

Decision of the Regional State Administrative Agency for Southern Finland No 224/2014/1 (ESAVI/306/04.08/2012), issued 10 November 2014
Decision 16/0018/2 of Vaasa Administrative Court, issued 3 February 2016

Summary of the review decision for the permit decrees of the environmental permit concerning the activities at Vuosaari Harbour (Environmental Protection Act 86/2000, Section 55)

OPERATIONS

The permit concerns the operations of Vuosaari Harbour, located in Vuosaari, in eastern Helsinki. The closed harbour area referred to in the permit is located almost entirely in property 91-54-9906-20, which is owned by the City of Helsinki and occupied by the Port of Helsinki. Harbour operations started in the area in November 2008. Vuosaari Harbour serves LoLo, RoRo and Ropax ships transporting unitised cargo, as well as passenger traffic on Ropax vessels.

According to Section 28(1) of the Environmental Protection Act and Section 1(1)(12)(a) of the Environmental Protection Decree, the operations of a loading or unloading dock of a harbour that is suitable for ships with a tonnage of over 1,350 and is intended mainly for merchant shipping, require a permit.

PERMIT SOLUTION

The Regional State Administrative Agency for Southern Finland has reviewed the application regarding review of permit decrees, necessary under environmental permit YMK 38/521-99, granted by the City of Helsinki's Environment Centre on 3 April 2002, concerning operations at the Port of Helsinki's Vuosaari Harbour. The permit decrees set out in the permit application and issued later must be adhered to in operations.

The permit decrees that have been amended are indicated in *italics*.

Permit decrees for the prevention of contamination

Emissions into water, the sewage system, and soil

1. *The condition of the surface structures in quay areas and fields must be taken care of, the surface structures inspected regularly, and any damage discovered must be rectified as soon as possible. Details of any repair works must be noted afterwards in the records indicated in permit decree 19.*

2. *Oil sumps must be emptied when necessary. The sand sumps of the surface water sewers must be emptied regularly of the sand and other solid material that has accumulated in them.*
3. *The bunkering of vessels must be carried out in a controlled manner, exercising special caution, and rain water drains must be closed when bunkering from the shore is being carried out.*

Noise

4. The noise caused by harbour operations may not exceed 55 dB during the day (7am–10pm) or 50 dB at night (10pm–7am), expressed as an A-weighted equivalent level (L_{Aeq}), as measured from residential and holiday home areas and recreational areas.
If the noise is percussive or narrow-band in nature, the measurement or calculation results must be increased by 5 dB before being compared to the set limit value.
5. *Individual, clearly distinguishable, sources of noise, such as the rattling of the ramps, must be dampened using appropriate means. A low sound power level must be emphasised in the selection of equipment and industrial machinery.*

Air emissions

6. *When receiving and directing waste water from vessels into the area's sewer network, care must be taken to ensure that this does not cause nuisance odours to spread outside the harbour.*

Waste Management

7. Harbours must be equipped with permanent reception equipment to receive waste originating from ships, or the harbour must order a waste reception service for vessel waste. More detailed decrees on waste management arrangements for waste originating from vessels are provided in the harbour waste management plan approval solution (Doc. No UUDELY/120/ 07.00/2010 (23 November 2012)) indicated in Chapter 9 of the Uusimaa Centre for Economic Development, Transport and the Environment's Environmental Protection Act for Maritime Transport (1672/2009).
8. *The harbour's operations must be organised in a way that ensures minimal waste generation. Any waste generated through operations must be utilised to as high a degree as possible. Waste must be utilised primarily as a material, and secondarily in energy production. Any waste generated must be sorted, taking into account the utilisation potential of different types. Waste that can be utilised (such as metal, cardboard, paper and construction waste) must be collected separately and sent to be processed appropriately for utilisation. If the waste cannot be utilised at a reasonable cost, it must be sent to a reception site that is permitted to receive and process such waste.*
9. *Hazardous waste and any other materials that may be hazardous or harmful to the environment must be stored appropriately. Different kinds of hazardous waste must be kept separate from each other. Hazardous waste in liquid form must be stored in sealed and high-sided containers, to prevent leakage into the soil. Hazardous waste of different natures must be sent regularly, at least once a year, to a site with permission to receive the waste types in question. Hazardous waste, such as waste oils, accumulators, batteries and fluorescent tubes must be sent to be processed at a facility approved to receive such*

waste with a permit in accordance with the Environmental Protection Act or an equivalent decision.

When handing over hazardous waste, it must be packaged in sealed containers equipped with labels indicating the hazardous nature of the waste. When handing over hazardous waste, a movement document must be drawn up for the transfer of the waste, setting out the details specified in Section 121 of the Waste Act (646/2011). The holder of the waste must ensure that the movement document is kept with the waste when it is being transported, and that it is handed over to the recipient after transportation. The movement document, or a copy of it, must be kept for at least three years.

10. When handing over hazardous waste, sludge from sand sumps, and construction and demolition waste, a movement document must be drawn up for the waste, setting out the details specified in Section 121 of the Waste Act (646/2011). The holder of the waste must ensure that the movement document is kept with the waste when it is being transported, and that it is handed over to the recipient after transportation. The movement document, or a copy of it, must be kept for at least three years.
11. Only clean snow may be deposited in the sea. Snow to be removed from the quay area and harbour grounds must be put into piles on land or an enclosed sea area, so that sand, rubbish etc. are not transported into the sea or elsewhere in the environment with the snow. If depositing the snow does cause littering, however, the operator must clean the area concerned.

Disturbance situations

12. Advance preparations must be made for exceptional situations. There must always be sufficient amounts of appropriate materials and draining bases available at the harbour in case of an accident or damages. In disturbance situations and other exceptional situations which result in or threaten to result in emissions into the air, waterways or soil, which are exceptional in terms of amount or quality, appropriate measures must be taken without delay to prevent and limit the emissions and any damages they may cause, and to prevent another such incident from reoccurring. The Uusimaa Centre for Economic Development, Transport and the Environment and the City of Helsinki's environmental authorities must be informed immediately of any damages, accidents and other disturbance situations which result in or threaten to result in emissions into the air, sea, wastewater drains or soil.
13. The harbour's safety and rescue plan must be kept up-to-date and those working at the harbour must be informed of the location of fire extinguishing equipment and fire fighting equipment.

Monitoring of emissions and impacts

14. The recipient of the permit must, at three year intervals, draw up a sound report for harbour operations, containing noise modelling, noise emission source measurements and monitoring measurements. Monitoring measurements must be taken not only in the periphery areas but also in the gardens of the two closest holiday homes on Mölandet, or at equivalent sites. Noise measurements must be carried out in accordance with the Ministry of the Environment's guide 'Ympäristömelun mittaaminen' (1/1995) [Measuring Environmental Noise]. The percussiveness and narrow-bandedness of any noise must be established and taken into account in the results.

15. The party receiving the permit must partake in joint Helsinki Metropolitan Area (HSY) air quality surveillance at a cost share in accordance with the 'polluter pays' principle.
16. *The recipient of the permit must monitor the quality of the sea water around the harbour. Water muddiness, solid materials, and oil concentration, as minimum requirements, should be determined at the closest monitoring points (106 and 174). The monitoring can be carried out as a part of the joint sea area monitoring of the Helsinki Metropolitan Area (HSY).*
17. *Measurements, sampling and analysis must be carried out by an external expert in accordance with the relevant standards (CEN, ISO, SFS or other standards in use nationally or internationally and of an equivalent level), or other appropriate and officially-approved methods in general use. Measurement reports must state the measurement methods used and their measurement uncertainties, as well as an estimation of the representativeness of the results. The measurement reports must be attached to the annual summary report for that year.*

Monitoring and surveillance of waste processing

18. *Permit recipients must observe and monitor any waste management they have organised regularly and systematically. Those responsible for the waste management must be familiarised with the observance and monitoring of operations. Any deficiencies observed must be rectified immediately. When carrying out monitoring and surveillance, the Vuosaari Harbour Waste Management Plan, updated on 15 February 2014 and included with the application, must be adhered to. The plan covers waste management for both waste originating from vessels and harbour area waste. If the nature, amount or waste management of waste originating from vessels and deposited at the harbour changes, the port operator must assess, and if necessary revise the waste management plan, and inform the Uusimaa Centre for Economic Development, Transport and the Environment.*

Record keeping and annual reporting

19. Records of the harbour's operations must be kept, detailing at minimum the following:
- vessel calls and berth occupation times
 - goods amounts
 - passenger numbers
 - waste generated by operations (type, waste entry number, amount and delivery place and date)
 - waste waters and other waste received from vessels (type, waste entry number, amount and delivery place and date)
 - energy and water consumption
 - the results of any inspections carried out
 - any complaints regarding noise, and the source of the noise
 - any littering-related complaints from residents of the surrounding shores
 - exceptional situations, their causes and corrective measures.
- The records must be kept for three years (or six years for waste) and must be made available to the surveillance authorities if requested.
- The annual report on the harbour's operations must be submitted annually, by the end of February the following year, to the Uusimaa Centre for Economic

Development, Transport and the Environment and the City of Helsinki's environmental protection authorities. The annual report must contain a summary of the records and a calculation of the emissions into the air produced by vessel traffic, vehicle traffic and industrial machinery (nitrogen oxides, sulfur dioxide, particulates, carbon monoxide and carbon dioxide).

Other measures to prevent, reduce or investigate contamination, the dangers it poses, or any harm caused by contamination

20. *The recipient of the permit must ensure that companies operating in the harbour area are aware of the permit decrees of this decision, and operate in accordance with this decision in the harbour area (through harbour regulations and agreements).*

Cessation of operations

21. If harbour operations at Vuosaari cease, the competent authority must be informed of this a minimum of six months before operations cease. The notification must set out a plan regarding the closing down of the operation's administration, including a timetable (restoration measures for the area, regarding water protection, air protection, soil protection and waste management, as well as follow-up monitoring of the state of the environment).

PERMIT VALIDITY AND REVIEW OF PERMIT DECREES

Permit validity

The permit is valid until further notice. Significantly expanding or changing operations requires permission. (Section 28 of the Environmental Act)

Decisions to be repealed

When it comes into force, this decision shall repeal environmental permit decision YMK 38/521-99 issued on 3 April 2002 by the Environment Committee of the City of Helsinki; Section 128 of 26 March 2002 as amended by both decision No 03/0053/3 issued on 24 April 2003 by Vaasa Administrative Court and Supreme Administrative Court decision record number 787, issued on 7 April 2004; and decisions 48–52/1998/3 of the Water Court of Western Finland issued on 9 July 1998, permit decree 7 set out on page 135, to the extent that it applies to sea area monitoring and fishing industry monitoring whilst the harbour is in use.

Adhering to a decree which is more stringent than the permit

If a decree sets out regulations which are more stringent than the permit decrees of this decision, or regulations which deviate from the permit in terms of its validity or revision, notwithstanding the permit, the decree must be adhered to. (Section 56 of the Environmental Act)