretary of the Marine Environment Protection Committee involved in the work of the Organization regarding the MARPOL Convention including the technical, cooperation concerning its implementation and enforcement. He initiated, managed and supervised several major technical cooperation projects. More recently he visited Croatia within the framework of a REMPEC financed project related to the implementation and enforcement of MARPOL ANNEX I with a special emphasize on illegal discharges. At this occasion he had the opportunity to meet with the relevant maritime administration as well as with the Arbor master and port authority of Rijeka (including private contractor for reception facilities)

**Senior Financial Expert: Rob Scheepbouwer**

Rob Scheepbouwer has a professional experience of more than 40 years in the auditing and consulting business. His present position is director of Scheepbouwer Praktijk BV. He was until 31st August 2006 partner in Mazars Management Consultants, (former Reyn, de Blaey Group). He was a director and co-founder of Reyn, de Blaey Advisory Group, specialised in financial assessments of port authorities and port operators. He has extensive experience as senior economist and consultant in the fields of financial analysis, financial projections, financial engineering and management information systems.
He was involved in port projects such as master planning, feasibility studies, privatisation projects. He has extensive experience in many countries in Asia, Africa, the Middle East and Europe.

**Senior Technical Expert 1: Darko Domovic**
Darko Domović is a chemical engineer by training, specialized in environmental engineering, and has some 30 years of experience in the field of marine pollution control. After obtaining a degree from the University of Zagreb, Croatia, in 1976, he joined Environmental Dept. of INA Refinery in his home town of Rijeka as an Environmental Engineer. Between 1979 and 1982 he held the post of Operations Manager in a major marine pollution control and response company also in Rijeka. In 1982 he joined REMPEC (at that time known as ROCC - Regional Oil Combating Centre for the Mediterranean Sea), based in Malta and managed by the International Maritime Organization (IMO) where he held posts of Technical Expert and subsequently of Senior Programme Officer until his retirement in July 2006. His responsibilities included the whole range of REMPEC’s activities related to oil pollution prevention, preparedness, response and co-operation, including *inter alia* assisting competent national authorities of various Mediterranean coastal States, drafting and editing technical documents, organizing and lecturing in training activities, co-ordinating and supervising numerous pollution response and prevention related projects in the Middle East, Maghreb and Adriatic regions, that were financed by IMO, UNEP and the EC.

**Senior Technical Expert 2: Jan Stap**
Jan Stap has over 20 years professional experience with topics related to waste management. He has been responsible for monitoring of collection and processing of hazardous waste in the Netherlands. He has designed waste reception facilities and waste discharging and collection inspection procedures in the Netherlands. These activities included the development of communication media products that have resulted in better cooperation between stakeholders in this field. In particular the film about collection of ship waste in practice, which is successfully used to inform policy makers during the design of the Dutch National Waste Management Plan, and two films made for the Inspectorate of the Ministry of Environment, Physical Planning and Housing, which are successfully used to stimulate co-operation in the field of enforcement of the environmental legislation between the different legal bodies in the Netherlands and in the EU: IMPEL-TFS (Trans-Frontier Shipment of waste). Recent experience includes the development of a waste collection management system for ports in Romania.

### 1.2.1 Quality Control and Indicators

The technical competence of the consortium was constantly maintained and expanded in order to respond to the development of the disciplines and the latest technologies. This was achieved by committed, highly motivated, members of the project staff who understand the client's expectations and needs. Quality management was addressed at all stages of the project cycle and throughout the project implementation period. For the project a quality plan was drawn up, describing the specific quality activities of the assignment. The quality plan sums up the specific plans and controls for the project.
Quality control was the responsibility of the key experts, each responsible for a team of experts and in particular the Team Leader.

Measurable indicators were used to monitor the progress of the project and the degree at which the consortium meets the specified requirements and targets.

The following aspects were monitored:

- Deviations of progress against previously agreed project milestones;
- Adherence to the work plan in terms of the project activities and results;
- Deviations in effort and resources needed to complete an activity as compared to plan;
- Introduction of new work activities not included in the original plan;
- Appearance of obstacles, constraints and other issue which prevent or impact adversely on project completion and which require project escalation.

1.3 Monitoring & coordination arrangements

1.3.1 Supervision of the project

A Steering Committee (SC) composed of senior officials and other relevant partners has supervised the project.

The following persons were members of the SC:

- MSTI representative acting as Chairperson
- Task Manager at the EC Delegation in Zagreb
- Representative of the Central Finance and Contracting Agency
- Representative of Central Office for Development Strategy and Coordination of EU Funds
- Representative of the Ministry of Environmental Protection, Physical Planning and Construction.

The representative of the MSTI acted as the Chairperson of the SC. The SC has met every three months.

Its main functions were:

- To assess project progress
- To assess the performance of the Consultant
- To jointly discuss any critical points or bottlenecks for further project implementation
- To propose and discuss remedy actions to be taken in order to tackle problems
- To jointly take decisions affecting timing, cost or project contents
- To comment and/or discuss the Consultant’s Reports.
Representatives from other donor agencies were invited to attend as observers. The first meeting will be held at the end of the inception phase to examine the Inception Report.

The Consultant will ensure the proper functioning of the Steering Committee, including the holding of regular meetings, the preparation and circulation of the agenda, the writing and distribution of minutes, and follow-up to the Committee decisions. The Consultant has kept them in a file as project documentation. These tasks were performed in co-ordination with the Project Partner.

The Project Partner (MSTI):

- Chaired the Steering Committee; facilitate the nomination of its members and coordinate with the Consultant the abovementioned tasks.
- Appointed a member of its staff to liaise with the Consultant, and ensure that the staff at the appropriate level is made available to work alongside the staff of the Consultant.
- The staff of the Project Partner was not paid from project funds.
- Provided that the PIU gave the necessary support in the implementation of the project, and facilitated the work with the Contracting Authority.
- Provided to the project experts copies of legislation, regulations, studies, reports and other relevant documents necessary for the implementation of the project.
- Provided support in organization of workshops and project presentations for stakeholders during the inception phase.

The Project Partner also provided all necessary assistance to solve unforeseen problems that the Consultant faced as the possible failure to solve some of the Consultant’s problems encountered locally will not free the Consultant from meeting his/her contractual obligation vis-à-vis the Contracting Authority.

The Ministry of Sea, Transport and Infrastructure provided office space in the head office in Zagreb as well as internet access and other communication support (phone, fax).

1.3.2 Monitoring

The main indicator of the project progress was comparison between planned and actual timeline. The Consultant proposed a planned timeline attached in the annex. The Team Leader has informed the Project Manager when each milestone was reached. If there were delay, the Team Leader had to inform accordingly and, based on the subjective analyse, inform on percentage of the work already completed (relating to particular milestone) and on expected time needed to reach the particular project milestone.

1.3.3 Reporting

The Consultant has delivered to the Project Manager seven Monthly Progress Reports which were approved by the PIU (SPO).
Monthly Progress Reports included:

- A comparison of achievements against planned activities and overall progress against the initial timetable,
- A review of problems encountered during implementation of project activities and the corrective measures taken,
- A detailed work plan for the following period and any interim findings or preliminary conclusions.

Four copies of the progress reports were submitted to the beneficiary, CFCA Project manager, EC Delegation and CODEF. The progress reports were written in English. The Project Manager is responsible for approving the progress reports.

There must be a final report, a final invoice and the financial report at the end of the period of execution. The draft final report was submitted one month before the end of the period of execution of the contract.
2 Project performance and impact

2.1 Activities planned and implemented

All activities were carried out as described in the Inception Report.

2.2 Resources planned and used

All resources were used according to the Inception Report.

2.3 Achievement of the results

The results as requested per ToR have been achieved.

2.4 Problems encountered

All problems encountered have been identified in the monthly reports.

2.5 Respect of, and contribution to, overarching policy issues

Particular attention has been paid to ensuring that the local actors agree with all “Assumptions” mentioned above. It was certainly very important to ensure the full participation of individual port authorities, Harbour Masters’ offices and local governments/county governments when the support and involvement of the central (State) authorities is expected.

In particular “Risks” listed above were taken seriously and addressed as early as possible after the start of the project:

- The reliability/accuracy of data was not likely to present problems since the intention is to verify the information available through the Central Bureau of Statistics and its county offices by randomly checking these with the data available from MSTI, Harbour Masters’ offices and port authorities.
- The availability of human and financial resources (at the level of ports/port authorities) was assessed during the phase I of the project;
- The viability of possible solutions was discussed in particular at the local levels (county/town/port) as well as at the (central) Government level.
- The willingness of the stakeholders to actively participate in the project, and specifically in the implementation of its outputs, is of paramount importance. Therefore a numbers of visits/meetings with the stakeholders, namely main ports and county/local authorities in which these are located are planned during phase 1(from N to S: Pula, Rijeka, Zadar, Split, Ploce, possibly Sibenik and Dubrovnik). These meetings focused on their actual needs in the field of ship-generated waste management, as well as obtain the reliable information on the present (and past) situation and relevant
statistics, including realistic development plans reflecting the national maritime strategy. This greatly benefited the work on phases 2 and 3.

2.6 Linkage with other operations, complementarity & sectoral coordination between donors

The Regional Marine Pollution Emergency Response Centre for the Mediterranean sea (REMPEC) within Euro-Med Partnership completed in October 2004 a project no. MED.b4.4100.97.0415.8 on Port Reception Facilities for collecting ship-generated garbage, bilge waters and oily wastes covering also a report on optimum solutions for collecting, treatment and disposal of relevant ship-generated solid and liquid wastes in Albania, Croatia and Slovenia. The reports produced under this project and under associated complementary project in Croatia, that was financed from the budget of REMPEC, were extensively used as a basis when addressing technical issues of the proposed system.
3 Sustainability

3.1 Participation & ownership by beneficiaries

3.1.1 Involvement of stakeholders

The target groups/stakeholders are as follows:

- the Ministry of the Sea, Transport and Infrastructure, in particular the Maritime Safety and Marine Environment Protection Directorate, the directorate responsible for implementation of obligations arising from international instruments, such as MARPOL 73/78 or Directive 2000/59/EC of the European Parliament and of the Council of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues,
- the harbour master’s offices, as units responsible at operational level for inspection of implementation of pollution prevention measures,
- port authorities, as bodies responsible for commercial use of ports open for international trade and for implementation of measures aiming to minimise pollution of the sea in their areas of responsibility,
- waste operators, namely the companies offering liquid oily waste and garbage collection, transport, treatment and disposal (port reception facilities) in Croatian ports,
- port operators, as companies whose business image and position is closely related to the existing level of safety and pollution prevention in the area where they operate,
- ship operators, as companies bearing the ultimate responsibility for pollution prevention and legally obliged to deliver wastes and cargo residues that can pollute the sea at shore reception facilities, as well as ship agents representing shipping companies,
- not mentioned in the ToR, but considered to be important are the counties and municipalities. These stakeholders are relevant because they are the responsible authorities for the disposal of garbage as soon as it is collected.

The strategy to involve stakeholders was outlined under the specific activities in the Inception Report.

3.2 Policy support

The Republic of Croatia became a party to the International Convention for the Prevention of Pollution from Ships, as modified by the Protocol of 1978 thereto (London 1978) by the notification on succession in 1991 (Official Gazette no. 1/92). Since then, the responsible authorities try to improve the prevention of pollution from ships, as required by the mentioned convention. Since 1992 the Republic of Croatia is also a party to the Convention on the Protection of the Mediterranean Sea against Pollution (Barcelona 1976) through notification of succession (Official Gazette no. 12/93). In addition to these two basic documents the Republic of Croatia has accepted all instruments or internationally agreed upon measures that aim to prevent pollution from ships, such as the Paris Memorandum of Understanding on Port State

Notwithstanding the fact that obligations articulated in mentioned legal sources are met in a wide extent, the efficient and overall pollution prevention system is not established. The main sources of pollutions, apart from illicit discharges, are now pollutions from small ships, yachts and other recreational and tourist vessels. These vessels are not covered by mentioned documents. Due to large number of such ships and places they are visiting, due to inevitable increase of commercial ships visiting Croatian ports, the efficient collection of wastes and residuals and their treatment can be achieved only through the well balanced network, managed at the national level as a unique system.

Recognizing the need for such approach the Government of the Republic of Croatia and the responsible Ministry had clearly articulated the implementation of such system in the Pre-accession Maritime Transport Strategy. This document, together with the VTMIS Development Strategy, is prepared in accordance with the Opinion on Croatia's Application for Membership in the European Union, 2004. The responsibility for implementation of these measures on the national level lies with the Ministry of the Sea, Transport and Infrastructure. However, it is not assumed that facilities will be actually run by the Ministry. As a rule, the particular facility will be operated by private interests under government supervision. Consequently, in order to optimize resources and expenses the Ministry has to manage various facilities as a unique network.

3.4 Appropriate technology

The technological solutions proposed in the Study have been based upon best available technologies, taking into consideration the need to effectively protect the environment and avoid transfer of pollution from sea to land, as well as the need for such solutions to be operationally efficient and financially viable.

3.5 Gender equality

Not applicable.

3.6 Environmental protection

The ultimate objective of collection of ship-generated liquid and solid wastes and cargo residues is prevention of marine pollution.

3.7 Institutional and management capacity

The institutional and management capacity have been described in detail by in the Study.

3.8 Economic and financial viability

The economic and financial viability have been described in detail by in the Study.
4 Conclusions & Recommendations

4.1 Overall conclusions on implementation for entire duration (including critical issues /risks)

The overall conclusions on implementation for entire duration (including critical issues /risks) have been described in detail in the Study.

4.2 Recommendations for future programmes and projects

The ToR indicated a project duration of six months. This proved to be too short as the effective time available for the project is reduced by almost two months due to administrative requirements (two weeks of the Inception phase, one month requirement for the submission of the draft results, etc) which reduces the available time by one third. It is therefore recommended that for comparable projects a duration of no less than one year will be foreseen. In addition, in case the organization of a wrap-up event is included in the project, limited availability of staff and stakeholders during Summer holidays should be taken into account.
## Annex 1 Updated Log Frame

|                      | Intervention logic                                                                                                                                                                                                 | Objectively Verifiable Indicators                                                                                                                                                                                                 | Sources of Verification                                                                                                                                                                                                 | Assumptions                                                                                                                                                                                                 |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
- Progress Report                                                                                                                                                                                                                                                      | - Co-operation with Member States  
- Exchange of information with other participants  
- Continued international co-operation on maritime safety and prevention of pollution |
| **Project purpose**   | Enhancement of administrative and technical efficiency of the Maritime Administration in the field of monitoring and management of vessels, flag state implementation and port waste reception facilities evaluation | - Decreased number of marine pollution incidents by unknown causes (10%) one year from implementation  
- Increased number of identified rogue vessels (30%) one year from implementation  
- Decreased number of pollution incidents from ships (10%) one year from implementation | - EC reports  
- Annual Report of the National Statistical Bureau  
- Annual Maritime Authority Statistical Report  
- Annual Marine Accidents Statistical Report  
- Final project report                                                                                                                                                                                   |                                                                                                                                                                                                       |
### Intervention logic

#### Results

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<table>
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<tr>
<td>The project defines the following results:</td>
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<tr>
<td>1) <strong>Data analysis</strong> (existing and estimated for the next 20 years period) determined and characteristics of the ship-generated oily-waters, waste and cargo residues analysed</td>
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<tr>
<td>2) <strong>Functional requirements and minimum technical standards</strong> for system of port reception facilities outlined and approved</td>
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<td>3) <strong>Preliminary design</strong> of national coverage (including the number, capacities, target users and technical specifications) prepared</td>
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<tr>
<td>4) <strong>Pre-feasibility study</strong> with investment alternatives and possible financial arrangements prepared</td>
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<tr>
<td>5) The Port Reception Facility Study verified and approved</td>
<td></td>
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<tr>
<td>The Study covers at least feasible and appropriate technology, methodology, organizational and fiscal arrangements as well as infrastructure and functional and technical requirements for reception of ship-generated waste by Croatian maritime port system</td>
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<tr>
<td>6) The Port Reception Facility Study disseminated to and discussed with various stakeholders from the maritime administration and from the industry</td>
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#### Activities

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<tr>
<th>Result 1: <strong>Data analysis</strong></th>
<th>Result 2: <strong>Functional requirements and minimum technical standards</strong></th>
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<tbody>
<tr>
<td>• Identification of data sources</td>
<td>• Analysis of existing capacities for handling wastes and cargo residues</td>
</tr>
<tr>
<td>• Data gathering and reliability estimation</td>
<td>• Design of criteria for facilities to be required</td>
</tr>
<tr>
<td>• Data verification and modelling of the environmental impact</td>
<td>• Design of minimal technical standards</td>
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#### Objectively Verifiable Indicators

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<tr>
<td>• Drafted study on Port Reception Facilities (documentation finalized)</td>
<td>• Proposal, contract and inception report, and (draft) final report</td>
</tr>
<tr>
<td>• MA staff and stakeholders educated on port reception facilities evaluation</td>
<td>• Access to data</td>
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#### Sources of Verification

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<tbody>
<tr>
<td>• Maritime administration reports</td>
<td>• Access to financial flows and fiscal arrangements</td>
</tr>
<tr>
<td>• Contractor reports</td>
<td>• Access to existing facilities</td>
</tr>
<tr>
<td>• EU experts reports</td>
<td>• Full insight in current technical standards</td>
</tr>
<tr>
<td>• All documentation – analysis, studies, reports available</td>
<td>• Qualified staff employed</td>
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#### Assumptions

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<tr>
<td>• Local actors (harbour master's offices, port authorities and port operators) are willing to participate in the project development</td>
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<tr>
<td>• Local actors are committed to form local partnerships</td>
<td></td>
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<tr>
<td>• Port authorities and port operators are inclined and capable to implement the standards proposed in the project deliverables</td>
<td></td>
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<tr>
<td>• Responsible ministries as well as regional and local authorities agree on policies and proposed measures</td>
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<tr>
<td>• Continued training of qualified staff</td>
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### Input and costs:

**Four key experts:**
- Team leaders: 60 mandays
- Other key experts: 170 mandays
- Other experts: 82 mandays

**Proposal, contract and inception report, and (draft) final report**
<table>
<thead>
<tr>
<th>Result 3: Preliminary design of national coverage</th>
<th>Objective Verifiable Indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
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</thead>
<tbody>
<tr>
<td>• Outline of working procedures for recommended technological solutions</td>
<td>• International travels and Per diem</td>
<td>• Workshops</td>
<td>• Co-operation from stakeholders open attitude towards the project</td>
</tr>
<tr>
<td>• Comparative analyses of the common practice in European countries</td>
<td>• Expenditure verification</td>
<td></td>
<td>• Active participation in dissemination events</td>
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<tr>
<td>• Design of the reception facility network</td>
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| Result 4: Pre-feasibility study | | |
| Design of solutions for organizational and fiscal arrangements of the sustainable national system of port waste reception facilities | | |
| Estimation of necessary financial and human resources | | |
| Cost-benefit analysis of the investment alternatives and possible financial arrangements | | |

| Result 5: Port Reception Facility Study verified and approved | | |
| Determination of appropriate technology, working arrangements and organizational and institutional structure | | |
| Determination of capacities and locations of the port reception facilities | | |
| Determination of development timeline (including milestones) and possible financial arrangements | | |
| Preparation of documents and presentations | | |

| Result 6: Port Reception Facility Study disseminated | | |
| Limited dissemination of proposed solutions and standards | | |
| Interviews with selected stakeholders in addition to Croatian Port Authorities and Croatian Environment Agency | | |
| Redrafting, translation into Croatian and final dissemination | | |
| Final wrap-up event on the national level | | |
Annex II  Updated and final Overall Work Plan
Annex III Updated Resource Schedule

Resources were used according to the Inception Report.

Annex IV Updated final Work plan

N.A.