



**Guidelines for sustainable waste management in ports
Operational guidelines on SA 8000 - social responsibility regulations in ports**

**Linjat Guida per administrimin mbeshtetes te mbeturinave neper porte
Linjat guide aplikuese nga rregullorja SA8000 ne territorin portual**

**Uputstva održivog upravljanja otpadom u lukama
Uputstava za primjenu norme SA8000 u lučkom ambijentu**



Marche Region



European Commision



Adriatic Cross Border
INTERREG IIIA



Servizio Ambiente e Paesaggio
P.F. Salvaguardia, Sostenibilità
e Cooperazione ambientale
Regione Marche



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In recent years, regional policies have begun to consider the natural heritage of our territory as a fundamental aspect of the “Marche System” and its possible development, despite difficulties and contradictions. Simultaneously, awareness arose about the need to consider environmental issues from a perspective that goes beyond the region and, therefore, the need to experiment international cooperation even in the environmental field.

Therefore, a regional policy which intends to face environmental issues even beyond its borders, to compare its experiences with those of various other countries in order to avoid obtaining an insufficient outcome from the efforts made on our territory. The prospect which stands out is that of (an “invisible city”) efficaciously predicted by Calvino from the city of Leonia, wiped out and razed to ground due to garbage from the neighbouring metropolis.

The content of various cooperation projects related to environmental issues have made reference to the general regulations established by the European Community for the various sectors, the intervention areas indicated by the Action Programme VI for the Environment, and the objectives and related operative procedures indicated by the latter.

The undertaken initiatives may be mainly grouped in a regional cooperation policy which aims at structuring and developing the identity of the Adriatic-Ionic region through the action of proximity towards the Balkans, and to avert the risks of isolation and marginalization of our territories through its projection towards the northern and southern basins, that is, the new situation created in the Baltic which already interacts with its Russian neighbours and which is projected towards the Black Sea.

The planned proposals have been structured on specific experience obtained from other situations in our region throughout these years and the needs which were highlighted so as to guarantee the efficiency of cooperation actions.

The environmental themes dealt with are mainly waste management, which seems to be a very important issue even for non-European countries, and specifically, the issue of port waste management which was dealt with in detail through the project “WAP - Waste Management in the Adriatic Ports”.

The WAP project is only one of the tiles in a wide mosaic of interventions to which the Region Marche is committed. Commitments which will tend to grow in the future, since this is the only way to concretely bring about a strategy of development and solidarity based on environmental respect and protection.

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Introduction

Besides being dynamically linked to economic, social, historical and cultural aspects, port activities inevitably have coastal as well as marine environmental relations.

Uncontrolled management of this kind of activity, especially in heavily inhabited areas, might generate dangerous repercussions on the natural environment, a continuous increase in resource consumption and costs for environmental management, more waste production and eventually the depreciation of the port. This is rather the case of those ports in areas of particular naturalistic interest and/or in contexts which are vulnerable such as that of the Adriatic basin.

Various Protocols, Conventions and Agreements have been signed among States to protect seas and, in particular, the Directive 2000/59/EC has been adopted for the management of ship-generated waste and it also controls cargo residues from the latter and suggests the pursuance of two objectives: the simplification and improvement in the efficacy of the MARPOL 73/78 Convention, since it also the link between the latter and the Directive 95/21/EC.

In the realization of the above-mentioned supranational regulations, detailed laws have been issued with the D.Lgs. of 24 June 2003 no. 182, and whose application is assigned to the Maritime Authorities and the regions.

With this law framework and the intention to implement the issued principles the Marche Region has promoted the project “WAP - Waste Management in the Adriatic Ports” within the Interreg IIIA Programme, to optimize prevention and control against specific types of pollution. The general objective of the project is that of establishing a network of relations and collaborations among the countries overlooking the Adriatic-Ionic basin, essential for the coordination adequate and homogeneous management of port wastes.

The decision to face issues related to sustainable management of port waste is part of the wider perspective of adopting “green” policies and strategies, in the belief that the implementation of “good practices” which are common to various countries not only guarantees better environmental protection but also provides an opportunity to improve port structures and, in the future, a reduction in management costs through the better services.

Besides environmental factors, the project dealt with topics regarding ethical responsibility linked to the activities carried out in port areas.

The specific objective was that of outlining a model of environmental integrated management to reduce disposal in the sea, especially illicit ones from ship-generated waste, to rationally and financially organize the phases of the collection, delivery, recovery and disposal of ship-generated waste and that which is usually produced by port activities, in accordance with the ethical work principles.

Given that the management of environmental impacts due to port activities involves various structures: Public Bodies, Port Authorities, Maritime Authorities, private entrepreneurs (such as shipyards, fishermen's cooperatives, industries, utilities as well as shops), etc, the project has involved various partners:

- the harbour master of the port of Ancona, Civitanova Marche (MC), Pesaro (PU) and San Benedetto del Tronto (AP);
- the Port Authority of Ancona;
- the Communes of Ancona, Civitanova Marche (MC), Pesaro (PU) and San Benedetto del Tronto (AP);

- the Provinces of Ancona and Pesaro Urbino;
- the Regions and the Municipality of Durazzo and Valona (Albania);
- the Port of Bar (Montenegro).

The various initiatives implemented on our territory and in other countries have involved and concerned partners from the East Adriatic countries, which among other things has been provided with technical assistance for waste management, European project management and the methods adopted for the implementation of the SA 8000 standard in ports.

The project was divided into phases. In the initial phases, an environmental analysis was carried out and the stakeholders of the port activities and areas involved were identified, followed by technical assistance activities offered to PAO partners, the drawing up of guidelines regarding the regulations for sustainable waste management in ports and the implementation of an ethical/social accountability system, the implementation of actions to awaken awareness using informative material, the setting-up of an internet website (www.ambiente.regione.marche.it/sito/cra/wap) and the first thematic workshop called “Sustainable waste management in ports” which was held in Ancona on 13 and 14 December 2005.

The drawing up and the dissemination of the “Guidelines for sustainable waste management in ports” might be a useful tool for Maritime and Port Authorities of the Adriatic and, our long-term prospect is that of extending our positive experience to other territories in the Mediterranean basin through communitarian or national programmes supporting this type of strategy.

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Chapter 1 – Outline of Regulations and Classifications

1.1 Legislative Acts of reference

The regulations regarding port-generated wastes are very detailed being based on numerous provisions issued for other types of disciplines.

In the communitarian field, the law regarding waste is the Directive 91/156/EEC¹, which among other issues, expects that:

- Member States adopt measures which are suitable to encourage:
 - a) firstly, the prevention and the reduction of waste production and the noxiousness of wastes;
 - b) secondly, the recovery of wastes through recycling, reutilization or any other action with which secondary commodities may be obtained, or for the usage of waste as an energy source.
- Member States adopted the necessary measures to guarantee that waste is being recovered or disposed off without presenting any risks for human health or with any procedures or methods which might be detrimental to the environment;
- companies and structures which see to the treatment, storage and deposit of waste on behalf of third parties must obtain a suitable authorization from the competent authority;
- in view of the “polluter pay” principle, the costs of waste disposal are at the expense of the withholder who delivers wastes to the collector or the company, the previous withholders and the producers of the waste-generating product.

Moreover, it is useful to mention other directives related to waste issues:

- the Directive 91/689/EEC², concerning hazardous wastes;
- the Directive 94/62/EC³, about packaging and packaging wastes.

As regards the specific sector of ship-generated waste the Directive 2000/59/EC⁴ was also issued to control cargo residues of the latter and aims at pursuing two objectives: the simplification and an improvement in the efficacy of the MARPOL 73/78⁵, since it is also the link between the latter

¹ Directive 91/156/EEC of the Council, of 18 March 1991 which modifies 75/442/EEC related to waste – Published in the O.J.E.C. of 26 March 1991, no. L 78.

² Directive 91/689/EEC of the Council, of 12 December 1991, related to hazardous waste – Published in the O.J.E.C. on 31 December 1991, no. L 377

³ Directive 94/62/EC of the European Parliament and the Council, of 20 December 1994, about packaging and packaging waste – Published in the O.J.E.C. of 31 December 1994, no. L 365.

⁴ Directive 2000/59/EC of the European Parliament and the Council of 27 November 2000, related to the port reception facilities for ship-generated waste and cargo residues, published in the O.J.E.C. of 28 December 2000, no. L 332.

⁵ The term MARPOL 73/78 refers to the International Convention entitled “*International Convention for the Prevention of Pollution from Ships*” adopted on 2 November 1973 and integrated on 26 September 1978, with the “*Protocol of 1978 relating to the International convention for the Prevention of Pollution from Ships*”. This Convention is the only one which is related to marine environmental pollution generated by ships not only due to accidental causes but also during ordinary operations; furthermore, it also prescribes that the adhering States must guarantee adequate port reception facilities which can receive ship-generated wastes in their ports. Italy has ratified the MARPOL 73/78 Convention by Law no. 662 of 29 September 1980, “*Ratification and execution of the International Convention for the Prevention of Pollution from ships and the Protocol on the open seas interventions in the case of*

and the Directive 95/21/EC⁶ related to safety and the prevention of pollution by ships; among other issues the latter Directive provides a possibility to refrain from giving authorization to proceed at sea to those ship which pose a threat of harm to the marine environment.

In addition to the regulations, at an international level, Directive 2000/59/EC provides more stringent regulations (even though the territory to which it can be applied is limited to ships calling at community ports and which sail in waters under the jurisdiction of Member States irrespective of the flag they fly) and, moreover, it clearly defines, that in the view of the definition given at an international level, even cargo residues (and sewage) are considered as waste and, therefore, fall under the competence of the regulations regarding this matter (for example, regulations about their circulation, the procedures for authorization, etc.). Actually, even the MARPOL 73/78 Convention expects, “as soon as possible”, the implementation of port reception facilities for hydrocarbon residues and the reception and treatment of contaminated ballast and cleaning waters from the tanks of tankers, waste water and wastes (defined in Annex V), but only Directive 2000/59/EC contains specific measures which should be implemented within a predetermined deadline.

Another characteristic of the Directive is that while the timing is at the discretion of the Contracting parties, the latter Directive adopts more urgent instructions which affect not only the circulation, treatment and recycling of ship-generated waste but above all:

- the organization and the type of port reception facilities, providing suitable plans;
- the submitting of a preventive⁷ notification given to the ship master for the delivery to port reception facilities;
- regulations for control;
- the “accompanying arrangements”, with a detailed list of the instrumental obligations, registered with the competent authorities;
- the prevision of a ratifying system, to be defined according to the general communitarian principles.

This Directive created a regulation system with the aim of reaching a high level of protection through rules of incentives (juridical, technical and financial) regarding the delivery to port facilities, to reduce waste and cargo residue discharges into the sea, generated by any type of ship, as regards legal as well as illegal discharging.

In spite of the “guidelines” of the Directive at issue, it is important to notice that a coercive mechanism is already provided consisting of inspections carried out by competent authorities in the port area, which upon a negative outcome might result in a prohibition to leave the port, and specific economic sanctions decided by each Member State, may be also applied.

In conclusion the European Union adopted an incisive approach to protect the sea from the ship-generated wastes and residues using a mechanism of rules which is not only repressive but also stimulating, making it easier and more convenient for the Masters to deliver wastes and residues to ports rather than discharging them into the sea, both in case of risking a penalty for an illegal

⁶ pollution caused by various substance from hydrocarbons, with Annexes, adopted in London 1973” – Published in the Official Journal of 23 October 1980, no. 292.

⁷ Directive 95/21/EC of the Council, of 19 June 1995, related to the enforcement of international standards for ship safety, pollution prevention and shipboard living and working conditions, for ships calling at community ports and which navigate in waters under the jurisdiction of Member States – Published in the O.J.E.C of 7 July 1995, no. L 157.

⁷ More details will be given about the notification in paragraph 2.3.1. while a facsimile of the notification module is included in Annex 2.

action as well as in that of legal discharging in accordance with the international Convention and the related national ratified laws.

Waste management in Italy is regulated by the D.Lgs. no. 152 of 3 April 2006, “Environmental Standards”⁸, Part IV of which contains the descriptions of all the obligations and the constraints regarding the waste sector. The same decree provides for the abrogation of various regulations among which the D.Lgs. no. 22 of 5 February 1997⁹, which for many years was the main text for the law in this sector. In order to ensure continuity with the previous law, the transitory law of the D.Lgs. no. 152/06 established that the executive measures of the D.Lgs no. 22/1997 will remain in effect until the corresponding executive measures, provided for in the new decree, will come into force.

The ship-generated wastes and the cargo residues are regulated by a specific legislative decree, precisely the D.Lgs. no. 182/2003¹⁰ with which the above-mentioned Communitarian Directive no. 2000/59/EC was acknowledged. The regulations in the D.Lgs. no. 182/2003 were confirmed by the D.Lgs. no.152/2006 in art. 232.

The D.Lgs. no. 182/2003 is valid for all types of ships, including fishing vessels and recreational crafts (irrespective of the flag they fly) calling at, or operating within, a port of a State or the ports of the States were the previously mentioned vessels call. The Legislative Decree no.182 does not apply to any warships or naval auxiliary or other ship owned or operated by a State, for the time being, only on government non-commercial service.

As regards the Directive 2000/59/EC, the legislative decree 182/03, elaborates the concept of waste management by adding, alongside the provisions of port facilities, the supply waste collection and management services suitable for the port category and the ship traffic which calls at the latter port.

1.2 Port waste classification

For the purpose of this document, port waste is classified as follows:

1) Ship-generated waste and cargo residues which the MARPOL 73/78 Convention groups in the following five Annexes:

- Oil in any form (Annex I) including crude oil, fuel oil, sludge, oil wastes and refined products (other than petrochemicals which are subject to the provisions of Annex II of the Marpol) and includes substances listed in appendix I of the Marpol.

Annex I includes: oily wastes (waste from non-chlorinated mineral oil for engines, gears and greasing; waste from synthetic oil for engines, gears and greasing, easily biodegradable; other oils for engines, gears and greasing; bilge oils from navigation; oils produced from oil/water separation), sludges (sludges from oil/water separation products), the tank washing liquids and cargo residues, machining oily residues (bilge water, sludge etc.).

- Noxious liquid substances carried by chemical tanker including residues from tank washing (Annex II).

⁸ Published in the Official Journal of 14 April 2006, no. 88.

⁹ Published in the Official Journal of 15 February 1997, no. 38. Known as the “Ronchi Decree”.

¹⁰ D.Lgs. no. 182 of 24 June 2003, “Enactment of directive 2000/59/EC related to the port reception facilities for ship-generated waste and cargo residues” – Published by the Official Journal of 22 July 2003, no. 168.

The liquid substances are sub-divided into the following categories: Category A, Category B, Category C and Category D (Annex II, Regulation 3) and are classified according to Appendix I of the same Annex.

- packaging, containers, containers-tanks, land and railway tank wagons which have already been used to carry noxious substances, not in bulk which might cause cargo residues (Annex III).
- sewage (Annex IV).
- wastes normally produced from shipboard living and working (Annex V) including:
 - plastic;
 - packaging material and textiles;
 - paper products, rags, metals, bottles and terracotta;
 - waste food;
 - ashes from incinerators.

2) Waste generically produced in the port area, including:

- mixed waste;
- waste from separate waste collection;

3) Waste from cleaning of common areas and sheets of water in ports.

Annex 1 contains an exemplifying and non-exhaustive list of the main EWC Codes related to the three macro-categories of the above listed port wastes.

Chapter 2 – The Plan for sustainable management of port-generated wastes

2.1 Introduction

The suggestions provided in the herein chapter are targeted to competent Authorities in ports and generally to those who handle the categories of the port-generated wastes indicated in the next paragraph 2.2.1

The Plan for the sustainable management of port-generated wastes will include not only the information required by Directive 2000/59/CE related to the Plan for the reception and management of ship-generated wastes and cargo residues but, will also take into consideration the other types of wastes which are usually collected from ports. The objective which will be pursued with the Plan for the sustainable management of port waste is that of providing a single integrated management of all these wastes, guaranteeing high levels of human health protection and environment safety.

The information given below is a mere guideline and must be adapted to every single port situation.

2.2 Introductory information

2.2.1 *Application field and exclusions*

The Plan for sustainable waste management applies to wastes:

- 1) **Generated by ships**, whether they are subject to notification (cargo or passenger carrier ships or recreational crafts authorised to carry more than 12 passengers) or not subject to notification (fishing vessels or recreational crafts authorised to carry a maximum of 12 passengers), irrespective of the flag they fly, which dock or work in a port (moored at the port or anchored *en route*), amongst which:
 - a) wastes coming from ship-board living and working, including wastes to food coming from Non-EU Countries;
 - b) wastes from oils and oily residues;
 - c) special noxious and non-noxious wastes;
 - d) sewage;
- 2) **generically produced in port areas;**
- 3) **deriving from cleaning of common areas and sheets of water in ports.**

The Plan shall not apply to wastes coming from:

- warship and naval auxiliary ships;
- other ships owned or operated by the State, if used only for government non-commercial service;
- activities linked to private subjects carried out within the area.

The management modality to be adopted for the correct separation, delivery, storage and disposal of the various port-generated waste are summarized in the tables included in Annex 3.

2.2.2 *Features and objectives of the Plan*

The drawing up of a Plan for sustainable management for port-generated waste mainly aims at providing a detailed description of the services concerning the complete cycle of waste management, separation, collection, transport and the subsequent treatment and recycling/disposal, so as to avoid dispersion of the above-mentioned wastes into the sea, preventing the pollution of the marine environment.

In addition, the Plan will include a short description or a simple list of regulations as reference for the formulation. A non-exhaustive example of the international, European and Italian laws is given below:

- Directive 91/156/EEC;
- Directive 91/689/EEC;
- Directive 94/62/EC;
- Directive 2000/59/EC;
- D.Lgs. no. 152/2006;
- D.Lgs. no. 182/2003.

In the end, for a clear definition of the used terminology refer also to a **glossary** (an example is included in Annex 7).

2.2.3 *Description of the port and analysis of historical data*

In order to clearly identify the port context in which the service of waste management is carried out, the main features of the port must be briefly described including dimensions and, if possible, enclosing a planimetry.

Consequently, while taking into account the functions of the port, the commercial activities and services taking place and the typology of ships which usually dock in it, a **historical series of quantities and typologies of port-generated waste** can be listed, at least for the three years prior to the drafting of the Plan. The retrieval modalities for this type of information are given in paragraph 2.3.

From the analysis of this data and taking into consideration any planned developments in the port in the near future, it will be possible to **estimate the total future production of port-generated waste**, at least for the three years following the drafting of the Plan, on which the need for port reception facilities and containers will be calculated and on which a service for the management of these wastes will be structured.

The Plan will specify the sources from which data has been retrieved and the methodology adopted to effect the above-mentioned evaluation.

2.3 *Initial evaluations on the typologies and the quantities of port-generated wastes*

The first step in planning the service for port waste management, including a definition of the need for port reception facilities for ship-generated wastes, consists of gathering a large amount of data correlated to it.

To define the typologies and the quantities of port wastes it is first necessary to obtain the following data:

- as regards ship-generated wastes it must first be established which types of ships and maritime traffic usually call at the port.
- The types of ships which normally dock at the port can be divided into:
- cargo ships,

- passenger carrier ships,

- fishing vessels and recreational crafts.

The first type have a varied waste production, which includes liquid or sludge oily residues, wastes such as the municipal waste produced by the crew or shipboard activity, and cargo residues or residues associated with the cargo being transported.

While passenger carrier ships have a significant production of municipal/assimilable wastes, fishing vessels and recreational crafts have a small production of all types of wastes.

To evaluate maritime traffic the following must be taken into consideration:

- the movements of ships;
- the movements of cargoes.

This information can be retrieved from the Local Maritime Authority and/or the Port Authority.

- for wastes generically produced in the port area it is necessary to define:
 - the perimeter and the port area in which the service must be offered;
 - the presence and the dislocation of connected areas;
 - the presence of passenger maritime stations;
 - the presence and the dislocation of commercial, productive and service activities.
- For wastes deriving for the cleaning of common areas and sheets of water in ports the following must be clearly marked off:
 - the surface of the sheets of water which must be cleaned;
 - the perimeter and the port area in which sweeping service must be carried out.

These initial data will be used to determine the origin of the various port wastes and must be associated to information about their quantities, which can be retrieved by consulting notification Modules for ship-generated wastes, the MUD and the agents providing collection services for the other two types of wastes. The above mentioned models can be retrieved using the modalities described in the following paragraphs.

2.3.1 *Evaluation of the data in notifications sent to the competent Authority in the port*

As established by art. 6 of the Directive 2000/59/EC the Master of a ship bound towards a port situated in the European Community must send the notification form¹¹ (a facsimile of the form is included in Annex 2) to the competent Authority¹² of the port.

The quantity and the typology of wastes and residues being carried must be reported in the notification, indicating the amount which must be delivered and that which must be retained on board as well as the percentage of the authorised maximum storage capacity of the ship.

In order to examine the data regarding wastes in notifications one must check:

- the notification number with respect to the number of arrivals certified in the register of the competent Authority in the port within the examined or available time span;
- the reception procedure of the notification and the data processing of the latter by the competent Authority in the port;
- the quantity of wastes indicated, the percentage of filled in sections, not filled in and filled in incorrectly over the total percentage of examined notifications;

¹¹ The submitting of the notification applies to all kinds of ships, irrespective of the flags they fly, which call or work in a port of the European Community.

¹² Designated authority or body.

- the congruencies between the storage capacity and the delivered quantity or which will be delivered to the next port of call.

As regards bilge waters and wastes from kitchens and canteens, it is worth noting that ships seem to habitually discharge these wastes directly into the sea in conformity with the procedure ratified by the MARPOL 73/78 Convention.

The data obtained from the competent Authority in the port can be summarized per year, as in the following Table.

Table 2.1 – Facsimile to summarize the information obtained from notifications

| YEAR | | | | | | |
|---|-----|---------------------------|------------------------|------------------------|------------------------|---------------------------|
| Ship Typology | TSL | No. Ships in Transit/year | Waste 1 (EWC ...) (kg) | Waste 2 (EWC ...) (kg) | Waste 3 (EWC ...) (kg) | Waste (EWC ...) (kg) |
| Cargo Ships | | | | | | |
| Type 1 | | | | | | |
| Type 2 | | | | | | |
| Type ... | | | | | | |
| Passenger Carrier Ships | | | | | | |
| Type 1 | | | | | | |
| Type 2 | | | | | | |
| Type ... | | | | | | |
| Recreational crafts authorized for more than 12 passengers | | | | | | |
| Type 1 | | | | | | |
| Type 2 | | | | | | |
| Type ... | | | | | | |
| Total waste per year(kg) | | | | | | |

2.3.2 Evaluation of the data obtained from the agents responsible for the collection of port wastes

It is possible to obtain a large quantity of information regarding port wastes also by consulting the various agents responsible for waste collection. The data shall be identified by taking into consideration:

- the origin of the wastes;
- the different typologies collected, distinguishing between municipal wastes or assimilated and/or assimilable, and special hazardous and non-hazardous wastes;
- their quantities;
- collection modalities.

In case only partial data is available it shall be necessary to estimate, together with the concerned companies, the average quantities of port wastes collected based upon the number of deliveries made at the port reception facilities, the amount and the location of skips present in the area, the

average frequency of their emptying per year and the average quantity of collected wastes (kg) for every emptying and the main typologies of collected wastes, without underestimating the seasonal variation in ports, subject to passenger tourist flows.

In any case, when the competent Authority of the port assigns the collection service of port wastes, it is a good practice that the latter makes sure that the contracting agents periodically communicates detailed information about the origin, the quantity and the typology of the port wastes collected.

The Table below contains an example of how to organize the collected data regarding these wastes

Table 2.2 – Type of scheme to summarize information obtained from agencies providing collection services

| Origin of Wastes | Typology of waste | EWC Code | Year (example) | | |
|--|-------------------|----------|----------------|----------------|----------------|
| | | | 2005 (kg/year) | 2006 (kg/year) | 2007 (kg/year) |
| Ships | Waste 1 | | | | |
| | Waste 2 | | | | |
| | Waste ... | | | | |
| Wastes generically produced in the port area | Waste 1 | | | | |
| | Waste 2 | | | | |
| | Waste ... | | | | |
| Wastes deriving for the cleaning of common areas and sheets of water in the port | Waste 1 | | | | |
| | Waste 2 | | | | |
| | Waste ... | | | | |

2.4 Procedures for port waste collection

The modality with which the port wastes are collected differs according to their origin. The following paragraph contains descriptions of procedures adopted for:

- the collection of wastes coming from ships subject to notification;
- the delivery of wastes coming from ships which are not subject to notification;
- the collection of wastes generically produced in the port area;
- the collection of wastes deriving from the cleaning of common areas and sheets of waters in ports.

2.4.1 The collection of wastes coming from ships subject to notification

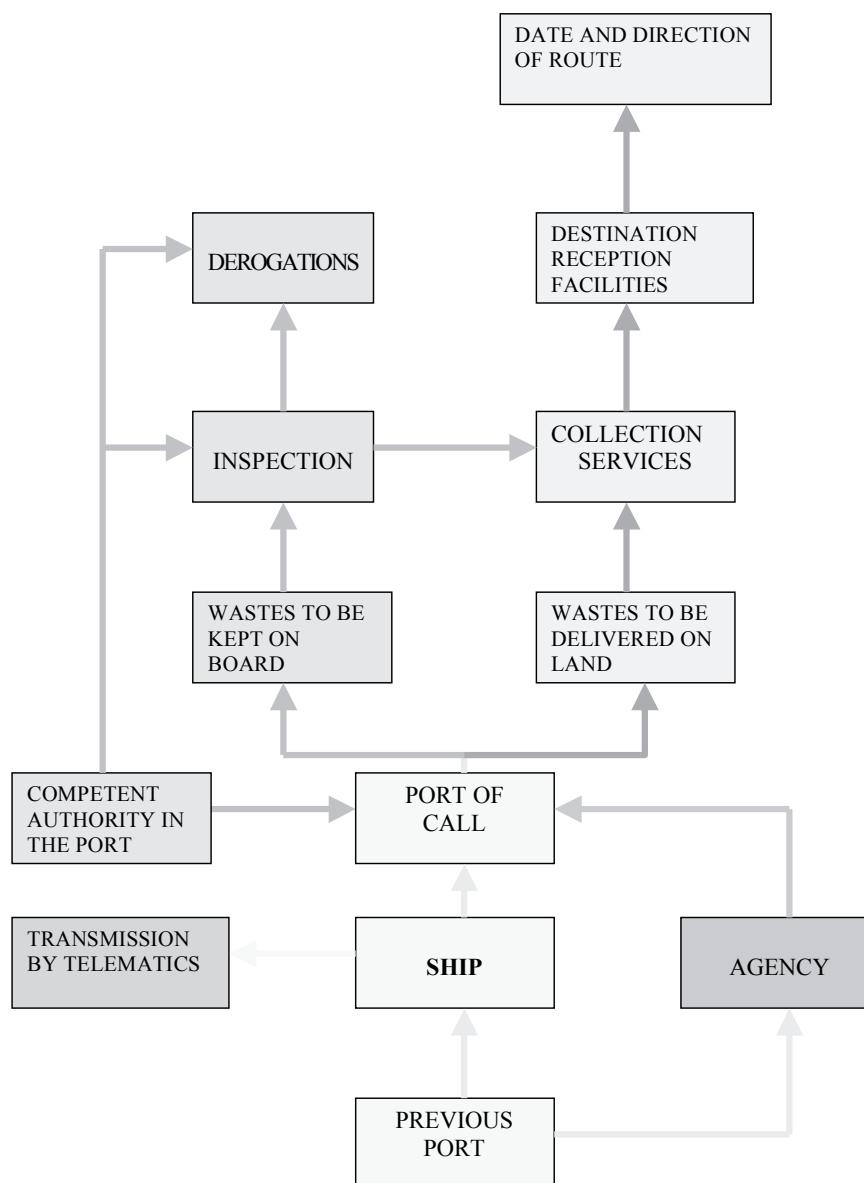
The Masters of the ships bound for a port of call located on Italian territory or another Member State of the European Community shall communicate and send to the competent Authority of the port, all the information inherent to ship-generated waste and cargo residues by filling in a notification form. This form, accurately and completely filled in, might also be submitted by the Maritime Agency of the ship.

The Master of the Ship shall respect the following timing when sending the notification:

- at least 24 hours prior to arrival, if the port of call is known;

- as soon as the port of call is known, if this information is available less than 24 hours prior to arrival;
- before the departure from the previous port of call, if the duration of the voyage is less than 24 hours.

The following chart¹³ shows indicative correlated flows following the transmission of notifications.



¹³ By the kind courtesy of the Port Authority of Ancona

The waste collection service might be organized to provide a continuous service (for example from 8.00 to 24.00 (16 hrs) or 24 hours daily) depending on the port needs and the local regulations; moreover, it is possible to define the operative modality so as to organize an on-call service in case of a necessity explicitly communicated by the Master of the ship. The number of operative staff must be sufficient and adequately trained to guarantee an efficient service.

The operative phases for the collection of wastes according to typology, coming from ships subject to notification are described below

Wastes from shipboard activities

Waste produced from shipboard (assimilable to municipal, food and other non-special and non-hazardous wastes) must be separated according to typology, by the crew, for a correct delivery. Once the initial phases to verify quantity and typology are accomplished, the collection of wastes can be carried out by the staff authorized for this service, by land or by sea depending on whether the ship is mooring in the dock or *en route*:

- ships mooring in dock: using an equipped lorry or other means. The crew of the ship making the request must unload the wastes while the authorized staff goes alongside the ship and proceeds with the collection of bags and/or containers.
- Ships *en route*: using a suitable equipped motorboat. The approaching, mooring and unmooring manoeuvres of the ship from which the waste collection are to be carried out, must be according to the prevention law for boarding at sea, under the responsibility of the masters and according to established modalities. The trans-shipment of wastes will be carried out by the crew on board and the authorized staff and must be carried out in favourable weather conditions.

Once the collection operations, by land as well as by sea, are accomplished:

- the Master of the ships using the service (or a delegate) must sign the “Service Voucher” (the form for the Service Voucher is in Annex 4);
- the nautical vessels returning to the port (in case of collection by sea);
- the wastes are delivered to the appropriate port reception facilities or treatment and/or disposal centres, suitably identified and authorized. If the wastes assimilable to municipal and special non-hazardous wastes are not separated, it will be necessary to carry out a suitable selection and sorting so as to separate the various types of wastes, to ensure the checking for and the elimination of any parts that are non-compatible and belong to a different category. Subsequently, the waste can be correctly collected as recyclable material or other residues for disposal;
- the putrescible waste from food which are not recyclable must be delivered on the same day to authorized disposal plants; as regards the other typologies of wastes it is possible to find a storage area within the port reception facilities, until they are delivered to authorized treatment and/or disposal centres.

The **organic wastes coming from Non E.U. Countries**, placed in suitable containers, must be disposed in incinerating plants or landfills after sterilization which must be carried out according to the technical procedures provided for in the European Directive 97/78/EC¹⁴ which establishes the rules regarding the organization of vet inspections on the products coming from

¹⁴ Council Directive 97/78/EC of 18 December 1997 which establishes the regulations regarding the organization of vet inspections on products coming from third Countries and which were brought into the Community – Published by the Official Journal no. L 024 of 30/01/1998.

third Countries and which were brought into the Community and in Directive 97/79/EC¹⁵ as regards the organization of vet inspections for products coming from third Countries and which are brought into the Community.

Wastes from oils and oily residues

The collection service for wastes from oils and oily residues is carried out by means of a lorry with a tank wagon or other appropriate nautical means if the ship is en route. The tank wagons/containers/tanks must be equipped with a locking system or with devices to carrying out refilling, pouring off and emptying operations in safe conditions. These systems must be equipped with anti-overflowing devices and overflow pipes, and must also have indicators of levels and captured and knocked down leakages by a suitable knocking down system. The hoses and the hose connections must be kept in perfect condition to avoid leakages in the environment.

Liquids can be directly pumped from the side of the ship or by the waste contractors when the ship is *en route* or mooring:

- if the liquids are pumped directly from the side of the ship, the operators of the contractor company must receive the hose or hoses and connect it/them to the outlet of the tank wagon. Once the tank wagon is full, the operators responsible for the checking of the liquid level in the tank wagon will interrupt the pumping operations on board the ship, sending back the hose/s and closing the outlet of the tank wagon.
- if the liquids are pumped by the means provided by the contractor company, the intervention is carried out by the operator using a motor pump with hose/s to suck the liquid wastes from the ship. The operator must extend the hose the hose/s to the point of connection of the ship and connect it/them to the outlet of the tank, switch the motor pump on, control the loading operations and once the tank wagon is full, the motor pump is switched off and the hose/s are removed from the outlet.

Once the collection operations are accomplished:

- the Master of the ship using the service (or a delegate) must sign the “Service Voucher”;
- when the tank wagon is full the staff authorized for the service will go to a suitable Authorized Centre to unload the liquid wastes.

Special hazardous or non-hazardous wastes

The special hazardous and non-hazardous wastes must be placed in appropriate containers and properly labelled according to the law in force, avoiding mixtures which are strictly prohibited. Once the initial phases of quantity and typology checking are completed, the waste collection can be carried out using authorized lorries with suitable containers.

Once the collection operations are accomplished:

- the Master of the ship using the service (or a delegate) must sign the “Service Voucher”;
- the wastes are delivered to suitable port reception facilities or to authorized treatment and/or disposal centres. If the special non-hazardous wastes are not separated it will be necessary to carry out a suitable selection and sorting so as to separate the various types of wastes, to ensure the checking and the elimination of any parts that are non compatible and belong to a different category. Subsequently, the waste can be correctly collected as recyclable material or other residues for disposal;

¹⁵ Council Directive 97/79/EC of 18 December 1997 which modifies directives 71/118/EEC, 72/462/EEC, 85/73/EEC, 91/67/EEC, 91/492/EEC, 91/493/EEC, 92/45/EEC and 92/118/EEC regarding the organization of vet inspections for products coming from third countries and which are brought into the Community – Published by the Official Journal L 024 of 30/01/1998.

- wastes may be placed in a storage area reserved for hazardous and non-hazardous wastes within the port reception facilities, to be later and periodically delivered to the nearest authorized treatment and/or disposal centres.

The special hazardous or non-hazardous waste might also include wastes from health care which must be placed in distinct bags; in the case of wastes with infectious risks, they must be placed in appropriate containers.

Sewage

The service is carried out using lorries with a tank wagon or other suitable nautical means if the ship is *en route*. Liquids might be directly pumped from the side of the ship or by the contractor company (See operative phases *Wastes from oils and oily residues*)

Once the tank is full, the staff responsible for the service will go to the appropriate purification plant to unload the wastes.

As previously specified, the collection of wastes from ships subject to notification is carried out by using **nautical and land means**. When waste collection using nautical means is given priority over that using land means, it might be due to the geographical characteristics of the port area, the places of the anchorage of ships which call at the port or the position on the dock. For example, in the case of ships *en route* the contractor company must provide for on spot collections of wastes using nautical means.

The nautical and land means which can be used to collect wastes are listed below:

1) Nautical means

- tugboats with variable power;
- motorboats authorized to carry hazardous goods;
- multipurpose ecological boats;
- barges to carry oil products;
- barges to carry solid wastes;
- motorboats and/or barges for daily collection of wastes from putrescible organic fractions and assimilated and assimilable solid wastes;
- barges to collect bilge waters.

2) Land means

- lorries with tank wagons;
- lorries with tank wagons with crane;
- tank lorries;
- operating machines with a spider/bucket arm;
- ecological compactors;
- ecological containers and/or airtight and non airtight container wagons;
- waste press;
- means for daily collection for wastes from putrescible organic fractions and assimilated and assimilable solid wastes;
- means of various capacity and typology depending on the different typologies of waste to be collected and delivered.

The nautical means must be in conformity with the specific regulations established by the law in force and be authorized to carry out this service, with particular reference to the delivery of hazardous waste and the indications of the relevant class.

2.4.2 The delivery of wastes from ships which are not subject to notification

The Masters of the boats at issue (fishing vessels and recreational crafts with not more than 12 passengers), must see to the autonomous organisation for the delivery of the waste produced. Non-hazardous **wastes from normal shipboard activities**, may be delivered to the appropriate skips placed in the area and/or port reception facilities, where suitable skips for separate collection of fractions (paper, plastic, glass, metals, etc.) are located. It is obligatory to delivery **special hazardous and non-hazardous wastes** and the **wastes from oil and oily residues** to port reception facilities within the time established by the competent Authority in the port, by making arrangements with the concerned operators.

As for sewage, a suitable service must be provided for its collection using a lorry with a tank wagon. Liquids may be directly pumped from the side of the crafts or by the contractor company (See operative phases described in *Wastes from oils and oily residues*, for waste collection from ships subject to notification).

Once the tank wagon is full the staff responsible for the service will go to the depuration plant to unload the wastes.

Deliveries to the appropriate reception facilities will have certain opening hours and a manager chosen by the service contractor company will be present and will have the task of verifying and registering the origin of the deliveries and issue the conveyance voucher.

2.4.3 The collection of wastes generically produced in the port area

Undifferentiated wastes must be collected in appropriate protective packaging to avoid leakages or bad smells and must be delivered to the predisposed skips by the producer. The possibility to deliver recyclable wastes to skip for undifferentiated wastes must be prohibited.

The service must be ensured on all working days and specific measures must be arranged for midweek holidays or long holidays.

The **wastes which should be separated**, for example, are:

- putrescible and highly moist organic wastes;
- residues from pruning and grass mowing from the maintenance of green areas;
- glass;
- tins;
- paper and cardboard;
- plastic;
- metallic materials;
- wood;
- fleece;
- medicine;
- electric and electronic equipment;
- bulky wastes;
- other recyclable wastes.

The producer must see to the selection of the above-mentioned materials at the source and to their delivery in appropriate containers according to the fractions they belong to. In the case the quantities or the sizes of the mentioned wastes exceed the capacity of the container and also for hazardous wastes (used batteries, toxic and/or inflammable products) on-call deliveries can be arranged with the waste contractor.

2.4.4 Collection of wastes produced from the cleaning of common areas and sheets of waters in the port

Wastes produced from the cleaning of common areas and the sheets of waters in the port might be ordinarily collected by a single waste collection contractor.

The port areas which are **cleaned and swept** are:

- streets, squares and pavements which belong to the port area according to the Plan and which are of common usage and not given to contractors;
- the rocks and the docks along the maritime citizen area, not given to contractors;
- the areas of connection between the city and the port, situated within the port area.

Anyone who accomplishes operations of loading and unloading of goods must not leave any kind of waste in the areas of common use and once the operations are completed the area must be cleaned.

The **cleaning of sheets of waters** might be carried out periodically or “on-call” and it will be accomplished with the aid of nautical means capable of collecting floating objects. Given the habitual characteristics of the wastes collected from sheets of water (e.g. wood, polystyrene, plastic) it is possible to predict their separation so as to subsequently send them for recycling.

2.5 Preventing hydrocarbon leakages into the sea and dealing with emergencies

The Plan must include the procedures to be applied in case of any leakages of noxious substances into the sea or other accidents causing sea pollution; such organisation must consider taking suitable prevention actions which reduce impacts and minimize intervention timing. In order to plan the actions which must be undertaken in these particular cases it is necessary to carry out an in-depth analysis of the potential risks as well as define the roles and the skills of those who will intervene.

The most probable risks of marine or coastal pollution can be summarized in:

- leakages of fuel liquids and lubricating oils while refuelling crafts in the dock;
- accidental leakages of hydrocarbons or oil products or other noxious substances, for example, from tankers in transit or mooring at port docks or marine terminals.

Considering that leakages of polluting products may be caused not only due to human error, inattentiveness during maintenance, faulty functioning of parts of the plant, but also from fires and/or explosions, it is evident that the degree of danger is very high.

The action procedures which must be activated in dealing with the danger of pollution caused by the leakage of a noxious substance within the port area differ according to the type of accident. In the case of modest leakages of polluting substances the Maritime or Port Authority must contact the contractor company managing the cleaning of sheets of waters in ports and request a safe removal of the pollution. However, if the accident causes the dispersal of a significant quantity of noxious substances than a series of emergency procedures must be activated involving various institutional subjects, among which: the Civil Protection, the Local Authorities, the Firemen, the Police, etc..

2.5.1 Precautionary actions against leakages of hydrocarbons into the sea while refuelling in ports

Services supplying liquid fuel and lubricating oils for ships are usually, present in big/medium sized ports and it is necessary to take some safety precautions while accomplishing these operations at fixed fuel stations or with tank lorries.

Bunkering operations must be carried out only in good weather conditions and in daytime. Furthermore, it is a good practice that refuelling operations do not coincide with unloading, loading and transhipment of passengers and any kind of merchandise.

Before beginning and during the refuelling operations the Master of the ship and the staff of the plant must verify that the surrounding sheets of water are and will remain clean. If any leakages, harmful events or dangerous states occur than the Master of the ship and the staff of the plant must immediately inform the competent Authority of the port and interrupt the refuelling. In case of spreading, actions must be taken to avoid further leakage and to restrict the flow. The costs of the decontamination of the polluted area will be at the expense of the service supplier or the ship.

Refuelling operations in dock may be carried out only by distributors who have adopted all the measures provided for by the law (e.g. fire-extinguishing devices, periodically inspection of hoses, proper training for the staff of the plant as regards fire-prevention, etc.). Moreover, refuelling with engines turned off and in complete absences of free flames or sparks is a common rule.

For the distribution of fuels using tank lorries, additional regulations may be followed:

- the drivers, the tank lorries and the trailers must be qualified and certified according to the law at any inspection;
- the tank lorries and the trailers must access the port only when the ship is ready to receive refuelling and must leave the port area as soon as the operations are accomplished;
- the hoses used for refuelling must be in perfect state and have the necessary characteristics to avoid liquid leakages or ruptures, and must also be subjected to periodical inspections;
- the operations must be undertaken under the direct supervision of the Master of the Ship or a delegate; in case of fire the crew responsible for the operations and those with integrative fire-prevention service, besides the adequate actions to be taken immediately, must also collaborate with the intervening rescue team of Firemen, providing the necessary support;
- for a radius area of 25 m from the refuelling zone and while the operation is taking place there must not be any work in progress involving any kind of free flame or which can provoke sparks or heat;
- while the refuelling operations are being carried out there must be a continuous fire-prevention and anti-pollution supervision on land provided by an adequate team for integrative fire-prevention equipped with suitable equipment (fire extinguishers, fireproof overalls, etc.).

For the refuelling operations for ships using tank lorries for specific products (e.g. fuel oils with an inflammability of little less than 100°C) more devices than those indicated above, will be used. In fact, due to the inflammable characteristics of the product there must be an anti-pollution supervision, provided by firemen, equipped with a stock of sand or sawdust, oil absorbent sheets, waste products or other material which may be useful for this purpose and with equipment suitable to use these materials. The supervisor must also have suitable equipment to fight any fire starting. The fireman is obliged to be equipped with suitable and efficient means

of communication (mobile phone, marine VHF radio and other) with which an immediate alarm can be given, that is, call the support on the spot.

2.5.2 Dealing with emergencies in case of accidents

The indications given in this paragraph can be generically applied to the port area, therefore upon the implementation of the presented methodology it is necessary to evaluate the port area in which the activities are taking place, whether they are industrial or non-industrial, which in case of an accident can cause particular types of pollution: in that case further precautionary actions must be taken, which take into account the dangers caused by the pollutant source at issue.

In order to adequately deal with any emergencies that may arise in the port area it is necessary to have a clear framework of organization and the procedures of how to effect the rescue work and support interventions, and how to inform all the components of the Civil Protection System about the general organization of the service as well as the tasks for each one of them.

2.6 Port reception facilities for ship-generated wastes

Normally, and also in conformity with art. 4 of Directive 2000/59/EC, ports must have reception facilities for ship-generated wastes, suitably sized and managed according to the characteristics of the port and the services provided in the port and the typologies and the frequency of maritime traffic.

In general, three different types of reception facilities may be present:

- for large sized ports, with frequent and important goods and passenger traffic might have specific facilities defined as "operative bases";
- for medium sized ports, e.g. where mainly fishing vessels and recreational crafts call, the facilities may have the characteristics of "equipped areas";
- for small sized ports or where only a small number of vessels call, it is still necessary to equip a small area for the collection of hazardous wastes: the Island in the port is an example of such an area.

The size, the location and the fundamental characteristics of these facilities, whether fixed, mobile or floating, will be according to the need identified in the analysis phase of historical data (ref. Paragraph 2.3). Nevertheless, it is not excluded that a port may be equipped with various typologies of facilities, depending on its needs, independently from the categories of dimensions indicated above.

The facilities must be structured so as to ensure a rapid delivery of wastes, avoid unjustified delays to the conferring subjects while ensuring the necessary safety standards for the environment and human health, including conformity provided for by the regulations in force related to fire prevention, also through the aid of the best available technologies.

Besides the above-mentioned facilities, suitable containers for the collection of separated wastes as well as mixed wastes should be present in these waste reception areas in ports. The characteristics of these containers are described in paragraph 2.7.

The Plan must include descriptions of the technical and managerial characteristics of these facilities, such as:

- the typologies and the locations of the latter within port areas, including indications about size and structure, enclosing, if possible, a simply three dimensional description; it is also advisable to define which area in port are suitable for such facilities;
- the typologies of wastes which can be collected and any specific modalities for the delivery of specific categories as well as the details of equipment and the procedures for pre-treatment adopted in ports;
- the maximum daily and yearly capacities, for every typology of waste;
- the modality of service, with indications of opening and closing hours, the availability of the manager who can provide explanations regarding delivery modalities, the possibility of on-call service, etc.;
- any other information necessary to describe the adequate efficacy.

The technical characteristics that the three, previously mentioned, typologies of port reception facilities must have are described below.

2.6.1 Technical characteristics of operative bases for the collection of waste in large sized ports

For the good functioning of the waste management service in ports with significant flows of boats, an operative base in the port area might be appropriate, that is, a building equipped with:

- a communication centre with administrative offices or premises;
- premises for employees (changing rooms, toilets, canteen etc.);
- a garage for means;
- an area reserved for deliveries and pre-treatment of hazardous wastes;
- an area reserved for deliveries and pre-treatment of non-hazardous wastes.
- an area reserved for the storage¹⁶ of hazardous wastes;
- an area reserved for non-hazardous wastes;

All the areas must be well marked off and distinct, while in the case of an area reserved for inflammable wastes, all the suitable precautions provided by the fire prevention law must be observed.

The areas reserved for the delivery or the pre-treatment of hazardous or non-hazardous wastes are needed for the any necessary selection and sorting in case the delivered wastes are not correctly separated; the surface must be impermeable and equipped with reception systems for any leakages that flow from tank lorries or wastes. Suitable signs must be affixed outside the facility to indicate these areas. Furthermore, the regulations of the facilities must be displayed containing: the modalities for waste delivery, the opening hours, the duties and the prohibitions of the deliverers, the enforceable sanctions, the particulars of the area manager, the modalities for signalling any inadequacies met by the users and the telephone number to be used in case of emergency.

The storage part must be organized in a distinct area according to the category of waste deposited and adequately marked with visible labels containing dimensions and location, including the following information:

¹⁶ In Annex C of D.Lgs. 152/2006, putting into storage is considered to be a recycling operation R13: "Storing wastes in order to submit them to the operations indicated in R1 and R2 (excluding temporary deposits in the place where the products are kept prior to collection).

- laws regarding the handling of wastes and the presence of risks for human health or the environment;
- the related EWC codes, the physical state and the danger presented by the stored wastes; The fixed and mobile containers used for storage must be adequately resistant according to the chemical-physical properties and the hazardous characteristics of the waste and must be equipped with a closing system, accessories and devices which ensure safety conditions when refilling, pouring or emptying operations are carried out. The area reserved for hazardous wastes may be also organized with different levels of shelving which make it possible to move wastes with fork lifters or other suitable means of transport. Wastes with compatible waste categories must be stored on the same single shelf; if the waste are in liquid state or contain liquids which might leak, the shelf must have suitable basins which will collect any flows. Nevertheless, the use of shelves must ensure safety in waste storage and accessibility so as to check for any leakages. To define the necessary storage volumes, it is possible to approximately indicate the ratio between volumes of hazardous wastes which should be delivered and the available volume which is equal to 1 mc (wastes): 6 mc (space). While as regards the dimension of the storage area for non-hazardous wastes the relation is equal to about 1 mc (waste): 3 mc (necessary space). These ratios may in any case be increased by using the best available technologies. The delivery of non-hazardous waste from the delivery area to the storage area will be carried out by adequate identified container wagons.

The operative base must be situated in an area which is logically suitable for the service and shall consist of a building which might vary in size, but whose surface must be large enough to allow handling of wastes and equipment, in safety, when accessing and leaving the area.

For wastes consisting of food products to cater for the crew and the passengers and their residues unloaded from commercial means of transport, national or foreign, coming from non-EU Countries and which must be disposed off at an incinerator plant (or discharged after sterilization) it might be useful to provide a sterilization plant in the operative base, in case of a real necessity; a reserved area must be provided for the latter plant.

2.6.2 Technical features of the equipped areas for waste collection in medium sized ports

For the waste collection service in medium sized ports, one or more equipped areas must be made available, depending on the characteristics of the port; in fact, there might be the need to provide a distinct equipped area reserved for ships subject to notification, and fishing vessels and/or recreational crafts (for example, in the case a yacht marina is completely separate from the remaining part of the port).

The equipped areas must ensure the collection of the following hazardous as well as non hazardous wastes; among the hazardous wastes are:

- waste oils, with a maximum storage of 10 tons and a total of 100 tons per year (four containers);
- waste oil filters, absorbents, filter materials, wiping cloths and protective clothing contaminated by dangerous substances with a maximum storage of 5 tons and a total of 20 tons (one container);
- lead batteries, with a maximum storage of 10 tons and total of 100 tons.

The daily quantity of maximum storage which is usually equal to about 25 tons must be established for the area.

The hazardous wastes delivered to the equipped area will be stored in suitable tanks for hazardous liquid substances which must particularly have:

- vents for 10% of the residual capacity, which must be collected and sent to suitable demolition systems;
- anti-overflowing devices or overflow pipes;
- alarm and level indicators;
- suitable devices to carry out refilling, pouring and emptying operations in safe conditions;
- a basin with the same capacity of its container, in case one basin is used for more than one tank, the capacity is equal to at least 30% of the volume of the tank; in any case the capacity of the basin must not be inferior to the volume of the tank with a larger capacity plus 10%;
- mobile signs must be affixed to indicate the typology of stored wastes.

The equipped area might also have suitable containers for separate waste collection (organic, glass, tins, paper and cardboard, plastic etc.) and non-separate waste, providing a more frequent collection for organic waste.

The equipped area must satisfy the following requisites:

- it must be placed in a logically suitable area to permit users to handle wastes easily;
- it must have dimensions adequate for the manoeuvres made by the means;
- it must be marked off with grid panel mounted on a concrete base, 80 cm in height, so as to stop cleaning waters from reaching it; the bottom should be made of bitumen;
- basins will be placed within the area, in which tanks of adequate capacity will be placed according to the typology of wastes; the basins will be made of materials which are resistant to chemical and physical attacks and the upper part must be closed with a metallic grid;
- the area must be adequately covered and rain water must be suitably conveyed. The roofing of the area can be made of metallic laminated layers, with a flat surface which is larger than the floor so as to prevent rain water from entering.

Moreover, appropriate external signs will be affixed to indicate the facility. The regulations of the facilities must also be displayed containing: the modalities for waste delivery, the opening hours, the duties and the prohibitions of the deliverers, the enforceable sanctions, the particulars of the area manager, the modalities for signalling any inadequacies met by the users and the telephone number to be used in case of emergency.

In the case of a yacht marina managed by a contractor, the competent Authority of the port, in order to ensure the correct management the collected wastes, might ask the contractor to provide:

- a copy of the contract with the authorized contractor for the management of wastes deriving from recreational crafts;
- the descriptive contract drawn up for the organization of waste management;
- the annual statistics of waste collections subdivided according to typology.

2.6.3 Technical features of the “Island in the port”: the minimum equipment necessary in small sized ports

Small sized ports with insignificant naval traffic must at any case ensure the collection of hazardous wastes produced by ships at the docks and, in this case, the Island in the port might be the most suitable solution. In Italy, “Islands in ports” are roofed metallic structures (whose

characteristics are indicated in Annex 5) in which various containers for the collection of waste oils, waste lead batteries, waste oil filters and any oil tins, are placed.

2.7 Containers for waste collection distributed in port areas

The port wastes which are not delivered to the reception facility must be collected in the proper containers/skips distributed in the port area.

The placing of containers in the port area will take place upon considering:

- the categories of producers present in the port area;
- the categories of wastes which are usually delivered;
- the main typologies of separated waste collection which must be activated.

More than one skip can be placed in the same area depending on the service requested and the objective conditions of the place. Additional measures should be adopted for putrescible organic fractions consisting of residues deriving from public and private canteens, restaurants and commercial activities. The latter typology of waste must be delivered to the containers placed in lay-bys or other areas which are purposely indicated near canteens, restaurants and other places of collective use.

According to the hygiene – health law, the skips must be placed 5 metres away, horizontally, from the windows on the first floor or basements and the entrances of shops (bars, supermarkets, canteens, restaurants, etc.). The containers must be located in places where emptying, handling and cleaning of the latter can take place; the spaces close to the skips must be kept free from car parking spaces so that the waste contractor can carry out the necessary operations and the containers must not obstruct vehicle or pedestrian circulation.

The area occupied by containers must be marked off with adequate horizontal signs and, if necessary, protective anchorage or stoppers should be installed.

The containers must suitably protect waste from atmospheric agents or animals; the skips reserved for the collection of putrescible organic wastes must be equipped with a hermetic closure not only to prevent it from animal rummage but also to avoid the leakage of smelly exhalations or any liquids which might form.

The capacity of the skips will vary according to the type of waste collected, the port users who will benefit of them, taking into consideration the indices of production, the dimensions of street networks and the characteristics of the means which need to operate there. These containers must clearly indicate the typology of wastes that they can receive and the modality of delivery. The containers must be submitted to periodical maintenance, cleaning and disinfecting.

Finally, to ensure the cleanliness of common port areas, containers for wastes, exclusively reserved for wastes which are occasionally produced by the users of the above-mentioned areas, will be purposely placed; no other typology of waste can be collected in them.

2.8 The tasks of the contractors offering the service of collecting port wastes

In the Italian experience, the management of the various typologies of port wastes is entrusted to different contractors chosen through a public call for bids.

For **ship-generated wastes**, the authorized waste contractor must:

- 1) ensure that the collection, delivery, treatment and disposal take place in the best safety conditions and, nevertheless, must be in accordance with the terms and modalities provided

by the law in force; in particular, it is necessary to verify that the wastes are delivered to the proper facilities and which are suitable equipped;

- 2) see to the management of skips and the port reception facilities;
- 3) respect the laws in force, concerning wastes;
- 4) furnish documents about the deliveries to facilities by issuing a "Service Voucher" for the waste producers;
- 5) periodically communicate, to the competent Authorities of the port, the quantities of wastes collected, recovered and disposed as well as their origin and destination and other information which might be useful to evaluate the proceeding of the production;
- 6) distribute among the service users, informative material about the organization of waste collection service in port areas, together with a form with which inadequacies may be reported (Annex 6).

For **wastes generically produced in port areas**, the waste contractor must:

- 1) ensure that the collection, delivery, treatment and disposal is carried out in conformity with the law in force;
- 2) respect the administrative executions requested by the law;
- 3) periodically communicate to the competent Authorities of the port, the quantities of wastes collected, recovered and disposed as well as their origin and destination and other information which might be useful to evaluate the proceeding of the production;
- 4) prepare suitable informative campaigns for port users to reinforce waste separation, especially hazardous wastes.

The service for the collection of **wastes coming from the cleaning of common areas and sheets of water in ports** must be entrusted to another contractor who must:

- 1) clean and sweep the above-mentioned areas;
- 2) provide for the installation of proper signs with supplementary, fixed vertical panels;
- 3) guarantee periodical cleaning, grass removal and pruning of common green areas and eventually the removal and disposal of the waste produced;
- 4) supply other services upon request by the competent port Authority, which is to be evaluated from time to time, against payment, for example, in the case of "on-call" services when particular emergencies occur;
- 5) ensure the cleaning of sheet of waters in ports especially in the period of the year when the largest amount of floating wastes occurs (e.g. when the flows of goods and passengers in ports are high);
- 6) see to the separate collection of the waste from sheets of water according to the fractions which can be recycled;
- 7) periodically communicate to the competent Authorities of the port, the quantities of wastes collected, recovered and disposed as well as their origin and destination and other information which might be useful to evaluate the proceeding of the production;

2.8.1 Procedures to assign collection services

The Port Authority and/or the Maritime Authority are competent for ship-generated waste management and can discipline the sector with acts of regulation and organisation, by establishing the terms of contract with the enterprises providing the services as well as issuing apposite Decrees regulating the faculties, rights and duties of the users and the service providers.

As regards **ship-generated wastes and cargo residues**, the assigning of the waste collection services must be made via a public call for tenders in conformity with the national and communitarian legislation in force.

The following precautions must be taken during the selection procedure:

- maximum spreading of the Announcement for tenders, or their publishing on at least two national newspapers;
- a wide possibility of participation that is non-discriminatory at communitarian level;
- estimated identification of needs which the candidates must satisfy during the selection phase;
- candidate selection must be based on objective criteria, in accordance with the rules and the initially established requirements.

In order to define the necessary technical, economical and financial capacity of the participants, the principle of proportionality must be taken into account, avoiding the establishment of professional or financial requisites which might be disproportionate to the service required. The competing enterprise must be in possession of, and be able to demonstrate suitable documentation when participating in the call for tenders, as regards the means and the equipment necessary to carry out the services.

A minimum company's capital and an adequate turnover will be requested so as to ensure a suitable financial capacity. This will be calculated on the annual balance of the previous year or on the legal documents. A bank reference of solvency and guarantee, the amount of which will be established by the call for tenders, will also be requested.

To make sure that the candidates have qualified experience in the sector, necessary to provide the best service, a provision will be legally inserted limiting admittance only to those competitors who have carried out services identical to the ones which the contractor must provide during the subsequent three years and whose financial turnover within the previous three years, amounts to half of the total estimated for the service.

The adjudgement for the service will favour the "*most advantageous economical offer*" which must be evaluated upon specific parameters (e.g. decrease in charges with a call for tenders, the possession of quality certification ISO 9001, ISO 14001 or EMAS, the best technical-operative offer for the execution of the service, years of experience in similar service) giving points to each parameter in ratio according to its importance.

The contractors offering the service for the collection of **port wastes not generated by ships** will be chosen with the same procedures described above if the assigning of this service falls under the responsibility of the competent Authority in the port.

The chosen companies must in any case show that they are in possession of adequate means to carry out the services, such as crafts suitable for the collection of floating wastes, motor vehicles to sweep and disinfest the streets, motor vehicle to empty the skip in the streets, etc.

2.9 Outline of management costs and charging system

The evaluation and the planning of the necessary activities for the complete management of port wastes will be followed by the estimation, as accurate as possible, of management costs based on the items identified below. It is fundamental to adequately evaluate these amounts so that the fees, which are at the expense of the port users using the service of port waste collection, will be properly calculated. Such fees will be calculated also on the different typologies of boats

which normally call at the port. The plan must include details of how the fees were calculated and the related amounts.

2.9.1 Management costs

Given the procedures of organisation, any contractor providing one of the collection services for port wastes must have the following management costs:

1. COSTS FOR STRUCTURES AND EQUIPMENT:

- installation and maintenance of the port reception facilities (for the waste contractors collecting ship-generated wastes);
- purchase of containers in which port waste is collected;

2. DIRECT COSTS

- collection, treatment and disposal of port waste;
- logistics (fuel for motor vehicles, fuel for naval units used, water, etc.);
- staff engaged for the protection/custody of reception facilities and the issuing of delivery receipts to every user;
- operating staff using land/sea means;
- other operative costs for the accomplishment of the service (maintenance and repairs of means and containers, insurance for means, surveillance, etc.).

3. ADMINISTRATIVE COSTS

- fixed line and mobile telephony;
- general expenses;
- consultancy;
- administrative staff.

2.9.2 The charging system to be applied for the collection of ship-generated wastes and cargo residues

According to art. 8 of Directive 2000/59/EC the costs of the port reception facilities for **ship-generated wastes**, those of placement and those related to the treatment and the disposal of waste, shall be covered through the collection of a fee from the ships calling at the port; the competent Authority in the port shall determine the fee amount, taking into account:

- a) a *fixed amount*, irrespective of the actual use of the reception facilities, calculated such that it covers at least 35% of the investment costs and those relative to the treatment and the disposal of wastes. This fee may be incorporated in the port dues or a separate standard waste fee, or may be differentiated according to the category, type and size of the ship;
- b) an *amount correlated to the quantity and type of wastes* produced and actually delivered by the ship to the port reception facilities, calculated so as to cover the part of the costs which is not covered by the fee referred to in letter a).

In order to ensure that the fees are fair and transparent, the amounts of the fees and the basis on which they have been calculated are reported in Annex I of the Directive 2000/59/EC for the port users.

The fees may be reduced if the ship's environmental management, design, equipment and operation are such that the master of the ship can demonstrate that it produces reduced quantities of ship-generated waste.

Reductions and incentives may be offered, for example, to those boats which collect abandoned wastes in the sea or seabed, and those which have been incidentally collected while fishing.

The **fee** for the collection of **cargo residues** applies only for ships requesting this service. Reduced fees might be introduced if the ship's environmental management, the equipment and the operation are such to ensure the reduce production of these wastes. Likewise, a further fee reduction might be given, if upon the increase of commercial traffic an increase in requests to use the service is made.

Fees for fishing vessels and recreational crafts will consist of a fixed amount, which varies according to typology of ship, calculated on the basis of a standard quantity; if the vessel deliveries quantities which exceed the standard quantity or for special delivery requests, an extra charge will be applied to cover additional costs linked to the service supply. For recreational crafts in transit there a fee must be paid only if the service is onerously used.

2.9.3 Charging system for the collection of wastes generically produced in port areas and those deriving from the cleaning of common areas and sheets of water in ports

As regards **wastes generically produced in port areas** there should be suitable fees to be paid by the port users. The amount must be calculated according to the delivered waste using adequate measuring/weighing systems. If these systems are not available other appropriate calculation criteria must be adopted, for example based on the identification of fees per square metre of rateable surface, and diversified according to the category of the places.

As for **wastes deriving from the cleaning of common areas and sheets of water in ports** the management costs may be recovered, for example, through the royalty rents applied to contractors of the port areas.

2.10 Integrated informative system and initiatives for the protection of the marine environment

An "Informative Document" will be made available to the master of the ship, the service manager and other port users, by the competent Authority in the port, including:

- a) brief reference to fundamental importance of proper separation and delivery of ship-generated wastes;
- b) location of port reception facilities applicable to each berth with diagram and map;
- c) location of containers for the separate and mixed waste collection of port wastes;
- d) list of ship-generated waste normally dealt with;
- e) list of those managing the collection of port wastes;
- f) list of contact points, the operators and the services offered;
- g) description of procedures for delivery;
- h) description of fees and charging system;
- i) any facilitations given for "virtuous"¹⁷ behaviour;
- j) applicable sanctions;
- k) procedures for reporting alleged inadequacies.

¹⁷ This refers, for example to some Port or Maritime Authorities who apply discounts and incentives for those ships which delivery wastes abandoned at sea and collected while sailing, to specialized companies without charges at their expense.

As regards the **procedures for reporting alleged inadequacies** the masters of the ships using the port facilities and the collection services, will be provided with the "Form to report inadequacies" with which to report any inadequacies alleged (an example of the form is provided in Annex 6).

Furthermore, the Plan must include the procedures for on-going consultations with port users, waste contractors and other interested parties.

Finally, in the Plan, the competent Authority must also include the descriptions of the initiatives which will be undertaken **to provide information for port users** in order to reduce risks of sea pollution caused by waste discharges into the sea and to **promote the correct collection and delivery methods**¹⁸.

2.11 The individual/s in charge for the implementation of the Plan for the sustainable management of port wastes

It is necessary to identify one or more individuals, from within the competent Authority in the port, who will be in charge for the implementation of the Plan.

2.12 Amendments and updates

The Plan will be updated at least every three years and whenever there are any significant operative changes in the port management which affect the planning of waste collection. .

Chapter 3 – The implementation of an Environmental Management System in port areas

3.1 Introduction

The decision to implement an Environmental Management System (EMS) in an organization or a company normally derives from the request presented by the Management, not only to improve the environmental situation but also the image of the structure. This may assume significant importance within port areas in which various linked activities are undertaken (handling of goods and passengers but also industrial and logistic activities) strongly influenced by changes in the environmental, social and economic context of the port. When the market and the operators are guaranteed good management of the activities undertaken, not only in terms of service quality but also in terms of environmental protection, including respect for workers' safety and social values, the outcome is that of success and credibility which bring about an increment in competitiveness.

For the purpose of these Guidelines details will be given of the theme related to the application of an Environment Management System (EMS) in port areas, being a valid tool for continuous inspection and being efficient in terms of environmental services regarding wastes, energy, emissions and consumptions which inevitably benefit from an often significant reduction in expenses. However, it is common to have cases of companies which opt to obtain more than one qualification, in order to have a certification in safety and welfare fields beside the environmental one. This will allow them to meet the needs presented not only by clients and other interested subjects, but also by the public.

The adoption of an EMS can be recognized on an international or European scale by adhering to the ISO 14001 certification and/or the EMASL (Environmental Management Audit Scheme) registration, respectively; both standards have the general objective of guiding the organization towards a process of continuous improvement of the environment by adopting an appropriate management system which, among other things, ensures greater competitiveness.

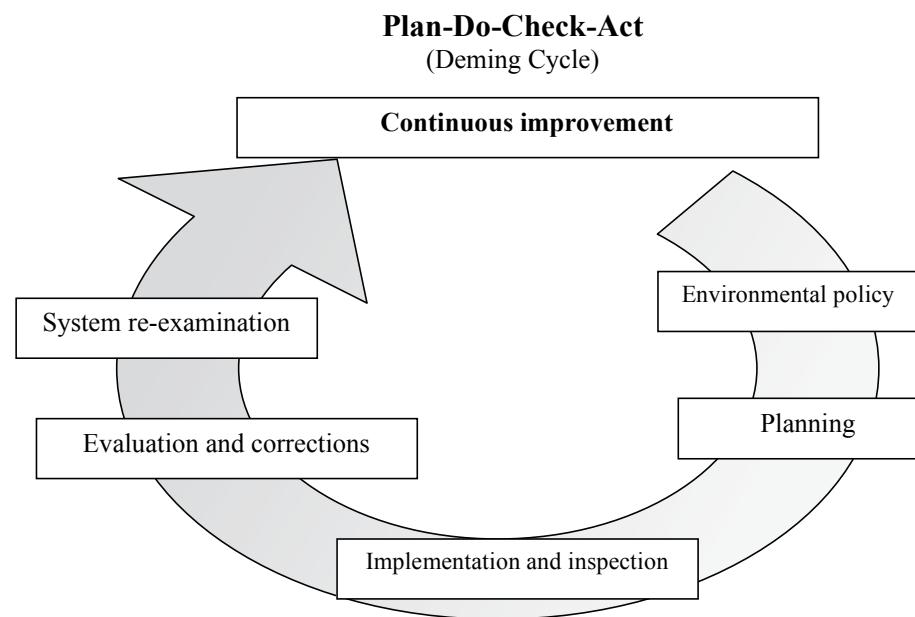
The European Union considers the ISO 14001 and the EMAS as being the main voluntary mean to contribute towards a sustainable development of the productive activities and services by giving organizations and economic operators direct responsibility.

Behind the environmental management pursued through such voluntary tools, there is the concept of "continuous improvement", that is, the capability of an organization to improve its environmental performance, learning by error through a consolidated mechanism, called "Deming cycle" which consists of the following four phases:

- PLAN;
- DO;
- CHECK;
- ACTION.

A simplified diagram showing the application of the Deming cycle follows.

¹⁸ The Marche Region, in collaboration with ARPAM and SVIM, has designed a database to facilitate data and information gathering related to the management of port wastes. The way the database was set up makes it a useful tool for the Harbour-Office, facilitating operations linked to the management of notification modules, as well as for waste contractors offering service in the port area.



As the European and international experiences show, adhesions to ISO 14001 certification and EMAS registration are usually initiated by the port Authorities, but nothing obstructs the other Maritime Authorities from following the same procedures.

3.2 “ISO 14001”¹⁹ Standard

The main purpose of the ISO 14001 standard is to allow the implementation of an environmental system which may be applied to any organisation which intends:

1. to establish, implement, maintain and improve an environmental management system;
2. to ensure conformity of actions with its own environmental policies;
3. to demonstrate its conformity to the provision through:
 - self-evaluation and self-declaration;
 - evaluation by clients;
 - evaluation by an individual external to the company;
 - certification by a third party.

The standard is divided into four Chapters (1.Purpose and application field, 2. Prescriptive references, 3. Terms and definitions, 4. Requisites of the environmental management) and three Annexes, the first one (Annex A) serves as a handbook and explains all the points of the provision

¹⁹ Information available on websites:
www.uni.com
www.iso.org

(General requisites, Environmental policy, Planning, Implementation and Operation, Inspection, Management Re-examination); Annex B describes the link between the ISO 14001:2004 and the ISO 9001:2000 and Appendix C enlists the bibliography of reference.

The ISO 14001 is recognized on an international scale and does not require the achievement of specific levels of performance, for example, particularly low levels of atmospheric emissions, since these limits were established by specific legally binding laws. Nevertheless, the organisation is asked to operate in full awareness of its position (at present as well as its planned position) with regards to the environment, to adopt an environmental policy, to continuously analyze its own performance, to define and implement improvements (if possible) and verify the efficiency of this process.

The ISO system has identified a National System for the Accrediting of Certifying and Inspection Organisms competent for the certification of:

- Organisms for the Certification of company management systems, including quality management systems, environmental management systems, management systems for safety and health in the workplace and others;
- Organisms for the Certification of products;
- Organisms for the Certification of personnel;
- Inspection organisms.

For this purpose SINCERT evaluates and certifies the above-mentioned operators, by assessing conformity with the institutional, organizational, technical and moral requisites established by the consensual technical laws.

On 15th November 2004 the previous ISO 14000:1996 standard was revised by the International Organisation for the ISO standardization and was subsequently approved by the European Committee of Standardization on a European level: at the end of this procedure the standard was called UNI EN ISO 14001.

In 2000, the Port Authority of Altamira (Mexico) was the first to attain the certification of environmental quality ISO 14001 for ports; subsequently, numerous ports around the world attained the ISO 14000/14001 certification, such as the port of Hudson (USA), Halifax (Canada), Brisbane (Australia), Walvis Bay and Luderitz (Namibia - Africa), Klaipeda (Lithuania) and Tallinn (Estonia).

In Europe, in 2003, the Port Authority of Valencia (Spain) within the Foundation and the European Project ECOPORTS was the first in Europe to adopt an environmental Policy in its port, establishing a valid point of reference for the other European ports sensitive to environmental issues; an example of a European port with the ISO 14001 certification is the port of Hamina in Finland, while the port of London is planning to attain this acknowledgement in 2006. In Italy some ports possess the ISO 14001 certification, such as the port of Genoa which attained the certification on 20 June 2005, while others have already started the documentation for the certification, among which Civitavecchia, La Spezia, Savona and Trieste.

3.3 “EMAS” Registration²⁰

The “Eco-Management and Audit Scheme” Regulation, known as EMAS is a standard enacted by the European Union and was originally created with the purpose of rendering environmental policy efforts of enterprises in the industrial sector more efficient, using a voluntary tool which, on one hand leads to long-term and sustainable development, while on the other hand binds to conformity with the related laws, but at the same time stimulates the development of suitable systems of environmental protection.

Subsequent to the establishment of the Regulation (EEC) no. 1836 of 29 June 1993, “*about the voluntary adhesion of enterprises in the industrial sector to a communitarian system of eco-management and auditing*”²¹ was the opening to Local Authorities of the Regulation (EC) of the European Parliament and the Council no. 761 of 19 March 2001, “*about the voluntary adhesion of organizations to a communitarian system of eco-management and auditing (EMAS)*”²²

The main characteristics of the EMAS Regulation are:

- the system is **voluntary**;
- it applies to the **organisations**, that is firms, companies, authorities or institutions in part or a combination of them, without public or private juridical characteristics, which have their own administration and functions;
- it has the objective of **continuous improvement** of the environmental performance of the organisations, in conformity with the laws;
- an **environmental declaration** must be drawn up and convalidated by an **certified inspector**.

When the Organisation demonstrates to possess all the preliminary necessities it will be registered in a Communitarian Register and the Registration will be acknowledged by all the present and future States of the European Union, according to mutual criteria.

According to the EMAS regulation each Member State must establish a competent organism and a certifying body of environmental inspectors. .

The only EMAS registration for a port in Europe was obtained by the Port Authority of Livorno, following the example of Valencia, and reaching the goal with a project, funded within the European programme “LIFE III”, called EMAS.PO.LI. (EMAS Port of Livorno).

3.4 The main difference between the EMAS regulation and the ISO 14001 standard

The differences between ISO 14001 and EMAS used to be many, but when the EMAS Regulation of 2001 came into force, ISO 12001 was incorporated in it and their basic requisites almost overlapped.

Moreover, this necessity for uniformity between the two standards has been confirmed with the adoption of the more recent Regulation (EC) of the Commission no.196 of 3 February 2006, “*which modifies annex 1 of the regulation (EC) no. 761/2001 of the European Parliament and the Council to take in account the European law EN ISO 14001:2004 and which abrogates the decision 97/265/EC*”²³. In the light of this it becomes more evident that the ISO 14001

certification might have a less difficult objective to reach, while at a later stage, after a “running-in” period, the EMAS registration will become the objective of excellence.

The EMAS registration has a role of “excellence” in environmental management, which was given to it mainly by the duty to undertake initial environmental analysis, which ensures more rigour it outlining the environmental context in which the organisation works, and with the environmental statement with which those who register take the responsibility to communicate to external individuals, the management methods used for environmental protection. Therefore, the EMAS is a better tool in terms of warranty and credibility, even if the costs are higher and more time is needed given the longer course that must be followed to attain the registration.

Table 3.1 – The main difference between the EMAS and ISO 14001

| EMAS REGULATION | ISO 14001 STANDARD |
|--|--|
| An initial environmental analysis must be carried out and an environmental statement must be prepared. | Even if not specifically requested, it is still a good practice to carry out an initial environmental analysis to establish objectives and plans; an environmental statement is not requested. |
| The organisation requires the convalidation of the environmental statement by an independent certified inspector. | The organisation must be inspected by a certifying body certified for the UNI EN ISO 14001 certification. |
| The certifying of an Inspector is given by the certifying body, that is the Eco-audit-Eco-label Committee; the learning course and the examination is held by APAT which works in collaboration with SINCERT for the common parts between EMAS and ISO 14001. | The certifying of the certifier is carried out by SINCERT. |
| Inspectors can be an organisation or an individual expert and can only work within the sectors in which they are accredited. | The certification Entity is an organisation which, if certified, responds to the UNI CEI EN 45012 law and works in the sector of competence. |
| Upon a positive outcome of the inspection carried out by the inspector, the productive site will be registered and inserted in a public roll and the Committee will give a “Certificate of Participation” in the EMAS to the organisation, which can be used for its own purposes. | Upon a positive outcome of the inspection carried out by the certifying body, the organisation will be certified and inserted in a public roll and the entity will issue the certification of conformity to the ISO 14001 standard which can be used for its own purposes. |
| The EMAS registration is acknowledged at a European level. | The ISO 14001 standard is acknowledged at an international level. |
| The inspector is a private subject, but is accredited by a public institution (the Committee). | The certifying body is a private subject, certified by a private subject (SINCERT). |
| Continuous improvement of environmental performance is expected. | Continuous improvement (at system level) of environmental performance is expected. |
| The enterprises adhere in order to relate with the external. | The enterprises adhere to satisfy market demands. |

²⁰ Information obtained from the website: www.emas-ecolabel.it

²¹ Published in the O.J.E.C of 10 July 1993, no. L.168.

²² Published in the O.J.E.C of 24 April 2001, no. L 114.

²³ Published in the O.J.E.C. of 4 February 2006, no. L 32.

3.5 Benefits from adopting an EMS in a port

In general, the certification of an Environmental Management System has many advantages, amongst which:

- better environmental performance in terms of rationalization and efficiency (recycling energy, reduction of wastes, noxious emissions in the atmosphere and the water discharges through recycling);
- the reduction of risks caused by the pollution and subsequent reduction of any probable sanctions due to breaching of legislative laws;
- the reduction of insurance costs linked to any environmental damages;
- better company management and work processes;
- better planning skills for internal resources;
- better market competitiveness;
- more credibility and an image improvement with respect to the social and non-social components of reference (clients, suppliers, the community, institutional world, etc.).

The experience gained by other ports which have already followed this route has shown that investing in an EMS cuts costs, reduces insurance premiums, increases accessibility to government incentives and certainly provides more awareness about environmental issues.

An organisation that adopted an EMS can immediately experience the utility of its time and resource investments. An EMS can make it easier to identify the origin of causes of potential environmental problems, providing the basis of a structured approach towards potential problems for port organisations: in fact, it is possible to have efficacious inspections and better management practices, by adequately adding them to the already existing work instructions.

According to a research involving all the ports, on an international scale, numerous ports have adopted an EMS and various benefits are obtained from this kind of certification.

Subsequent to the attainment of the ISO 14001 certification the port of Houston, for example, has obtained:

- a 25% reduction in the production of Nitrogen oxides (NOx) caused by cranes and from lorry areas;
- a 58% reduction of wastes (about 2.3 ton);
- the elimination of oil contaminated cloths to be disposed;
- a 20% reduction in insurance costs.

In particular, the reduction of insurance costs is certainly significant when an EMS is adopted, thanks to the larger number of documents produced and, above all, due to the possibility to demonstrate the applied operative inspections.

With reference to the experience of the port of Houston, especially upon the application of the phases of the Deming cycle, the following are obtained:

- an increase in operative inspection, therefore a decrease in accidents;
- better skills to deal with emergencies;
- a reduction in costs and increased productivity;
- management of the vulnerability concerning safety;
- improved public image and credibility;
- an increase in awareness and skills of workforce;
- better relation with the tenderers and stakeholders and inspection institutions;
- less risks and better access to loans.

3.6 The procedure to obtain the EMAS registration of a port

The EMAS regulation no. 761/2001 and subsequent modification and integration, in Annex I, established that the environmental management system is carried out in conformity with the requisites required by the ISO 14001 standard; therefore, to facilitate the process of registration it is possible to first adhere to the ISO 14001 standard and only subsequently to the EMAS. However, this procedure is not a limitation as it has been demonstrated by the port Authority of Livorno which managed to obtain the EMAS registration even without the pre-certification in ISO 14001.

The procedure for the attainment of the EMAS registration for a port, taking in consideration the experience gained from the EMASPOLI project consists of various phases:

- 1) implementation of an initial environmental Analysis;
- 2) implementation of a first internal environmental Audit;
- 3) establishment of a Forum of actors;
- 4) adoption of an environmental policy;
- 5) definition of an Environmental Management Programme;
- 6) drawing up of an Environmental Statement;
- 7) drawing up of a Programme for environmental improvement;
- 8) final implementation of the Environmental Management System.

Normally, for the implementation of an EMS it is absolutely necessary to establish a Management Committee which promotes the continuous and systematic monitoring of the planned activities.

3.6.1 Initial environmental analysis

The environmental analysis is the first step to be taken in order to obtain a synthetic, schematic and understandable vision of the environmental state according to the available knowledge. The analysis should include five key sectors:

- a) legislative, regulatory and other types of provisions to which the organisation conforms;
- b) identification of all the direct and indirect environmental aspects which have a significant environmental impact, qualified and quantified if necessary, and the filling in of a register for those identified as "important"; amongst the direct environmental aspects, that is, those under the organisational management control, are:
 - emissions in the air;
 - discharges in water;
 - limitations, recycling, reuse, delivery and disposal of solid wastes and other types, especially hazardous wastes;
 - use and contamination of land;
 - use of natural resources and other commodities (including energy);
 - local issues (noise, vibrations, smells, dust, visual impact, etc.);
 - transport issues (for goods, services and employees);
 - accidental environmental risks and impacts, or potential impacts, subsequent to accidents or potential emergency situations;
 - impact of biodiversity;
- c) description of the criteria on which the importance of environmental impact is to be based;
- d) examination of all the existing practices and management procedures regarding the environment;

- e) evaluation of knowledge acquired from the analysis of previous accidents.

For more details about the modality used for the identification of significant environmental impacts refer to Annex III of Recommendation no. 2001/680/EC of 7 September 2001²⁴.

The latter also includes the significant environmental aspects linked to the activity of port organisations; in case formative inadequacies are alleged, improvement activities should be carried out by suggesting some detailed cognitive actions.

Once the analysis is completed it will be possible to estimate the environmental performance and provide the first suggestions and evaluations to establish an environmental policy and a programme for improvement.

3.6.2 Internal environmental auditing

The internal audits guarantee that the activity of the port organization are carried out in accordance to the established procedures and are useful for the identification of any problems and ways of improvement. They can be undertaken by the personnel of the organisation, in any case independently from the activity which is to be inspected to ensure the impartiality of the evaluation, or by external subjects (employees of other organisation, employees from other departments of the same organisation or consultants).

The auditing includes interviews with the staff, inspection of the operative conditions and the facilities and the checking of registers, written procedures and other relevant documents, with the aim of evaluating the environmental performance of the activity being audited and to determine whether it is in conformity with the applicative law and regulations or the established objectives and targets and to verify whether the environmental management system in force is efficient and appropriate. Among other things, to determine the efficacy of the overall management system, sampling inspections should be carried out to check conformity with these criteria.

The auditing process must include the following steps:

- a) understanding the management systems;
- b) evaluation of the strengths and weaknesses of the management systems;
- c) collection of related evidence;
- d) evaluation of the audit results;
- e) preparation of the audit conclusions;
- f) report on the results and the conclusions of the audit.

At the end of every audit, the auditors will prepare a written report, using the appropriate form and contents, to guarantee the formal presentation of the results and conclusions which will be officially communicated to the management of the organisation. The auditing process is concluded with the preparation and the implementation of a plan for right corrective actions.

The auditing must be carried out at intervals not longer than three years, and in any case, its frequency might vary depending on the various factors pre-established in the Regulation.

3.6.3 Creation of a Forum of actors

The basic characteristic of the EMAS registration is the active involvement of the local stakeholders. The phase will allow the dissemination and the promotion of the environment auditing method also to be extended to other operators working in a port system. The necessary procedures to attain this objective involves a concertation table with the representatives of

²⁴ Published in the O.J.E.C of 17 September 2001, no. L 247.

the various categories of the activities working in the port and a consultation forum which involves all the operators, institutions and economic and social stakeholders (representatives of Communal, Provincial and Regional Governments – representatives of the Port Operators – Citizen Associations – Environmental Associations, etc.).

The expected results of this phase are the guiding and the awakening of awareness of institutions, enterprises and social actors towards sustainable development policies, which contribute to changes in behavioural models of port operators, with a participative spirit.

Once this initiative is completed, the common and shared priorities and objectives of the process for the improvement of environmental performance must be identified.

3.6.4 Environmental policies

The executive must define the environmental policy of a port organisation and ensure that:

- a) it is suitable for the type, size and environmental impacts of its activities, products and services;
- b) it includes continuous improvement and pollution prevention;
- c) it includes a commitment to conform to the relative environmental legislations and regulation and other requisites established by the organisation;
- d) it provides reference guidelines to establish and re-examine the environmental objectives;
- e) documents are provided, and that it is implemented and kept active and known to all personnel;
- f) it is available to the public.

3.6.5 Environmental management Programme

To achieve its objectives and goals, the port organisation must establish and have one or more plans, which must contain:

- a) an identification of a person responsible for the achievement of objectives and goals for every significant function and organizational level;
 - b) the time and the means with which they must be achieved.
- In order to render environmental management efficient, roles, responsibilities and authorities must be defined, documented and communicated. The organisation's executive management must nominate a suitable representative, or more than one, from the management, which independently from other functions, will have a clear role, responsibility and authority in order to:
- a) ensure that the requisites of the environmental management system are established, applied and maintained, in conformity with the EMAS standard;
 - b) refer the performance of the environmental management system and any improvements to the organisation's executive management at the end of the re-examination.

Procedures must be established and maintained active until the entire personnel, at different levels and functions, is awakened to:

- a) the importance of conformity to environmental policies, procedures and requisites of the environmental management system;
- b) the significant existing and potential environmental impacts, resulting from their activity and the benefits obtained from the improvement of individual performance;

- c) their roles and their responsibilities, to be in conformity with the environmental policy, the procedures and requisites of the environmental management system, including the preparation for emergencies and the capacity to react ;
- d) the potential operative consequences resulting from procedure deviations.

The personal with tasks that may have significant impacts on the environment must have obtained the necessary skills through adequate training and/or experience.

Furthermore, communication within the organisation as well as with the external will be fundamental to receive, document and meet the demand of the interested subjects.

All the procedures will be adequately documented on paper or electronic devices and easily identifiable.

The environmental management system will be submitted to periodical inspection to ensure continuous adequacy and efficacy.

3.6.6 Environmental statement

By means of the environmental statement, the public and other interested subjects are provided with information about the environmental impacts and performances of the organisation as well as the continuous improvement of the environmental performance.

Furthermore, it serves as a tool to answer all the questions which are of concern to the interested subjects and which are considered as being significant to the organization. The environmental information must be clearly and coherently presented and must not be deceptive. The minimum requisites for the dissemination of information are:

- a) a clear description of the port organisation with no ambiguities and a summary of its activities and its products and services, as well as any relations with other organisations;
- b) the environmental policy and a short explanation of its environmental management;
- c) a description of all the main environmental aspects, direct and indirect, which determine important impacts on the ecosystem;
- d) a description of the environmental objectives and targets as regards the significant environmental aspects and impacts;
- e) a summary of the data available regarding the organisation performance with respect to its environmental objectives and targets with regards to the most relevant environmental impacts. The summary may include statistics about, for example: emissions of pollutants, generated wastes, consumption of commodities, energy and water, noise emissions. The evaluation of the environmental performance trends in ports throughout the various years may be compared through the data;
- f) other factors concerning environmental performance, including law provisions;
- g) the name and the certification number of the environment inspector and the convalidation data.

The statement must be constantly updated and all modifications must be yearly convalidated by the environment inspector. This document must be available to the public and other interested subjects: Accessibility may be guaranteed through the use of all the available methods (electronic publications, libraries, etc.).

Other indications regarding the modalities of implementation for the environmental Statement are found in Annex I of the above-mentioned Recommendation no. 2001/680/EC.

3.6.7 Definition of the programme for the improvement of the environment

The programme for the improvement of the environment must be defined by identifying the specific objectives and realistic targets, and possibly measurable, aimed at improving environmental performance. In this phase the diffusion of the orientation towards continuous improvement is fundamental at every level of the organisation.

The actions to be undertaken for this purpose are:

- definition of roles and responsibilities of the structure;
- definition of time and resources necessary to achieve objectives and goals;
- definition of management procedures and the checking of environmental programmes;
- definition of the auditing programme;
- definition of a monitoring plan for environmental performance;
- definition of modalities and contents used to awaken personnel's awareness;
- the implementation of qualifying/quantifying analysis of costs and benefits resulting from the implemented actions.

The short term results and those expected upon the completion of this phase are the diffusion of awareness about the issues regarding environmental protection with the organisation, an improved image of the port and more accessibility to relations external to the organisation.

The application of the programme for the improvement of the environment will, in the long term, limit the environmental impacts of the activities managed by the port organisation and reduce the risks of accidents which have negative repercussions on the environment.

3.6.8 Implementation of the Environmental Management System

At the end of all the activities identified in the previous points the port organization will have actually implemented an Environmental Management System through:

- the validation of the external communication system, with particular reference to environmental information;
- the identification of the management modalities for corrective actions;
- the verification of used modalities for the updating and the implementation of the Environmental Policy and the Programme for the improvement of the environment;
- the voluntary and concrete involvement of typical actors in port activities in EMS.

At the end of this activity, among the significant initiatives there is the diffusion of EMS among the typical subjects of port activities, including facilitations in attaining permissions and authorizations.

3.7 The environmental indicators

The use of environmental performance indicators allows the clear and transparent communication of specific information, especially in the drawing up of an environmental Statement.

As indicated in Annex I of the Recommendation no. 2003/532/EC of 10 July 2003²⁵: “*the use of environmental indicators facilitates the description of the environmental performance since it consents the translation of unprocessed data into information which is easily comprehensible to the target public. The environmental indicators summarize a wide range of data regarding the environment with a reduced number of essential information packages. In this way the*

²⁵ Published in the O.J.E.C of 23 July 2003, no. L 184.

organizations can quantify and report data about environmental performance and manage their environmental aspects and impacts."

The periodical monitoring of such indicators will therefore consent to evaluate not only any improvements which have taken place, but also whether the objectives pre-established in the environmental policy have been effectively achieved.

Table 3.7.1 contains some of the main indicators which can be monitored in the port area. However, this list is only indicative since each port has particular features which necessitate other evaluation parameters.

Table 3.2 – Main environmental indicators for the evaluation of the environmental condition in port areas

| Environmental component | Typology of parameters to be evaluated |
|-------------------------|--|
| Air | <ul style="list-style-type: none"> ◎ Chemical analysis (<i>NOx – Nitrogen Oxides; CO – carbon monoxide; VOC – Volatile Organic Compounds; SO₂ – Sulphur Dioxide; CO₂ – Carbon Dioxide; O₃ – Ozone; CH₄ – Methane; N₂O – Nitrogen Oxide; CO₂ eq – equivalent to Carbon Dioxide; PM10 – Thin Dusts / atmospheric particles; IPA – Aromatic Polycyclic Hydrocarbons</i>) ◎ Index of Atmospheric Purity (IAP) |
| Noise | <ul style="list-style-type: none"> ◎ Level of Noise Pressure (LPS) |
| Marine waters | <ul style="list-style-type: none"> ◎ Trophic Index TRIX ◎ Epibacterial Marine Index (IME) ◎ Bacteriological Analysis (<i>coliform, faecal and total, and faecal streptococcus</i>) ◎ Monitoring of waters flowing from depuration plants of civil and industrial waters which flow into port areas (<i>temperature, pH, salinity, conductibility, redox potential, chlorophyll, turbidity, dissolved oxygen and microbe charge of enterococcus</i>) ◎ Analysis of the sediments of the port seabed (<i>granulometry, metals, total hydrocarbons, Aromatic Polycyclic Hydrocarbons hydrocarbons, organic-chlorinated substances and other substance, microbiology</i>) |
| Wastes | <ul style="list-style-type: none"> ◎ Quantification of different wastes coming from various port users |
| Energetic Consumption | <ul style="list-style-type: none"> ◎ Electrical consumption ◎ Fuel consumption |

For the correct use of indicators it is certainly necessary to predict the sources of pollution which must be verified and, subsequently, the typology of monitoring parameters and sampling locations.

In general, the monitoring of the mentioned indicators is expected by the law and, therefore, reference should be made to the law for any limitations; moreover, most of data requested might be already available at the local Authorities in charge of inspections.

Once the data is collected it is advisable to present it in graphs, for example histograms, and tables to show temporal trends and any breaching of limits set by the law.

Finally, for the quick reading of the collected data and the description of states and trends, explicit frequently used symbols can be utilized. A simple application of such symbols is described in table 3.7.2.

Table 3.3 – Use of symbols for state evaluation of the environmental components with respect to the pre-established objectives and trends of the available data.

| Symbols | Referring to fixed objectives of laws and programmes | Referring to temporal trends of data |
|---------|--|---|
| 😊 | The indicator shows that the objectives have been reasonably undertaken and even exceeded. | Favourable trend: data shows a clear decrease in pressures and impacts on the examined environmental component. |
| 😐 | The indicator shows that the objective has been reached but the conditions are not constant and, however, it does not represent excellence. In other cases it might indicate that even though the objective has been reached the environmental component being examined still presents strong risks of pollution. | Constant trend: data is constant over a time period and no significant decrease in pressures or impacts on the environmental component has been noticed. |
| 😢 | The indicator shows that the objectives have not been reached. | Unfavourable trends: data evaluation shows that pressures and impacts on the environmental component have increased. |

3.8 Other certification quality standards applicable to a port system

Adopting an environmental management system within the port area is certainly an element of excellence, but besides the respect for the environment and the mere quality certification of products and services, another particularly important theme for ports is health and safety at work and the respect of social values.

3.8.1 Certification of quality according to the ISO 9000 standard

The quality certification ISO 9000 is the most widespread and known international standard. To adhere to it, it is necessary to define a quality policy, organizational procedures and a suitable qualitative organisation, followed by reduction of costs.

The complex logistics chain in which ports are involved is strictly correlated to the numerous activities and services present on the territory and by adopting the ISO 9000 standard, relations with external clients as well as their own activities can be regulated. In this sector, choosing suppliers on the basis of the ISO 9000 certification may be a determining choice ensuring the quality of the service.

3.8.2 Certification for occupational safety and health according to the OHSAS 18001 standard

A specific law guideline, for Europe as well as for Italy, is available and states numerous necessary provisions to guarantee health and safety protection on the workplace in all the activity sectors,

especially by adopting measures with the objective to eliminate or, where not possible, reduce risks of accidents to a minimum. However, such laws do not take into consideration some of the aspects which are fundamental in the port context, such as the definition of a policy which considers health and safety of workers as an essential component of port activity, the processing of the data collected for statistics purpose to be subsequently used for preventive actions and processes of periodical self-evaluation to achieve continuous improvement. An organisation may decide whether to invest in safety just for the purpose of uniformity with law regulations or embark on a route that also consents the optimization of internal management.

The specific OHSAS 18001:1999 Standard (Occupational Health and Safety Assessment Series) is an international recognized tool and suitable to help Organizations to be in conformity with the law relevant to this theme. By investing in this certification a certificate is obtained, issued by an independent entity and with international visibility, which certifies that the organisation possesses a management system which better requisites than those required by the law related to occupational health and safety. It witnesses the solidity of the structure, giving it a significant added value, also and above all, for inspecting Entities, clients, insurance institutes, banks and last but not least the local community.

3.8.3 The certification of the social and ethical accountability according to the SA 8000 standard

The ethical SA 8000 Standard (Social Accountability 8000) is a means with which companies and consumers may be accurately informed about the code of conduct of the organisations whose products and/or services they use. The results of this standard show that the structure has adopted an accountable approach as regards social occupational issues, in a market where competitiveness often excludes ethical behaviour.

The SA 8000 aims at protecting the rights of workers through the adoption of verifiable parameters related to child labour, forced labour, health and safety conditions on the workplace, the freedom of Association and working hours.

In the port sector, guaranteeing social accountability positively influences the prestige and the image of ports, improving and strengthening the policies of communication also with the various beneficiaries of the services.

Considering the importance of such issues, the WAP project drew up the “Applicative guidelines of the SA 8000 standard in ports”, available on the project website²⁶.

3.8.4 Systems of integrated management

It is possible to face the issues associated with the different certification standards (quality, environment, safety, social responsibility) with a single approach since the basic principles of such management model are fundamentally the same, independent from the theme at issue.

The planning of the various activities and processes through the introduction of instructions, practices and procedures systematically defined, brings about various advantages, amongst which:

- the increase in the skill of identifying efficacious multi-sectorial solutions in response to various kinds of problems;
- greater elasticity in case of emergency and difficulties;

- professional growth of personnel and growth of company culture;
- improvement in the overall company performance and wider market prospects.

Therefore, these elements grouped together will allow organisations to be attuned with the continuous external solicitations.

²⁶ www.ambiente.regionemarche.it/sito/cra/WAP

Annex 1
List of possible ship-generated wastes
 (non-exhaustive list)

| Waste category | EWC Code | Code description |
|---|------------|---|
| Mixed municipal waste | 20 03 01 | mixed municipal waste |
| Sludges | 05 01 03* | tank bottom sludges |
| Paint | 08 01 11* | waste paint and varnish containing organic solvents or other dangerous substances |
| | 08 01 12 | waste paint and varnish other than those mentioned in 080111 |
| Solutions for photography (liquids for the development and printing of photographs) | 09 01 01* | water-based developer and activator solutions |
| | 09 01 03* | solvent-based developer solutions |
| | 09 01 05* | bleach solutions and bleach fixer solutions |
| Bilge oils and similar | 13 01 05* | non-chlorinated emulsions |
| | 13 01 11* | synthetic oils for hydraulic circuits |
| | 13 02 04 * | chlorinated engine, gear and lubricating waste oils |
| | 13 02 05 * | non-chlorinated engine, gear and lubricating waste oils |
| | 13 02 06 * | synthetic engine, gear and lubricating mineral oils |
| | 13 02 07 * | biodegradable engine, gear and lubricating oils |
| | 13 02 08 * | other engine, gear and lubricating waste oils |
| | 13 04 01 * | bilge oils from inland navigation |
| | 13 04 02 * | bilge oils from jetty sewers |
| | 13 04 03 * | bilge oils from other navigations |
| | 13 05 01 * | oil/water separator solid wastes |
| | 13 05 02 * | oil/water separator sludges |
| | 13 05 06 * | oils produced from oil/water separators |
| Solvents | 14 06 02 * | other halogenated solvents and solvent mixtures |
| | 14 06 03 * | other solvents and solvents mixtures |
| | 14 06 04 * | sludges and solid wastes containing halogenated solvents |

| | | |
|--|------------|---|
| Hazardous and non-hazardous packaging | 15 01 01 | paper and cardboard packaging |
| | 15 01 02 | plastic packaging |
| | 15 01 03 | wooden packaging |
| | 15 01 04 | metallic packaging |
| | 15 01 05 | composite packaging |
| | 15 01 06 | mixed packaging |
| | 15 01 07 | glass packaging |
| | 15 01 09 | textile packaging |
| | 15 01 10 * | packaging containing residues of or contaminated by hazardous substances |
| | 15 01 11 * | metallic packaging containing hazardous porous solid matrices (e.g. asbestos), including containers without pressure |
| Absorbents and filter materials | 15 02 02 * | absorbents, filter materials (including oil filters otherwise not specified) wiping cloths and protective clothing contaminated by dangerous substances |
| | 15 02 03 | absorbents, filter materials, wiping cloths and protective clothing other than those mentioned in 15 02 02 |
| Batteries and accumulators | 16 06 01 * | lead batteries |
| | 16 06 02 * | Ni-Cd batteries |
| | 16 06 03 * | mercury-containing batteries |
| | 16 06 04 | alkaline batteries (except 16 06 03) |
| | 16 06 06 * | electrolyte from batteries and accumulators, separate waste collection |
| | 20 01 33 * | mixed batteries and accumulators containing batteries or accumulators included in 16 06 01, 16 06 02 or 16 06 03 |
| | 20 01 34 | batteries and accumulators other than those mentioned in 20 01 33 |
| Wastes from health care (wastes from medical clinic) | 18 01 03 * | waste whose collection and disposal is subject to special requirements in view of the prevention of infection |
| | 18 01 08 * | cytotoxic and cytostatic medicines |
| | 18 01 09 | medicines other than those mentioned in 18 01 08 |
| | 20 01 31 * | cytotoxic and cytostatic medicines |

| | | |
|-------------------------------|------------|---|
| Wastes from combustion | 10 01 14 * | bottom ash, slag and dust from boilers produced from co-incineration, containing hazardous substances |
| | 19 01 06 * | aqueous liquid waste from gas treatment and other aqueous liquid waste |
| | 19 01 12 | bottom ash and slag other than those mentioned in 19 01 11 |
| | 19 01 14 | fly ash other than those mentioned in 19 01 13 |
| | 19 09 04 | spent activated carbon |
| | 20 01 25 | edible oil and fat |
| Edible oil (fried oil) | 20 01 01 | paper and cardboard |
| | 20 01 02 | glass |
| | 20 01 08 | organic kitchen waste |
| | 20 01 10 | clothes |
| | 20 01 11 | textiles |
| | 20 01 19 * | pesticides |
| | 20 01 21 * | fluorescent tubes and other mercury-containing waste |
| | 20 01 23 * | discarded equipment containing chlorofluorocarbons |
| | 20 01 35 * | discarded equipment other than those mentioned in 20 01 21 and 20 01 23 containing hazardous components |
| | 20 01 36 | discarded equipment other than that mentioned in 20 01 21, 20 01 23 and 20 01 35 |
| | 20 01 38 | wood other than that mentioned in 20 01 37 |
| | 20 01 39 | plastic |
| | 20 01 40 | metal |
| | 20 03 04 | septic tank sludge (sewage) |
| | 20 03 07 | bulky wastes |

**List of possible wastes generically produced in the port area
(non-exhaustive list)**

| EWC Code | Description of Code |
|--|--|
| <i>From waste separation</i> | |
| 15 01 01 | paper and cardboard packaging |
| 15 01 02 | plastic packaging |
| 15 01 03 | wood packaging |
| 15 01 04 | metallic packaging |
| 15 01 05 | composite packaging |
| 15 01 06 | mixed packaging |
| 15 01 07 | glass packaging |
| 15 01 09 | textile packaging |
| 15 02 03 | absorbents, filter materials, wiping cloths and protective clothing other than those mentioned in 150202 |
| 16 01 03 | end-of-life tyres |
| 20 01 01 | paper and cardboard |
| 20 01 02 | glass |
| 20 01 25 | edible oils and fat |
| 20 01 38 | wood other than that mentioned in 20 01 37 |
| 20 01 39 | plastic |
| 20 01 08 | organic kitchen waste |
| 20 01 40 | metal |
| 20 03 07 | bulky wastes |
| <i>From undifferentiated waste collection</i> | |
| 20 03 01 | Mixed municipal wastes |

**List of possible wastes coming from the cleaning of common areas
and sheets of water in ports
(non-exhaustive list)**

| EWC Code | Description of code |
|-----------------|---------------------------------------|
| 20 03 01 | mixed urban wastes |
| 20 03 03 | street cleaning residues |
| 20 01 39 | plastic |
| 20 01 38 | wood other than mentioned in 20 01 37 |
| 15 01 06 | mixed packaging |

Annex 2 **Facsimile of the notification module**

Declaration form containing information to be notified before entry into the port, as provided for by art. 6 of Directive no. 2000/59/EC and in conformity with Annex 2 of the latter Directive²⁷.

1. Name of ship, call sign and, where appropriate, IMO identification number of the ship:
2. Flag state.
3. Estimated time of arrival (ETA).
4. Estimated time of departure (ETD).
5. Previous port of call.
6. Next port of call.
7. Last port and date when the ship-generated waste was delivered.
8. Are you delivering all/ some/ none/(*) of your waste into the port reception facilities?
9. Type and amount of waste and residues to be delivered and/or remaining on board, and the percentage of maximum storage capacity.

If delivering all waste, complete second column as appropriate.

If delivering some or no waste, complete all columns

| Type | Waste to be delivered m ³ | Maximum dedicated storage capacity m ³ | Amount of waste retained on board m ³ | Port at which remaining waste will be delivered | Estimated amount of waste to be generated between notification and next port of call m ³ |
|---|---|--|---|---|--|
| Waste oils | | | | | |
| Sludges | | | | | |
| Bilge water | | | | | |
| Others (specify) | | | | | |
| Wastes | | | | | |
| Food wastes | | | | | |
| Plastic | | | | | |
| Other (specify) | | | | | |
| Cargo-associated waste (*) (specify) | | | | | |
| Cargo residues (1) (specify) | | | | | |

(*) Tick appropriate box

(1) May be estimates

²⁷ The Marche Region in collaboration with ARPAM and SVIM, has designed a database to facilitate data and information gathering related to the management of port wastes. The way the database was set up makes it a useful tool for the Harbour-Office, facilitating operations linked to the management of notification modules, as well as for waste contractors offering service in the port area.

Notes:

This information may be used for port State control and other inspection purposes.

This form is to be completed unless the ship is covered by an exemption in accordance with Article 9 of Directive 2000/59/EC.

I confirm the above details are accurate and correct and there is sufficient dedicated onboard capacity to store all waste generated between notification and the next port at which waste will be delivered.

Date.....

Time.....

Signature

Annex 3 Modality for port waste management

The tables below contain the details of the modalities to be adopted in the management of the following port wastes:

- 1) Wastes from shipboard living and working**
- 2) Wastes from food coming from Non-EU Countries**
- 3) Wastes from oils and oily residues**
- 4) Special hazardous and non-hazardous wastes**
- 5) Sewages**
- 6) Wastes generically produced in the port area**
- 7) Wastes from cleaning of common areas and sheets of water in ports**

1) Wastes from shipboard living and working

Table summarizing the EWC codes and the waste typologies included in this category (the list is not exhaustive)

| EWC Code | Waste description |
|----------|--|
| 200101 | Paper and cardboard |
| 200102 | Glass |
| 200108 | Organic kitchen and canteen waste not coming from non-EU countries |
| 200125 | Edible oil and fat |
| 200135* | Discarded electrical and electronic equipment, other than those mentioned in 200121 and 20123, containing hazardous components |
| 200136 | Discarded electrical and electronic equipment, other than those mentioned in 200121, 20123 and 200135 |
| 200139 | Plastic |
| 200140 | Metal |
| 200301 | Mixed municipal waste |
| 200307 | Bulky waste |
| 150101 | Paper and cardboard packaging |
| 150102 | Plastic packaging |
| 150103 | Wooden packaging |
| 150104 | Metallic packaging |
| 150105 | Composite packaging |
| 150106 | Mixed packaging |
| 150107 | Glass packaging |
| 150109 | Textile packaging |
| 190114 | Fly ash other than those mentioned in 190113 |

Physical state: solid/liquid

Hazardous features: Hazardous waste YES X (only for 200135*) NO X

Source of waste: ships

The correct modalities for separation, delivery, storage and recycling/disposal of the wastes included in this category are described below:

A) WASTE SEPARATION

Wastes from shipboard living and working must be subdivided on board the ship in advance and according to typology. It must be packed in bags with specific colours or with different coloured labels, which are watertight and hermetically sealed; these bags must be placed in suitable containers situated outside crew or passengers' quarters.

Organic kitchen or canteen wastes must be packed in bags within suitable containers and placed in the same place where the waste is produced: these bags must be collected within perfectly sealed containers, situated outside crew or passengers' quarters and must be frequently cleaned and disinfected.

In case of particularly bulky wastes the previously mentioned packaging can be disregarded.

B) MODALITY FOR WASTE DELIVERY

Waste might be collected upon the request of the interested unit or directly conveyed by the master of a fishing vessel or a recreational craft.

- **Ships at anchor *en route*:** the Company will send adequate nautical means to collect and deliver such wastes.

The crew and the Company/Companies must carry out the transferring of wastes onto the boats assigned for waste collection with the maximum permitted rapidity. Nevertheless maximum caution must be adopted to prevent accidental leakages into the sea/at the dock.

For this purpose, when the transferring is about to take place, the bags containing the waste must be gathered in a suitable area on board the ship, close to the unloading point.

The transferring of waste must be carried out according to specific port regulations and in favourable weather conditions.

- **Ships mooring at the dock:** the Company will send adequate means of transport.

The crew and the Company/Companies must carry out the transferring of wastes onto the boats/land transport assigned for waste collection with the maximum permitted rapidity. Nevertheless maximum caution must be adopted to prevent accidental leakages into the sea/at the dock.

For this purpose, when the transferring is about to take place, the bags containing the waste must be gathered in a suitable area on board the ship, close to the unloading point.

- **Fishing vessel/recreational crafts:** the master will directly convey the waste to rubbish skips/containers appropriate for recyclable-waste collection of municipal waste and/or similar and to suitable rubbish skips/containers for mixed waste.

C) STORAGE

Waste which will be recycled (plastic, glass, paper and cardboard, metals and organic waste) will be stored in a suitable area for stocking (operative base) if present or appropriate rubbish skips which will be later collected by the authorized recycling Companies.

Mixed wastes will be conveyed to a treatment/disposal centre on the same day.

In ports situated in urban contexts or in small ports, there might be suitable rubbish skips/containers for recyclable-waste collection of solid municipal waste and/or similar and suitable rubbish skips/containers for mixed waste, situated close to the berthing or in the port.

D) FINAL DESTINATION (authorized plants)

In recycling plants for recyclable-waste.

In treatment/disposal plants for mixed waste.

2) Wastes from food coming from Non-EU Countries

Table summarizing the EWC codes and the waste typologies included in this category

| EWC Code | Waste Description |
|----------|--|
| 200108 | Organic kitchen and canteen waste, the waste consists of organic products from the crew and passengers' provisioning on board commercial, national and foreign ships coming from Non-E.U. Countries. |

Physical state: **solid/liquid**

Hazardous features: hazardous waste YES NO

Source of waste: **ships**

The correct modalities for separation, delivery, storage and recycling/disposal of the wastes included in this category are described below:

A) WASTE SEPARATION

Organic waste from Non-EU countries must be packed in suitable hygienic containers within the premises where the waste is produced: these bags must be collected within perfectly sealed containers, situated outside crew or passengers' quarters and must be frequently cleaned and disinfected.

B) MODALITY FOR WASTE DELIVERY

Waste might be collected upon the request of the interested unit.

- **Ships at anchor en route:** the Company will send adequate nautical means to collect and transport such wastes.

The crew and the Company/Companies must carry out the transferring of wastes onto the boats/land transport assigned for waste collection with the maximum permitted rapidity. Nevertheless, maximum caution must be adopted to prevent accidental leakages into the sea/at the dock.

For this purpose, when the transferring is about to take place, the bags containing the waste must be gathered in a suitable area on board the ship, close to the unloading point.

The transferring of waste must be carried out according to specific port regulations and in favourable weather conditions.

- **Ships mooring at the dock:** the Company will send adequate means of transport (sea/land).

The crew and the Company/Companies must carry out the transferring of wastes onto the boats/land transport assigned for waste collection with the maximum permitted rapidity. Nevertheless, maximum caution must be adopted to prevent accidental leakages into the sea/at the dock.

For this purpose, when the transferring is about to take place, the bags containing the waste must be gathered in a suitable area on board the ship, close to the unloading point.

C) STORAGE

No storage expected. Once the waste contained in bags is collected, it is conveyed to the incinerator or sterilized in order to reduce the microbial charge.

D) FINAL DESTINATION (authorized plants)

Incinerator or landfill, once sterilized.

3) Waste from oils and oily residues

Table summarizing the EWC codes and the waste typologies included in this category (the list is not exhaustive)

| EWC Code | Waste Description |
|----------|--|
| 130204* | Waste from chlorinated engine, gear and lubricating mineral oils |
| 130205* | Waste from non-chlorinated engine, gear and lubricating mineral oils |
| 130206* | Waste from synthetic engine, gear and lubricating mineral oils |
| 130207* | Engine, gear and lubricating oils, easily biodegradable |
| 130208* | Other engine, gear and lubricating oils |
| 130401* | Bilge oils from inland navigation |
| 130402* | Bilge oils from jetty sewers |
| 130403* | Bilge oils from other navigation |
| 130502* | Oil/water separator sludges |
| 130506* | Oil/water separator oils |
| 160708* | Wastes containing oils |

Physical state: **liquid/sludge**

Hazardous features: hazardous waste YES NO

Source of waste: **ships**

The correct modalities for separation, delivery, storage and recycling/disposal of the wastes included in this category are described below:

A) WASTE SEPARATION

Wastes must be subdivided in categories on board the ship and should be placed in containers which are adequately resistant as regards chemical-physical properties and hazardous waste characteristics; these containers must be appropriately marked.

The containers for liquid hazardous wastes must have a closure system, accessories and devices which guarantee safety when being refilled, poured off or emptied; moreover, they must be equipped with an anti-overflowing device and a level indicator. These containers must have a capacity containment system equal to that of their tanks or in the case more than one tank is present in the same dock, the capacity must be equal to at least 30% of the total volume of the tanks and in any case not less than the volume of the tank with the largest capacity, plus 10%.

B) MODALITY FOR WASTE DELIVERY

Waste might be collected upon the request of the interested unit or directly conveyed to suitable containers situated in suitably equipped areas by the master of a fishing vessel or a recreational craft.

- **Ships at anchor en route:** the Company will send nautical means suitable for this typology of waste collection.

The liquids might be directly pumped from the side of the ship or from the means of transport provided by Waste Contractors; in the former case the Contractors will connect the hose/s to the outlet of the tanker, while in the latter case the operators will use a motor-pump with hose/s up and they will connect the outlet of the tanker to the connection of the ship.

Waste pouring off must be carried out according to specific port regulations and in favourable weather conditions.

- Ships mooring at the dock:** the Company will send an adequate lorry with tank, equipped with a basin set up to contain any category of hazardous waste.

The liquids might be directly pumped from the side of the ship or from the means of transport provided by the Waste Contractors; in the former case the Contractors will connect the hose/s to the outlet of the tanker, while in the latter case the operators will use a motor-pump with hose/s up and they will connect the outlet of the tanker to the connection of the ship.

- Fishing vessel/recreational crafts:** the master will directly convey the waste to suitable containers situated in equipped areas.

C) STORAGE (authorized plants)

The wastes will be stored in tanks above ground level in suitably equipped areas or stocking areas (operative base) if present according to the instructions provided by the provisions of this sector.

D) FINAL DESTINATION (authorized plants)

Recycling plants.

Disposal plants.

4) Special hazardous and non-hazardous wastes

Table summarizing the EWC codes and the waste typologies included in this category (the list is not exhaustive)

| EWC Code | Waste Description |
|----------|--|
| 150110* | Packaging containing residues of or contaminated by hazardous substances |
| 150111* | Metallic packaging containing hazardous solid porous materials (e.g. asbestos), including empty containers under pressure |
| 150202* | Absorbents, filter materials (including oil filters other than those mentioned) wiping cloths and protective clothing contaminated by hazardous substances |
| 160107* | Oil filters |
| 160114* | Antifreeze liquids containing hazardous substances |
| 160601* | Lead batteries |
| 160602* | Ni-Cd batteries |
| 160603* | Mercury-containing batteries |
| 160604 | Alkaline batteries (except 160603) |
| 160606* | Electrolyte from batteries and accumulators, to be recycled |
| 160709* | Wastes containing other hazardous substances |
| 130501* | Oil/water separator solids |
| 180103* | Waste whose collection and disposal is subject to special requirements in view of infection prevention |
| 180108* | Cytotoxic and cytostatic medicines |
| 180109 | Medicines other than those mentioned in 180108 |
| 200121* | Fluorescent tubes and other mercury-containing waste |

| | |
|---------|---|
| 200133* | Mixed batteries and accumulators containing batteries or accumulators included in 160601, 160602 e 160603 |
| 200134 | Batteries and accumulators other than those mentioned in 200133 |
| 070703* | Organic halogenated solvents, washing liquids and mother liquors |
| 090101* | Water-based developer and activator solutions |
| 090103* | Solvent-based developer solutions |

Physical state: **solid/liquid**

Hazardous features:

hazardous waste YES ;

NO for: alkaline batteries (except 160603), medicines other than those mentioned in 180108, batteries and accumulators other than those mentioned in 200127

Source of waste: **ships**

The correct modalities for separation, delivery, storage and recycling/disposal of the wastes included in this category are described below:

A) WASTE SEPARATION

Wastes must be subdivided according to typology on board the ship. They must be packed in suitable packaging and placed in suitable containers, clearly marked and labelled.

Hazardous wastes must be packed according to the law in force related to this matter and separated from any other typology of waste.

Hazardous medicinal waste with risks of infections must be packed with suitable rigid packaging and appropriately marked.

B) MODALITY FOR WASTE DELIVERY

Waste might be collected upon the request of the interested unit or directly conveyed to suitable containers in appropriately equipped areas by the master of a fishing vessel or a recreational craft.

- Ships at anchor en route:** the Company will send nautical means equipped with suitable large cases with specific basins for every typology of hazardous waste.

Waste pouring off must be carried out according to specific harbour regulations and in favourable weather conditions.

- Ships mooring at the dock:** the Company will send land transport means equipped with suitable large cases with specific basins for every typology of hazardous waste.

- Fishing vessel/recreational crafts:** the master will directly convey the waste to adequate containers situated in equipped areas.

C) STORAGE

Waste which will be recycled will be stored in a suitable area or in an area for stocking (operative base) if present, according to the instructions provided by the provision in force.

D) FINAL DESTINATION (authorized plants)

Recycling plants.

Treatment plants.

Incinerators or disposal plants.

5) Sewages

Table summarizing the EWC codes and the waste typologies included in this category

| EWC Code | Waste Description |
|----------|--------------------|
| 200304 | Septic tank sludge |

Physical state: **liquid/sludge**

Hazardous features: hazardous waste YES NO X

Source of waste: **ships**

The correct modalities for separation, delivery, storage and recycling/disposal of the wastes included in this category are described below:

A) WASTE SEPARATION

//

B) MODALITY FOR WASTE DELIVERY

Waste collection will be carried out upon the request put forward by any typology of ship, by means of a lorry with a tank wagon or adequate nautical means for ships at anchor en route. Liquids/sludges might be directly pumped from the side of the ship by connecting hose/s to the tank outlet or by the waste Contractors using a motor-pump with hose/s.

C) STORAGE

//

D) FINAL DESTINATION (authorized plants)

Purification plant.

6) Wastes generically produced in the port areas

Table summarizing the EWC codes and the waste typologies included in this category (the list is not exhaustive)

| EWC Code | Waste Description |
|---|--|
| from recyclable-waste collection | |
| 150101 | Paper and cardboard packaging |
| 150102 | Plastic packaging |
| 150103 | Wooden packaging |
| 150104 | Metallic packaging |
| 150105 | Composite packaging |
| 150106 | Mixed packaging |
| 150107 | Glass packaging |
| 150109 | Textile packaging |
| 150203 | Absorbents, filter materials, wiping cloths and protective clothing other than those mentioned in 150202 |
| 160103 | End-of-life tyres |
| 200101 | Paper and cardboard |
| 200102 | Glass |
| 200125 | Edible oil and fat |

| | |
|--------|---|
| 200138 | Wood |
| 200139 | Plastic |
| 200108 | Kitchen organic waste |
| 200140 | Metal |
| 200307 | Bulky waste from mixed waste collection |
| 200301 | Mixed municipal waste |

Physical state: **solid/liquid**

Hazardous features: hazardous waste YES NO X

Source of waste: **port areas**

The correct modalities for separation, delivery, storage and recycling/disposal of the wastes included in this category are described below:

A) WASTE SEPARATION

Wastes must be adequately separated by the waste producer, according to the municipal provisions in force.

B) MODALITY FOR WASTE DELIVERY

Separated wastes must be placed in skips/containers for the recyclable waste collection of municipal solid wastes and/or similar; mixed waste must be placed in the appropriate skips/containers.

C) STORAGE

//

D) FINAL DESTINATION (authorized plants)

Recycling or disposal plants.

7) Wastes from cleaning of common areas and sheets of water in ports

Table summarizing the EWC codes and the waste typologies included in this category (the list is not exhaustive)

| EWC Code | Waste Description |
|----------|--|
| 200301 | Mixed municipal waste |
| 200303 | Street cleaning residues |
| 200139 | Plastic |
| 200138 | Wood other than that mentioned in 200137 |
| 150106 | Mixed packaging |

Physical state: **solid**

Hazardous features: hazardous waste YES NO X

Source of waste: **from cleaning of common areas and sheets of water**

The correct modalities for separation, delivery, storage and recycling/disposal of the wastes included in this category are described below:

A) WASTE SEPARATION

//

B) MODALITY OF WASTE DELIVERY

Abandoned wastes, including those left in sheets of water, will be collected by the operator using appropriate means.

C) STORAGE

//

D) FINAL DESTINATION (authorized plants)

Recycling/disposal plants.

Annex 4
Facsimile of a “Service Voucher”

| WASTE PRODUCER | | | |
|------------------------------|--|-------------------------|--|
| Name of ship | | Flag | |
| Registry office | | Registration No. | |
| Call sign | | IMO Number | |
| ETA | | ETD | |
| Ship-owner | | | |
| Address | | | |
| Owner | | | |
| Address | | | |
| Type of waste | | | |
| Quantity | | | |
| Date/time of delivery | | | |

Signature of producer

Signature of manager

Annex 5

Technical features of the Island in the port

The Island in the port consists of a galvanized gazebo painted green and with a hexagonal base.

An iron grid which can be treaded is used for the flooring of its hexagonal laminated base.

The cavity between the base and the flooring consists of a basin to collect the waste oil quantities. Six poles are placed at the six edges of the base to hold the laminated roof. Moreover, the structure is enclosed with 6 panels of galvanized grid and painted all over, two of which can be opened.

In the island there are 4 light blue containers:

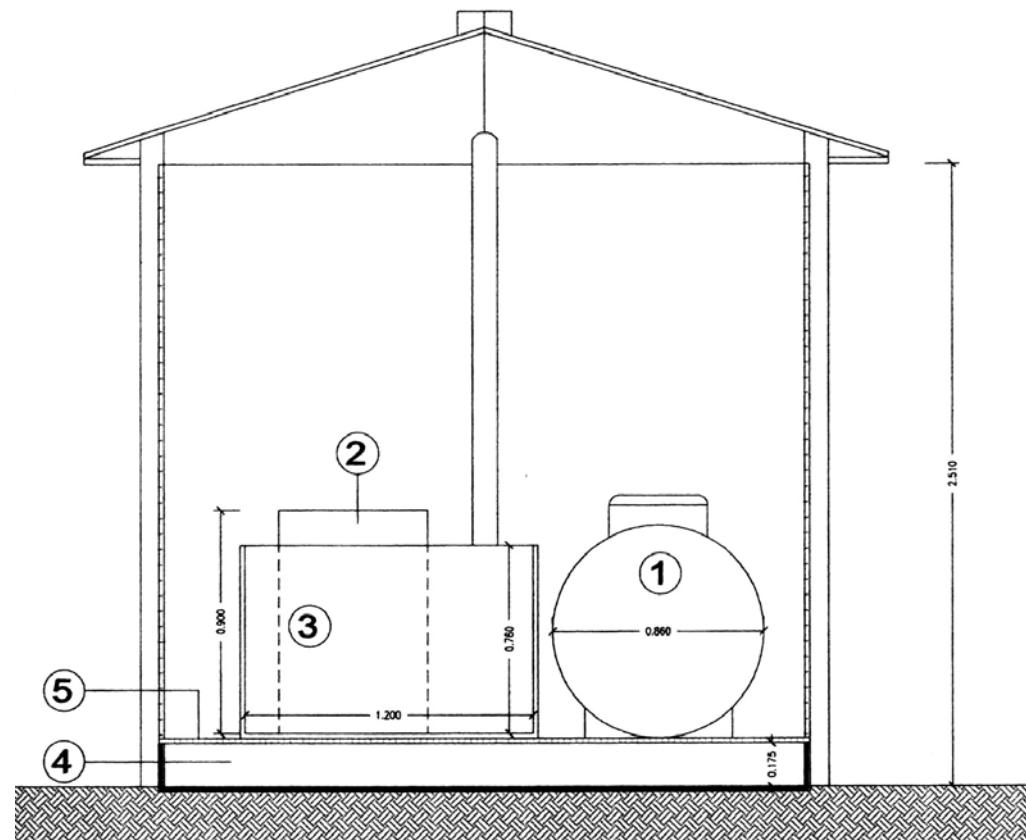
- 1 tank for the collection of waste oils;
- 1 PVC container for the collection of waste lead batteries;
- 1 barrel to collect waste oil filters;
- 1 barrel to collect oil tins.

The maximum overall dimensions are approx. 3 m x 3 m x h. 3.2 m and the estimated weight when empty is 850 kg.

The figure of the Island in the port is shown below.

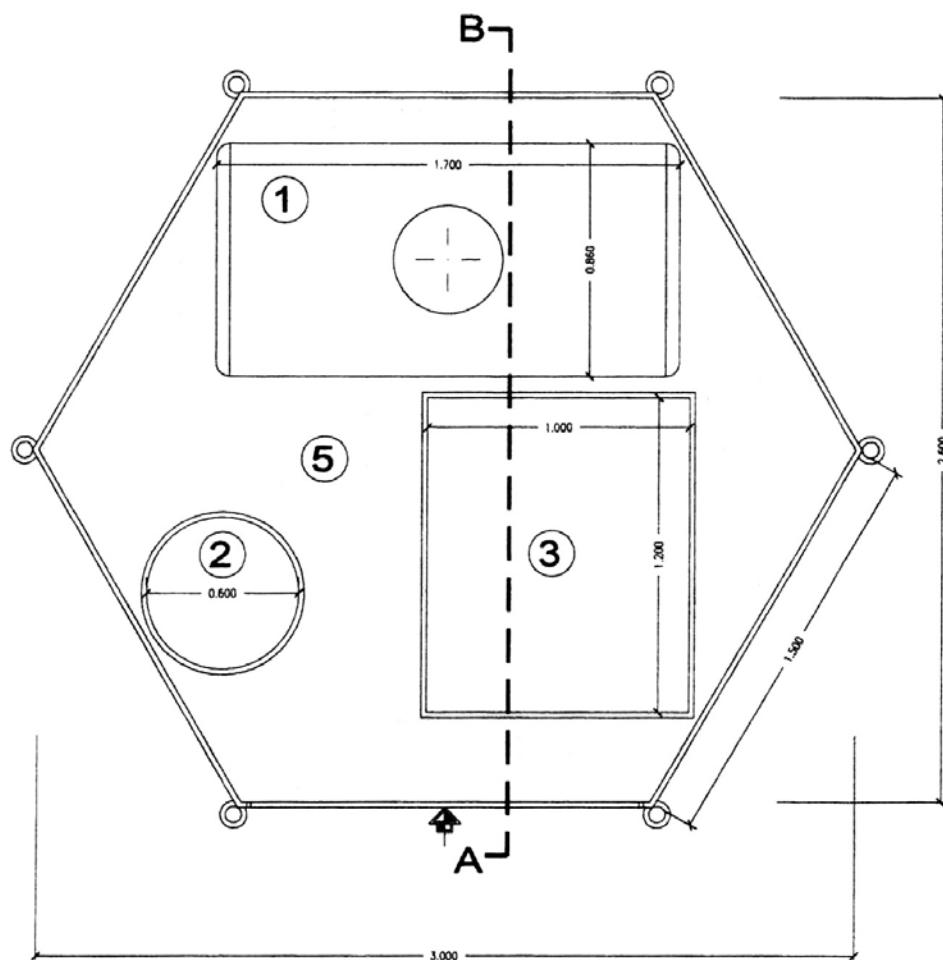
FIGURE OF THE ISLAND IN THE PORT

(vertical section)



| Ref. | Description | Dimensions | Capacity |
|------|-------------------------------|-------------------------------|----------|
| 1 | TANK FOR WASTE OILS | Diam. 86 cm – L= 170 cm | 0.987 mc |
| 2 | CONTAINER FOR FILTERS | Diam. 60 cm – H=90 cm | 0.255 mc |
| 3 | CONTAINER FOR WASTE BATTERIES | 100x120 cm H=76 cm | 0.912 mc |
| 4 | BASIN | Hexagon side 150 cm H=17,5 cm | 1.024 mc |
| 5 | GRID WHICH CAN BE TREADED | | |

FIGURE OF THE ISLAND IN THE PORT
(horizontal plant)



| Ref. | Description |
|------|------------------------------------|
| 1 | TANK FOR WASTE OILS |
| 2 | CONTAINERS FOR FILTERS |
| 3 | CONTAINERS FOR WASTE BATTERIES |
| 4 | BASIN (under the base of the grid) |
| 5 | GRID WHICH CAN BE TREADED |

Annex 6
Form to report alleged inadequacies of port facilities or waste delivery services

Declarant's particulars:

Name: _____

Surname: _____

Purpose of use of port reception facilities/services: _____

- The collection service of hazardous wastes is:

- EFFICIENT
 INEFFICIENT

reason: _____

- The collection service of non-hazardous wastes is:

- EFFICIENT
 INEFFICIENT

reason: _____

- The location of the reception facilities is:

- ADEQUATE
 INADEQUATE

reason: _____

- The number of reception facilities is:

- SUFFICIENT
 INSUFFICIENT

reason: _____

- The reception facilities is functional to the needs:

- YES NO

reason: _____

- The opening hours for deliveries to the reception facilities are:

- SUFFICIENT
 INSUFFICIENT

reason: _____

SIGNATURE

Annex 7
Glossary

THE COMPETENT AUTHORITY IN THE PORT

Port Authority, if established, and/or Maritime Authority.

PRELIMINARY STORE

Grouping of wastes carried out before collection, in the same place where the waste is produced.

WASTE MANAGEMENT

The separation, collection, delivery, recovery and disposal of wastes, including the supervision of these operations.

WASTE CONTRACTOR

Subject identified through a public call for tenders and entrusted with the collection and management of wastes of one or more port waste categories, eventually including the management of waste reception facilities.

RECREATIONAL CRAFTS

A ship of any type, regardless of the means of propulsion, intended for sports or leisure purposes.

PORt RECEPTION FACILITIES OF SHIP-GENERATED WASTES

Any type of fixed, floating or mobile facility within the port, capable of receiving ship-generated waste and cargo residues before they are sent for recycling or disposal. Port reception facilities including operative bases (for the collection of wastes from ships subject to notification) and equipped areas (for the collection of wastes from ships which are not subject to notification) and also the so-called “Islands in Ports”.

ISLAND IN THE PORT

An area equipped for the collection of hazardous port wastes; it consists of the minimum necessary equipment for small sized ports.

THE BEST AVAILABLE TECHNIQUES

The most efficient and advanced activity development phase and related methods indicating the practicality of certain construction techniques, which represent the basis of the emission limit values which can eliminate, or where not possible, reduce emissions and impacts on the overall environment.

SHIP

Any type of seagoing vessel, operating in marine environment, including hydrofoil boats, air-cushion vehicles, submersibles, floating crafts, as well as fishing vessels and recreational crafts.

FISHING VESSEL

Any type of ship equipped or used commercially for catching fish or other living resources of the sea;

PoRT

A place or geographical area made up of such improvement works and equipment as to permit the reception of ships, including fishing vessels and recreational crafts.

CARGO RESIDUES

The remnants of any cargo material on board in cargo holds or tanks which remain after unloading procedures and cleaning operations, including slop and ballast waters, in case of contact with cargo or its residues; such residues include loading-unloading excess and leakages.

WASTE

Any substance or object which is thrown away or must be thrown away according to the national provisions in force.

SHIP-GENERATED WASTE

Waste, including sewage and residues other than cargo residues and also bilge waters, and products on board the ship which fall under the application of annexes I, IV and V of the MARPOL 73/78, as well as wastes associated with the cargo in accordance with the guidelines defined at communitarian level to put annex V of MARPOL 73/78 into effect.

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Operational guidelines on SA 8000 social responsibility regulations in ports

Introduction

The herein report was developed by Consultek S.r.l., commissioned by SVIM S.p.a., within the WAP project – Waste Management in the Adriatic Ports. It is an operative tool for the application of the SA8000 standard in ports, taking into the account that until the present date no port in Italy has obtained this certification.

The main objectives pursued in drawing up these guidelines can be summarized as follows:

- providing basic information about the fundamental principles of the SA8000 standard;
- giving indications about the impact of the standard on the main port activities;
- defining the social actors of the “port” system;
- explaining the work phases for the development of a Social Accountability System in ports;
- providing an applicative example of an SA 8000 handbook for the organization of a hypothetical port.

The relevant laws regarding similar activities and the report drawn up by the Polytechnic University of the Marche, which provided updated data about the ports in the Marche Region, were taken into account when dealing with these issues.

Chapter 1 - The SA8000 Standard

1.1 Presentation of the standard

The SA8000 is the first standard social accountability standard for enterprises, which was diffused at an international level.

Adhesion to this standard is voluntary. It defines the minimum requisites that every Organisation must satisfy, in terms of human and social rights, to be in conformity with the standard.

Conformity to the requisites of the standard is made official through a certification issued by an independent third Body.

The development of this standard did not occur in the same way as for other technical certification (e.g. ISO 9001), that is, from parameters established by national experts in specialized sectors who have changed choices into common national or international laws through a long cycle which extends from Europe (EN) to the world (ISO).

SA 8000 started with CEPAA (Council of Economical Priorities Accreditation Agency), the issuing of CEP (Council of Economic priorities), an American institute founded in 1969 to provide investors and consumers with informative tools to analyze the social performance of companies.

The SA8000 was enacted for the first time in 1997, in New York, and later updated in 2001. The mission of the CEPAA is that of rendering organisations capable of being socially accountable, by involving the main stakeholders in the development of voluntary standards based on consent, certifying qualified organisations to verify conformity, promoting standard awareness and comprehension and encourage worldwide implementation. The body involves 21 members, representing unions, non-governmental organizations, associations for the protection of human rights and childhood, enterprises with socially accountable investments and certification companies. The certification standards and the related procedures have a global and a transnational perspective, but acknowledge the distinctiveness of local laws.

The validity of the SA 8000 standard is shown by the fact that two other important documents have common sources.

1) **the Global Compact**, the global pact proposed, in January 1999, by the President of the United Nations, Kofi Annan, to the world business system and the entrepreneurial and capitalist powers, consisting of nine points, two on human rights, four on management principles and three on the environment, expects commitment to:

1. Support and respect the protection of human rights;
2. Ensure that their own company does not become an accomplice in abusing human rights;
3. Support freedom of association and the right to collective bargaining;
4. Eliminate all forms of forced and obligatory labour;
5. Abolish child labour;
6. Eliminate discrimination in labour and employment;
7. Adopt a precautionary approach towards environmental challenges;
8. Undertake initiatives to promote greater environmental accountability;
9. Encourage the development and the diffusion of environment-friendly technology.

2) **The Bill of Human Duties**, promulgated by the ICHD (International Council of Human Duties), which sanctions abusive child labour and claims equal opportunities for men and women.

1.2 Application field and advantages

The SA8000 standard may be adopted by small and large Organisations, as well as entities from private and public sectors.

The main advantages from which Organisations may benefit by applying the standard are:

- decrease in employee turnover;
- the possibility to guarantee greater reliability and a strong stakeholder cohesion;
- transparency of organisational activities with an increase in internal and external visibility as regards ethical-social principles;
- better management of suppliers and subcontractors;
- facilitations to attain financing from the EU, the Region and the Province;
- increase in client satisfaction.
- protection against boycotting
- reduction of enterprise risks
- a contribution to create and maintain a high reputation capital
- the creation of a better atmosphere in the workplace, more security and more motivation
- contributes to a greater value for shareholders on markets where ethical rating is applied (e.g. Dow Jones Sustainability Indexes, Domini 400 Social Index, Ethical Index Euro, etc.)

1.3 The structure of the standard

The structure of the SA 8000 is that of:

- an *international standard* which measures the ethical level and the social accountability of a company
- a *management tool* to evaluate whether the minimum requisites regarding the human and social rights of their employees are being respected
- a set of rules voluntarily adopted by companies to ensure that their products and services respect employees

The standard is divided into paragraphs and each one of them defines a series of ethical criteria to respect human rights at work, specifically:

- child labour;
- forced labour;
- health and safety at work;
- freedom of association and the right to collective bargaining;
- discrimination;
- disciplinary procedures;
- working hours;
- compensation.

Moreover, there is another criteria which regards management (consents integration with other technical certification standards ISO 9001, 14001, etc).

In fact, the SA8000 expects that the Organisation implements an internal **management system** of Social Accountability for the continuous improvement of the organisation's performance as regards the above-mentioned ethical-social requisites.

1. CHILD LABOUR

The standard states that the Organisation:

- must not exploit or encourage child labour;
- must establish procedures to recover children found working and must provide adequate support for their schooling;
- must establish procedures to encourage schooling for children and young workers in the age of obligatory schooling. Above all, children and young workers must not be at work during school hours and, in any case, the daily amount of hours including school, work and transport must not be more than 10;
- must not expose child and young workers to dangerous or unsafe situations or that are harmful to health

2. FORCED LABOUR

Forced labour refers to all kinds of jobs carried out by a person under any type of threat or punishment or which is not carried out upon the voluntary decision of the latter.

Specifically, the SA8000 standard claims that the Organisation:

- must not exploit or encourage forced labour;
- must not ask personnel to leave deposits or identity documents upon hiring.

3. HEALTH AND SAFETY

The standard states that the Organisation:

- must ensure safe and healthy workplaces, by adopting the appropriate measures to prevent accidents and health risks, during working hours as well as in the aftermath its;
- must nominate a representative to Manage the health and safety of all the staff;
- must make sure that all staff, including new employees, are regularly trained and informed about health and safety issues;
- must establish a system to identify, avoid and face potential health and safety risks for the personnel;
- must guarantee clean lavatories, access to drinkable water and hygienic structure to store food;
- must guarantee that the dormitories, if provided for employees, are clean, safe and meet the essential needs.

4. THE FREEDOM OF ASSOCIATION AND THE RIGHT TO COLLECTIVE BARGAINING

The standard claims that the Organisation must:

- respect the personnel's right to adhere and form unions of their own choice and the right to collective bargaining;
- facilitate alternative means of company unions and collective bargaining, if these rights are restricted by law;
- guarantee that the union representatives are not discriminated against and can freely communicate with their associates at the workplace.

5. DISCRIMINATION

The standard claims that the organisation must not:

- discriminate against race, class, nationality, age, religion, gender, disability, sexual orientation, union membership or political orientation when employing, compensating, providing access to training, giving promotions and firing;
- interfere with the employees' right to embrace principles or practices linked with race, class, nationality, religion, disability, sexual orientation, union membership or political orientation;
- allow, at the workplace, behaviour which is sexually harassing, threatening, offensive or exploitative.

6. DISCIPLINARY PROCEDURES

The standard states that the Organisation must not use or support corporal punishment, mental or physical harassment or verbal abuse.

7. WORKING HOURS

The standard claims that the Organisation must respect the industrial laws and standard in force related to working hours and, if the national law is less restrictive than the SA8000, than it must conform to the following parameters:

- the working week should not be more than 48 hours of ordinary work with at least one day of rest;
- overtime work must not exceed 12 hours a week and must be voluntary and paid with an additional percentage compared with ordinary work;
- if the Organisation is part of a collective agreement, the request for overtime work must respect the agreement to meet the short term market demand.

8. COMPENSATION

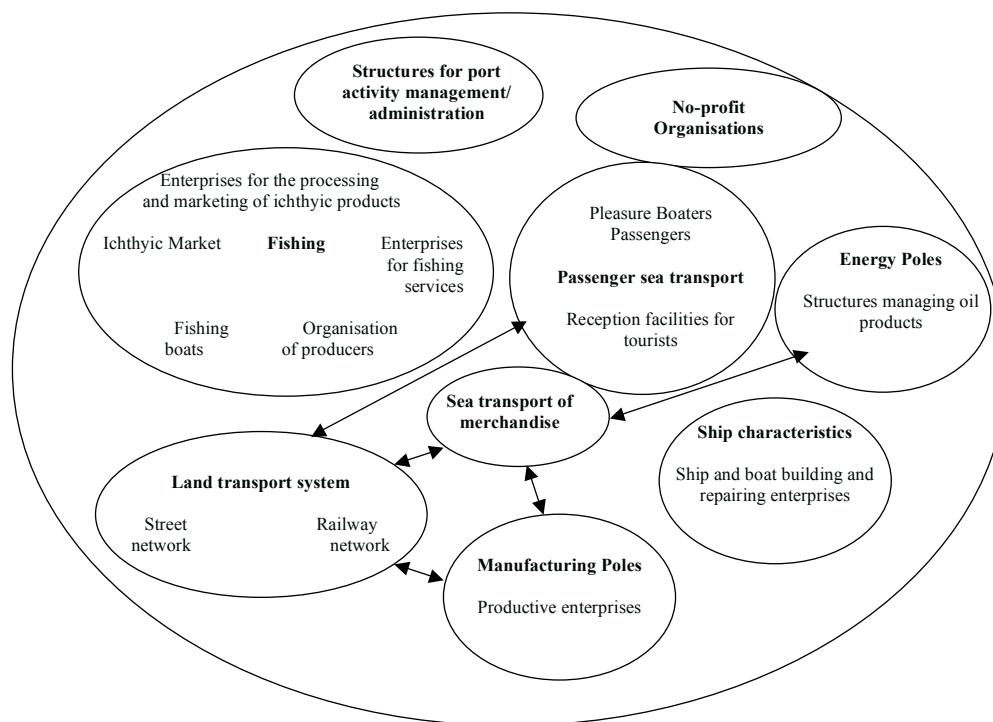
The Organisation must guarantee:

- a salary that is equal or higher than the legal minimum wage, which is enough to meet the essential needs and which allows a discreet earning for employees;
- that the deductions from the salary are not subject to disciplinary sanctions and that the pay slip is clear for all the workers;
- that the payment is given according to the law in force, and, in any case, in the most convenient manner for the workers (in cash, by cheque, etc.);
- that no contracts are drawn up which show an improper collaboration relation as regards the failure to fulfil the Organisation's duty to pay social security.

Chapter 2 - The “port” system

2.1 The structure of the “port”

Below is a diagram of how the port system functions and of the main activities that are carried out within it.



2.2 Classification of ports according to function

Different typologies of ports exist, depending on their specific or prevalent function. It is possible to distinguish the following:

- ◎ *commercial ports*: mainly used for operations linked to goods traffic and are situated close to important urban agglomerates and equipped with efficient links with the hinterland;
- ◎ *transit port*: assigned for ship refuelling and with low connection with the hinterland;
- ◎ *redistribution and sorting port*: where there is a concentration of goods handling, which will be re-exported by sea;

- ◎ *passenger port* (also called *velocity port*): often situated on a peninsula so as to shorten the slowest maritime route, and to favour the lengthening of the faster land route;
- ◎ *industrial port* equipped with a mooring dock which is directly linked to industrial buildings, so that commodities directly reach the storehouse and/or the place where they are used and vice versa, through a particular transport system (crane, conveyor belts, etc.);
- ◎ *yacht marina*: equipped for the reception of pleasure crafts and with numerous boat spaces which are easily accessible and services which are fundamental for tourism (haulage plant, refuelling and availability of provisions, garage for repairs, first aid unit etc.);
- ◎ *fishing port*: equipped with a dock with numerous boat spaces, easily accessible, as well as refrigerators for the preservation and the processing of fish.

2.3 The situation of ports in the Marche Region

2.3.1. The impact of each standard point on the port activities in the Marche Region

Explanatory table:

| | Child Labour | Forced Labour | Health and safety at work | Freedom of association and the right to collective bargaining | Discrimination | Disciplinary procedures | Working hours | Compensation | Management system |
|--|--------------|---------------|---------------------------|---|----------------|-------------------------|---------------|--------------|-------------------|
| Management/administrative structures for port activities | 😊 | 😊 | 😊 | 😊 | 😊 | 😊 | 😊 | 😊 | 😐 |
| Fishing activities | 😊 | 😐 | 😐 | 😐 | 😐 | 😐 | 😐 | 😐 | 😐 |
| Shipbuilding activities | 😊 | 😊 | 😐 | 😐 | 😐 | 😐 | 😐 | 😐 | 😐 |
| Loading and unloading (management) of merchandise | 😊 | 😐 | 😐 | 😐 | 😐 | 😐 | 😐 | 😐 | 😐 |
| Activities related to passenger sea transport | 😊 | 😊 | 😊 | 😐 | 😊 | 😊 | 😐 | 😊 | 😐 |

Key:

- 😊 Low impact
- 😐 Medium impact
- 😦 High impact

2.3.2. Issues about labour in the shipbuilding industry

| Issues | Port situation |
|---|--|
| Child Labour | Collected information demonstrates that this issue is not significantly evident. Moreover it should be highlighted that some problems might arise from the application of the c.d. Bolkestein law. |
| Forced Labour | The undertaken research shows no evidence of habits which can be traced back to this phenomenon also due to the difficulty of analyzing this issue: interpretative margins of the Bolkestein law and scarce management control of subcontracts. |
| Health and Safety | A critical feature regarding health and safety issues and which is correlated to this typology of work stands out: the strong presence of manual work, the use of potentially dangerous equipment puts this typology of work at high risk of injuries. The subjects involved in the analysis have registered that the precautionary tools expected by the law – even though absolutely valid – are not always adequately used. This problem is present, above all, in small companies involved in subcontracting work. Case of accidents, even serious ones, have been registered. |
| Freedom of Association and the Right to Collective Bargaining | As regards freedom of association no “forced limitations” which might obstruct this right. Nevertheless, trade unions are not uniformly present in companies. In the medium and large companies which have direct work, a strong union representation was noticed, sometimes exceeding even the 50%. Small companies or those in which the manager subcontracts, the level of “syndicalization” is more restricted and, in some cases, absent; this results in low workers’ protection. The presence of unions is strong and active especially in the port system of Ancona. |
| Discrimination | Generally speaking, also the shipbuilding department is concerned with the presence of foreign workers (mostly non-EU citizens) especially in the port of Ancona. Nevertheless, the outcome of the undertaken research has shown no elements which can provide useful information to evaluate the “weight” of this phenomenon. |
| Disciplinary procedures | As it has been mentioned before, it is complicated to check any disciplinary measures which have been applied. No consistent problems of this typology seems to subsist. |
| Working hours | Also in this case and, as regards the law and the collective labour agreement (for those who adhere) it is necessary to differentiate between big and small companies, as previously mentioned. Problems regarding this issue can be due to the interpretation of the “law” in the country of origin as provided for by the Bolkestein law. |
| Compensation | As regards the compensation aspect it must be pointed out that there is a national collective agreement (engineering). The main difficulties may arise from: <ul style="list-style-type: none"> • the interpretation and the application of the Bolkestein law; • adoption of the so-called “global pay” for an equivalent payment for all collaborators working in subcontracting companies. |

Source: Social-economic analysis of the port system, of the Polytechnic University of Marche.

2.3.3. Issues about labour in fishing activities

| Issues | Port situation |
|---|---|
| Child labour | From the collected data, this issue does not seem to be significant; the inspection carried out during the embarkation phase and the necessary authorizations, as well as the informative duties to which every boat is subjected, allow an efficacious control over the activities carried out “on board”. The law of reference is mainly the “Navigation Code” which provides binding instructions for the various typologies of water crafts and activities. |
| Forced labour | Every ship must constantly update the “embarkation roster”, a tool to check and control the undertaken activities; this document declares those who have embarked, even if for inspection purpose, for the minimum number of crew provided for in the “Navigation Code”. These considerations mainly concern the embarked staff; as regards those who remain on land the situation varies since there is less possibility to carry out inspections and also due to the lower risks presented by the type of activities implemented. |
| Health and safety | As regards issues correlated to health and safety, the situation is certainly critical, above all, in prevention. The strong presence of manual work, the use of potentially harmful equipment and the “sea” element put this type of work at a medium-high risk of injuries. Some of the difficulties are linked to small size of the businesses. In fact, the identified productive units in this sector are usually of limited sizes; in this case the subjects at issue not always have advanced safety skills; it mostly depends on the controlling body which very often is the same ship owner. With regards to this, a significant increase of training interventions on specific issues has been registered. |
| Freedom of Association and the right to Collective Bargaining | No “constrained limits” which obstruct the freedom of association have been registered. Nevertheless, the presence of trade unions is not very high. This aspect is mainly due to medium size of the companies, which is too small and therefore limited to “organisation representatives”. According to the estimation provided, the ratio of the number of workers and subscriptions to trade unions does not exceed 20-30% of the total; a greater presence has been registered in the port of Fano, which various from one trade union to another. |
| Discrimination | The outcome of the survey has not shown significant elements which provide information that is useful to define the situation of the section concerned with this aspect. However, the following reflections can be made: <ol style="list-style-type: none"> there is a high presence of foreign workers (especially non-E.U. citizens) especially in the port of Ancona and San Benedetto. It is difficult to verify any discriminatory activities which might occur during fishing activities. |
| Disciplinary Procedures | As regards this issue and as is has been previously registered, it is difficult to verify any disciplinary procedures implemented by the master during fishing activities. |

| | |
|----------------|---|
| Working Hours | The collective agreement established that the number of working hours per week is 40 (8 hours daily); nevertheless, it is impossible to carry out an efficient inspection due to the unpredictability of some elements (the catch and sea conditions). In the opinion of interviewees the number of working hours is actually much higher than the threshold. |
| Recompensation | <p>As regards the compensation aspect, it was noticed that there is a single national collective agreement (signed by CGL, CILS, UIL and Federpesca); nevertheless, in each port there are different habits and customs which marginally differ from one another. The contractual aspects (including recompensation) are respectively regulated by two different laws which identify two other modalities for the fulfilment of tasks in this sector: small fishing (L 250 13 March 1958, contracts similar to autonomous work contracts) 50, big fishing (L 413/1984, contracts similar to dependent work contracts). The latter type of contract is mostly present in the ports of San Benedetto del Tronto, Ancona and Fano.</p> <p>Given these laws and taking its uses into consideration, a typical recompensation can be identified as a fixed part (minimum wage, such as CCNL, subject to social security) and a variable part calculated on the catch (50% for the ship owner, 50% for the average crew) 51. According to the gathered information, the latter part is often "not in the pay slip" which results in tax evasion and is therefore impossible for the workers to check and verify their recompensation.</p> |

Source: Social-economic analysis of the port system, of the Polytechnic University of Marche.

Chapter 3 - Work phases for the development of an accountability system in ports

Before mentioning the work phases leading to the implementation of an SAS, it is necessary to define the field of application of the herein guidelines.

In the case of the certification of a port, it is undoubtedly fundamental for the structures to start applying the standard requisites regarding management and inspection of port activities, that is, Port Authorities and Harbour Offices.

With reference to principles of continuous improvement and "social" accountability of the suppliers, defined in the SA8000 standard, the use of the herein document and, at a later stage, the adoption of an SAS must also involve the other Organisations working in the port areas.

Below is the definition of all the steps necessary for the implementation of an SAS and its certification.

1st Phase: Mapping of stakeholders.

The first step towards the implementation of an SAS concerns the identification of the Organisation's stakeholders, internal and external to the port.

These might include:

- Structures involved in the management/administration of port activity (Harbour Offices, Port Authorities).
- Staff employed in fishing activities.
- Staff working in the shipbuilding industry.
- Staff involved in the loading and unloading (management) of goods.
- Staff employed in maritime passenger transport or related activities.
- No profit organisations.
- NGOs.
- Public authorities.
- Trade unions.

Therefore, meetings/interviews must be held with those stakeholders who have the greatest influence in the implementation of the SAS, so as to:

- define the context in which they will work;
- collect information and statistical data which can be used to identify any future critical conditions in the implementation of an SAS.

2nd Phase: Definition of the national and international standard regarding social accountability.

The second phase mainly involves the identification of all the laws, standards, regulations and contractual documents inherent to:

- *Child labour* (D.Lgs 345/99, D.Lgs 262/00, 94/33/EC, L. 25/05/00 n.148, ILO Convention no.138 and n.182, subsequent internal regulations)
- *Forced Labour* (ILO Conventions no.29 and no.105, subsequent internal regulations)
- *Health and Safety* (D.Lgs 626/94, D.Lgs 494/96, ILO Convention no.155, subsequent internal regulations)
- *Freedom of association and the right to collective bargaining* (Workers' Statute, CCNL, ILO Conventions no.87 no.135 no.98, subsequent internal regulations)
- *Discrimination* (Workers' Statute, ILO Conventions no.111 no.100 no.159 no.177, subsequent internal regulations)

- *Disciplinary procedures* (Civil Code, Workers' Statute, ILO Convention no.29, subsequent internal regulations)
- *Working hours* (Workers' Statute, CCNL, ILO Convention no.98, subsequent internal regulations)
- Compensation (CCNL, ILO Convention no.100, subsequent internal regulations)

3rd Phase: Verifying the level of the organisation's conformity and response to the coercive provisions identified during the previous phase.

During this phase the auditing of the entire organizational system will be carried out, so as to:

- ◎ define the initial state;
- ◎ identify any non-fulfilment of the requisites indicated in the laws identified in Phase 2a;
- ◎ see to identified gaps.

4th Phase: Planning and implementation of the Social Accountability Management System.

The most important aspects which should be taken into account in this phase are:

- a) Definition of social responsibility policy
The Management has the task of defining a social responsibility policy which includes the basic principles and values to which the Organisation intends to conform. Once these values are known, the Management has the task of awakening awareness and motivating the staff and to make their principles known to the external. The most frequently used tool that Organisations use to establish and make their own policy of social accountability is the "SA8000 Handbook" (ref. Annex "A").
- b) Appointing representatives.
The SA8000 standard claims that three distinct roles must be given:
 - *Health and safety representative*:
A figure appointed by the managerial staff (and representative of the managerial staff) responsible for the implementation of the requisites related to health and safety. This function may be covered (but not necessarily) by the same person who has been nominated as a representative of SA8000 for the managerial staff.
 - *SA8000 representative for the managerial staff*:
This is the figure from the managerial staff (and represents the managerial staff) which is responsible for the implementation of all the requisites and the SA8000 system. Such function can be covered (but not necessarily) by the same person who has been nominated as a representative for health and safety.
 - *SA8000 Representative for workers*:
This figure represents the workers and it cannot be any of the above-mentioned figures which represent the managerial staff. This figure is hold relations with the management and the managerial staff as regards all the issues regarding the SA8000 requisites and the workers. This figure can be covered by the same person who has the role as a representative of health and safety for workers and/or a trade union representative.
- c) Staff training about SA8000.
Awareness awakening programmes must be organised to diffuse the principles and the SA8000 policy and training must be carried out periodically, during work hours, for all the employees with long-term and short-term contracts. Some of the issues which might

be tackled in training courses are: health and safety at the workplace, SA8000 standard foundations, etc.

The Management must verify the efficacy of the given training through tests, or "hands on" checking to check that the worker is applying the learnt competence.

Moreover, the Management should put material regarding SA8000 at the avail of workers, adequate to the learning level of the staff including all the necessary (for example, written short essays, transparencies, newspaper articles, etc.).

- d) Procedure for the selection and the auditing of product/service suppliers.
Procedures for the selection and the qualification of goods/service suppliers must be carried out depending on their ability to satisfy the SA8000 requisites. In particular, each qualified supplier must submit its commitment to the Organisation, in written, conforming to all the requisites included in the SA8000 standard.
- e) Management of registrations.
The standard expects adequate documents for the gathering of registrations, which indeed are the evidence to the application of procedural rules. Workers' training, monitoring of suppliers, and the inadequacies alleged are may be examples of registrations, rather than the re-examination reports and write-ups about the internal inspection carried out.
- f) Management of difficulties (non-conformity) and corrective actions.
Procedures to deal with non-conformity must be defined. This is an intervention which aims at finding a solution for the registered problems and an implementation procedure for corrective actions which aim at solving problems at the root and prevent repetition.
- g) Re-examining the Management.
According to the standard, a periodical evaluation of the Social Accountability Management System must be carried out to ensure continuous adequacy and efficacy. The initial elements necessary for an re-examination must include: client/user feedback, the results of the previous inspective tests, process performance, type and amount of non-conformities alleged, state of the corrective actions, and actions resulting from previous Management re-examined which are to be followed. The outcome of the re-examination might involve, for example, the drawing up of an improvement plan, the necessity to provide new training courses for the personnel, etc.
- f) External communication of commitments and results.
Communication methods to pass data and information to stakeholders, regarding the SA8000 policy, objectives and performance, must be established. Some examples of external communication might be the Social budget, the Code of Conduct and the SA8000 Budget.

5th Phase: Measurement of the performance levels regarding social accountability.

Adequate performance indicators must be defined, to allow the monitoring of those processes/activities which have the greatest impact on social accountability. This activity is of fundamental importance in view of continuous improvement established by the SA8000 standard. Performance indicators might concern: amount of overtime carried out by the staff, newly employed staff, the age of the workers, injuries at the workplace, etc.

6th Phase: Final check-up.

At this point, the Social Accountability System must be subjected to an inspection to establish whether it is:

- ◎ in conformity with the expected plan and requisites of the SA8000 standard;
- ◎ efficiently implemented and updated.

This audit is carried out by the Organisation itself (in fact it is “an internal audit”).

7th Phase: Social Accountability System certification.

Once the SAS has been implemented and audited by the Organisation itself, its conformity (that is, its agreement with the requisites expressed by the SA8000 standard and the correct application of its rules and procedures) must be checked by a third certified Organisation. In case of a positive outcome, the certifying body will proceed to issue an SA8000 for the Organisation.

Annex 1
An example of the SA 8000 Handbook for port management

HANDBOOK OF THE ETHICAL MANAGEMENT SYSTEM

REF.
SA 8000 STANDARD

LOGO OF THE
ORGANISATION

INDEX FOR THE HANDBOOK

| Chap. | Contents Index | Rev. | Date | § SA8000 |
|--------------|---|-------------|-------------|-----------------|
| 0 | Information about the Organisation | 00 | | --- |
| 1 | Management's Responsibilities | 00 | | 9.1,9.2,9.3 |
| 2 | Resource Management | 00 | | 1,2,3,4,5,6,7,8 |
| 3 | Process Management | 00 | | 3,9.6,9.7 |
| 4 | Measurement, Correction and Improvement | 00 | | 9.9,9.10 |

English

CHAPTER 0
INFORMATION ABOUT THE ORGANISATION

| | | |
|------|-------------|--------------|
| Copy | Checked | Submitted to |
| | Not Checked | |

| Compilation (Ethical Man.) | Inspection (Ethical Man.) | Approval (Management) |
|-------------------------------|------------------------------|--------------------------|
| | | |

| Rev. | Date | Reason | Pg. |
|-------------|-------------|---------------|------------|
| 00 | | FIRST ISSUE | ALL |

0.1 PURPOSE AND FIELD OF APPLICATION

This Quality Handbook is the main reference document for the Management System of organisations as regards the Insurance and the management for an ethical organisation with respect to workers. The tasks and the responsibilities of the various areas of the Organisation as well as the information flow and the tools used to carry out the activity are defined in the Management Handbook, so as to make the operative and management criteria of the Organisation System, clear and unambiguous as far as the SA 8000 standard is concerned.

As regards the Management System, this Handbook is integrated with the Procedures which define the operative level of the necessary activities to manage and ensure the correct application of the ethical principles of social accountability at the basis of the ILO international Convention, the Universal Declaration of Human Rights and the UN Convention about children's rights as well as all the law in force regarding social accountability.

The System described in the Handbook is the "method" of work adopted by the Organisation, and the provisions which it contains apply to all the activities, the daily life of the organisation and the vertical as well as horizontal relations among workers (human resources of the organisation).

0.2 PRESENTATION OF THE ORGANISATION

REPORTING A BRIEF ORGANISATION DESCRIPTION

✓ Who we are

✓ History

✓ Supplied products/services

✓ Organizational Structure

0.3 ACCOUNTABILITY

0.3.1 Management

The management defines the organisation's policy, its internal organisation and responsibilities and provides full support to the SA 8000 manager to fully apply the provisions contained in this Handbook and in the Procedures.

0.3.2 Management system manager

The manager of the SA 8000 is in charge of the distribution of the Handbook and the Procedures, limited and unlimited copies, given to internal staff and externals of the organisations, such as Customers, Suppliers and any other interested auditing Body; furthermore, the manager has the responsibility of guaranteeing that the provisions defined in the Handbook and the Procedures are respected and implemented by all the staff of the Organisation, each one according to their position.

Note: The beneficiaries of the documentation at issue, internal to the organisation as well as external, are requested to maintain it accurately.

0.4 USE OF THE ETHICAL HANDBOOK

The Handbook is subdivided into 5 chapters including the herein N° 0 Chapter. The purpose of this chapter is to present the Organisation and to introduce the next chapters of the Handbook. The next chapters correspond to the points of the SA 8000 Standard.

The structure and the sequence of the Handbook and the remaining part of the documentation of the Management System are described in Chap.1 together with the management of documents and registrations, etc.).

0.5 THE LOCATION OF THE ORGANISATION

INSERT ADDRESS OF ORGANISATION

CHAPTER 1

MANAGEMENT RESPONSIBILITIES

| Rev. | Date | Reason | Pg. |
|------|------|--------|-----|
| 00 | | ISSUE | ALL |

1.1 PURPOSE AND FIELD OF APPLICATION

The purpose of this chapter is to describe the responsibilities of the Management within the Ethical Management System; specifically, responsibilities are explained within the definition of the policy, the definition of the organizational structure of the organization and the periodical re-examination of the Management System, so as to render it operative and efficacious.

1.2 REFERENCES

SA 8000 Standard, §§ 9.1, 9.2, 9.3, 9.4, 9.5, 9.11, 9.12, 9.13.

1.3 THE POLICY OF THE ORGANISATION

The Organisation has always given importance to the satisfaction of the stakeholders interested in the organisation amongst which the main role is covered by internal staff.

Therefore, the Organisation has felt the necessity to obtain a more complete and methodical tool to guarantee law keeping as regards services, Client/User satisfaction, the improvement of all workers and greater social accountability. As a consequence the Organisation has adopted a Management System based on the SA 8000 Standard as the best solution for its own needs.

The main objective of the Organization is:

The “social respect” towards all stakeholders, trying to obtain the maximum staff satisfaction according to the national and international laws in force, respecting all the applicable International Labour Organisation (ILO) conventions

The planned and implemented management system must:

- Make it possible for the organisation to obtain greater market shares which are to be satisfied with a type of service which is more and more detailed and personalized according to the clients' demands and based on motivated and satisfied staff.
- Make it possible to respect all the ethical principles and the social accountability with special reference to: Child Labour, health and safety, freedom of association and the right to collective bargaining, discrimination, discipline, working hours and compensation.

In order to reach such priority objectives the Organisation commits to promote, develop and support the following activities:

- ▶ the establishing of an internal organisation and getting equipped with inspection tools adequate for the development and the maintenance of Management System suitable to guarantee high social accountability through rules and work conditions for all Staff. This context includes the definition of the Organisation's maximum level of accountability, the SA 8000 ethical manager's position with the authority and the accountability which must be established, maintained and checked within the Management System;
- ▶ the involvement of all the staff at any level through continuous training interventions as regards aspects related to the organization, the type of service offered as well as rights and duties;
- ▶ the systematic analysis and management of claims put forward by stakeholders, through accurate registration and the subsequent identification of the identified corrective actions and the results obtained;
- ▶ the development of a system for the management of data regarding stakeholders, the processing of statistical data and the development of actions for the continuous improvement involving workers at any level;
- ▶ the initiating of an internal auditing programme to verify the long term fulfilment of the ethical rules and the social accountability;

The organisation will develop all the actions necessary to agree upon the policy with all the workers' representatives and subsequently diffuse it and share it with everyone, so as to become the basis for the organisation's development.

1.3.1 PRE-ESTABLISHED OBJECTIVES

Reaching full Clients' satisfaction through Quality-Ethical Insurance, so as to respect Clients' specifications and for the greater efficiency of the organisation, specifically:

- a. to create an organisation with precise standards and/or methodologies for the activities carried out;
- b. check and, therefore, continuously improve its own management system as regards greater social accountability and work conditions.
- c. work according to the laws, respecting the environment.
- d. encourage the insertion and the reinsertion of individuals from "weak sectors" according to principles of solidarity, common interests, internal democracy and attention given to the various forms of social exclusion which are the principles of Social Cooperation, issued and regulated by art.4 of Law 381/91.

1.3.2 COMMITMENTS

In order to reach the objectives mentioned in the previous point, the General Management commits itself to implement the following medium/long term initiatives.

For objective a.:

draw up suitable procedures and instructions with the criteria and the best methods to carry out the activities.

For objective b.:

certify the Management System of the Organisation through a certified body according to the international SA 8000 standard.

carryout continuous surveys as regards issues put forward by employees and other stakeholders.

For objective c.:

conform to all the laws in force which are applicable to the organisation, including the ILO conventions.

For objective d.:

insert individuals from the "weak sector" into the working world.

1.4 ETHICAL MANAGEMENT SYSTEM

1.4.1 ACCOUNTABILITY AND AUTHORITY

The internal organisation is defined in an organigram which shows the various structures and the interrelations between the various organizational functions.

All the specific tasks of the various functions in the organigram are inserted in the controlled document called "JOB DESCRIPTION".

INCLUDE THE ORGANIGRAM OF THE ORGANISATION

1.4.1.1 THE SA 8000 MANAGER

The SA 8000 Manager is the main individual in charge of the Registrations checking system, in particular:

- the development, identification, collection, cataloguing and archiving of Registrations inherent to the management system of which the latter is directly in charge;

- the supervision of the various organisational managers who manage the Registration directly;
- the management of the archive to have accessibility to documents and to persevere them for a definite period;
- to check that ethical principles and social accountability are being applied in the organisation.

1.4.1.2 SAFETY MANAGER

The Safety Manager is the figure appointed in accordance with the law in force, with the tasks provided for in the D.lgs 626/94 and subsequent modifications. The latter's appointment is formal and is communicated to all the staff.

1.4.1.3 ORGANIZATIONAL MANAGERS

- they are in charge of development, identification, collection, cataloguing and archiving of the Registrations of their own skills;
- they conform to the provisions of SA 8000 accountability to maintain the system of Registrations;
- they check that ethical principles and social accountability are being applied in the operative shipyards.

1.4.2 ORGANISATION REPRESENTATIVES

1.4.2.1 MANAGEMENT REPRESENTATIVE for the SA 8000

The Management has appointed its own representative as a Manager of the SA 8000 Management System: the person is identified by a circular, given to all the Organisational Functions. This figure, independent from all the other operative functions, has the specific power and responsibility to initiate the Management System and to ensure that what has been established in this Handbook and, therefore, in the SA 8000 law is set up, applied, checked and kept active.

1.4.2.2 SA 8000 WORKERS' REPRESENTATIVE

The Management has given workers the possibility to choose and appoint their own representative to facilitate relations with the management as regards issues linked with the requisites of the SA 8000 standard, ethical principals and social accountability in relations among organizations and workers.

1.4.3 COMMUNICATION MANAGEMENT

1.4.3.1 INTERNAL COMMUNICATION

In order to allow the continuous management of information to be communicated to all the managers, the Management has established a Managerial Committee which in its periodical meetings analyzes and discuss organisational issues, defining the objectives and the tasks of every position. Communication within organisations is managed through the use of organisational notice boards to be used by any position, through internal circulars and common discussions organised upon the request of the MC with the participation of all the workmen.

As regards the Ethics of the organisation, a communication channel is opened such that employees can inform the management directly with any type of ethical issue that arises during work within the organisation e in the operative shipyards.

1.4.3.2 EXTERNAL COMMUNICATION

Communication can be towards the external and vice versa.

- ◎ *Claims and recommendations from the external, whether public or private Entities, are treated and dealt with as inadequacies (Chapter 4). This includes, above all, communications linked to social accountability behaviour and ethical principles.*
- ◎ Moreover, the organisation commits itself to communicate the policy and the objectives for improvement to the external through various types of initiatives.

1.4.4 MANAGEMENT OF DOCUMENTATION AND REGISTRATIONS

The entire management system is documented and subdivided as follows:

- Management System Handbook:

The Handbook is a reference document for the Management System. The Handbook is subdivided in Chapters, which include all the law requisites, except for Chap.0 which contains a description of the Organisation. The Chapters of the Handbook report the developed Procedures to satisfy all the prescriptive and legal requisites at an operative level.

- Procedures:

The managerial procedures are prescriptive documents which define the way to conduct organizational activities, in a planned and systematic manner, in conformity with the prescriptions of the SA 8000 Standard and the Handbook.

The Procedures always define the purpose and the field of application, the responsibilities, the criteria, the methods, the documents, the instruments which should be used and the indicators; furthermore, they report the Registrations which must be provided as evidence to the development of activities and their outcome.

- Operative Instructions:

Synthetic documents, which are easy to interpret, targeted towards the Operative staff as assistance for the activities being carried out. These documents are used within the Organisation to define product characteristics and any connected services; they could be internal (schemes, itemized lists) and external (laws, directives, technical rules).

- Registrations:

These are usually documents, but they could also be presented as a database, which demonstrates that activities are being carried out and in conformity with the requisites of the SA 8000 law.

1.4.4.1 IDENTIFICATION

All the documents of the System include a series of codes which consent an immediate and unambiguous identification; if the document is external (e.g. standards, laws, ILO conventions, Clients' scheme) the external identification codes will be retained, while in the case of an internal document then the code is given by the Ethical Manager. Besides an identification code each document of the System has a revision number and revision date; the number and the revision date given to every document by the Ethical Manager makes it possible to check every instant of the "State of Update" of the document. The state of update of all the documents being used by the Organisation is ensured through the "Index of documents in use", managed by the Ethical Manager.

1.4.4.2 DOCUMENTS DEVELOPMENT/FORMULATION

Some "models" have been defined for the various typologies of documents in order to obtain uniform settings, references, graphics and usability.

1.4.4.3 THE APPROVAL PROCEDURE FOR THE ISSUING OF DOCUMENTS AND DATA

An accountability matrix has been established to process, check/approve and issue the System documents which, according to the type of document, states the position in charge of processing it, approve it, issue it etc..

1.4.4.4 DISTRIBUTION OF DOCUMENTS

The distribution can be in the form of a controlled or an uncontrolled copy so as to make updated documents avail to users. The distribution of uncontrolled copies of the documents is for promotion and awareness purposes. The Ethical Manager registers the distributed documents, the updating of these documents and the targets.

1.4.4.5 DOCUMENT MODIFICATION

The outdated documents of the System are revised. The revision of a document involves a series of activities:

- the updating of the revision number and date of the document;
- the reporting (where possible) of the reason for revision;
- the new procedure for the approval of the document for its issuing and use;
- the withdrawal of the old document and the substitution with the new one in all the centres using it;
- the destruction of the old document;
- the updating of distribution lists and the indexes of the documents in use.

All modification shall be made by the same functions who have drawn up the document.

1.4.4.6 KEEPING DOCUMENTS AND DATA

The staff is responsible for the correct preservation and usage of the documents and data given to them. The Ethical Manager is responsible for the preservation and the correct use of the updated documents (original or copies of the originals).

1.4.4.7 REGISTRATION MANAGEMENT

In order to demonstrate the application and the conformity with the SA 8000, the organisation is equipped with an up-to-date checking system for Registrations. The adopted system includes precise criteria for the identification, the collection, the cataloguing, the archiving, the conversation, the access and the withdrawal (when outdated) of the Registrations. The Organisation provides pre-printed forms (for the documents) and suitable grids (for electronic data) to facilitate the fill in, the collection and cataloguing of the various documents.

1.4.4.8 MANAGEMENT OF EXTERAL DOCUMENTS

The organisation deals with external documents such as standards, laws, etc. The management of these documents, that is, the archiving and the preservation, is the task of the area manager. The latter is the only authorized person to retrieve and consult documents, while all the other functions interested in the documents must be authorized by the manager for consultation.

These documents must be kept until revised.

1.4.5 RE-EXAMINATION BY THE MANAGEMENT

The Management considers the periodical re-examination of the Management System as an essential activity for the evaluation, correction and improvement of their Organisational System, in order to guarantee, in the long-term:

- full correspondence and conformity with the SA 8000 standard,
- the suitability, appropriateness and continuous efficacy of the organisation's policy and procedures

- continuous increase in the involvement of staff as regards ethical principles and social accountability
- improvement in the results of performance as regards social accountability

The Management provides the re-examination of the System at least once a year. The re-examination of the System is based on the analysis of the report on the situation of the system as reported by the Ethical Manager, the management of claims, the non-conformity, the reports of the Internal Auditing, reports about the corrective actions and the managed Budgets and the detailed programmes to pursue the new objectives established by the Management. If the revision of the System highlights the necessity to modify/revise the documents of the System, they shall be implemented and managed in conformity with § 4.5 of this chapter.

CHAPTER 2

RESOURCE MANAGEMENT

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2.1 PURPOSE AND APPLICATION FIELD

The purpose of the following chapter is that of defining the procedures for the management of organizational resources, whether they are: human or environmental, in order to ensure the development and the implementation of the management system of the organisation with all its processes in pursuing workers' satisfaction and continuous improvement and the involvement as regards ethical and social accountability themes. The regulations in the following chapter shall be applied by the Organisation, in accordance with the SA 8000.

2.2 REFERENCES

SA 8000 Standard §§ 1, 2, 3, 4, 5, 6, 7, 8.

2.3 RESOURCE MANAGEMENT

When necessary, the organisation identifies and meets the need for resources by providing adequate ones, including the assigning of qualified staff for work management, exaction and inspection, including internal auditing. With its management the Organisation pursues ethical principals and the social accountability provided for in the national and international law in force, in full conformity with the requisites of the SA 8000 standard.

2.3.1 HUMAN RESOURCES

2.3.1.1 MANAGEMENT OF WORK RELATIONS

The organisation pays particular attention to work relations with all human resources and at any time, that is: as from the beginning of the relation (hiring), while working, up to resolution. The following is carried out to ensure a correct and monitorable management:

- An appropriate procedure "The Management of a work relation" is drawn up.
- A welcoming booklet is prepared for the new staff member stating the organisation's ethical principles in force and upon which the organisation established, establishes and will continue to establish a more and more stable work and human relation.
- Training is offered and organized to awaken the awareness of all the organisation staff as well as the new employees regarding the ethical principles and social accountability with particular reference to: Child labour, Forced labour, Health and Safety in the workplace, Freedom of Association and the Right to Collective Bargaining, Discrimination, Discipline, Working hours, Compensation and Relations with superiors and colleagues.
- Suitable operative instructions and D.P.I. are distributed in order to guarantee health and safety at the workplace.
- Appropriate modules are pre-set to simplify the reporting of any non-conformity linked with work relations or relations among colleagues.
- ü Diffusion of the organisational Policy (as regards quality, ethics and social accountability) with explanation for the workers carried out by the workers' representative.

2.3.1.2 QUALIFICATION MANAGEMENT

Particular attention is given to the training of staff and managers who carry out activities related to and/or of inspection and the qualification of the Staff and the Managers who carryout Inspections and manage human resources; for the above-mentioned activities the "level of competence" (see training instructions) which the involved Staff and the Managers must be aware of (training and attainment of qualifications) were defined. The Organisation has defined training criteria and the skills necessary for the implementation of the various activities carried out by the various functions within the organisation.

2.3.1.3 MANAGEMENT OF TRAINING

Given that the concept of access to training is the right of all the human resources, independently from the distinction, exclusion and preferences based on race, colour, gender, religion, political opinion, nationality and social origin, within the Syndicate, precise criteria were defined to identify the necessity for training and its implementation. Staff and Manager training might be motivated by various factors which might be indicatively as follows:

- Training to cover organisational needs
- Training to increase the flexibility of the organisation.
- Training to guarantee professional and human growth of all the workers.
- Training for the use of new machineries, equipment, computer, etc.
- Training to improve safety standards in the workplace.
- Training and the correct ethical and accountable management of subordinate workers.
- Training for new tasks in case of organizational changes.
- Training for newly employed staff.
- Training on new organisational procedures and rules.

Staff and Managers training is based on various solutions, which vary according to object; collaboration/apprenticeship, specific courses, periodical meetings. All the training activities and the training implemented by the staff and the organizational Managers are registered and archived.

Anyone who feels the need for training should notify the General Management or the Ethical Manager. Once the necessity is evaluated, the Ethical Manager is assigned the task of developing a training programme by the Presidency. This programme might include courses (internal or external seminars), apprenticeship with the most skilled staff or the Manager, meetings etc. The management is in charge of the programme, including time, responsibilities and resources, and later issues the approval or inserts modifications/integrations.

Training activities are lead by the staff and the Manager in charge and are registered; moreover, also the efficacy of the training activities is registered (achievement of the requested competences).

The methods used to certify the activities carried out could be:

- course participation certificates (internal and/or external);
- collaboration plans;
- meeting minutes.

The Human Resources department gathers and archives all the documents as evidence of the training activities carried out, which must always include:

- participant's name and signature;
- skills and qualification obtained and date;
- time dedicated to the issue and a list of the meetings held;
- training Manager's name, end-of-course signature and end-of-course date.

2.3.2 WORK ENVIRONMENT

The organisation identifies and provides the necessary infrastructures to ensure safety and hygiene at the workplace in complete conformity with the laws in force. The Organisation has conformed to all the requests of the law in force regarding safety and hygiene at the workplace, by setting up a suitable procedure "Safety Management" which describes the procedures and the responsibilities to identify, avoid and/or face potential health and safety risks for the staff. The Organisation shall provide clean toilets and drinkable water for the staff and should carefully check their availability in operative shipyards where the workers operate.

The organisational layout, studied and developed by external consultants, take human and physical factors into account so as to reach an ideal balance between the resources and the need for products.

The Presidency in collaboration with the Safety Manager are accountable for the structural interventions.

CHAPTER 3

PROCESS MANAGEMENT

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3.1 PURPOSE AND APPLICATION FIELD

The purpose of this chapter is to define all the activities and processes necessary for the implementation of the service, as described in §4.1 of Chap. 1 of this Handbook.

Management and inspection procedures are described for every activity, together with the identification of the related responsibilities. The instructions of this chapter shall be applied within an Organization, in accordance with the SA 8000 standard.

3.2 REFERENCES

SA 8000 Standard, §§ 3, 9.6, 9.7.

3.3 SUPPLYING MANAGEMENT

3.3.1 EVALUATION OF SUPPLIERS

Choosing suitable Suppliers is a fundamental factor for the supplying of products and services which are in conformity and to the satisfaction of Clients. Therefore, the Organisation has adopted precise criteria to evaluate its capacity and to monitor its long-term reliability.

The main activities are:

- the evaluation of Suppliers according to the criticality of the product/service supplied, through sampling, Quality System, general information and auditing at Suppliers';
- checking of the long-term performance using systematic data collection for the product/service supplied and the consequent reliability of the Supplier, which shall be used as an objective examination to define relation strategies and/or Corrective Actions.

CHAPTER 4

MEASUREMENT, CORRECTION AND IMPROVEMENT

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4.1 PURPOSE AND FIELD OF APPLICATION

This chapter defines the activities for the measurement and the checking of the management system of the organisation, allowing correction by initiating corrective actions, and improvement so as to find solutions and to prevent detrimental situations for the application of ethical principles and social accountability in relations between the organisation and the worker. The instructions given in this chapter shall be applied within the Organisation, according to the SA 8000 standard.

4.2 REFERENCES

SA 8000 Standard, §§ 9.9, 9.10.

4.3 SYSTEM MEASUREMENTS

4.3.1 STAFF SATISFACTION

The organisation has pre-set a questionnaire to evaluate employees' satisfaction; these questionnaires are periodically filled-in so as to continuously monitor the satisfaction level in the accomplished work.

4.3.2 INTERNAL INSPECTION AUDITING

At the beginning of the year the Ethical Manager draws up an annual programme which specifies the functions which must be audited, the frequency (so as to cover all the organizational areas at least once a year), and the dates.

The inspections will be planned so as to cover the main points of the Management System which must develop systematically. The auditing plan is set up on the basis of the following factors:

- the importance and the criticality of the area to be verified;
- results from previous auditing;
- necessities resulting from the System re-examination held by the Presidency;
- work load and availability of the concerned staff;
- specific necessities.

The programme of the inspections may be revised and, therefore, modified if there are specific needs such as inspections by third parties (Certifying Body, clients or others), outcomes of previous auditing, serious non-conformity. In such cases the Quality Insurance revisions the entire auditing programme and issues a new one which must be approved by the Presidency.

The internal auditing examine the following activities and areas:

- procedures;
- human resources;
- work areas, operations and process;
- documents, minutes and there archiving.

During the auditing, the Ethical Manager carries out evaluation tasks on the various organizational areas as an independent body. An apposite check list, which is prepared on purpose and update, is used for the internal verification.

The lists are based on the following aspects:

- the regulations of the standard of reference (SA 8000, laws, standards, etc.);
- internal reference documents (Handbook, procedures, etc.).

The results of the auditing are reported by the evaluator, using appropriate forms called "Auditing Reports", which are notified to the function concerned. Once the report is filled up it will be submitted to the Ethical manager who provides for the evaluation of any non-conformity registered, discussing about the solutions with the functions concerned. The Ethical Manager shall then check the right implementation of the correction activities which were agreed upon,

provide and archive the report and give a copy to the Management to be used together with the other available documents, to re-examine the Ethical Management System.

4.4 MANAGING NON-CONFORMITY

The organisation adopts a non-conformity management in which activities and responsibilities are defined so as to avoid that:

- workers' (or stakeholders') difficulties regarding ethical principles and social accountability are not left untreated or repressed.

For this purpose the organisation carries out continuous awareness awakening for all workers so that they provide information about the organisation's non-conformity regarding ethical requisites and social accountability towards them and others, without fearing disciplinary procedures.

With these documents the Ethical Manager prepares a "non-conformity archive", to facilitate the distinction of problems with common causes from those which have occurred only once as well as to take appropriate countermeasures to avoid repetitions of N.C. and also to develop statistical analysis.

The organisation has defined the activities and the responsibilities for the management of Claims put forward by Offices, based on notifications received from employees or stakeholders.

4.5 DATA ANALYSIS

The organisation considers technical statistics of the analysis as an essential tool to register the process of the system in the medium/long term by providing indexes and values which allow the evaluation and the understanding of the organisation and workers' needs, assisting in the organisation for better planning and the implementation of their own activities and providing concrete support to the Management in the decision-making phases.

These techniques are applied in the analysis of Non-Conformity, and to evaluate the suppliers. Moreover the statistical techniques are used as an evaluation element as regards the necessity to re-examine the system and/or the corrective actions of the system.

4.6 MANAGING IMPROVEMENT

The organisation commits itself to carry out processes for the continuous improvement of the management system. These processes include methods and provisions which are suitable for the organisational features.

The Syndicate guarantees that, once Service non-conformity, System non-conformity or Management System non-conformity, related to the requisites of the SA 8000 and with respect to the Handbook, are registered, than the necessary corrective and/or precautionary actions must be applied and audited, together with improvement actions which are adequate for the type and seriousness of the non-conformity.

The Syndicate carries out all the modifications after corrective/precautionary actions have been taken, registering them in documented procedures.

4.6.1 CORRECTIVE ACTIONS

The need to take corrective actions to eliminate the cause of non-conformity can originate from:

1. Internal causes

- system re-examination;
- non-conformity reports;
- notifications and claims regarding breaching of ethical principles and social accountability;

- notifications regarding safety and hygiene at the workplace;
- notifications related to discrimination or any other type of abuse;
- negative situations put into evidence by the auditing.

2. *External causes*
 - great claims and notifications by stakeholders;
 - observations from certifying bodies;
 - reports from public inspection bodies (USL, Department of Labour etc.).

After the above mentioned auditing, the most common and harmful causes are taken into consideration, and the Management, together with the Ethical Manager and the managers concerned, shall evaluate the need and the possibility to eliminate them by taking the necessary actions.

4.6.2 PRECAUTIONARY ACTIONS

The precautionary actions are carried out once the following data is examined with the purpose of eliminating the potential cause of non-conformity to prevent repetition.

- clients' claims;
- auditing results;
- results for the inspection on the management.

4.6.3 IMPLEMENTATION AND EFFICACY INSPECTION

All the correction/precautionary actions carried out must be concluded with an evaluation of the correct implementation and their efficacy. The implementation inspection aims at guaranteeing the correct fulfilment of all the activities planned for the removal of the NC cause. The evaluation of the efficacy aims at verifying that all the removal activities carried out must be appropriate for the type of problem and be an efficacious solution.

Every change carried out in the procedures documented after the corrective and preventive actions are implemented and registered by the Ethical Manager, in conformity with what has been established in the report for corrective and/or precautionary actions. The documentation being modified shall be managed in conformity with what has been established in chap.1.

Annex 2 Glossary

Child: any person under the age of 15, unless local laws state that the minimum age to work or to finish the obligatory schooling is higher, in which case the highest age applies.

SA8000 Budget: a form of social accounting with which Organisations state their performance indicators with respect to every requisite of the SA8000 standard. The fundamental characteristic of this document is the inspection of the truthfulness contained in information, carried out by a third body.

Social Budget: an accountability tool (based on a series of qualitative and quantitative performance indicators of the organisation) used by the Organisation to inform the public about the social impact of its activities.

Code of conduct: a code of behaviour drawn up by the Organisations with the aim of establishing an internal reference conduct for the relations with the various stakeholders and, also, to make its behavioural policies explicit as regards important environmental, social and economic issues. One of the main characteristic of the ethical code is represented by the existence of auditing methods with the aim of evaluating its effective application.

Young workers: any worker over the age of a child as established above and under 18.

ILO: is the acronym used to refer to the International Labour Organisation. This body deals with the diffusion of policies linked to the improvement of workers' conditions, through the definition of an international standard (Conventions and Recommendations).

SAS: Social Accountability System.

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Politikat rajonale te ketyre viteve te fundit, kane cuar ne marjen ne konsiderate, kjo e bere jo pa veshtiresi dhe kontradiksione, te pasurise natyrore te territorit tone, si nje element i rendesishem te "Sistemit Marche" dhe zhvillimit te tij te mundshem. Ne te njejten kohe eshte konfirmuar ndergjegjesimi per te marre ne konsiderate elemente mbi rajonale te tematikave ambientale dhe rrjedhshmerisht nevoja per te eksperimentuar forma te bashkepunimit internacional edhe ne kete fushe.

Nje politike rajonale qe synon te perballoje, edhe pertej kufijve, ceshtjet ambientale, qe synon te krahasoje eksperiencat me vende te ndryshme, sepse perndryshe perpjekjet e bera brenda territorit tone, rezikoje te rezultojne te pamjaftueshem dhe prespektiva qe paraqitet eshte ajo qe ne menyre efikase eshte parashikuar nga Calvin, e qytetit Leonia, nje nga qytetet e "padukshme", e fshire dhe e zhdukur nga mbetyrinat e metropoleve prane.

Permbajtja e projekteve te ndryshme te bashkepunimit ne ceshtje te ambientit i eshte referuar sigurisht atyre pastrimeve kryesore te percaktuara nga Komuniteti European per sektore te ndryshem ne zonat e nderhyrjes te percaktuara nga Programi IV, Veprime per ambientin, si dhe objektivave dhe linjave operative relative.

Iniciativat e nedermarra inkuadrohen ne menyre prioritare ne nje politike rajonale te bashkepunimit e shtrire me qellim strukturimin dhe zhvillimin, nepermjet aksioneve te peraferta ne drejtim te Ballkanit, identitetit te rajonit Adriatiko-jonik dhe e percaktuari ne projektimin e saj ne drejtim te rajoneve te veriu dhe jugut, si dhe ne lidhje me realitetin e ri qe eshte krijuar ne Balltik dhe qe nderhyn me perafersite ruse duke u projektuar ne Det te Zi, me rreziqet e izolimit dhe te kufizimit te territorin tone.

Propozimet e punuara jane strukturuar ne njohjet specifike te realiteteve te tjera te njohura te rajonit ne keto vite si dhe ne nevojat e evidencuara ne menyre qe te garantojne efikasitetin e veprimeve te bashkepunimit.

Temat ambientale te trajtua kane pasur te bejne kryesisht me perpunimin e mbeturinave qe rezultojne te jene nje problematik mjaft e rendesishme edhe per vendet jo europiane dhe ne vecanti, me projektin WAP- Manaxhimi I Mbeturinave ne Portet e Adriatikut., eshte thelluar ceshtja e perpunimit te mbetjeve ne porte.

Projekti WAP perben nje nga copezat ne brendesi te nje mozaiku te nderhyrjes ne te cilen eshte perfshire Rajoni Marche dhe qe dhe ne te ardhmen do te jete me e impenjuar, me bindjen se vetem me keto dimensione, mundet qe te konkretizohet nje strategji e zhvillimit dhe bashkepunimit bazuar ne respektin dhe kujdesin per ambientin.

Marco Amagliani

*Keshilltar i Sherbimeve Socialei,
Imigracionit, Te mirave ambientale,
Kujdesi ambiental, Perpunimi
mbeturinave, Parqe dhe rezerva
natyrale, burime hidrike*
Rajoni Marche

Aktivite portuale, pervece rezultojne te lidhura ne menyre dinamike ne aspekte te natyres ekonomike, sociale, historike e kulturore, sjellin dhe ne menyre te paevitueshme lidhjen me ambientin, si bregdetar ashtu dhe ate marin.

Nje drejtim i pakontrolluar i ketyre aktivitetave, dhe mbi te gjitha nese nderhyet ne zona te mbingarkuara, mund te provokoje shkatterrime te rrezikshme te ambientit, nje irritje te vazhdueshme te konsumit te burimeve dhe te kostove per mbajtjen e ambientit, nje prodhim me i madh i mbeturinave dhe nje humbje e perditshme e vlerave te nje porti. Gje qe rezulton mese e vertete per portet qe ndodhen ne zona me interes te vecante natyror dhe / ose vecanerisht te prekshme si ato te rajonit te adriatikut.

Protokolle te shumta, konventa dhe Marreveshje jane firmosur ndermjet shteteve per te kontrolluar detet ne Europe, dhe rrjedhimisht edhe perpunimin e mbetjeve navale, eshte adoptuar Direktiva 2000/59/CE qe ka si objektiv pakesimin e shkarkimeve ne det te mbeturinave te produktive te anijeve si dhe mbetjet e ngarkesave, vecanerisht shkarkimet nga ana e imbarcimeve qe vijne ne porte te vendosur ne teritore te Komunitetit Evropian, duke permiresuar disponibilitetin dhe perdonimin e impianteve portuale per mbledhje te mbeturinave dhe rrjedhje te mesiperme duke perforcuar mbrojtjen e ambientit marin.

Ne baze te dispozicioneve te larteppermendura, me Dekretin legjislativ nr. 182 date 24 Qershori 2003, jane nxjerre norma te detajuara mbi aplikimin qe eshte kerkese e Autoritetit portual, Kapitenerise dhe Qarkut.

Duke u nisur nga ky kuader normativ, me qellim qe te konkretizohen parimet e anuncuara per te permiresuar aksionet e parandalimit ose te kontrollit kunder tipeve te vecanta te ndotjes, Rajoni Marche ka promovuar, ne kuadrin e programit Interreg III A, projektin WAP- "Manaxhimi i mbetjeve ne Portet e Adriatikut."

Projekti vendos si objektiv te pergjithshem qe te permiresoj, ndermjet vendeve qe kane dalje ne rajonin adriatiko-jonian, nje rrjet marredheniesh dhe bashkepuni te nevojshme per te koordinuar nje manaxhim korrekt dhe homogjen te mbetjeve portuale.

Zgjedha per te perballuar problematiken e lidhur me manaxhimin mbeshtetes te mbeturinave ne porte na ben te hyjme ne nje prospектив me te gjere te adoptimit te politikave dhe strategjive "te gjelbra" ne bindjen se perdonimi i "praktikave te mira", duke u ndare ndermjet vendeve pjesemarrese, lejon jo vetem garancine per perkujdesje me te madhe per ambientin, por mund edhe te percaktoje elemente te valorizimit te strukturove portuale dhe, duke synuar permiresimin e shfaqjeve, lejon, ne te ardhmen, edhe nje permbajtje te kostove te manaxhimit.

Prane faktoreve ambientale jane perfshire ne projekt edhe tematika te perjegjesive etike te lidhura me aktivitetet e kryera ne ambientet portuale.

Objektiv specifik ka qene ai i nje linjezimit te nje modeli manaxhimi te integruar ambiental qe lejon zvogelin e shkarkimeve ne det, ne vecanti ato te pa lejuarat, te mbeturinave nga produkte ne anije, te organizoje ne menyre racionale dhe ekonomike, duke respektuar parimet etike te punes, fazat e mbledhjeve, transportin, rikuperimin dhe shkatterrimin e mbeturinave me prejardhje nga anijet dhe qe ne per gjithesi jane rrjedhoje e aktivitetit portual.

Duke u nisur nga konsiderata qe manaxhimi i impianteve ambientale derivuar nga aktivitetet portuale jane te referueshme subjekteve me natyra te ndryshme, si Ente Publike, Autoritet portual, Autoritet Marin, Sipermarres private (si kantjere detar, kooperativa peshkataresh, industri, ndermarrje sherbimi, apo dhe dyqane komerciale) etj, projekti ka perfshire disa partner:

- Kapitenerite e portit te Ankones, Civitanova Marche, Pesaro e San Benedetto del Tronto;
- Autoriteti Portual i Ankones;

- Komunat e Ankones, Civitanova Marche, Pesaro e San Benedetto del Tronto;
- Provincat e Ankones, Pesaro e Urbino;
- Qarku dhe Bashkia Durres e Vlore (Albania);
- Porti Bar (Mal i ZI).

Projekti eshte zhvilluar ne disa faza, te cilat fillimisht kane pasur te bejne me realizimin e analizave ambientale dhe percaktimi i mbajtesve te interesave ne aktivitetin e zonave portuale te perfshira, pra dhe zhvillimin e aktivitetit te asistences teknike per partnere te vendeve te adriatikut Lindor mbi modalitetet e drejtimit te mbeturinave, mbi projektimin europian dhe metodat e adoptuara per implementimin e normave SA 8000 ne ambientet portuale, percaktimi i linjave drejtuese mbi rregullimin e drejtimit mbeshtetes te mbetjeve ne porte si dhe mbi implementimin e nje sistemi perqejjesie etike, sociale, realizimin e aksioneve te sensibilizimit nepermjet predispozicioneve te materialeve informative, predispozicionit per nje sit internet (www.ambiente.regionemarche.it/sito/cra/wap) dhe te nje workshopi tematik me titull “Drejtimi mbeshtetes i mbetjeve portuale” qe eshte zhvilluar ne Ankona ne data 13 e 14 Dhjetor 2005. Projekti ka lejuar dhe krijimin e rasteve te takimit me kategori te ndryshme interesante ndermjet te cilave permendim Shoqata e Ndermarjeve Kombetare per Sherbimet ekologjike Portuale dhe Tutela e ambientit Marin, Shoqata Italiane e Porteve Turistike ne Adriatik, Lidhja e Peshkimit dhe CONFITARMA (Komfederata e Armatoreve Italian)

Formalizimi dhe shperndarja e “ Linjave Drejtuese mbi drejtimin mbeshtetes te mbetjeve ne porte ”, mund te percaktohet nje instrument i rendesishem per Autoritetin Portual dhe Marin, qe eshte prezent ne Adriatik, dhe prespektiva qe percaktojme ne te ardhmen eshte ajo e zgjerimit te eksperiences tone pozitive ne territor te tjera te zones se mesdheut duke kerkuar programe komunitare dhe kombetare ne mbeshtete te nje strategie te tille.

Arch. Isarema Cioni
*Drejtuese P.F. Mbeshteteje dhe
 Bashkepunim ambiental
 Rajoni Marche*

Hyrje

Percaktimi i per gjithhem i pranuar ne lidhje me zhvillimin mbeshtetes eshte ai i permbytjesh ne reportin “e ardhma jone e perbashket” e Komisionit Boteror mbi Ambientin dhe Zhvillimin (WCED), ose me mire i njohur si reporti Brundland 1987, sipas te cilit nje zhvillim mund te quhet i tille vetem nese ploteson nevojat e tashmes pa kompromentuar aftesite e gjeneratave te ardhme per te kenaqur nevojat e veta. Ne 1991 Bashkimi Nderkombetar per Ruajtjen e Natyres dhe Burimeve Natyrore (IUCN) dhe Programi i Ambientit i Kombeve te Bashkuara (UNEP) duke rishikuar ne menyre pjesore kete percaktim mori ne konsiderate zhvillimin mbeshtetes si “mundesa per te permiresuar cilesine e jetes njerezore ne limitet e aftesise se ngarkesave te ekosistemave te interesuara”

Keto koncepte mund te aplikohen edhe ne realite portuale dhe per kete ne Evropë kane nisur disa eksperiencia ne lidhje me te, dhe ketu per shembull i referohemi projektit “ECOPORTS” dhe projektit “New Hansa per portet mbeshtetese dhe qytete”. I pari eshte i financuar nga Komisioni Europian, dhe ka si objektiv qe te harmonizoje metodologjite e drejtimit ambiental te porteve europiane, pervecse te perfaqesoje nje mjet per te ndare eksperiencat me te mira; ndersa programi i dyte eshte i financuar nga Interreg III dhe eshte implementuar ne zonen e Ballikut, dhe ka cuar ne nxjerrje e “Memorandumit te Mirekuptimit (MoU) ne Portet mbeshtetese dhe ne Politiken detrare ne Rajonin e Deteve te ballikut” ne te cilin subjektet qe kane firmosur impenjohen qe te marrin te gjitha masat e mundshme per te promovuar zvogelimin e impaktit ambiental te shkaktuar nga transporti detar mbi komponentet ajer, uje, zhurme dhe mbeturine. Ky Memorandum eshte bere efektiv nga 1 janari 2006.

Projektet e lartepermendura mund te perbejne nje shembull per autoritetet qe kane ndermend te aplikojn ne nje port nje drejtim ambiental mbeshtetes, por qe mund te jene te shumta modalitetet per te arritur nje objektiv te tille.

Adoptimi i nje protokolli mbi drejtimin ambiental ne zonat portuale perben hapin e pare te rendesishem ne procesin drejt mbeshtetjes qe me tej mund te jeplet nepermjet rrugeve specifike te standartizuara, sic ndodh pershembull duke aderuar ne menyre te vullnetshme ne disa sisteme te perbashketa te drejtimit ambiental (SGA), sic eshte norma ISO 14001 dhe Rregullorja EMAS.

Sisteme te tilla lejojne mundesine te njohesh, monitorosh dhe te drejtosh me mire impaktet ambientale qe aktivitetet portuale prodhojne dhe komponentja “mbetje” qe perfaqeson sigurisht nje sektor vecanerisht delikat dhe mjaft kritik. Te adoptosh nje drejtim mbeshtetes te mbetjeve portuale mund te sjelle fillimisht kerkesa te medha, ne termat ekonomike dhe burimeve njerezore, ne ngarkese te Autoritetit Marin dhe ate Portual, por kjo do sjelle ne vazhdim nje rikthim ekonomik, dhe kjo mbi te gjitha fale oreksit te madh te zonave portuale per perdortuesit e sidomos turisteve. Por nuk eshte per tu nenvleresuar se me implementimin e nje sistemi drejtues ambiental, jane siguruar dhe kontroll me i mire mbi derdhjet abuzive ne det, apo aksidente, nje kursim te sigurt te shpenzimeve per bonifikimin dhe riparimin e zona eventualisht te demtuara.

Qellimi kryesor i ketyre linjave guida te punuara ne kuadrin e projektit WAP eshte qe ti siguroje treguesit kryesor per te mundur te organizohet ne menyre korrekte mbledhja e mbetjeve te ndryshme portuale me urimin qe ky dokument mund te kontribuoje per te siguruar nje kujdes me te madhe ne ambientin detar te Adriatikut.

Kapitulli 1 - Kuadri normativ dhe klasifikime

1.1 Aktet referuese normative europiane

Dispozicionet ne materien e rifiuteve portuale rezultojne shume te artikuluara persa i perket derivimit te tyre nga shpallje te shumta te nxjerra nga disciplina te natyrave te ndryshme.

Ne kuadrin komunitar norma e referimit persa i perket ceshtjes se mbeturinave eshte e perfaquesuar nga Direktiva 91/156/CEE, e cila ndermjet te tjerave parashikon qe:

- Shtetet anetare te adoptojne masat perkatese per te promovuar:
 - a) Parandalimi ose zvogelimi i prodhimit te efektit demtues te mbetjeve;
 - b) Rikuperimi i mbetjeve me riciklim te menjehershme, paketimi, riperdorimi ose cdo veprim tjeter per te marre nje materie te pare ose te dyte, ose perdorimi i mbetjeve si burim energjie;
- Shtetet anetare te marrin masa te nevojshme per te siguruar qe mbetjet te jene rikuperuar dhe shkaterruar pa rrezik per shendetin e njeriut dhe pa perdonur menyra dhe mjete qe mund te cojne ne demtim te ambientit;
- Ndermarrjet ose stabilimentet qe merren me trajtimin, magazinim apo depozitim te mbetjeve per llogari te te treteve duhet te marrin nga autoriteti kopetent nje autorizim per kete qellim;
- Ne perputhje me parimin “kush ndot paguan”, kosto e shkaterrimit te mbetjeve te mbeshteten nga detendor dhe dorezimi i mbetjeve per tek mbledhesi ose ndermarra qe e ben kete, nga detentoret e meparshem ose nga prodhuesi i mbetjeve.

Pervec kesaj eshte e dobishme te kujtojme edhe direktiva te tjera ne lidhje me mbetjet sic jane:

- Direktiva 91/689/CEE¹, qe lidhej me mbetjet e rrezikshme;
- Direktiva 94/62/CE², mbi paketimet dhe mbetjet qe paketohen.

Persa i perket sektorit te mbetjeve te produhuara nga anijet si dhe mbetje te ngarkeses, Bashkimi European ka nxjerre Direktiven 2000/59/CE³ qe ka si objektiv te pergjithshem adoptimin e Konventes MARPOL 73/784, duke garantuar nje efikasitet me te madh, dhe ne perputhje me sa

eshte thene me siper per Direktiven 95/21/CE⁵ e lidhur me sigurine dhe parandalimin e ndotjes nga anijet, ku Direktiva e fundit, parashikon ndermjet te tjerave, qe anijet qe perbejne nje rrezik per ambientin detar te mund edhe te mos i leshohet autorizimi per dalje ne det.

Direktiva 2000/59/CE ne shtese te parandalimeve ne nivel nderkombetar, parashikon dispozicione me te rrepta (edhe pse kuadri i saj territorial i aplikimit eshte i limituar vetem per anijet qe takojne portet komunitare dhe qe lundrojne ne ujrat nen juridiksion te shteteve anetare te percaktuar nga flamuri) dhe per me teper percakton qe, ne baze te percaktrimit te dhene te nivel interkinal, edhe mbetjet e ngarkeses jane per tu konsideruar mbetje, edhe ato per me teper, bien ne kuadrin e kompetencave te dhena nga kjo normative (per shembull cfare ka te beje me rregullat e qarkullimit, procedimet e autorizuara, etj). Ne realitet edhe Konventa MARPOL 73/78 parashikon realizimin “sa me shpejt”, te impianteve te mbledhjeve per mbetjet hidrokarbure si dhe per te marre e per te trajtuar ujerat e sentines te ndotura, ujerat e pastrimit te cisternave naftembajtese, ujerat te shkarkimit dhe mbetjet (te percaktuara sipas Aneksit V), por vetem ne Direktiven 2000/59/CE parashikohen masa specifike per tu realizuar ne kohe te percaktuara.

Nje tjeter karakteristike e kesaj direktive eshte se, ne baze te afateve te gjata te percaktuara nga palet nenshkruese te Konventes, adoptohen dispozita me teper shtrenguese qe percaktojne jo vetem persa eshte thene, mbi qarkullimin, trajtimin dhe rikuperimin e mbetjeve prodhuar nga anijet, por mbi te gjitha mbi:

- organizimin dhe tipologjine e impianteve portuale te mbledhjes se planeve te percaktuara;
- procedimi mbi bazen e nje preventivi, detyre e komandantit te anijes
- dhenia e mbetjeve impiantet portuale;
- regjimi kontrollit;
- “masat e shoqerimit”, me listen e detaujar te detyrueshme te instrumentave, adresuar autoritetete kompetente;
- parashikimi i nje sistemi sanksionesh, i percaktuasr sipas parimeve te perjithshme te komunitetit.

Me kete Direktive eshte krijuar nje sistem parashikimesh qe synon tutelimin ne nje grade me te larte nepermjet rregullave stimuluese (juridike, teknike e financiare) mbi dorezimin ne impiantet portuale, duke zvogeluar shkarkesat ne det te mbeturinave dhe mbetjeve te ngarkesave me prejardhje nga te gjitha llojet e anijeve, edhe kur behet fjalë per ngarkesa te ligjshme por mbi te gjitha ato te paligjshme.

Eshte e rendesishme te tregoni qe, edhe pse qellimi i linjave guide te Direktives ne fjale parashikon nje mekanizem detyrues qe ka thelbesore inspektimin nga ana e autoriteve kopetente ne vendet portuale, ne te cilat veprimi negativ mund te coje ne ndalimin per te lene portin, dhe te cilit mund ti shtohet sansioni ekonomik specifik parashikuar nga vete shteti anetar.

Ne perfundim Bashkimi European ka adoptuar nje mbeshtetje percaktuese per mbrojtje e detit nga ngarkesat e mbeturinave dhe mbetjeve nga ngarkesat te anijeve, nepermjet nje mekanizmi rregullash, jo vetem shtypes por dhe detyrues, qe i bejne me te manovrueshme e me konveniente per komandantet e anijeve per ti dorezuar mbeturinat ne porte sesa ti shkarkojne ne det, si ne

¹ Direktiva 91/689/CEE e Keshillit, date 12 dhjetor 1991, lidhur me mbetjet e rrezikshme - Publikuar ne G.U.C.E. e 31 dhjetor 1991, n. L 377

² Direktiva 94/62/CE e Parlamentit european dhee e Keshillit, date 20 dhjetor 1994, mbi ambalazhet dhe mbetjet - Publikuar ne G.U.C.E. date 31 dhjetor 1994, n. L 365.

³ Direktiva 2000/59/CE e Parlamentit european dhee e Keshillit date 27 nentor 2000, lidhur me impiantet portuale per mbeturinat e anijeve dhe te ngarkeses, publikuar ne G.U.C.E. date 28 dhjetor 2000, n. L 332.

⁴ Me termin MARPOL 73/78 identificohet Konventa Internacionale percaktuar “Konventa Nderkombetare per parandalimin e ndotjes nga anijet” adoptuar me 2 nentor 1973 dhe integruar, me 26 shtator 1978, me “Protokollin e 1978”. Kjo Konvente eshte e veta qe ka te beje me parandalimin e ndotjes se ambientit marin prodhuar nga anijet te shkaktuara jo vetem nga raste aksidentesh por edhe nga veprime te zakonshme; e njejtë pershkruan se shtetet qe kane firmosur garantojne furnizimin e impianteve portuale nga mbeturinat e anijeve qe vijnë ne port. Italia ka ratifikuar Konventen MARPOL 73/78 me Ligjin n. 662 date 29 shtator 1980, ” – Publikuar ne Gazeten Zyrare date 23 Tetor 1980, n. 292.

⁵ Direktiva 95/21/CE e Keshillit, date 19 qershor 1995, lidhur me normat internacionale per sigurine e anijeve, parandalimi i ndotjes dhe kushtet e jetes ne bord, per anijet qe vijnë ne portet komunitare dhe qe navigojne ne ujra nen juridiksionin e Shatetve Anetare - Publikuar ne G.U.C.E. e 7 korrik 1995, n. L 157.

rastet kur rrezikoje nje shkarkese te paligjshme, ashtu edhe ne rastin kur shkarkesa do te ishte e lejueshme nga Konventa Nderkombetare si dhe ligjet nationale te ratifikuara.

1.2 Klasifikimi i mbetjeve portuale

Per finalizimin e dokumentit te paraqitur mbetjet portuale jane klasifikuar si:

- 1) Mbetje te prodhua nga anjet dhe mbeturina nga ngarkesat** qe Konventa MARPOL 73/78 i grupon sipas pese rasteve si me poshte:
 - Nafta me te gjitha format e saj (Bashkelidhur I) dhe vecanerisht nafta ne forme te paperpunuar, vaji i djegshem, lyrat, mbetjet e hidrokarbureve dhe produkteve te rafinuar (ndryshe nga produktet petrokimike qe jane objekt i Bashkelidhur II te MARPOL) dhe qe perfshin substancat e listuara sipas Aneksit I te Marpol.
 - Bejne pjese ne Bashkelidhur I: mbetjet vajore (skarsitete te vajit mineral nga motorrat, ingranazheve dhe lubrifikanteve, klorure, skarsitete te vajit sintetik per motorra per ingranazhe dhe lubrifikante, lehtesisht te biodegradushme, vajra te tjera per motorra, ingranazhe dhe lubrifikante, vajra te tjera te sentines, vajra te prodhua nga ndarja e vajit me ujin), baltat (balta te prodhua nga ndarjet vaj/uje), ujerat e larjes se cisternave dhe mbetje te ngarkesave, mbetjet vajore te makinave (ujera te sentines, etj.).
 - Substaca te lengshme helmuese te trasportuara nga anjet kimike duke perfshire mbeturinat nga larjet e cisternave (Bashkelidhur II)

Substancat e lengshme ndahen sipas kategorive te meposhtme: Kategoria A, Kategoria B, Kategoria C dhe Kategoria D (Bashkelidhur II, norma 3) dhe jane klasifikuar ashtu sic eshte treguar ne Aneksin I te se nejtes liste Bashkelidhur.

- ambalazhet, kazanet, kazanet -cisterna, vagonet-cisterna rrugor dhe hekurudhor qe kane gene perdorur per transportin e substancave helmuese te transportuara jo rifuxho qe mund te krijojne mbetje te ngarkes (Bashkelidhur III).
- Ujerat e zeza (Bashkelidhur IV).
- Mbeturina qe normalisht prodhohen nga nevojat e jetes se ekuipazhit ne bord (Bashelidhur V) te cilat jane:
 - plastike;
 - materiale ambalazhi, tekstile;
 - prodhime letre, lecka pastrimi, metale, shishe, qeramik;
 - mbeturina ushqimi;
 - hiri me prejardhje nga sobat.
- 2) Mbeturina qe gjenerojne nga prodhimet ne zonat portuale**, sic jane:
 - Mbeturina te pa differencuara;
 - Mbeturina qe jane objekt i mbedhjes se differencuar;
- 3) Mbeturina me prejardhje nga pastrimi i zonave te perbashketa dhe siperfaqet e ujrate portuale.**

Kapitulli 2 - Plani i administrimit mbeshtetes te mbetjeve portuale

2.1 Hyrje

Parimet dhe objektivat e percaktuara nga Direktiva 2000/59/CE presupozojne redaktimin nga ana e autoriteteve kompetente, te planit te administrimit te mbetjeve portuale, keshtu qe treguesit e paraqitur ne kapitull prezent jane drejtuar autoriteteve kompetente te ceshtjes dhe ne per gjithesi per gjegjesave per administrimin e kategorive te mbetjeve portuale te shnuara ne paragrafin e mesiper 2.1.1.

Me ane te ketij dokumenti synohet te sigurohet nje mbeshtetje qe, pervecese i per gjigjet asaj cfare permendet ne Direktiven qe lidhej me mbedhjen dhe administrimin e produkteve te anijeve dhe mbeturinave te ngarkes, mund te kostituojte nje referimet te dobishem per organizimin e administrimit ne brendesi te porteve te tipologjive te tjera te mbeturinave qe ne kete kuader kane rrjedhshmerine.

Objekti qe synohet te te percaktohet me perpunimin e nje Plani administrimi mbeshtetes te mbetjeve portuale eshte qe te zoterohet nje administrim unikm dhe i integrus per te gjithe keto lloje mbeturinash, ne menyre qe te sigurohet nje nivel i larte mbrojtje per shendetin dhe sigurine e njeriut dhje te ambjentit.

Informacionet e paarqitura ne vazhdim jane thjesht treguse dhe duhet te pershtaten per cdo realitet te vecant portual.

2.2 Informacione paraprake

2.2.1 Fusha e aplikimit dhe perjashtime

Plani i administrimit mbeshtetje aplikohet ne keto mbeturina:

- 1) Produkte nga anjet** qofshin keto subjekte te deklarates⁶ (anije te destinuar per transport mallrash ose pasagjer, ose imbarke te jahteve te omologuara per me teper se 12 persona) ose e nuk Jane subjekte te deklarates (peshkarexha ose imbarke jahtesh te omologuara per maksimumi 12 pasagjere), ne varesi te flamurit, nese qendrojne ne mol apo operojne prane porteve (te lindhura ne kalate ose stacionarie ne rade), ndermjet te cilave:
 - a) mbeturina qe derivojne nga aktiviteti ne bord, perfshire ketu mbeturinat ushqimore me prejardhje ne vende extra komunitare;
 - b) vajra te prishura dhe mbeturina vajore;
 - c) mbeturina speciale te rrezikshme;
 - d) ujrat e zeza;
- 2) Prodhime te gjenerueshme nga zonat portuale;**
- 3) Derivate nga pastrimi i zonave portuale te perbashketa dhe siperfaqet ujore portuale.**

Jane perjashtuar nga fusha e aplikimit te planit mbeturinat me prejardhje nga:

⁶ Per Deklaraten do te flitet me ne detaje ne paragrafin 2.3.1.

- Anije ushtarake te luftes dhe ndihmese;
- Anije te tjera ne posedim ose ne administrim nga Shteti, nese jane perdorur vetem per sherbime shteterore me qellime jo komerciale;
- Aktivitete brenda zones se dhene ne koncesion te subjekteve private.

2.2.2 Karakteri per gjithshem dhe objektivi i Planit

Redaktimi i një Plani per administrim mbeshtetes te mbetjeve portuale ka si objektiv kryesor atë te sigurimit te një përshtaki te detajuar te sherbimit ne lidhje me një cikel te plotë per administrimin e mbetjeve, që nga diferenca i tyre, mbledhja, transporti dhe trajtimi ne vazhdim, rikuperimi, shkatteredimi, ne menyre që te evitojen shperndarje ne det te ketyre mbeturinave, duke parandaluar keshtu ndotjen e ambientit detar.

Te Plani do te perfshihet dhe një përshtaki i shkurter ose një liste e thjeshte e normativave te referuara per perpunim.

Se fundi, per te percaktuar afatet e perdorimit, keshillohet që te perdoret një permblehdhese (një shembull i tille eshte ne Bashkelidhur 2)

2.2.3 Përshtaki i portit dhe analiza e te dhenave historike

Per te individualizuar qarte permbytjen e portit ne brendesi te te cilit zhvillohet sherbimi i administritimit te mbeturinave, duhet te përshtruhen shkurt karakteristikat kryesore te portit, perfshire ketu dimensionet e kalatave, duke i bashkelidhur nese eshte e mundur dhe planimetrine perkatese.

Gjithashtu, duke pasur parsysh funksionet portuale, aktivitetet komerciale dhe sherbimet prezente si dhe tipologjine e njesive navale që me ane te një grafiku akostohen, mund te linjezohen te **dhenat historike dhe tipologjia e mbeturinave nga produktet portuale** që lidhej me te pakten tre vitet e fundit para berjes se Planit.

Nga analiza e te dhenave te tillë dhe duke vleresuar zhvillimet eventuale te planifikuar per vitet e ardhshme ne port, do te jetë e mundur te **vleresojet prodhimi i ardhshem ne totale te mbetjeve portuale**, lidhur kjo me te pakten tre vitete e ardhme nga momenti i hartimit te planit, mbi bazen e te ciles do te vleresojet nevoja e impianteve portuale per mbledhjen e mbeturinave si dhe strukturimi i sherbimit te administritimit te vete ketyre mbetjeve.

Ne Plan do te specifiko edhe burimet nga ku janë marre te dhenat dhe metodologjia e adoptuar per vleresimet e mesiperme.

2.3 Vleresimi paraprak i tipologjisë dhe sasise se mbetjeve portuale

Hapi i pare per planifikimin e sherbimit te administritimit te mbetjeve portuale, perfshi ketu dhe nevojen e impiantit portual per mbledhjen e mbeturinave me prejardhje nga anijet, konsiston ne gjetjen e burimit te informacioneve te shumta te lidhura me kete.

Per te percaktuar tipologjine dhe sasine e mbetjeve portuale eshte e nevojshme paraprakisht te sdigurohen te dhenat e me poshtme:

- per mbeturinet e prodhuara nga anijet duhet te percaktohet se cilat janë tipologjite e anijeve dhe trafiqt detare me te zakonshme ne kete port.

Tipologjite e anijeve që zakonisht ankorojne ne një port ndahen kryesisht ne:

- anije tregtare,

- anije pasagjeresh,
- peshkarexha dhe jahte

Te parat kane një prodhim te mbeturinave te natyre te ndryshme, duke perfshire mbeturinat vajore te lengshme dhe balterat, mbeturinat te ngjashme me ato urbane te prodhua nga ekuipazhi dhe aktiviteti ne bord, mbeturinat nga ngarkesa ose ne lidhje me ngarkesen që transportohet.

Anijet e pasagjereve kane një prodhim te dukshem te mbeturinave urbane, te ngjashtem, ndersa peshkarexhat dhe jahtet kane një prodhim te limituar te te gjitha tipologjive te mbeturinave.

Per te vleresuar trafiqt marine duhen marre ne konsiderate:

- levizjet e anijeve;
- levizjet e mallrave.

Keto informacione mund te merren prane Autoriteteve Lokale Portuale (dhe per pasoje tregoni autoritetin perkates kompetent ne port)

- per produktet e gjenerueshme ne zonat portuale eshte e nevojshme te percaktohen:
 - perimetri dhe zona portuale brenda te ciles do te kryhet sherbimi;
 - prezencia dhe dislokimi i zones se dhene ne koncesion;
 - prezencia e stacionit detar per pasagjer;
 - prezencia dhe dislokimi i aktiviteteve komerciale, prodhuese dhe te sherbimit.
- per mbeturinat e derivushme nga pastrimi i zonave te perbashketa dhe siperfaqeve ujore portuale duhet te jene percaktuar qarte limitet:
 - siperfaqet ujore qe do ti nenshtrohen pastrimit;
 - perimetri edhe zona portuale brenda te cilit do te kryhet sherbimi i pastrimit.

2.4 Procedura te mbledhjes se mbeturinave portuale

Modalitetet me te cilat behet mbledhja e mbeturinave portuale janë te ndryshme ne varesi te prejardhjes se tyre. Ne paragrafet e me poshtme janë sqaruar procedurat e adoptuara per:

- Terheqja e mbeturinave nga anije subjekt i deklarates;
- Dorezimi i mbeturinave me prejardhje nga anije jo subjekt i deklarates;
- Terheqja e mbeturinave te gjenerushme nga prodhimet ne zonen portuale;
- Mbledhja e mbeturinave te derivueshme nga pastrimi i zonave te perbashketa dhe siperfaqes se ujравe portual.

2.4.1 Terheqja e mbeturinave me prejardhje nga anijet subjekt i deklarates

Direktiva 2000/59/CE i lidh shtetet anetare me detyrimin që te parashikojne që Komandanti i anijes ndryshtë nga ai i një peshkarexi ose i një jahti i perfshire ne Komunitet, te mbush ne menyre te sakte dhe te kujdeshme, një formular te deklarates (ne të cilën permbytja eshte e specifikuar ne Bashkelidhur II te se njejtes Direktive) dhe ja dorezon autoritetit kompetent ne port (Autoritetit Portul ose Marin). Ne dokument duhet te referohen sasia dhe tipologjia e mbetjeve dhe mbeturinave te trasportuara, duke sqaruar sa nga keto janë per tu dorezuar ose per tu mbajtur ne bord, pertej perqindjes se kapacitetit maksimum te magazinimit te mundshem te lejuar nga anija. Nje model i tille i plotesuar ne cdo pjese te tij mund ti dergohet edhe Agjensise detare te anijes.

Persa i perkthet afateve te dorezimit te kesaj deklarate nga Komandanti i anijes duhet qe:

- te pakten 24 ore para arritjes se anijes ne port, nese porti eshte i percaktuar;

- sapo porti i akostimit percaktohet, menjehere behet i njohur te pakten 24 ore nga arritja;
- para nisje se anijes nga porti akostimin i meparshem, ne rast se zgjatja e udhetimit eshte me pak se 24 ore.

Sherbimi i mbledhjes se mbeturinave mund te jete organizuar per te siguruar sherbimin ne menyre te vazhdushme (per shembull nga ora 8.00 ne 24.00 (16 ore) ose 24 ne 24) mbi bazen e kerkesave te portit ose rregullave lokale dhe per me teper eshte e mundur te percaktohen modalitetet operative per te organizuar sherbimin mbi baze thirrjesh ose kerkesash te vecanta nga ana e Komandantit te anijes. Personeli operativ duhet te jete i perbere nga nje numer i mjaftueshem dhe formuar ne menyre te pershtatshme per nje sherbim efikas.

Ne vazhdim jane përshkruar fazat operative per mbledhjen e mbeturinave te dallushme nga tipologia, prejardhja nga anije subjekt i deklarates.

Mbetje te prodhua nga aktiviteti i bordit

Mbetjet e prodhua nga aktiviteti i bordit (te ngjashme me ato urbane, ushqimore dhe te tjera jo speciale dhe jo te rrezikshme) duhet te jene, te differencuara nga tipologjia nga personeli i bordit, per te lejuar dorezimin korrekt te tyre. Pasi jane kaluar fazat e kontrollit paraprak per sasine dhe tipologjine, terheqja e mbeturinave mund te behet, nga ana e personelit te caktuar per kete sherbim, nepermjet tokes ose nepermjet detit sipas rastit nese anija ndodhet e akostuar ose ne rade:

- **anijet e akostuara:** autokarro e pajisur ose ndonje mjet tjeter. Personeli i bordit te anijes realizon shkarkimin e mbeturinave, personeli i sherbimit qendron jashtje anijes dhe procedon me terheqjen e thaseve ose te kazaneve;
- **anije ne rade:** motobarka e pajisur ne menyre te pershtateshme. Manovrat e afrimit, akostimit dhe te shkeputjes nga anija ku te terhiqen mbeturinat duhet te kryhen ne baze te normave te parashikuara per afrimin ne det, nen kujdesin dhe per gjegjesine e komandanteve dhe modalitetet percaktuar atyre. Trasbordi i mbeturinave behet nga personeli i bordit dhe nga personat e sherbimit dhe duhet te behet ne kushte atmosferike te pershtatshme.

Pasi kryhen operacionet e terheqjes se mbeturinave si nga det ashtu dhe nga toka:

- nenshkruehet nga Komandanti i anijes per personat e sherbimit (ose nga dikush i deleguar) "Bono e sherbimit"⁷;
- mjetet navale hyjne ne port (ne rastet e terheqjes nga deti);
- mbeturinat pastaj transportohen ne impiantin e percaktuar portual per mbledhjen ose prane qendrave te trajtimit dhe /ose te shkaterrimit te individualizuar dhe te autorizuar. Per mbetjet te ngjashme me ato urbane, jo speciale dhe jo te rrezikshme, por jo te differencuara, do te jete e nevojshme te kryhet nje seleksionim dhe saktesim me qellim ndarjen e tipologjive te ndryshme, per te siguruar kontrollin dhe eliminimin e fraksioneve te mundshme jo kompatibel me klasifikimet e tjera, dhe me pas, fillimin e rikuperimit te materialeve te rikuperushme dhe shkaterimin e mbetjeve te tjera;
- mbetjet ushqimore jo te rikuperueshme duhet te trasportohen brenda dites ne impiantet e shkaterrimit te autorizuara; ndersa per tipologjite e tjera te mbeturinave eshte e mundur te

⁷ "Bono e sherbimit" eshte nje modular nepermjet te cilil komandanti i anijes dhe Autoriteti kompetent ne port mund te certifikoje per sa ka ndodhur ne lidhje me mbeturinat. Modulari ne menyre te per gjithshme, duhet qe te permbaje: emrin e anijes, flamin, zyren e regjistrimit, numrin e matrikullit, numrin IMO, tonazhin, emrin e armatorit dhe adresen e tij, emrin e pronarit dhe adresen e tij, tipologjine dhe sasine e mbeturinave qe do dorezohen, daten e oren e dorezimit dhe do te firmoset si nga prodhuesi ashtu dhe nga administruesi qe terheq mbeturinat.

behet nje magazinim brenda zones se rezervuar ne impiantin portual te mbledhjeve, per te bere dorezimin e radhes ne qendren me te afert te trajtimit ose te shkaterrimit te autorizuar. Dhe se fundi per te garantuar sigurine higjeniko-sanitare, **mbeturinat ushqimore me prejardhje nga vende extra Komunitare** duhet te mblidhen ne kontenitor te percaktuar dhe te shkaterrohen ne impiante me djegje ose ne gropu nepermjet sterilizimit ose te vena nen siguri.

Vajra te prishura dhe mbeturina vajore

Sherbimi per mbledhjen e vajrave te prishura si dhe te mbeturinave te tjera vajore kryhet duke perdorur nje autokarro me cisterne te levizshme ose mjete te tjera te caktuara navale ne rastet kur anija eshte ne rade. Cisterna / kontenitori/ serbatori duhet te jene pajisur me sistem mbyllje dhe me kushte sigurie per operacionet e mbushjes apo te boshatisjes sisteme te tilla duhet jene pajisur me dipozitiva per raste derdhje apo me tubacione ne raste mbi mbushje, duhet gjithashtu te kene indikator te nivelit. Mbylleset dhe rakorderite duhet te mirembahen ne eficense te plote per te evituar ndonje derdhje ne ambient.

Lengjet mund te pompojen direkt nga bordi i anijes ose nga kompania e autorizuar si ne rastet kur anija eshte e akostuar ashtu edhe kur eshte ne rade:

- nese lengjet pompojen direkt nga bordi i anijes, operatoret e kompanise duhet te marrin ne dorezim doren per ta lidhur me rubinetin e cisternes. Pasi cisterna mbushet operatoret e caktuar per kontrollin e nivelit te lengut ne cisterna nderpresin operacionin e mbushjes me pompim nga bordi, dorezojne doren per mbyllin rubinetin e cisternes.
- nese lengjet jane pompuar nga mjetet e dites me koncesion, nderhyrja kryhet nga operatori nepermjet perdomit te nje motopompe me zorre per te nxjerre lengjet mbeturina. Operatori duhet te shtrije zorren deri ne vendin e marrjes se mbeturinave dhe ta lidhe me hyrjen ne cisterne, te ndeze motopompen, te kontrolloje operacionin e ngarkimit, dhe pasi te kete mbaruar mbushja e cisternes, te fike motopomen dhe te heqe zorren nga rubineti i cisternes.

Ne perfundim te operacionit te terheqjes:

- nenshkruehet nga Komandanti i anijes per operatorin e sherbimit (ose nga nje i deleguar) "Bono e sherbimit";
- pas mbushjes se cisternes personeli i caktuar per sherbimin paraqitet prane nje Qendre te Autorizuar per shkarkimin e mbeturinave te lengeta.

Mbeturina speciale te rrezikshjme dhe jo te rrezikshme

Mbeturina te tjera speciale te rrezikshme dhe jo te rrezikshme, duhet te dorezohen ne kontenitore te caktuar dhe te identifikueshem ne perputhje me sa eshte parashikuar nga normativat ne fuqi te vendit, duke evitar perzierjen. Pasi te kalohen fazat e kontrollit preliminar te sasise dhe te tipologjise, terheqja e mbeturinave kryhet duke perdorur nje autokarro te pajisur me kazane te pershtatshem.

Ne perfundim te operacionit te terheqjes:

- nenshkruehet nga Komandanti i anijes per operatorin e sherbimit (ose nga nje i deleguar) "Bono e sherbimit";
- mbeturinat trasportohen prane nje impianti portual te mbeturinave ose prane nje qendre te autorizuar te trajtimit dhe /ose shkaterrimit. Per mbeturinat speciale jo te rrezikshme, edhe pse jo te differencuara do te jete e nevojshme te behet nje seleksionim me qellim qe te ndahen llojet e ndryshme, te sigurohet dhe te eliminohet cdo lloj fraksioni te mundshem jo kompatibel te natyrave te ndryshme, e ne vazhdim, te filloje rikuperimi i sakte i materialeve te rikuperueshme ndersa materialet e tjera per shkaterrim.

- mbetjet duhet te behet nje magazinimi brenda zones se rezervuar ne impiantin portual te mbledhjeve, per te bere dorezimin e radhes ne qendren me te afert te trajtimit ose te shkatterrimit te autorizuar.

Ujerat e zeza

Sherbimi kryhet duke perdonur nje autokarro me cisterne te shkarkueshme ose me mjete te tjera navale nese anija eshte ne rade. Lengjet mund te pomohen drejtperdrejt nga bordi i anijes ose nga kompania e sherbimit.

Pas mbushjes se cisternes personeli i sherbimit paraqitet prane nje impianti depurimi per shkarkimin e mbetjeve.

2.4.2 Dorezimi i mbetjeve me prejardhje nga anije jo subjekt i deklarates

Komandantet e imbarkimive jo subjekte te deklarates sipas Direktives 2000/59/CE (peshkarexha dhe jahte deri me 12 pasagjer), duhet te marrin masa per tu organizuar ne menyre autonome per te dorezuar mbetjet e produhuara. **Mbetjet e krijuara nga nje aktivitet normal ne bord**, jo te rrezikshme, mund te dorezohen ne kazane te caktuar te vendosur brenda zones se portit ose prane impianteve portuale te mbledhjes se mbeturinave, ku jane prezente dhe kazane per mbledhjen e mbeturinave te differencuara (leter, plastike, xhami, metal, etj). **Mbetjet speciale, te rrezikshme ose jo**, po ashtu dhe **vajrat e shkatterruara dhe mbetjet vajore** duhet ne menyre te detyrueshme te dorezohen prane impianteve portuale te mbledhjes se mbetjeve.

Ndryshe per, ujerat e zeza, duhet parashikuar nje sherbim i pershatshem per terheqjen e tyre, duke perdonur autokarro me cisterna te shkarkueshme. Lengjet mund te pomohen direkt nga bordi anijes ose nga kompania e sherbimit (Shiko fazen operative vajrat e shkatterruar dhe mbetjet vajore te perekruara per terheqjen e mbeturinave nga anijet subjekt i deklarates). Pas mbushjes se cisternes personeli i sherbimit drejtohet prane nje impianti te depurimit per shkarkimin e mbetjeve.

Dorezimi prane impianteve te mbetjeve do te behet ne orare te percaktuara te hapjes dhe ne prezence te nje personi perjegjes i caktuar nga subjekti koncesionar i sherbimit, qe ka per detyre te verifikoje, regjistroje prejardhjen e dorezimeve dhe leshon bonon e dorezimit.

2.4.3 Mbledhja e mbeturinave per gjithesish te produhuara ne zonat portuale

Mbeturinat e differencuara duhen mbledhur ne depozita mbrojtese ne menyre qe te evitojet cdo shperndarje ose erera te keqja dhe te dorezohen, me kujdesin e prodhuesit, prane kazaneve te caktuar. Per ato fraksione te mbeturinave te rikuperueshme duhet evituar mundesia e dorezimit prane kazaneve te caktuar per mbeturinat e padiferencuara.

Sherbimi duhet siguruar cdo dite pune dhe duhen marre masa te vecanta ne raste festash ne mes te javes ose festave disa ditore.

Mbeturinat objekt i mbledhjes se differencuar jane: mbeturinat organike te prirura ndaj lageshtirave te medha, mbeturina nga krasitja dhe mbledhjet e barerave me prejardhje nga mirembajta e zonave te gjelberta, xamat, kanace, leter dhe kartona, plastik, materiale metalike, dru, ilace, aparatura elektrike dhe elektronike, mbeturina, gome dhe cdo tip tjeter mbeturine e riciklueshme.

Prodhuesi duhet te marre masa per seleksionimin e materialeve ne burim dhe ne dorezimin e metejshem ne kontenitoret perkates ne baze te fraksioneve.

Ne rastet kur sasia dhe madhesia e mbeturina i kalojne permasat e kazaneve sidomos per mbetje te rrezikshme (baterite, prodhime tokiske ose te djegshme), mund te parashikohen dorezime mbi bazen e thirjeve duke rene dakort me kompanine e sherbimit.

2.4.4 Mbledhja e mbeturinave te krijuara nga pastrimi i zonave te perbashketa dhe siperfaqet ujore portuale

Mbeturinat e krijuara nga pastrimi i zonave te perbashketa dhe siperfaqet ujore portuale mund te jene zakonisht, mbeturina qe mbledhen nga nje subjekt i autorizuar per kete sherbim.

Zonat portuale te perbashketa qe i nenshtrohet ketij pastrimi jane:

- Rruget, sheshet dhe trotuaret, te perdonimit te perbashket dhe qe nuk jane dhene ne koncesion;
- Pjeset shkembore dhe bankinat per gjate pjeses detare qytetare e pa dhene ne koncesion;
- Zonat lidhese ndermjet qytetit dhe portit.

Kush realizon operacione te ngarkimit dhe shkarkimit te mallrave nuk duhet te lere mbeturina te cfaredo lloji ne zonen me perdonim te perbashket dhe duhet qe te marre masa per pastrim te kesaj zone.

Pastrimi i siperfaqeve ujore mund te behet ne menyre periodike ose mund te behet ne baze te kerkesave dhe behet me ndihmen e mjeteve te vecanta navale ne gjende qe mund te kap mbeturinat pluskuese. Duke pasur parasysh karakteristikat e ketyre lloj mbeturinave pluskuese (si dru, polesterol, plastike) eshte e mundur te behet nje diferencim i tyre dhe pastaj fillimin e procedures se rikuperimit.

2.5 Parandalimi i derdhjeve ne det te hidrokarbureve dhe administrimi i emergjencave

Plani duhet te parshkoje edhe modalitetet me ane te te cilave duhet te perballohen derdhje te mundshem te substancave helmueses ose aksidente te tjera qe provokojne ndotje ne det; nje organizim i tille nuk mund te kufizohet vetem me aplikimin e aktioneve parandaluese qe mund vetem te kufizojne impaktet dhe te minimizojne kohet e nderhyrjes. Per planifikuar veprimet qe do te ndermerren ne keto raste te vecanta eshte e nevojshme jo vetem te realizohet nje analize e thelle e reziqeve te mundshme, por edhe te percaktohet roli dhe kompetencat e atij qe duhet te nderhyje.

Hipotezat me te mundshme qe cojne ne nje ndotje te ambjentit detar dhe atij bregdetar, jane:

- Derdhja e lendeve te djegshme dhe te vajrave lubrifikant gjate aktivitetit te furnizimit te anijeve ne akostim
- Derdhja ne det te hidrokarbureve dhe produktive te tjera si nafte ose substancave te tjera helmuese, me prejardhje per shembull nga anijet cisterna ne tranzit ose qendrimi prane bankinave portuale ose terminalet detare, ne raste incidentesh.

Nese merret ne konsiderate qe derdhja e humbje te produktive ndotes muind te jete shkaktuar jo vetem nga nje gabim njerezor, nga nje shkujdesje ne mirembajtje, funksionim i keq i pjeseve te nje impianti, por edhe nga zjarre ose shperthime, eshte evidente qe grada e rrezikshmerise eshte shume e larte. Modalitetet e veprimeve per tu ndermarre per te perballuar nje rrezik te ndotjes te shkaktuar nga derdhje te substancave helmuese ne brendesi te teritorit te portit jane te ndryshme ne varesi te llojit te aksidentit. Ne raste te derdhjeve te vogla te substancave ndotese Autoriteti kompetent i portit duhet te marre masa per tu vene ne kontakt me kompanine qe ka ne

administrim sherimin per pastrimin e siperfaqeve ujore portuale dhe ti kerkoste pastrim me siguri per mosndotje, ndersa ne rast se aksidenti ka provokuar leshimin ne nje sasi te konsiderueshme te substancave helmuese duhen ndermarre nje seri masash sipas nje procedure te emergjences qe perfshijne subjekte te ndryshme institucionale si p.sh. Entet Lokale, Zjarrefikesit, Forcat e Rendit etj.

2.6 Impiantet portual te mbledhjes se mbeturinave nga anjet

Nje port duhet te pajiset me impiante per mbledhjen e mbeturinave nga anjet, ne menyre oportune me permasa dhe administrim ne varesi te karakteristikave te akostimit dhe te sherbimeve prezente ne port si dhe te tipologjise apo te frekuencave te trafiqueve detare.

Ne per gjithes parashikohen tre lloje tipesh te ndryshme impiantesh:

- per nje port me permasa te medha, ose interesant per arsyte te frekuencave dhe trafiqueve te mallrave dhe te pasajgjereve, mund te pajiset me impiante specifike te quajtura “base operative”;
- per nje port me permasa te mesme, qe eshte interesant per arsyte te peshkarexhave dhe jahteve, impiantet mund te kene karakteristika te nje “zone e pajisur”;
- per porte te permasave te vogla ose me sakte i tille vetem per nje numer imbarqimesh jahte eshte gjithahstu e nevojshme te pajiset me nje: Ishull ne port.

Permasat, vendosja dhe karakteristikat baze te nje impianti, qofte ky fiks, i levizshem apo pluskues, jane te gjitha te lidhura ne varesi te nevojave te percaktuara sipas analizave dhe te dhenave historike. Nuk perjashtohet qe nje port mund te pajiset me me teper se nje tipologji te impianteve ne te njejtën kohe, ne lidhje me kerkesat, pavaresisht nga lloji i permasave te percaktuara me pare.

Impiantet duhet te jene strukturuar ne menyre te tille qe te sigurojne nje dorezim te shpejte te mbeturinave, duke evituar vonesa te pajustifikueshme per subjekte dorezuese dhe duke garantuar, ne te njejtën kohe, standartet e nevojshme te sigurise per ambientin dhe shendetin e njeriut, perfshire ketu edhe komformitetin me rregullat kombetare te parashikuara per raste zjarresh, kjo dhe me ndihmen e teknologjive me te mira disponibel.

Pertej prezences se impianteve te mesiperme, ne port duhet te dislokohen dhe kazane perkates per te mbledhur si mbeturinat e differencuara ashtu dhe ato jo te differencuara qe nuk mund te dorezohen prane vendosjeve te tilla. Karakteristikat e ketyre kazaneve jane pershkruar ne paragrafin 2.6

Ne Plan duhet te pershkruhen karakteristikat teknike dhe ato drejtuese te nje impianti te tille, si per shembnun:

- tipologja dhe lokalizimi i tyre brenda zones se portit, perfshire ketu indikacionet mbi permasat dhe strukturat, duke i bashkelidhur mundesisht ne nje pershkrim te thjeshte te tre dimensioneve; eshte gjithashtu e keshillueshme te percaktohet edhe zona e portit qe nuk eshte e pershatshme per te mbajtur keto impiante.
- tipologjite e mbetjeve qe mund te mblidhen si dhe modalitetet eventuale te dorezimit per kategori specifike, ashtu si dhe detaji i atrecatureve edhe i procedimeve per paratrajtim te mundshem ne zona te pershatshme te portit
- pershkrimi i maksimumit te kapacitetit, ditor dhe vjetor, i lidhur me cdo tipologji te mbeturinave;

- modalitetet e ruajtes, me indikacionet per oraret e hapjes dhe te mbyllje, disponibiliteti i personave per gjegjje si dhe lenia e sqarimeve mbi modalitetet dhe hapja ne base te kerkeses, etj;
- informacione te tjera te mundshme dhe te nevojshem per te pershkruar nje operativite te pershatshem.

Ne vazhdim jane pershkruar karakteristikat teknike qe duhet te kene tre tipologjite e impianteve portuale per mbledhjen e mbeturinave te pershkruara me lart.

2.6.1 Karakteristikat teknike te bazes operative per mbledhjen e mbeturinave ne portet te dimensioneve te medha

Per nje funksionim te mire te sherbimit te administrimit te mbeturinave ne nje port me nje fluks te dukshem te imbarqimeve, mund te hipotezohet qe te realizohet ne brendesi te territorit portual, nje baze operative, ose nje ndertese e pajisur me:

- nje central per komunikim te zyrave lokale administrative;
- lokale per punonjesit (vendet e veshjeve, banjot, mensa etj);
- nje zone per vendosjen e mjeteve dhe nje oficine per riparime;
- nje zone e destinuar per dorezimin dhe paratrajtimin e mbetjeve te rrezikshjme;
- nje zone e destinuar per dorezimin dhe paratrajtimin e mbetjeve jo te rrezikshjme;
- nje zone e destinuar per venien ne ruajtje te mbeturinave te rrezikshme.
- nje zone e destinuar per venien ne ruajtje te mbeturinave jo te rrezikshme.

Te gjitha zonat duhet te jene te kufizuara mire dhe te dallueshme, ndersa ne rastin kur eshte caktuar nje zone per mbeturinat e djegshme, duhen marre masat perkatese kundrazjarrit.

Zonat e caktuara per dorezimin e paratrajtimin te mbeturinave te rrezikshem ose jo, jane te nevojshem per nje seleksionim te mundshme ne rast se mbeturinat nuk jane dorezuar te differencuara ne menyre korrekte; siperfaqja duhet te jete e mbrojtur nga lageshtira dhe e pajisur me sistem per rimbledhjen ne menyre qe te mos kete dalje te mbeturinave. Ne keto zona duhet vendosur dhe kartelat perkatese qe tregojne qellimin e impiantit. Duhet gjithashtu te behet e njohur rregullorja e impiantit ne te cilen tregohet se: modalitetet e dorezimit te mbeturinave, oraret e celjes dhe te mbylljes, detyrimet dhe ndalimet per ate qe ben dorezimet, sanksionet e aplikueshme, referimet per administrimin e zones, modalitetet e sinjalistikes se zones, dhe nje numer telefoni per te bere te mundur njoftimin ne raste emergjence.

Sektori i vene ne ruajtje duhet te jete i organizuar ne zona te dallueshme sipas kategorise se mbeturinave te vena ne depozita dhe te shenuara te gjitha me tabela mire te dukshme, si ne permasa ashtu dhe ne pozicion, ne te cilat duhet te shenojen informacionet e meposhtme:

- normat e sjelljes, per manaxhimin e mbeturinave si dhe per rreziqet qe sjell per shendetin e njeriut dhe te ambientit
- kodet perkatese CER8 ose, ne rast se nuk eshte pajisur me klasifikim europian te mbeturinave, te shenohet tipologjia e mbeturinave prezente, gjenda fizike dhe rrezikshmeria e mbeturinave te magazinuara.

Kazanet ose serbatoret fikse apo te levizshme te perdonura per mbledhjen duhet te jene te pajisur sipas kerkesave perkatese per rezistence ne lidhej me vete fiziko-kimike dhe karakteristikat

⁸ katalogu European i Mbeturinave eshte nje liste e standartuar ku jane klasifikuar, mbi bazen e nje procesi te formimit, te gjitha tipologjite e ndryshme te mbeturinave qe qarkullojne ne Shtetet anetare UE. Cdo tipologji eshte e identifikuar me nje kod me 6 shifra, i quajtur kodi CER.

e tjera te rrezikshme te mbeturinave qe duhen parashikuar me ane te sitemit te mylljes, me aksesore qe sigurojne operacionet e mbushjes, trasportit, apo dhe te boshatisjes.

Zona e destinuar per venien ne ruajtje te mbeturinave te rrezikshme mund te jete e organizuar edhe me ane te rafteve me disa nivele larteshish ku eshte e mundur te behet levizja e mbeturinave me ane te nje karreli ose dhe me pajisje te tjera transporti te pershtatshem. Ne cdo raft te vecante duhet te vendosen mbeturina te ngjashme brenda se njejet kategori; nese keto mbeturina paraqiten ne gjendje te lenget ose permabajne lengje qe mund te rrjedhin, raftet duhet te jene pajisur me nje tabaka qe lejon rikuperimin e ketyre rrejdhjeve. Perdorimi i rafteve duhet te garantoje sitemin e mbeturinave me nje siguri totale si dhe me mundesine per ti verifikuar humbjet e mundshme.

Per te percaktuar volumet e nevojshme per venien ne ruajtje eshte e mundeshme te hipotezohet, rasporsi ndermjet volumit te mbeturinave te rrezikshme per tu dorezuar mbi volumin disponibel e barabarte me: 1 mc (mbeturina): 6 mc (hapesire). Per te dimensionuar zone venies ne ruajtje te mbeturinave jo te rrezikshme reporti eshte i barabarte me afersisht 1 mc (mbeturina): 3 mc (hapesire e nevojshme). Raporte te tilla mundet qe ne cdo rast te rriten duke perdorur teknologjine me te mire te disponueshme.

Transporti i mbeturinave jo te rrezikshme nga zona e destinuar per dorezim ne zonen e vene ne ruajtje do te behet nepermjet kazaneve te levizshem dhe keto te shenuar ne menyre te dukshme.

Baza operative duhet jete e lokalizuar ne nje zone logistike te pershtatshme per realizimin e sherbimit dhe do te jete e ndertuar me nje parafabrikat me gjatesi te ndryshueshme, por qe siperfaqja te jete e tille qe te lejoje nje levizje te mbeturinave dhe te pajisjeve ne hyrje dhe ne dalje ne menyre te sigurte.

Per mbeturinat e perbera nga prodhimet ushqimore per furnizimin e ekuipazhit dhe te pasajgereve mbeturinat e tyre te zbarkuara me mjetet e trasportit komersial, nacional dhe te huaja, me prejardhje nga vende extra –EU dhe qe duhet te jene shkattereduar ne impiante me ane te djegjes (ose ne vende ne menyre te sterilizuar) mund te paraqiten te dobishme, ne vazhdim te nje vleresimi te nevojave reale, realizimi i nje impianti per sterilizim prane nje base operative, per te cilin duhet te jete vendosur nje zone dorezimi gjithashtu.

2.6.2 Karakteristikat teknike te zones se pajisur per mbledhjen e mbeturinave ne porte te dimensioneve te mesme

Per sherbimin e nje mbledhje te mbeturinave ne portin e permasave te mesme duhet te realizohet nje ose me shume zona te pajisura,sipa karakteristikave te portit; ne fakt mund te dale nevoja per te pasur disa zona te vecanta te pajisura te destuguara per anijet qe jane subjekti i deklarates, flotes se peshkarexhave dhe /ose jahteve (per shembull ne rastin ne te cilin porti turistik eshte komplekt i ndare nga pjesa tjeter e portit). Zonat e pajisura duhet te sigurojne mbledhjen e mbeturinave si ato te rrezikshme ashtu dhe ato te parrezikshme.

Ndermjet mbeturinave te rrezikshme duhet te kujtojme dhe vajrat e shkattereduar, filtrat e vajit te perdorur, materiale filter, lecka pastrimi si dhe materiale te tjera me substanca te rrezikshme dhe baterite e plumbit. Mbeturinat e rrezikshme te lengeta te dorezuara prane zones se pajisur do te magazinohen ne serbatore perkates dhe ne menyre te vecante duhet te jene pajisur me:

- shfryrje te kapacitetit mbetes deri ne 10%, qe duhet te kalohen ne sisteme te pershtateshme shotypes;
- dispozitiv kundra derdhjes dhe tubacion per raste mbi mbushje;

- indikator alarmi i nivelit;
- dispositiv perktes per te kryer ne kushte sigurie operacionet e mbushjes, levizjes dhe zbrasjes;
- nje bidon me kapacitet te njeje me ate te kazanit, ose ne rast te nje bidoni per me teper se nje serbator, te kete kapacitet te pakten 30% te volumit te serbatoriut; por ne cdo rast kapaciteti i bidonit nuk duhet te jete me i vogel se volumi i serbatoriut me kapacitetin me te madh, e rritur kjo edhe me 10%
- tabelat e vendosura ne menyre te pershtatshme per te treguar tipologjine e mbeturinave.

Per te siguruar nje nivel te ulet te rrezikshmerise ne magazinimin e ketyre mbeturinave te rrezikshem keshillohet qe:

- per vajrat e perdorur, nje sasi maksimum magazinimi deri ne 10 ton dhe nje total vjetor prej 100 ton (kater kontenitor);
- per filtrat e vajrave te perdorur si dhe te ngjashme, nje sasi maksimum magazinimi deri ne 5 ton dhe nje total vjetor prej 20 ton (nje kontenitor);
- per baterite prej plumbi, nje sasi maksimum magazinimi prej 10 ton dhe sasi vjetore 100 ton.

Per kete zone gjithashtu duhet percaktuar edhe sasia maksimum ditore qe zakonisht eshte 25 ton.

Zona e pajisur mund te jete edhe e pajisur me kontenitor per mbledhjen e mbeturinave te differencuara (te lageshta / organike, xama, kanace, plastike, kartone, leter, etj) si dhe jo te differencuara.

Zona duhet te plotesoje kerkesat e meposhtme:

- te jete lokalizuar ne nje vend nga ana logistike te pershtatshme per te lejuar dorezuesit qe te veprojne lehtesish;
- te kete dimensione te pershtatshme per levizjen e mjeteve;
- te jete e kufizuar nga nje panel grile dhe i montuar mbi nje baze cimento me lartesi te pakten 80 cm qe te pengoje hyrjen e ujit, ne fund duhet te jete i izoluar me bitum;
- ne brendesi te zones do te jene vendosur kontenitoret ne te cilet do te pozicionohen serbatoret me kapacite perkatese sipas tipologjisë se mbeturinave; keta kontenitore duhet te jene perbere nga materiale rezistente nga ana kimiko- fizike dhe duhet te jene te myllur ne pjesen e siperme nga rrjete grile metalike.
- zona duhet te jete e mbuluar ne menyre te pershtatshme per te lejuar rrjedhjen e shiut. Ky mbulim mund te behet nga flete laminate metalike, me nje siperfaqe te sheshte per te lejuar me mire rrjedhjen e ujit dhe jo grumbullimin e tij.

Duhet gjithashtu te parashikohet instalimi i tabelave per sinjalistiken e impiantit. Duhet pervec kesaj te paraqitet dhe rregullorja e impiantit ne te cilin duhet te tregohen: modalitetet per dorezimin e mbeturinave, oraret e hapjes dhe mylljes, detyrimet dhe ndalesat per ate qe ben d orezime, sanksionet e aplikueshme, referime per administrimin e zones, modalitetet e sinjalizimit dhe nje numer fiks qe te mund te komunikohet ne raste emergencash.

Ne rastin e nje porti turistik te administruar me koncesion, si perfundim per te garantuar nje drejtim korrekt te mbeturinave te mbledhura, Autoriteti kompetent ne port duhet ti kerkonte koncesionarit:

- kopje te kontrates me furnizuesin e sherbimit te autorizuar per administrimin e mbeturinave me prejardhje nga imbarkimet e jahteve;

- projekti pershkrues i organizimit te mbledhjes se mbeturinave;
- statistika vjetore e mbeturinave te mbledhura te ndara sipas tipologjise.

2.6.3 Karakteristikat teknike te "Ishullit ne port": pajisja ne minimumn e nevojshem ne portet e dimensioneve te vogla

Ne nje port te dimensioneve te vogla i interesuar per trafiqe navale te reduktuara eshte ne cdo rast i nevojshem te sigurohet mbledhja e mbeturinave te rrezikshme te produara nga jahte dhe Ishulli ne port mund te perfaqesoje ne keto raste nje zgjidhje optimale.

"Ishujt ne port" konsistonje ne krijimin e nje strukture metalike te mbuluar (karakteristikat teknike te se ciles jane dhene me ne detaje ne pjesen Bashkengjitur I), ne brendesi te te cilave jane vendosur kontenitor te ndryshem per mbledhjen e vajrave te perdonur, bateri plumbi, filtra vaji te perdonur si dhe kanace vaji.

Me te njejtin term "Ishull ne Port" i referohemi projektit te promovuar nga Konsorciumi I Detyrimit te Vajrave te perdonur (COOU) dhe nga Konsorciumi I Detyrueshem per Baterite e Plumbit te Perdonura (COBAT), me qellimin final qe te sensibilizoje opinionin publik mbi problemin e shpendarjes ne det te vajrave lubrifikante dhe te baterive te perdonura mbi demet relative amjentale si pasoje e fenomenit "vetesherbim".

2.7 Kontenitoret per mbledhjen e mbeturinave te vendosur ne zonen portuale

Mbeturinat portuale qe nuk dorezohen prane impianteve te mbledhjes duhet te grumbullohen nepermjet kontenitoreve/ kazane te caktuar te vendosur brenda zones se portit.

Pozicionimi i kontenitoreve brenda zones se portit do te behet duke marre ne konsiderate:

- kategorite e prodhuesve prezente ne port;
- kategorite e mbeturinave qe ne rruge te zakonshme duhet te dorezohen;
- tipologjite kryesore te mbledhjes se diferencuar.

Ne nje vend mund te vendosen me teper kazane nga sa eshte kerkesa e sherbimit apo kushtet objektive te vendit. Per fraksionet organike te perbere nga mbetje me prejardhje nga mensa publike e private, pika komerciale, duhet te adoptohen masa shtese per te bere dorezimin ne kazane te vendosur ne sheshe ose ne zona te tjera te caktuara prane mensave, apo vendeve me perdonim te gjere e kolektiv.

Per te garantuar sigurine higjeniko-sanitare, ne vendosjen e kazaneve duhet mbajtur nje distance prej te pakten 5 metra ne vije horizontale nga dritaret ne katin e pare ose ate gjysme nentoke, nga hyrjet e vendeve me aktivitet komersial (bar, supermarket, restorant, etj). Kontenitoret duhet te vendosen ne vende ne te cilat mund te kryhen operacionet e boshatisjes, zhvendosjes, apo te larjes; per te lejuar kryerjen e operacioneve te tilla nga ana e mjeteve te subjektit koncesionar te sherbimit duhet te jete e ndaluar qendrimi i mjeteve ne hapesirat menjehere prane kazaneve. Zona e okupuar nga kontenitoret duhet te jete e limituar nga shenime te tabelave dhe nese eshte e nevojshme duhet te instalohen edhe pajisje per ndalim qendrimi.

Kontenitoret duhet te jene te pershatshem per te mbrojtur mbeturinat nga agjentet atmosferik dhe nga kafshet; kazanet te destinuar per mbeturinat organike duhet te jene te pajisur me mbyllje hermetike jo vetem per te penguar perhapjen nga ana e kafsheve, por edhe per te evituar daljen e ererave te keqja apo derdhje eventuale te lengjeve.

Kapaciteti i kazaneve eshte i ndryshem ne varesi te llojit te mbeturinave, si dhe te kapacitetit portual qe do ti perdore, duke konsideruar tregues te ndryshem te prodhimit, dimensionet e rrjetit rrugor dhe karakteristikat e mjeteve qe duhet te levizin. Mbi kontenitore duhet te jene shnuar qarte tipologjia e mbeturinave qe mund te hidhen aty dhe modalitetet e dorezimit.

Kontenitoret duhet ti nensstrohet mirembajtjes, pastrimit dhe dizifektimit periodik.

Se fundi per te garantuar mirembajtjen e pastertise ne zonat portuale te perbashketa, duhet te vendosen kontenitore te posacem dhe eksklusiv per mbeturinat e produara rastesisht, dhe ne to nuk mund te hidhet ndonje lloj tjeter mbeturine.

2.8 Detyrat e subjekteve koncesionar te sherbimeve te mbledhjes se mbeturinave portuale

Mbi bazen e eksperiences italiane, administrimi i tipologjive te ndryshe te mbeturinave portuale eshte kryer nga subjekte koncesionare te ndryshme te seleksionuar nepermjet nje gare te evidentuar publikisht.

Per **mbeturinat te produhar nga anijet**, subjekti i ngarkuar per sherbimin duhet:

- 1) Te siguroje qe mbledhja, trasporti, trajtimi dhe shkaterrimi te behen ne kushtet e nje sigurie te larte, e megjithate e bere ne afate dhe ne modalitetet te parashikuar nga normativa nationale ne fuqi; ne vecanti duhet te verifikohen qe mbeturinat ti dorezohen impianteve te autorizuar posacerisht;
- 2) Te beje administrimin e kazaneve dhe te impianteve portuale te mbledhjes;
- 3) Te realizoj permbushjen e e kerkesave sipas normativave nationale ne fuqi per mbeturinat;
- 4) Te dokumentoje dorezimin prane impianteve duke i leshuar subjektit dorezues "bonon e sherbimit"
- 5) Te komunikojne ne menyre periodike me autoritetet kompetente te portit mbi sasine e mbeturinave te mbledhura, te rikuperuara, te shkaterruara, prejardhjen e tyre dhe destinacionin ose informacione te tjera qe mund te jene te dobishme per te vleresuar mbarevajtjen e ketij procesi;
- 6) Ti shperndaje perdonuesve potencial te sherbimit, materiale informative mbi organizimin e sherbimit per mbeturinat ne teritorin portual, e kompletuar me nje skeda te sinjalistikes.

Per **mbeturinat per gjithesisht te produhuara ne zonen portuale**, subjekti koncesionar duhet:

- 1) Te siguroje qe mbledhja, trasporti, trajtimi dhe shkaterrimi te behen ne perputhje me normat ne fuqi;
- 2) Te siguroj plotesimin e kerkesave administrative te ligjeve te vendit;
- 3) Te komunikojne periodikisht me Autoritetin kompetent te portit mbi sasine e mbeturinave te mbledhura, te rikuperuara, te shkaterruara, prejardhjen e tyre dhe destinacionin ose informacione te tjera qe mund te jene te dobishme per te vleresuar mbarevajtjen e ketij procesi;
- 4) Te realizoje fushat infomative drejtuar perdonuesve portuale per te potencializuar mbedhjen e differencuar te mbeturinave te rrezikshme.

Sherbimi i mbledhjes se **mbeturinave nga pastrimi i zonave te perbashketa portuale dhe siperfaqeve ujore** mund ti besohet nje subjekti tjeter koncesionar qe duhet:

- 1) Te kryeje pastrimin e siperfaqeve te lartepermendura;

- 2) Te siguroje pastrimin, dhe lagien ne menyre periodike te siperfaqeve te gjelberta te perbashketa ne zonen portuale dhe te beje largimin dhe shkaterimin e mbeturinave te prodhura nga ky pastrim;
- 3) Te siguroje sherbime ne baze te kerkeses nga Autoriteti kompetent i portit, per tu vleresuar here pas here, me pagese sipas realizimit, sic mund te jete rasti i sherbimeve sipas thirrjeve, per tu aktivizuar ne raste te emergjencave specifike;
- 4) Te garantoje pastrimin e siperfaqeve ujore portuale sidomos ne periudha te viti kur ka nje fluks te madh te mbeturinave pluskuse (ne raste te levizjeve te medha te mallrave dhe te pasajgereve)
- 5) Te realizoje nese eshte e aplikueshme, mbedhjet e differencuara te fraksioneve te mbeturinave te rikuperueshme me prejardhja nga siperfaqet e ujut;
- 6) Te komunikojte periodikisht me Autoritetin kompetent te portit mbi sasine e mbeturinave te mbledhura, te rikuperuara, te shkatteruara, prejardhjen e tyre dhe destinacionin ose informacione te tjera qe mund t jene te dobishme per vleresuar mbarevajtjen e ketij procesi;

2.9 Kuadri i kostove te administritimit dhe regjimi i tarifave

Ne vazhdim te vleresimit dhe te planifikimit te aktiviteve te nevojshme per një administrim komplekt te mbeturinave portuale duhet bere një vleresim, sa me i sakte i mundshem, i kostove te administritimit mbi bazen e disa zerave te vecante. Eshte thelbesore te vleresoher saktesisht importime te tilla per te strukturuar perkatesisht tarifat ne ngarkese te perdoruesve portual qe gezojne sherbimet e mbledhjes se mbeturinave ne port. Keto tarifa do te modulohen edhe ene baze te tipologjive te ndryshme te imbarcimeve qe do te realizohen ne port. Plani duhet te detajoje se si vete tarifat jane ndertuar dhe fitimi relativ.

2.9.1 Kosto te administritimit

Duke marre ne konsiderate modalitetet e organizimit nje subjekt koncesionar i njerit prej sherbimeve te mbledhjes se mbeturinave portuale duhet te perballoje shpenzimet e meposhtme:

1. KOSTO PER ATRECATURAT
 - Instalimi dhe mirembajtja e impianteve portuale te mbledhjes se mbeturinave (per sherbimin e mbledhjes se mbeturinave me prejardhje nga anijet);
 - Blerja e kontenitoreve per mbledhjen e mbeturinave portuale;
2. KOSTO DIREKTE
 - Terheqja, trajtimi dhe shkaterimi i mbeturinave;
 - Logistika (nafta per mjetet, nafta per njesite navale qe do shfrytezohen, uje, etj.);
 - personali i ngarkuar per ruajtjen e impianteve te mbledhjes se mbeturinave dhe perjegjes per leshimin e "Bonos se sherbimit" ose ndonje fature tjeter per dorezime te vecanta;
 - personali operativ per perdorimin e mjeteve ne toke apo ne det;
 - kosto te tjera operative per vazhdimin e sherbimit (mirembajtja, riparimi i mjeteve dhe kontenitoreve, sigurimi i mjeteve, rojet etj.).
3. KOSTO ADMINISTRATIVE
 - telefonat fiks e mobile;
 - shpenzime te per gjitheshme;

- konsulence;
- personeli administrativ.

2.9.2 Regjimi tarifor per tu aplikuar per mbledhjen e mbeturinave nga anijet dhe mbeturina te ngarkeses

Ne baze te art. 8 te Direktives 2000/59/CE, Shtetet anetare duhet te bejne mbledhjen e tarifave nga anijet per te rikuperuar kostot e impianteve portuale te mbledhjes se mbeturinave nga anijet, perfshire ketu trajtimin dhe shkaterrimin.

Sistemet e rikuperimit te kostove te lidhur me perdorimin e impianteve portuale te mbledhjes se mbeturinave nuk duhet te perbejne nje detyrim per anije qe ti shkarkojne mbeturinat e tyre ne det sepse tarifa mund te jete e artikuluar duke parashikuar:

- a) nje *kuote fiks*, pavaresisht nga perdorimi efektiv i impianteve portuale, ne nje mase te tille qe te mbuloje 35% te kostos se investimit si dhe te atyre ne lidhje me trajtimin dhe shkaterrimin e mbeturinave. Kjo tarife mund te perfshihet ne te drejtat portuale dhe te perbeje nje tarife standarte e caktuar vetem per mbeturinat, dhe jo te jete differencuar ne funksion te kategorise, apo tipit dhe dimensioneve te anijes.;
- b) nje *kuote e ndryshushme e lidhur me sasine dhe tipin e mbeturinave* te prodhuar dhe te dorezuara efektivisht nga anija ne impiant portuale te mbledhjes, ne nje mase te tille qe te mbuloje pjese te kostove te pa mbuluara nga ato te pershkruara ne pikën a).

Per te garantuar qe tarifat e aplikuar jane te pershtatshme, trasparente dhe jo diskriminuese, dhe pasqyrojne kostot e impianteve dhe te sherbimeve te vena ne dispozicion, dhe eventualisht te perdorshme, do te saktosohet per perdoruesit e portit importi i tarifes dhe baza mbi te cilen jane llogaritur ato. Tarifat mund te reduktohen nese administrimi ambiental, koncesioni, atrecaturat dhe funksionimi i anijes jane te tilla qe Komandanti i Anijes mund te treguje se ajo prodhon nje sasi te reduktuar te mbeturinave. Mund te parashikohen edhe skonto ose detyrime per shembull per ato imbarcime qe mbledhin mbeturinat e braktisura ne det ose ne thellesi, dhe jane marre rastesisht nga aktiviteti i peshkimit.

Tarifa per dorezimin e mbetjeve te ngarkeses ehste kerkese eksklusive per anijet qe kerkojn kete sherbim. Mund te parashikohen tarifa te reduktuara nese administrimi ambiental, atrecaturat dhe funksionimi i anijes eshte i tille qe te siguroje nej prodhim te redultiuar te mbeturinave. mund te qe parashikohet nje reduktim i tarifes ne raste te rrifies se trafikut tregetar, dhe keshtu rriten dhe kerkesat per kryerken e sherbimit.

Tarifa per njesite e peshkimit dhe jahtet perbehet nga nje kuote fiks, e ndryshme per llojet e imbarcimeve, e detyrueshme, e llogaritur duke ju referuar nje sasi standarte; por ne rastet kur i tejkalojne keto sasi standarte ose sipas kerkesave te vacanta, aplikohet nje shtese tarife per te mbuluar shpensimet shtese te lidhura me sherbimin e kryer.

2.9.3 Regjimi tarifor per mbledhjen e mbeturinave te prodhuar per gjithesisht ne zonen e portit dhe me prejardhje nga pastrimi i zonave te per bashketa dhe siperfaqet e ujrate portuale

Per **mbeturinat e prodhua per gjithesisht ne zonen portuale** duhet te parashikohen tarifa perkatese ne ngarkim te perdoruesit portual. Importi i tyre duhet te matet nga sasia efektive e mbeturinave te dorezuara duke perpunuar dhe sisteme matje e krahasimi (peshimi). Ne rast kur nuk jane disponibel sisteme te tilla mund te adoptohen kriteri llogaritjeje, ne baze te shembujve

mbi individualizimin e tarifave per meter kuadrat te siperfaqes se taksuar, dhe te ndryshme ne baze te kategorive lokale.

Per **mbeturinat qe derivojne nga pastrimi i zonave te perbashketa dhe siperfaqet e ujrate portuale** kostot e administrit mund te rikuperohen, per shembull, nepermjet taksave te koncesionit te aplikuara koncesionareve te zonave portuale.

2.10 Pergjegjesi per venien ne zbatim te Planit te administrit mbeshtetes te mbeturinave portuale

Eshte e nevojshme qe nje ose me shume persona te caktohen pergjegjes per zbatimin e Planit, keta ndermjet figurave te Autoritetit kompetent ne port.

2.11 Modifikime dhe azhornime

Plani duhet azhornuar te pakten cdo tre vjet si dhe ne cdo rast kur verifikohen ndryshime te dukshme operative ne administritin e portit qe ka lidhje me mbledhjen e mbeturinave..

Kapitulli 3 – Implementimi i nje Sistemi te Administrit Ambiental (SGA) ne zonat portuale

3.1 Hyrje

Vendimi per te implementuar nje Sistem te Administrit Ambiental ne nje organizate ose nje sipermarje derivon ne per gjithesi nga vullneti, i shprehur kryesisht nga ana e stafit drejtues, per te permiresuar jo vetem performancen ambientale, por edhe ate strukturore. Kjo mund te marre nje rendesi te vecante ne zonat portuale ne brendesi te te cilave kryhen, te lidhura ndermjet tyre, aktivitete te shumta (levizje mallrash e personash, por edhe aktivite industrial e logistik), shume fort te influencuara nga ndryshimi i kuadrit ambiental, social dhe ekonomik portual.

Adoptimi i nje sistemi te tille mund te behet i njojur ne nivel internazional ose european nepermjet hyrjen me certifikimn e ISA 14001 dhe /ose me regjistrimin EMAS; te dyja standartet kane si qellim final qe te udheheqin organizimit qe adoptojne sistemin, drejt nje procesi permiresimi te vazhdueshem te veprime te veta ambientale nepermjet paraqitjes se nje sistemi pershates administrues, qe siguron, ndermjet te tjera, dhe nje kompetititet me te madh.

Standarti **ISO 14001** eshte i njojur ne nivel internacional dhe nuk ka nevoje per arrijen e niveleve specifike te veprimeve, sic jane per shembull nivele vecanerisht te uleta te emisioneve atmosferike, limite te tilla qe jane te stabilizuara me ligje specifike bashkeadministruese. Per me teper kerkohet qe organizimi te veproje me nje ndergjegjesi te mjaftueshme per pozicion e vet (qofte ate aktual, ashtu dhe ate te programuar) ne respekt te ambjentit, te adoptoje nje politike ambientale, te beje analiza te vazhdueshme te veprimeve te tij, te percaktoje veprime te permiresimit (nese eshte e mundur) dhe te verifikoje efikasitetin e ketij procesi.

Rregullorja “**Eco-Manaxhim dhe Skema Auditit**”, e njojur si **EMAS** eshte percaktuar nga Rregullorja (CEE) n.1836 te dates 29 qershor 1993, “ mbi hyrjen vullnetare te ndermarjeve te sektorit industrial ne nje sistem komunitar te acomanaxhimit dhe te auditit”⁹, eshte bere me vone i hapur per Autoritetet Lokale me ane te Rregullores (CE) te Parlamentit European dhe te Keshillit nr. 761 te dates 19 mars 2001, “*mbi hyrjen vullnetare te organizimeve ne nje sistem komunitar te ecomanaxhimit dhe auditit (EMAS)*”¹⁰.

Karakteristikat kryesore te Rregullatores EMAS jane:

- Sistemi ka karakter **vullnetar**;
- Eshte i aplikueshem ne nje **organizacion**¹¹;
- Ka si objektiv **permiresimin e vazhdueshem** te veprimeve ambientale te organizacioneve, ne konformitet me ligjet;
- Kerkohet perpunimi i nje **deklarate ambientale** dhe verifikimi i vlefshmerise se saj nga ana e nje **verifikuesi te akredituar (te njojur)**.

⁹ Publikuar ne G.U.C.E. te 10 qershor 1993, n. L 168.

¹⁰ Publikuar ne G.U.C.E. te 24 prill 2001, n. L 114.

¹¹ Ne art. 2 te Reg. n. 761/2001 jepet percaktimi i organizimit: “*shoqeri, ndermarje,sipermarje, autoritet ose institucion, ose pale ose kombinacion i ketyre, me ose pa personalitet juridik publik ose privat, qe ka ne administrim dhe funksione te veta*”.

Ndryshimet ndermjet ISO 14001 dhe EMAS ishin ne te kaluaren te shumta, por me hyrjen ne fuqi te Rregullores EMAS te 2001 u be qe ISO 14001 te perfshihej, dhe si pasoje kerkesat e tyre kryesore u perputhen.

Ne Tabelen ne vazhdimparaqiten diferenca kryesore ndermjet EMAS dhe ISO 14001.

| ISO 14001 | EMAS |
|--|---|
| Konformiteti me normativat ambientale te kerkuara ne menyre indirekte | Konformiteti me normat ambientale kerkuar drejtperdrejt dhe verifikohet nga autoriteti kompetent i territorit ne fazene e instruksionit |
| Vlefshmeria internazionale | Vlefshmeria europiane |
| Norma ISO 14001 konfirmon Konformitetin me sistemin e administrimit ambiental te organizimit per vete normen. Enti i certifikuar eshte nje organizacion i pamvarur i akredituar nga SINCERT. | Parashikon predisposicionin e nje deklarate ambientale destinuar per komunikim me publikun, permbajtja behet e vlefshme nga nje ent i trete i pamvarur akredituar nga Komiteti Ekoaudit Ecolabel. |

3.2 Perfitimet nga adoptimi i nje SGA ne kuadrin portual

Ne per gjithesi certifikimi i nje Sistemi Administrimi Ambiental sjell nje sere avantazhesh, nder te tjera:

- Permiresim i veprimeve ambientale persa i perket termave te racionalizimit dhe efisencese (mirperdorim i energjise, reduktim i mbeturinave, i emisioneve helmuese ne atmosfera dhe i shkarkimeve nepermjet rikuperimit dhe riciklimit);
- Reduktimi i rreziqeve qe vijne nga ndotja me pasoja reduktimin e probabilitetit per te shfrytezuar sanksionet ne rast mungese dhe respekti te dispozitiveve legislative;
- Zvogelimi i kostove te sigurimit te lindhura me demet eventuale provokuar ambientit;
- Permiresimi i administrimit te ndermarjes dhe proceseve te punes;
- Rritja e aftesises se planifikimit te burimeve te brendshme;
- Permiresim I kompetititetit te tregut;
- Rritja e kredibilitetit dhe permiresimi I imazhit perballle komponenteve sociale dhe atyre te referimit (klient, furnitor, komunitet, botes institucionale, etj).

Eksperiencia e marre nga realite te tjera portuale 4, qe kane nnderuar kete rruge, ka treguar qe te investosh ne nje SGA prodhon nje kursim ne para, nje reduktim te primit te siguracionit, nje rritje te aksesit te detyrimet qeveritare, dhe sigurisht nje konfidence me te madhe me problemet ambientale.

Ne 2000 Autoriteti Portual i Altamira (Meksik) ishte i pari qe beri certifikimin e cilesise ambientale ISO 14001 per nej port; ne vazhdim ne nivel boteror shume porte moren certifikaten ISO 14000/14001, si porti i Houston (USA), Halifax (Kanada), Brisbane (Australi), Walvis Bay e Luderitz (Namport – Namibi - Afrik), Klaipeda (Lituani) e Tallinn (Estoni). Ne Europ, ne 2003, Autoriteti Portual i Valencias (Spanja) ne kuadrin e projektit european ECOPORTS ishte e para ne Europe qe implementoi nje Politike ambientale, duke krijuar nje pike te vlefshme referimi per portet e tjera europiane te ndjeshem ndaj tematikave ambientale; nje shembull i nje porti european certifikuar nga ISO 14001 i eshte dhene portit te Hamina ne Finlande, ndersa porti i Londres ka ne projekt qe te marre nje njohje te tille ne 2006. Ne Itali disa porte jane ne posedim te nje certifikate ISO 14001, si porti i Genova, ndersa te tjere kane nisur praktikat per certifikim, si ai i Civitavecchia, La Spezia, Savona e Trieste. E vetmja regjistrim EMAS ne Europe per nje

port e ka marre Autoriteti Portual i Livornos qe, nga eksperiencia spagnolle e portit te Valencias, ka aritur ne kete qellim me ane te nje projekti te financuar nga programi europian “LIFE III (2000-2006)”, percaktuar si EMAS.PO.LI. (EMAS Port i Livornos).

Ne per gjithesi nje organizim qe implementon nje SGA mundet qe menjehere te konstatoje dobine e investimeve ne kohe dhe ne burime. Nje SGA e ben me te mundshme gjetjen e shkaqeve te problemit ambiental te mundshem, duke i siguruar organizates bazat e nje ristrukturimi per nje administrim te per gjegjshem te ambientit: eshte e mundur ne fakt qe te behen kontolle efikase operative dhe permiresim i praktikave te administrimit, duke bere inserimin e tyre ne praktikat ekzistuese operative.

Mbi bazen e disa kerkimeve te bera ne disa porte, ne nivel boteror, qe kane adoptuar nje SGA, eshte vene ne dukje se jane te shumta dhe te ndryshme per fitimet qe mund te nxirren nga nje certifikim i tille; porti i Houston (USA), si pasoje e nje certifikimi ISO 14001, ka aritur:

- Reduktim deri 25% te prodhimit te oksidit te azotit (NOx) \ nga perdorimi i autovincave dhe parkut te kamioneve;
- Reduktim deri 58% te mbeturinave (rreth 2,3 ton);
- Eliminimi i shtresave te kontaminuara nga vajrat qe do te shkaterrohen;
- Reduktim deri 20% te kostove te sigurimit.

Ne vecanti reduktimi i importeve te sigurimit eshte i pritshem ne vazhdim te adoptimit te nje SGA ne saje te numrit me te madh te dokumentacionit te krijuar dhe mbi te gjitha per mundesine per te treguar mbi kontrollot operative te aplikuara.

Duke ju referuar ekperencies se portit te Houston ka rezultuar:

- Nje rritje e kontolleve operative, me pasoje zvogelin e numrit te aksidenteve;
- Rritja e aftesise per t'ju per gjegjur rasteve te emergences;
- Zvogelim i kostove dhe rritje e produktivitetit;
- Administrim me i ndjeshem i temes se sigurimit;
- Nje permiresim i imazhit publik dhe i kredibilitetit;
- Rritje e ndergjegjshmerise dhe kompetences se forces se punes;
- Permiresim i marredhenieve me koncesionaret dhe pronaret si dhe me institucionet e kontrollit;
- Ulje e rreziqeve dhe rritje e akseseve ne financim.

3.3 Menyra per te aritur te merret nje rregjistrim EMAS i nje porti

Zgjedha mer nej certifikim apo nje regjistrim te nje porti, reispektivisht me normat ISO 14001 ose EMAS, duhet te realizohet ne vazhdim te disa vleresimeve te tregut.

Rruja qe duhet ndjekur per te marre nje certifikim ISO 14001 mund te jete skematikisht strukturuar ne fasat e me poshtme:

- 1) Analiza e nje auriti preliminar;
- 2) Adoptmi i nje Politike ambientale;
- 3) Percaktimi i nje Programi te administrimit ambiental;
- 4) Redaktimi i nje Programi per nje permiresim ambiental;
- 5) Implementimi perfundimtar i nje Sistemi te Administrimit Ambiental;
- 6) Marrja e Certifikates ISO 14001 nepermjet nje organismi independent.

Ne krasim me Certifikimin ISO 14001, Regjistrimi EMAS i nje vendi portual paraqet nje rol “perfektioni” ne administrimin ambiental, me detyrimin kryesor per te bere nje **analize ambientale fillestare**, qe te siguroje nje kujdes me te madh ne percaktimin e linjave te kuadrit

ambientale ne te cilin do te veproj organizata, dhe nga nje **deklarate ambientale** me te cilen regjistrohet perqigjesia per te komunikuar, jasht ambientit te punes, modalitetet administrative te ndjekura per te tuteluar ambientit. EMAS perben keshtu nje instrument i preferueshem ne terma garancie dhe besushmerie, edhe pse i njohur vetem ne nivel europian, eshte edhe me i nderuar ne terma ekonomik dhe afate kohore per arsyet e kohes me te gjate te kerkuar per regjistrim.



Bashkelidhur 1 - Karakteristika teknike te Ishullit ne port

Ishulli ne port eshte i ndertuar nga nje gazebo zinku dhe i lyer me jeshile me baze egzagonal. Mbi bazamentin egzagonal prej llamarine eshte pozicionuar nje dysheme prej grile hekuri te shkeleshme

Hapesira ndermjet bazes dhe dyshemese perben vendin ku duhet te mblidhen vajrat e perdonur. Ne gjashte kendet e bazamentit jane te lidhur gjashte kolona qe mbajne catine e realizuar me llamarine. Struktura mbyllte (rrethohet) nga 6 panele grile zinku e lyer ne te gjithe lartesine, nga te cilat dy ane jane te hapura.

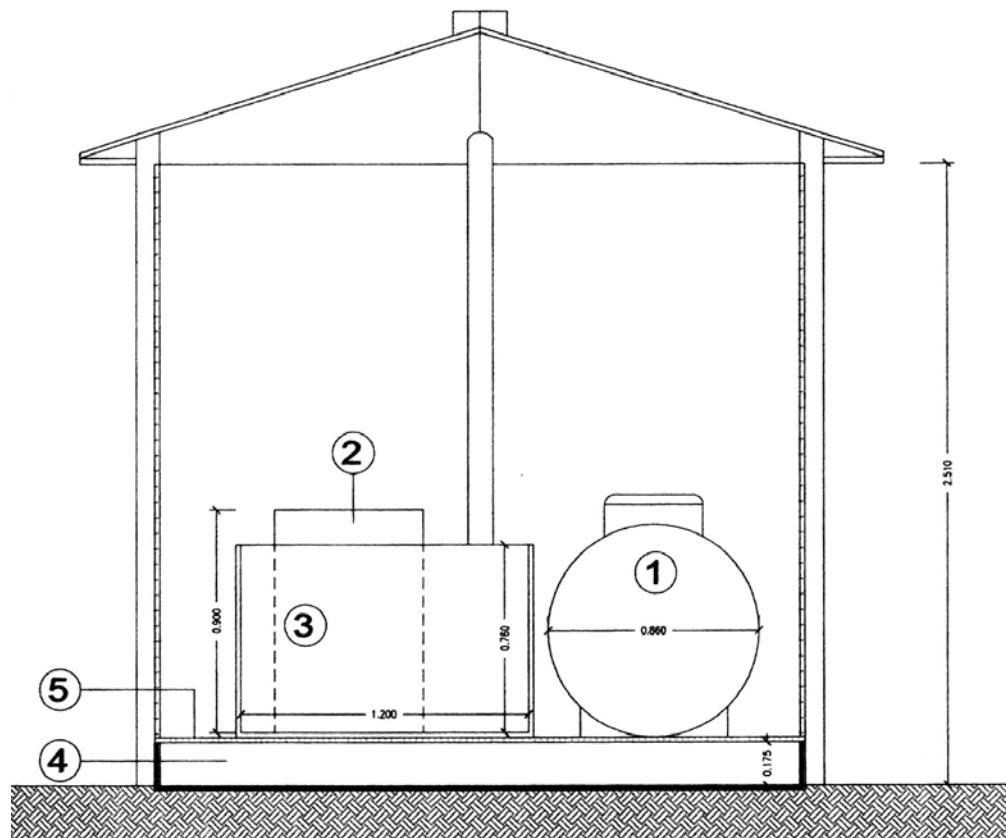
Ne brendesi te ishullit jane vendosur 4 kontenitor:

- n° 1 serbator per mbledhjen e vajit te perdonur;
- n° 1 kontenitor prej PVC per mbledhjen e baterive prej plumbi te perdonura;
- n° 1 kosh per mbledhjen e filtrave te vajit te perdonur;
- n° 1 kosh per mbledhjen e kanaceve te vajit.

Maksimumi i zenies se vendit eshte 3 m x 3 m x h. 3.2 m afersisht dhe pesha bosh vleresohej rreth 850 kg.

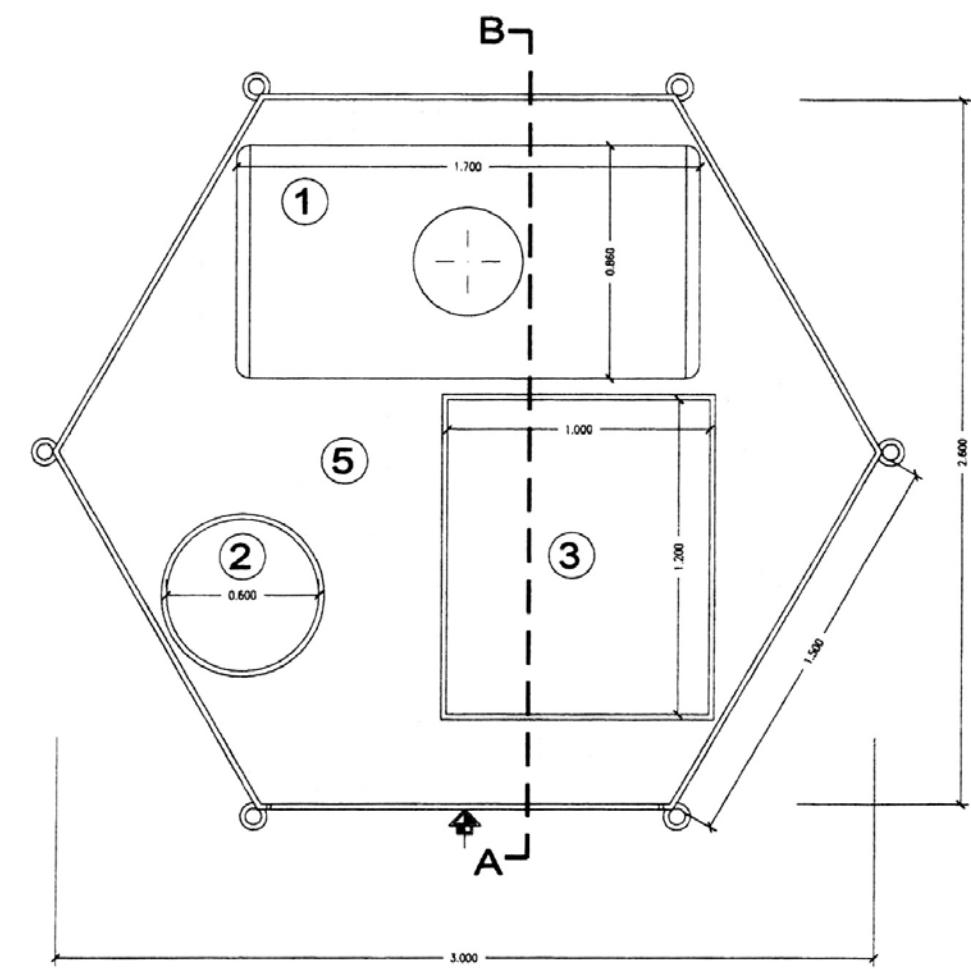
Ne vazhdim eshte paraqitur nje paraqitje e nje Ishulli te zakonshem Porti

PAMJE E NJE ISHULLI NE PORT
(seksioni vertikal)



| Rif. | Pershkrimi | Permasat | Kapacit. |
|------|----------------------------------|----------------------------------|----------|
| 1 | SERBATOR PER VAJRAT E PERDORUR | Diam. 86 cm – L= 170 cm | 0,987 mc |
| 2 | KONTENITOR PER FILTRA | Diam. 60 cm – H=90 cm | 0,255 mc |
| 3 | KONTENITOR PER BATERI TE PERDOR. | 100x120 cm H=76 cm | 0,912 mc |
| 4 | HAPESIRA PER VAJIN | ana hegzagon 150 cm H=17,5 cm | 1,024 mc |
| 5 | GRILA PER TE ECUR | | |

PAMJE E ISHULLIT NE PORT
(seksioni horizontal)



| Rif. | Pershkrimi | Permasat | Kapacit. |
|------|----------------------------------|----------------------------------|----------|
| 1 | SERBATOR PER VAJRAT E PERDORUR | Diam. 86 cm – L= 170 cm | 0,987 mc |
| 2 | KONTENITOR PER FILTRA | Diam. 60 cm – H=90 cm | 0,255 mc |
| 3 | KONTENITOR PER BATERI TE PERDOR. | 100x120 cm H=76 cm | 0,912 mc |
| 4 | HAPESIRA PER VAJIN | ana hegzagon 150 cm H=17,5 cm | 1,024 mc |
| 5 | GRILA PER TE ECUR | | |

Bashkelidhur 2 - Permbledhje

AUTORITETI KOMPETENT NE PORT

Autoriteti Portual, dhe/ose Autoriteti Marin.

ADMINISTRIM I MBETURINAVE

Diferencimi, mbledhja, transporti, rikuperimi dhe shkaterrimi i mbeturinave, perfshire kontrollin mbi keto operacione.

KONCESSIONARI I SHERBIMIT

Subjekt i individualizuar nepermjet nje gare publike te cilit i eshte dhene sherbimi per maledhjen dhe administrimin e nje ose me shume lloje mbeturinash portuale, perfshire rastin e administrit te impianteve portuale.

IMBARKIME TE JAHTEVE

Njesi e cfarendo lloj tipi ne varesi te tipit te motorrit, qe perdoret per qellime sportive ose pushimi.

IMPIANT PORTUAL I MBLEDHJES SE MBETURINAVE TE PRODHUARA NGA ANIJET

Cfarendo strukture fikse, lundruese ose e levizshme ne brendesi te portit ku, perpara fillimit te punes se tyre per rekuperim apo shkaterrim, mund te dorezohen mbeturinat e prodhua nga anijet dhe mbetje te ngarkesave. Jane konsideruar impiante portuale te mbledhjes se mbeturinave baza operative (te destinuara per mbledhjen e mbeturinave me prejardhje nga anije subjekte te deklarates) dhe zona te pajisura (per mbledhjen e mbeturinave me prejardhje nga anije jo subjekt te deklarates) perfshire dhe "Ishujt ne Port".

ISHUJT NE PORT

Zonat e pajisura per mbledhje te mbeturinave portuale te rrezikshme. Ne Itali Ishuj te tille mund te jene realizuar me kontributin e Konsorciut te Detyrueshem per Vajrat e Perdorur (COOU) dhe Konsorciumin e Detyrueshem per Baterite e Plumbit te Perdorura (COBAT)

TEKNIKAT ME TE MIRA TE MUNDSHME

Faza me e avancuar dhe eficiente e zhvillimit te aktivitetit si dhe metodat relative te ushtrimit, pershtatshmeria praktike e teknikave percaktuese per ndertimin, ne linja maksimumi, te bazes se vlerave limite te emisioneve per tu evituar, ose cfar paraqitet e pamundur, per te reduktuar ne menyre te per gjithshme emisionin dhe impaktin mbi ambientin ne kompleksitetin e tij.

ANIJE

Nje njesi e cfarendo lloj tipi, qe operon ne ambientin marin, perfshi strukturat skafe, mjete me fryrje ajrore, te zhytshme, lundruese, si dhe peshkarexha, dhe jahte.

PESHKAREXH

Nje njesi cfarendo lloj imbarkim i pajisur ose e perdonshme per qellime komerciale per kapjen e peshkut ose lloje te tjera gjallesa detare.

PORT

Nje vend ne zonen gjeografike ne te cilin jane vendosur pajisjet me te mira te siguruara, per te lejuar qendrimin e anijeve, peshkarexhave dhe jahteve.

MBETJE TE NGARKESES

Mbetje te cdo lloj materiali qe perben ngarkesen ne bordin e anijes ne hambare ose ne cisterna dhe mbetet ne fund te operacionit te shkarkimit, pastrimit, perfshi ujerat e pastrimit dhe ujerat e ballastit, te cilat ne cdo rast kane qene ne kontakt me ngarkesen ose mbeturinat nga ajo.

MBETURINE

Cdo substance ose objekt qe hyne ne kategorine e pershkruar ne bashkelidhur A te Pjeses IV te Dekretit Legjislativ nr. 152/2006 te cilen mbajtesi e heq ose ka vendosur ose ka detyrim te clirohet prej saj.

MBETURINE TE PRODHUARA NGA ANIJET

Mbeturinat, perfshi ujerat e rrjedhsheve dhe mbeturina te ndryshme nga mbetje te ndarkeses, perfshi ujera te sentines, produkte ne bord te nje anije qe perfshihet ne aplikimin e pjeseve bashkelidhur 1, IV dhe V te MARPOL 73/78, si dhe mbetje te lidhura me ngarkesen per te cilen linjat guide percaktohen ne nivel komunitar sipas pjeses Bashkelidhur V te MARPOL 73/78

Site web per me teper njohuri

- www.imo.org
- www.londonconvention.org
- <http://europa.eu.int>
- www.infrastrutturetrasporti.it
- www.minambiente.it
- www.regione.marche.it
- www.guardiacostiera.it
- www.gencimarancona.it
- www.infoleges.it
- www.reteambiente.it
- www.ambiente.it
- www.laserlab.it
- www.onon.it
- www.informare.it
- www.autoritaportuale.ancona.it

**Linja guide aplikuese nga rregullorja
SA8000 ne territorin portual**

Hyrje

Funksioni kryesor i nje organizate qendron ne krijimin e vlerave nepermjet prodhimit te te mirave dhe sherbimeve qe kerkojne konsumatoret, duke gjeneruar ne te njejtene kohe perfitime per titullaret dhe aksioneret e saj si dhe pasuri per shoqerine, ne vecanti nepermjet nje procesi te vazhdueshem krijimesh te vendeve te punes.

Forma te reja presioni social dhe tregetar bejne, organizata te tilla, te modifikojne ne menyre progresive vlerat e tyre dhe horizontet e referimit.

Ato behen gjithmone e me te ndergjegjshme per faktin qe objektivat e nje suksesi te qendrueshem tregtar dhe perfitimet perkatese per palet e interesuara nuk jane te kontrollueshme, ekskluzivisht, duke maksimizuar perfitimet afatshkrurtra, si dhe duke parashikuar sjellje te vemendshme dhe te perjegjshme perkundrejt tregut.

Pervec kesaj, ato jane te ndergjegjshme per faktin qe mund te kontribuojne ne zhvillimin e qendrueshem duke administruar realitetet e tyre ne menyre qe perforcojne rritjen ekonomike dhe konkurencen e tyre pa i shkaktuar deme ambjentit, pa lene pas dore interesat e konsumatoreve dhe pa i bere bisht perjegjesive te tyre sociale, marreveshje si “integrimi vullnetar i problematikave sociale dhe ekologjike ne operacione tregtare dhe ne raportet e sipermarrjeve 0e palet e interesuara” (Libri i Gjelber European - Mars 2001).

Duke patur ne konsiderate sa u tha, nje numer ne rritje sipermarrjesh ka bere pikerisht kete koncept perjegjshmeri sociale.

Realitetet portuale, jane bere vitet e fundit organizata te mirefillta komplekse ekonomike, te cilat nuk mund te terhiqen para kesaj perjegjesie. Duhet te fillojne nje rruge ne ngjite, duke synuar te arrijne objektivin strategjik per tu bere me konkurues dhe me dinamik, te afte per nje rritje te qendrueshme ekonomike dhe nje permiresimi sasior dhe cilesor te punesimit, duke garantuar nje koezion me te madh social.

Te arrish te kesh porte te perjegjshem nga ana sociale, do te thote te stimulosh analizat e integruara, me baze vullnetare, te problemeve sociale dhe ambientale te te gjitha sipermarrjeve qe operojne ne to dhe si rrjedhoje te adoptojne qendrime te perbashketa, duke u perpjekur te gjelje nje kompromis te ekuilibruar ndermjet nevojave dhe kerkesave te paleve te interesuara.

Nese ndryshimet qe derivojne, do te drejtohen me perjegjesi dhe ndergjegjshmeri, impakti ne nivelin do te jete me siguri pozitiv.

Ne nje kontekst te tille, perjegjesia sociale e organizatave portuale, impenjimi i tyre etik dhe social, pervec te qenit i deshmuar nga nje Kod etik/ ose Bilanc social, mund te certifikohet (ose te njihet nga nje ent i trete) ne perputhje me nje standart nderkombetar.

Standarti nderkombetar i certifikimit qe lidhet me:

- Respektimin e te drejtave te njeriut,
- Respektimin e te drejtave te punetoreve,
- Tutelen kunder shfrytezimit te te miturve,
- Garancite e sigurise ne vendet e punes.

Linjat Guide aktuale, te perpunuara ne kuadrin e projektit WAP – Menaxhimi i Mbeturinave ne Portet e Adriatikut, perbejne nje instrument operativ per aplikimin e Rregullores SA8000 ne zonat portuale, duke mos harruar qe ne ditet e sotme asnjë realitet i ketij lloji rezulton akoma e certifikuar sipas dispozitave te tilla.

Objektivat kryesore, qe dalin gjate redaktimit te ketyre Linjave Guide, mund te sintetizohen si me poshtë vijon:

- te ofroje njojuri baze te parimeve themelore te standartit SA8000;
- te jape tregues perkates te impaktit te rregullores ne aktivitetet kryesore te porreve;
- te percaktoje aktoret sociale te sistemit “port”;
- Te ilistroje fazat e punes per zhvillimin e nje Sistemi te Pergjegjesise Sociale ne kuader te porreve;
- Te ofroje nje shembull aplikues te nje manuali SA 8000 per nje organizate hipotetike ne territorin portual.

Argumentat jane nxjerre duke patur parasysh analizat socio-ekonomike te zhvilluara nga Universiteti Politeknik i Marches, ne portet e Ankones, Civitanova Marche, Pesaro dhe San Benedeto.

Kapitulli 1 - Rregullorja SA 8000

1.1 Prezantimi i Rregullores

Rregullorja SA8000 perfaqeson standartin e pare te shperndare ne nivel nderkombetar rrith pergjegjesive sociale te sipermarrjeve.

Eshe nje rregullore mbi aderimin vullnetar dhe percakton kriteret minimale te nevojshme, kur flasim per te drejtat e njeriut dhe ato sociale, qe secila Organizate duhet te permbushe per te qene ne konformitet.

Nje konformitet i tille behet zyrtare nepermjet nje certifikimi qe leshohet nga nje organizem i trete i pavarur.

SA8000 eshte miratuar ne 1997 ne New York nga PSN (Pergjegjesia Sociale Nderkombetare, e njojur me pare si CEPAA), e themeluar nga KPE (Keshilli i Prioriteteve Ekonomike), organizem qe bashkon ne nivel nderkombetar, perfaqesues qeverish, sindikata, univeritete, ente certifikimi, shoqeri konsulencje. Rregullorja me pas eshte azhornuar gjate vitit 2001.

1.2 Fusha e aplikimit dhe perparese

Rregullorja SA8000 mund te adoptohet nga Organizata me dimensione te vogla dhe te medha, si dhe nga ente te sektorit privat dhe te sektorit publik.

Perparese kryesore qe mund te kene Organizatat nga aplikimi i kesaj norme jane:

- reduktimi i turn-over te punojsve;
- besim me te madh te investitoreve dhe te klienteve;
- trasparence te aktivitetave te organizates me nje rritje te pamjes se brendshme dhe te jashtme rrith parimeve etiko-sociale;
- administrim me te mire te furnizuesve dhe sipermarrjeve;
- rritja e kenaqesise se punojesve.

1.3 Struktura

Norma percakton nje seri kriteresh etike te rendesishem ne lidhje me te drejtat e njeriut ne boten e punes, ne vecanti:

- puna e te miturve;
- puna e detyruar;
- shendet i dhe siguria ne punë;
- liria per tu bere pjese e shoqatave dhe e drejta per bisedime kolektive; kontraktimet;
- diskriminim;
- procedura disiplinore;
- orari i punes;
- pagesa.

Kerkesave te tilla u shtohet edhe i nje lloji tjeter sic eshte ai i drejtimit. Norma SA8000 ne fakt parashikon qe Organizata te implementoje ne brendesi te saj nje sistem drejtimi te Pergjegjesive Sociale per te permiresuar vazhdimisht performancen e organizates ne lidhje me kriteret e siperpermendura etiko-sociale.

1. PUNA E TE MITURVE

Norma percakton qe Organizata:

- Nuk duhet te shfrytezoje punen e te miturve;
- Duhet te percaktoje procedura per rekuperimin e femijeve te gjetur duke punuar dhe duhet tu ofroje atyre nje mbeshtetje te pershatshme per frekuentimin shkollor;
- Duhet te percaktoje procedura per promovimin e arsimit te femijeve dhe te punojesve te rinj qe jane subjekt i arsimit te detyruar. Ne vecanti, femijet dhe punojesit e rinj nuk duhet te jene ne pune gjate oreve shkollore dhe ne cdo rast, shuma ditore e oreve te mesimit, pune dhe transport nuk duhet te jene me shume se 10;
- Nuk duhet qe femijet dhe punojesit e rinj te ekspozohen ne situata te veshtira, te pasigurta ose te demshme per shendetin e tyre.

2. PUNA E DETYRUAR

Per pune te detyruar nenkuptohet cdo aktivitet pune qe behet nga nje person nen kercenimet e cdo lloji dhe per te cilin personi nuk eshte ofuar vullnetarisht.

Me specifike, norma SA8000 parashikon qe Organizata:

- Nuk duhet te shfrytezoje ose te perfitoje nga puna e detyruar;
- Nuk duhet t'i kerkoje personelit te leshojne depozita ose dokumenta identiteti ne momentin e fillimit te raportit te punes.

3. SHENDETI DHE SIGURIA

Norma percakton qe Organizata:

- Duhet te garantoje siguri dhe shendetin, duke adoptuar masa per te parandaluar incidentet dhe demet ndaj shendetit, si gjate zhvillimit te punes si pajosat e saj;
- Duhet te emeroje nje perfaquesues te Drejtuesve per shendetin dhe sigurine e te gjithe personelit;
- Duhet te beje te mundur qe i gjithe personeli, edhe ai qe sapo eshte marre ne pune, te marre njohuri te rregullta dhe te dokumentuar per shendetin dhe sigurine;
- Duhet te percaktoje sisteme per te identifikuar, perte shmangur dhe perballur rreziqet e mundshme per shendetin dhe per sigurine e personelit;
- Duhet te garantoje sherbime te pastra higjenike, akses i ujit te pijsphem dhe strukturave te higjenes per ruajtjen e ushqimeve;
- Duhet te garantoje qe fjetoret, nese ka per personelin, te jene te pastra, te sigurta dhe tu pergjigjen nevojave themelore.

4. LIRIA PER TU BERE PJESE E SHOQATAVE DHE E DREJTA PER BISEDA KOLEKTIVE

Norma percakton qe Organizata duhet:

- Te respekoje te drejten e te gjithe personelit per tu aderuar dhe per te formuar sindikata sipas zgjedhjes se vet dhe te kete te drejten e bisedimeve kolektive;
- Te lehtesoje menyra alternative per tu bashkuar me sindikatat dhe bisedimeve kolektive, ne rastet ku te drejta te tilla jane te kufizuara me ligj;
- Te garantoje qe perfaquesuesit sindikaliste te mos diskriminohen dhe te mund te komunikojne lirisht me shoqatat e tyre ne vendin e punes.

5. DISKRIMINIMI

Norma percakton qe Organizata nuk duhet:

- Te aktualizoje diskriminimet gjate punesimit, aksesit ne formime, promovimit, licensimit, ne baze te rraces, shtresa shoqerore, origjines, moshes, fese, invaliditetit, seksit, orientimit seksual, perkatesise sindikaliste ose anshmerise politike;
- Te nederhyje ne te drejtat e punojesve perte ndjekur parime ose praktika qe lidhen me rracen, origjinen, shtresen shoqerore, fene, invaliditetin, seksin, orientimit seksual, perkatesise sindikaliste ose anshmerise politike;
- Te lejoje, brenda ambjenteve te punes, sjellje qe jane te imponueshme seksualisht, kercenuese, fyese ose shfrytezuese.

6. PROCEDURA DISIPLINORE

Norma percakton qe Organizata nuk duhet te perdore ose te mbeshtese ndeshkimet fizike, presionit mendor ose fizik, abuzimeve verbale.

7. ORARI I PUNES

Norma percakton qe Organizata duhet te respekoje ligjet dhe standartet industriale qe lidhen me ceshtjen e orarit te punes, nese legjislacioni kombtar eshte me pak kufizues sesa kriteret e normes SA8000, ajo duhet t'i permabahet parametrave qe vijojne:

- Java e punes duhet te kete jo me shume se 48 ore pune te rregullt dhe te pakten nje dite pushim;
- Puna jashte orarit nuk duhet t'i kaloje 12 oret ne javë, duhet te jete vullnetare dhe e paguar me nje perqindje plus punes se rregullt;
- Nese Organizata eshte pjese e bisedimeve kolektive, kerkesa e punes jashte orarit duhet te behet ne perputhje me nje marreveshje te tillë qe t'i pergjigjet kerkeses afatshkurter te tregut.

8. PAGESA

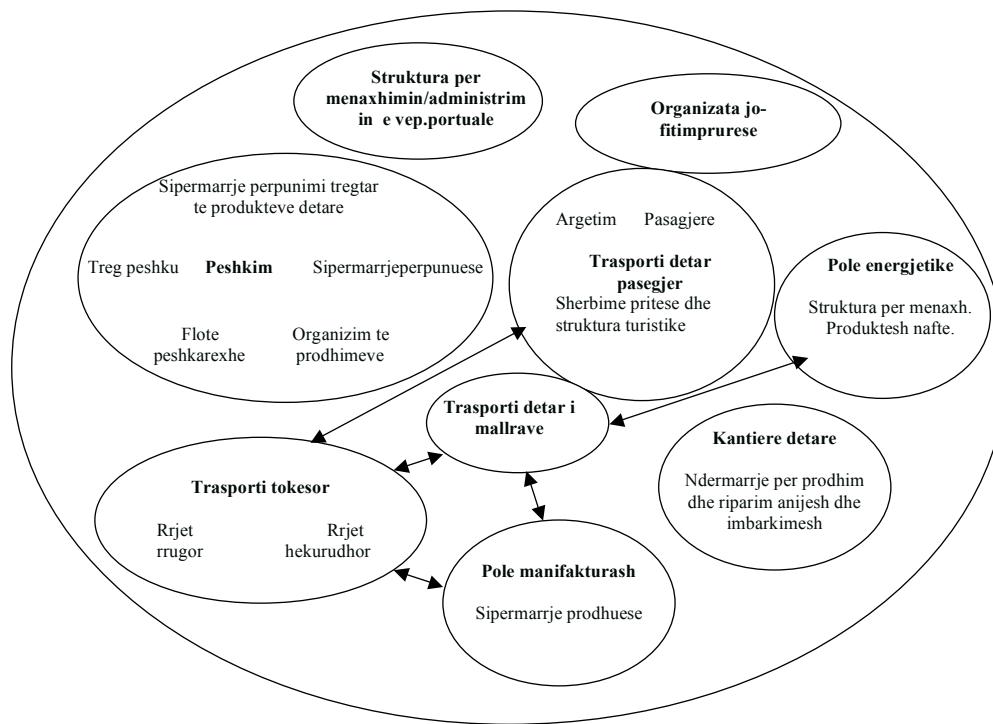
Organizata duhet te garantoje:

- Nje page te njejtë ose superiore me retributet minimale ligjore, qe te kenaqet nevojat themelore dhe qe te vere ne dispozicion te punojesit nje fitim diskret;
- Mbajtjet e pages te mos jene pasoje e ndalesave disciplinore dhe qe paga te jete e qarte dhe e kuptueshme per te gjithe punojesit;
- Qe shperblimi te rritet sipas legjislacionit ne fuqi, ne menyre qe te jete me e pershatshme per punojesit (para ne dore, cek,...);
- Qe te mos hartohen konrata qe vene ne drite perdonimin e papershtashem te raportit te bashkepunimit, persa i perket qartesise nga ana e Organizates per detyrimet e derdhjes se kontributeve.

Kapitulli 2 - Sistemi "port"

2.1 Struktura e sistemit "port"

Per te aplikuar normen SA8000 ne territorin portual eshte ndertuar nje prezantim skematik te funksionimit te sistemit port dhe te aktiviteve kryesore qe zhvillohen ne te.



2.3 Impakti i normes SA8000 tek aktivitetet e nje porti

Tabela me poshte, ve ne dukje, duke vleresuar impaktin, kriteret e normes SA8000 dhe aktivitetet qe zhvillohen brenda zones se portit:

| | Puna e temiturve | Pune e detyruar | Shendet dhe siguri ne punë | Liri e pjesemarrjes ne sindikata dhe biseda kolektive | Diskriminimi | Procedura disiplinore | Orari i punes | Pagesa | Sistemi i drejtimit |
|--|------------------|-----------------|----------------------------|---|--------------|-----------------------|---------------|--------|---------------------|
| Struktura per drejtimin/ Administrimin E aktiviteve portuale | 😊 | 😊 | 😊 | 😊 | 😊 | 😊 | 😊 | 😊 | 😊 |
| Aktiviteti i peshkarexhave | 😊 | 😐 | 😐 | 😐 | 😐 | 😐 | 😐 | 😐 | 😐 |
| Aktiviteti i kantierit | 😊 | 😊 | 😐 | 😐 | 😐 | 😐 | 😐 | 😐 | 😐 |
| Ngarkim dhe shkarkim mallrash | 😊 | 😐 | 😐 | 😐 | 😐 | 😐 | 😐 | 😐 | 😐 |
| Aktiviteti qe lidhen me turiste dhe lundrim argestues | 😊 | 😊 | 😊 | 😐 | 😊 | 😊 | 😐 | 😊 | 😐 |

Legjenda:

- 😊 Impakt i ulet
- 😐 Impakt i mesem
- 😦 Impakt i larte

2.3.1 Problematika te punes ne aktivitetet kantieristike

| Problematika | Situata portuale |
|---|--|
| Puna e te miturve | Nga informacionet e mbledhura, nje problematike e tille nuk eshte evidentuar ne menyre te dukshme. Duhet theksuar, qe disa probleme mund te dalin nga aplikimi i normativave c.d. Bolkestein ¹² . |
| Puna e detyruar | Nga hetimet e bera nuk kane dale perdonime dalluese te ketij fenomeni edhe per veshiresine e analizave ne kete sens: kufinjte interpretues te normatives Bolkestein dhe kontrollit te dobet ne administrimin e sipermarrjeve. |
| Shendet dhe Siguria | Ne lidhje me problematikat mbi shendetin dhe sigurine, evidentohet nje element kritik qe lidhet me tipologjine e punes: prania e forte e punes manuale, perdonimi i pajisjeve potencialisht te rrezikshme qe e beje kete tipologji pune te kete nivele te larta rrezikshmerie. Subjektet e perfshira ne analiza kane treguar se instrumentat parandalues te parashikuara nga normativa – te vlefshem ne menyre absolute – nuk perdoren gjithmone ne menyrete pershtatshme. Nje problem i tille eshte i pranishem mbi te gjitha ne ndermarjet e vogla qe administrojne punen e lejuar ne sipermarrje. Ne fakt jane regjistruar raste edhe te renda incidentesh. |
| Liria per tu bere pjese e shoqatave dhe e drejta e bisedimeve kolektive | Per temen ne fiale, prania e sindikatave nuk eshte gjithmone uniforme ne ndermarje te ndryshme. Ne ato te dimensioneve te mesme dhe te medha, ka te pranishme nje sens te forte te sindikatave qe mund te kaloje dhe 50%. Ne ndermarjet e vogla ose ne ato qe bejne pune ne sipermarrje, niveli i "sindikalizmit" eshte shume me i kufizuar dhe ne disa raste mungon. Si rrjedhoje ka nje tutele me te vogel te punojesve. Prania sindikaliste eshte e forte dhe aktive mbi te gjitha ne sistemin portual ankonetan. |
| Diskriminimi | Ne per gjithesi, edhe per sa i perket sektorit kantieristik, prania e punojesve te huaj eshte e ndjeshme (ekstrakomunitare ne vecanti) sidomos ne portin e Ankones. Nga hetimet e bera, nuk kane dale elemente qe mund te jepin informacione per te vleresuar "peshen" e ketij fenomeni. |
| Procedura disiplinore | Per nje argument te tille dhe sic eshte thene dhe me pare, rezulton mjaft komplekse te verifikosh parandalimet e mundshme te karakterit disiplinor. Nuk duken konsistente problematikat e kesaj tipologje per kantieret e medha. |
| Orari i Punes | Edhe ne kete rast eshte e nevojshme te diferencohen sipermarjet e medha dhe te vogla, sic ka ndodhur me pare. Probleme te ketij lloji mund te derivojne nga interpretimi i "rregulles" se vendeve te origjines e parashikuar nga normativa Bolkestein. |
| Pagesa | Ne lidhje me aspektin e pageses duhet thene se ekziston nje kontrate kolektive nazionale (metalmekanika). Problematisat kryesore mund te derivojne nga: <ul style="list-style-type: none"> • Interpretimi dhe aplikimi i normativave Bolkestein; • Adoptimi i te ashtuquajtjures "paga globale" per pagesen e bashkepunetoreve qe ushtrojne aktivitetin e tyre ne ndermarrje. |

Burimi: Analizat socio-ekonomike te sistemeve portuale, te Universitetit Politeknik te Marche.

¹² Propozim i Direktivave te Parlamentit European dhe te Keshillit te Bashkimit European qe lidhet me sherbimet ne tregun e brendshem e prezantuar nga Komisioni European ne Shkurt 2004.

2.3.2 Problematika te punes ne aktivitetet e peshkarexhave

| Problematika | Situata portuale |
|---|---|
| Puna e te miturve | Nga informacionet e mbledhura, problematike e tille nuk duket te jetet prioritar; kontrolllet e bera ne fazen e imbarikimit dhe autorizimet e nevojshme, si dhe detyrimet informative qe ka cdo imbarkim, lejojne nje kontroll efikas mbi veprimitarite e zhvilluara "ne bord". Normativa e referimit eshte "Kodi Italian i Lundrimit" qe ka udhezimet per tipologjite e ndryshme te aktiviteve. Cdo imbarkim duhet te azhornoje ne menyre konstante "rulinon e imbarikimit", instrument verifikimi dhe kontrolli te aktiviteve te kryera; ne nje dokument te tille duhet te deklarohen subjektet e imbarkuara, qofte per nje verifikim mbi numrin e lejuar te ekuipazhit e parashikuar nga "Kodi i Lundrimit". Kjo behet per personelin ne bord, per personelin ne toke ndiqen te tjera procedura. |
| Puna e detyruar | Nga hetimet e bera nuk ka patur rezultate konkrete edhe per veshiresite e analizimit ne kete sens. |
| Shendet dhe Siguria | Per problematikat ne lidhje me shendetin dhe sigurine, ne vecanti, evidentohen elemente kritike, sidomos ne aspektin parandalues. Prania e forte e punes manuale, perdonimi i pajisjeve potencialisht te rrezikshme dhe elementin "det" e bejne nje tipologji te tille me nivel te mesem-te larte rreziku. Disa veshiresi jane te lidhura me dimensionin e pakesuar te subjekteve ekonomike te perfshire. |
| Liria per tu bere pjese e shoqatave dhe e drejta e bisedimeve kolektive | Ne lidhje me kete ceshtje nuk jane hasur "imponime" qe te kufizojne kete te drejte, mgjth prania sindikaliste nuk eshte e larte. Ky aspekt eshte ne varesi te ndermarjeve, shume te reduktuara, pra te pranise se kufizuar "teperfaquesuesve te Organizates". Raporti i numrit te te punesarve dhe numrit te regjistrimit ne sindikata nuk kalon 20-30% te totalit; nje prani me e madhe qe varion nga nje sindikate tek tjetra, haset ne portin e Fanos. |
| Diskriminimi | Nga hetimet e bera nuk ka patur elemente qe mund te jepin informacione te vlefshme per peraktimin e nje situate. Kane dale disa reflektime: <ol style="list-style-type: none"> eshte e ndjeshme prania e forte e punojse e huaj (ne vecanti ekstrakomunitare) sidomos ne portin e Ankones dhe San Benedatos. Rezulton kompleks verifikimi i aktiviteve diskriminuese gjate peshkimit. |
| Procedura disiplinore | Per nje argument te tille dhe sic eshte thene dhe me pare, rezulton mjaft komplekse te verifikosh parandalimet e mundshme te karakterit disiplinor te marre nga komandanti gjate peshkimit. |
| Orari i Punes | Kontrata kolektive kombetare e punes (CCNL) ne Itali parashikon si baze nje numer prej 40 ore ne jave (8 ore ne dite); per pamundesine e nje kontrolli efikas, si dhe per paparashikueshmerine e disa elementeve (prania e prodhimeve te peshkut dhe kushteve te detit) opinionet e subjekteve te intervistuar lene te kuptohet nje numer me te madh te oreve te punes. |

| | |
|--------|---|
| Pagesa | <p>Ne lidhje me aspektin e pageses ekziston nje kontrate e vetme kolektive kombetare (e firmosur nga sindikatat CGL, CILS, UIL e Federpesca); mgjth ne porte te caktuar jane konstatuar perdonime tipike marxinale te ndryshme sipas realiteteve te ndryshme. Aspektet kontraktuale rregullohen nga dy normativa te ndryshme: peshkimin e vogel (L. n. 250/1958, kontrata te punes autonome), peshkimi i madh (L. n. 413/1984, kontrata pune te varura). Tipologjia e fundit gjendet ne portet e San Benedeto del Tronto, Ankona dhe Fano.</p> <p>Mbi keto baza, mund te identifikohet pagesa tipike qe perbehet nga paga fiks (paga minimale, sipas CCNL) dhe nga nje pjese variabel qe matet me peshkimin (50% pronari, 50% ekuipazhi).</p> |
|--------|---|

Burimi: *Analiza socio-ekonomike te sistemeve portuale, nga Universiteti Politeknik i Marche.*

Kapitulli 3 - Faza te punes per zhvillimin e nje Sistemi per Pergjegjesi Sociale (SRS) ne territorin portual.

Ne rastin specifik te certifikimit te nje porti, eshte pa dyshim themelore te fillosh nga aplikimi i kriterieve te normes ne strukturat per drejtimin dhe kontrollin e aktivitetave portuale, ose Autoritit Portual dhe/ose Autoritetit Detar.

Duke iu referuar parimeve te permiresimit te vazhdueshem dhe te pergjegjshmerise "speciale" te furnizuesve, e shprehur ne normen SA8000, perdonimi i dokumentit aktual dhe adoptimi i nje SRS duhet tu interesoje me pas edhe Organizatave te tjera qe operojne ne zonen portuale. Tani percaktojme te gjithe hapat e nevojshem per realizimin e nje SRS dhe certifikimin e tij.

Faza e 1re: Identifikimi i stakeholders.

Hapi i pare drejt realizimit te nje SRS ka te beje me identifikimin e te gjithe paleve te interesuara (stakeholders) te Organizates, te brendshem dhe te jashtem ne territorin portual.

- Struktura per drejtimin/administrimin e aktivitetave portuale (Autoritete Portuale/Detare).
- Personel i veprimtarise se peshkimit.
- Personel operues ne kantiere detare.
- Personel per ngarkim-shkarkim te mallrave.
- Personel operues ne transportin detar te pasajereve dhe te aktivitetave qe lidhen me to.
- Organizata jo-fitimprurese.
- OFJ.
- Administrata publike.
- Organizata sindikaliste.

Prandaj duhet te organizohen takime/intervista me stakeholders qe kane impakt me te madh ne aktualizime SRS, me qellim qe:

- Te percaktojne kontekstin si do te operohet;
- Te mbledhe informacione dhe te dhena statistikore te rendesishme per identifikimin e pikave te mundshme kritike per te ardhmen per implementimin e nje SRS.

Faza e 2te: Percaktimi i normave kombetare dhe nderkombetare ne lidhje me pergjegjesine sociale (lige nderkombetare, europiane, italiane)

Faza e dyte parashikon, ne vecanti, identifikimin e te gjithe ligjeve, normave, rregulloreve, dokumenta kontraktuale qe lidhen me:

- *Punen e te miturve* (D.Lgs. n. 345/1999, D.Lgs. n. 262/2000, Direktiva n. 1994/33/CE, L. n. 148/2000, Konventa ILO n. 138 e n. 182, rregullore te mundshme te brendshme)
- *Puna e detyruar* (Konventa ILO n. 29 e n. 105, rregullore te mundshme te brendshme)
- *Shendet dhe Siguri* (D.Lgs. n. 626/1994, D.Lgs. n. 494/1996, Konventa ILO n. 155, rregullore te mundshme te brendshme)
- *Liria per tu bere pjese e shoqatave dhe e drejta e bisedimeve kolektive* – Statuti i Punojsve, CCNL, Konventa ILO n. 87 n. 135 n. 98, rregullore te mundshme te brendshme)
- *Diskriminimi* (Statuti i Punojsve, Konventa ILO n. 111 n. 100 n. 159 n. 177, eventuali regolamenti interni)
- *Praktika Disiplinore* (Kodi Civil, Statuti i Punojsve, Konventa ILO n. 29, rregullore te mundshme te brendshme)
- *Orari i Punes* (Statuti i Punojsve, CCNL, Konventa ILO n. 98, rregullore te mundshme te brendshme)
- Pagesa (CCNL, Konventa ILO n. 100, rregullore te mundshme te brendshme)

Faza e 3te: Verifikimi i nivelit te konformitetit dhe te reagimit te Organizates ndaj dispozitave te identikuara gjate fazes paraardhese.

Gjate kesaj faze duhet bere një kontroll ne brendesi te sistemit organizativ, ne menyre qe:

- Te percaktohet gjendja e pjeses fillestare;
- Te identifikohen paqartesi te mundshme ne lidhje me parashikimet e ligjeve te hasur ne Fazën e dyte;
- Te kulumohen boshlleqet e hasura.

Faza e 4te: Planifikimi dhe implementimi i sistemit te administrimit te Pergjegjesise Sociale.

Aspektet me te rendesishme per te patur parasysh ne kete faze, jane:

a) Percaktimi i politikave te pergjegjesise sociale.

Drejtimi ka per detyre te percaktoje nje politike te pergjegjesise sociale dhe te shprehe parimet baze dhe vlerat me te cilat Organizata ka ndermend te jete ne konform. Duke vene ne dukje vlerate tilla, Drejtimi ka per detyre te nxise ndergjegjishmeri dhe motivim ne te gjithe personelin dhe te beje te mundur qe ata te njohin parimet e duhura per drejtimin e jashtem. Instrumenti i perdonur me shume nga Organizatat per formalizimin dhe shperndarjen e politikave te saj eshte "Manuali SA8000".

b) Emerimi i perfaquesuesve.

Norma SA8000 cakton qe duhet te kete tre funksione:

• *Perfaquesues i shendetit dhe sigurise:*

Eshte nje figure qe krijohet nga stafi drejtues (dhe perfaqeson stafin menaxherial) qe merret me implementimin e kritereve qe lidhen me shendetesine dhe sigurine. Nje funksion i tille mund te mbulohet nga i njejti person qe eshte emeruar perfaquesues i SA8000 te stafit menaxherial.

• *Perfaquesues i SA8000 te stafit menaxherial:*

Eshte nje figure e stafit drejtues qe merret me implementimin e te gjithe atyre kritereve dhe te sistemit SA8000. nje funksion i tille perfaqeson edhe shendetin dhe sigurine.

• *Perfaquesues i SA8000 te punojsve:*

Nje figure e tille perfaqeson punojesit dhe nuk mund te mbulohet nga asnjë figure tjeter. Ajo merret me perballjen me stafin drejtues per te gjitha ceshtjet qe lidhen me normen SA8000 dhe qe kae te bejne me punojesit. Nje figure e tille mund te mbulohet vetem nga personi qe merret me shendetesine dhe sigurine ose nje perfaquesues i sindikatave.

c) Trajnimi i personelit mbi normen SA8000.

Duhet te parashikohen programe sensibilizimi per shperndarjen e parimeve dhe te politikave te SA8000 dhe pjese formative periodike, gjate oreve te punes, per te gjithe punojesit dhe per ata te punesuar per nje kohe te caktuar. Dis ashembuj argumentimi qe mund te trajtohen brenda kurseve te formimit jane: shendetit dhe siguria ne vendet e punes, parimet themelore te normes SA8000, etj.

Drejtimi duhet te verifikoje efikasitetin e formimeve te kryera duke bere teste, ose te kontrolloje ne "terren" qe punojesit te vene ne praktike ate qe kane mesuar.

Drejtimi duhet te vere ne dispozicion te punojesve materialet e SA8000, ne perputhje me nivelin e arsimt te personelit ne menyre qe ta kuptojne te gjithe (si relacione te shkurtra te shkruara, te qarta, artikuj gazete, etj).

d) Procedurat per seleksionimin dhe kontrollin e furnizuesve te prodhimeve/sherbimeve.

Duhet te zbatohen procedura per seleksionimin dhe kualifikimin e furnizuesve te mallrave/ sherbimeve mbi bazen e aftesive te tyre per te permbojshur normen SA8000. Ne vecanti, cdo fornitor duhet te paraqese ne Organizate ne forme te shkruar angazhimin e tij/saj per te qene konform te gjitha kritereve te normes SA8000.

e) Administrimi i regjistrimeve.

Norma parashikon qe te formulohen dokumenta te pershtatshme per regjistrimin, per raportimin, evidencia e aplikimit te rregullave proceduriale. Shembuj te regjistrimit mund te jene subjekt i kurseve te formimit te punojesve, mbi monitorimin e fornitoreve, per mosperputhjet e hasura.

f) Menaxhimi i problematikave (mos-perputhjeve) dhe veprimet korrektuese.

Duhet te percaktohen procedura per trajtimin e mos-perputhjeve, si te nderhyhet dhe te riparohet nje problem i identifikuar dhe modalitetet e zbatimit te veprimeve korrektuese per te zgjidhur keto probleme qe ne baze dhe te parandalohet perseritja.

g) Rishqyrtimi i Drejimit.

Norma parashikon qe te procedohet, periodikisht, per te vleresuar Sistemin e menaxhimit te Pergjegjesise Sociale per tu siguruar qe vazhdimesia e saj te jete efikase.

Elementet per kryerjen e nje shqyrtimi duhet te perfshijne patjetet: informacione kthyese nga klientet/perdonuesit, rezultate te verifikimeve te bera me pare, prezantimeve te proceseve, natyra dhe sasia e konformiteteve te hasura, gjendja e veprimeve korrektuese, veprime per tu ndjekur nga shqyrtimet e meparshme te Drejtuesve.

Elementet qe dalin nga shqyrtimet kane te bejne me perpunimin e nje plani permiresimi, nevoja per te kryer kurse te tjera formative per personelin, etj.

h) Komunikimi i jashtem i angazhimeve dhe rezultateve.

Duhen caktuar modalitetet per tu komunikuar stakeholder te dhenat dhe informacionet perkatese mbi politikat, objektivat dhe performancen e SA8000. Disa shembuj komunikimi te jashtem mund te jene Bilanci Social, Kodi i Sjelljes ose Bilanci SA8000.

Faza e 5te: Matja e niveleve te performances ne lidhje me pergjegjesine sociale.

Percaktimi i treguesve te performances, qe lejojne monitorimin e proceseve/aktiviteteve me impakt me te madh mbi pergjegjesine sociale. Ky aktivitet rezulton i nje rendesie kyce ne kuadrin e permiresimit te vazhdueshem te kerkuar nga norma SA8000. tregues te mundshem mund te jene: oret e punes jashte orarit te kryera nga personeli, numri i punesimeve te reja, mosha e punojsve, incidentet ne pune, etj.

Faza e 6te: Verifikimi final.

SRS ne kete pike duhet te jete nen inspekteve verifikuese per te vendosur nese ajo:

- Eshte konform planifikimit te bere dhe kritereve te normes SA8000;
- Eshte aktualizuar me efikasitet dhe eshte mbajtur i azhornuar.

Verifikim i tille behet nga vete Organizata per veten e saj (behet fjale per nje auditim te brendshem).

Faza e 7te: Certifikimi i Sistemit te Pergjegjesise Sociale

Pasi SRS implementohet dhe verifikohet nga vete Organizata, konformiteti i saj (e kuptuar si perqigje ndaj kritereve te shprehur nga norma SA8000 dhe aplikim me korrektesi te rregullave dhe procedurave qe permbojshur) te kontrollohet nga nje Organizem i akredituar si pale e trete. Ne rastin kur ky kontroll rezulton pozitiv, Organizmi i akredituar do te procedoje ne leshimin e certifikates SA8000.

Bashkelidhur 1 Permblehdhe

Femije: cdo person nen 15 vjec, nese ligji lokal parashikon nje moshe me te larte per punen dhe shkollen e detyruar, ne ate rast vepron mbi moshen e parashikuari ne ligj.

Bilanci SA8000: eshte nje forme raportimi soacial me te cilin Organizatat prezantojne treguesit e vet te performances qe kane lidheje me respektimin e cdo kriteri te vetem te normes SA8000. Karakteristika themelore e ketij dokumenti konsiston ne verifikimin, nga ana e nje enti te trete, te vertetesise se informacioneve dhe te dhenave qe ka ne permabjtje.

Bilanci social: eshte nje instrument raportimi (i bazuar mbi nje seri treguesish performance te Organizates te llojit sasior dhe cilesor) i perdonur nga Organizata per te informuar kolektivin mbi impaktin social te aktiviteteve te saj.

Kodi i Sjelljes: behet fjale per nje kod sjelljeje te perpunuar vullnetarisht nga Organizatat, me qellimin per te krijuar nje pike referimi sjelljeje te brendshme ne rapportet e perditshme me palet e ndryshme te interesuara dhe, ne vend te dyte, per te shprehur qarte politikat e sjelljes ne perballje me disa nga ceshtjet me te rendesishme ambientale, sociale dhe ekonomike.

Nje nga karakteristikat kryesore te kodit etik eshte prezantuar nga fakti se nuk jane te parashikuara forma verifikimi te jashtme per te vleresuar efektivitetin e aplikimit.

Punetor i Ri: cdo punojes qe ka kaluar moshen e femijes se siperpemnedur dhe eshte nen 18 vjec.

ILO: eshte shkurtimi i perdonur per te treguar Organizaten Nderkombetare te Punes. Nje organizem i tille merret me shperndarjen e politikave te lidhura me permiresimin e kushteve te punojsve, nepermjet formulimit te standardeve nderkombetare (Konventave dhe Rekomandimeve).

SRS: Sistemi i Pergjegjesise Sociale.

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Uputstava za primjenu norme SA8000 u lučkom ambijentu

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Uputstva održivog upravljanja otpadom u lukama

Posljednjih godina je regionalna politika uzela u obzir, uz pojedine poteškoće i kontradiktornosti, prirodnu imovinu (bogatstvo) naše teritorije kao važan elemenat "Sistema Marche" i njegovog mogućeg razvoja. Istovremeno se potvrdila i svjestnost da se moraju sagledati vanregionalne dimenzije tematike vezane za okolinu i kao posljedica toga neophodnost da se eksperimentiše formama internazionalne kooperacije i na ovom polju.

U pitanju je regionalna politika koja dakle ima namjeru da se suoči, čak i van sopstvenih granica, sa problemima vezanim za okolinu, koja namjerava da se uporedi sa eksperimentima brojnih zemalja jer bi se u suprotnom rizikovalo da svi napor u loženi na našoj teritoriji budu nezadovoljavajući i budućnost koja se ocrtava bi bila ona koju je efikasno predvidio Kalvino za grad Leoniju, jednog od "nevidljivih gradova" koji je zbrisani i jednostavno sravnjen depoima otpada velikih metropola.

Sadržaj raznih projekata kooperacije koji su elaborirani na temu ambijenta se očigledno odnosio na generalne principe utvrđene od strane Evropske Unije vezano za različite sektore, oblasti intervencija, na koje je uputio VI program akcije za okolinu, na ciljeve i relativna operativna usmjerenja na koja i sam sadržaj upućuje.

Inicijative koje su preduzete su u okviru jedne regionalne politike za kooperaciju (saradnju) koja ima za cilj da strukturiše i razvije, putem akcija zblžavanja preduzetim prema balkanskim zemljama, identitet jadransko-jonske regije i da ukloni rizike izolacije i marginalizacije naših teritorija putem projekcije prema bazenima na sjeveru i jugu, odnosno putem jedne nove realnosti koja se konfigurisala na Baltiku i već saradjuje sa obližnjim oblastima Rusije i projektuje se prema Crnom moru.

Elaborirani prijedlozi su zasnovani na saznanju koje je specifično za druge realnosti koje je sagledala Regija ovih godina i na zahtjevima koji su evidentirani na način koji garantuje efikasnost akcija kooperacije.

Razmatrane teme vezane za ambijent su se uglavnom odnosile na upravljanje otpadom, s obzirom da isti predstavlja jedan izuzetno važan problem, i za vanevropske zemlje, a naročito zahvaljujući projektu "WAP - Waste Management in the Adriatic Ports" (Upravljanje otpadom u lukama Jadrana), posebno se bavilo problemom upravljanja otpadom u lukama.

Projekat WAP konstituiše jedan djelić unutar jednog velikog mozaika intervencija kojima se bavi Regija Marche i kojima će se i dalje baviti u budućnosti u ubjedjenju da će samo u ovim dimenzijama moći konkretno da realizuje strategiju razvoja i solidarnosti zasnovanim na poštovanju i zaštiti čovjekove okoline.

Marco Amagliani

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Predgovor

Lučke aktivnosti, osim toga što pokazuju da su dinamično povezane za aspekte socijalne, istorijske i kulturne prirode, zahtijevaju neizbjegnu vezu sa obalom i morskom okolinom.

Nekontrolisano upravljanje tim aktivnostima, naročito ako se odvijaju u izuzetno antropološkim oblastima, moglo bi provocirati opasne reperkusije na prirodnji ambijent, jedan stalni porast potrošnje resursa i troškova upravljanja okolinom, jednu veću proizvodnju otpada i shodno tome gubitak značaja luke. Ovo posebno važi za luke koje se nalaze u zonama od posebnog naturalističkog i/ili osjetljivog interesa, kao što je Jadranski bazen.

Brojni Protokoli, Konvencije i Dogовори su potpisani medju Državama i u Evropi za zaštitu mora i odnose se na upravljanje otpadom koji stvaraju brodovi. Prihvaćena je Direktiva 2000/59/CE koja ima za cilj smanjenje pražnjenja u more otpada koji stvaraju brodovi i ostaci tereta, naročito nedozvoljenih pražnjenja od strane onih brodova koji pristaju na teritoriji Evropske Unije, putem obezbijedjenja i korišćenja bolje lučke opreme za sakupljanje gore navedenog otpada i ostataka tereta što bi ujedno značilo jačanje zaštite morskog ambijenta.

U smislu sprovodenja navedenih dispozicija, zakonskim Dekretom br.182 od 28. juna 2003. godine, donesene su detaljne norme koje moraju primjenjivati Lučke, Morske i Regionalne vlasti.

Polazeći od ovog normativnog okvira, u namjeri da konkretizuje iskazane principe za poboljšanje mera sprečavanja i kontrole protiv posebnih tipova zagadjivača, Regija Marche je promovisala, u okviru programa Interreg III A, projekat "WAP - Waste Management in the Adriatic Ports".

Projekat nameće kao generalni cilj da se medju zemljama koje okružuju jadransko-jonski bazen uspostavi mreža odnosa i saradnje koji su neophodni za koordinaciju korektnog i homogenog rukovanja lučkim otpadom.

Ovaj izbor da se suoči sa problematikom vezanom za rukovanje otpadom u luci je u sklopu jedne šire budućnosti usvajanja "zelenih" politika i strategija u ubjedjenju da primjena jedne "dobre politike", koje se pridržavaju mnoge države, omogućava ne samo garanciju bolje zaštite okoline, već može stvoriti (biti) elemenat valorizacije lučke strukture i, ako se teži ka poboljšanju usluga, u budućnosti može isto tako garantovati smanjenje osnovnih troškova upravljanja.

Uz faktore okoline u projekat su obuhvaćene i tematike etičke odgovornosti vezane za aktivnosti koje se odvijaju u okviru luke.

Poseban cilj je bio da se definije jedan model integralnog upravljanja okolinom koji dozvoljava da se smanji pražnjenje otpada u more, naročito onih nedozvoljenih otpada koji stvaraju brodovi, da se racionalno i ekonomično organizuju, postujući etičke principe rada, faze sakupljanja, transporta, odnošenja i eliminisanja otpada koji stvaraju brodovi i koji se uobičajeno stvara obavljanjem lučkih operacija.

Polazeći sa tačke gledišta da je upravljanje posljedicama na okolinu koje su prouzrokovane lučkim operacijama vezano za pravna lica različite prirode, javne organe, pomorske vlasti, privatne firme (kao sto su brodogradilišta, kooperative ribolovaca, fabrike, firme raznih usluga, čak i prodavnice), itd..., ovaj projekat je angažovao razne partnere:

- Kapetanije luka Ancona, Civitanova Marche, Pesara i San Benedeta del Tronto,
- Lučke vlasti Ancone,
- Opštine Ancona, Civitanova Marche, Pesaro i San Benedetto del Tronto,

- Provincije Ancona i Pesaro Urbino,
- Regije i Opštine Drača i Valone (Albanija),
- Luku Bar (Crna Gora).

Projekat se razvijao u fazama koje su se odnosile, u početku, na realizaciju analiza ambijenta i individualizaciju nosioca interesovanja za aktivnosti i za zone luka koje su obuhvaćene, dakle, obavljanje aktivnosti koje su od tehničke pomoći partnerima Zemalja Istočnog Jadrana (PAO) vezano za modalitete upravljanja otpadom, za evropsku projekciju i metode koji su usvojeni radi primjene Norme SA 8000 na lučkom području, da bi se definisala uputstva vezano za regularizaciju upravljanja osnovnim otpadom u lukama i usvajanje jednog sistema etičke/socijalne odgovornosti, da bi se realizovale operacije senzibilizacije obezbijedjivanjem informativnog materijala, osnivanjem namjenskog internet web-stanice (www.ambiente.regionemarche.it/sito/cra/wap) i prvog seminara (workshop) na temu "Osnovno rukovanje lučkim otpadom", koji je odrzan u Ankoni 13. i 14. decembra 2005. godine.

Projekat je isto tako omogućio da se ostvare susreti medju raznim zainteresovanim kategorijama, medju kojima Ansep Unitam (Associazione Nazionale Imprese per i Servizi Ecologici Portuali e la Tutela dell'Ambiente Marino), Associazione Italiana Porti Turistici dell'Adriatico i CONFITARMA (Confederazione Italiana Armatori).

Formalizacija i difuzija "Uputstava za održivo upravljanje lučkim otpadom" može na taj način da konstituiše jedan koristan instrument za Pomorske i Lučke vlasti u oblasti Jadrana, a vizija koju predlažemo za budućnost je da se naše pozitivno iskustvo proširi i na druge teritorije mediteranskog bazena istraživanjem opštinskih i nacionalnih programa koji bi dali podršku toj strategiji.

Arch. Isarema Cioni
Dirigente della P.F.
Salvaguardia, Sostenibilità e
Cooperazione Ambientale
Regione Marche

Uvod

Definicija osnovnog razvoja koja je univerzalno prihvaćena je ona sadržana u izvještaju "Naša zajednička budućnost" (Our Common Future) Svjetske komisije za okolinu i razvoj (WCED), bolje poznatog kao izvještaj Brundtland (1987), prema kojem jedan razvoj može steći reputaciju ako zadovoljava potrebe sadašnjosti ne kompromitujući kapacitete budućih generacija da zadovolje njihove potrebe. 1991. god. Internacionala Unija za zaštitu prirode i prirodnih resursa (IUCN) i Program ambijenta Ujedinjenih Nacija (UNEP) su parcijalno razmatrali ovu definiciju uzimajući u obzir osnovni razvoj kao "mogućnost za poboljšanje kvaliteta čovjekovog života u granicama kapaciteta opterećenja ekosistema koji su obuhvaćeni".

Ovi koncepti se mogu primijeniti i u lučkim realnostima i u Evropi i već imamo iskustva tog tipa; odnose se, na primjer, na projekat "ECOPORTS" i projekat "Nova Hansa održivih luka i gradova" (New Hansa of sustainable ports and cities¹): prvonavedeni, finansiran od starne Evropske komisije, ima za cilj da amortizuje metodologije ambijetalnog upravljanja u evropskim lukama osim toga što predstavlja instrumenat za razmjenu iskustava i best-practices (najbolje prakse); drugonavedeni, finansiran od starne i unutar Programa Interreg IIIB, koji je u primjeni u oblasti Baltika, je dao povoda da se sastavi Memorandum razumijevanja (Memorandum of Understanding, odnosno MoU) održive luke i pomorske policije u regionu Baltičkog mora", i prvna lica koja su ih potpisala se obavezuju da preduzmu sve moguće mјere za promovisanje smanjenja negativnih uticaja na ambijent, koji su posljedica pomorskog transporta, na sadržaj vazduha, vode, na buku i otpad. MoU je stupio na snagu 1. januara 2006. god.

Gore nevedeni projekti mogu služiti za primjer onim vlastima koje imaju namjeru da primijene u jednoj luci osnovno ambijentalno upravljanje, a načini putem kojih se mogu ostvariti ciljevi su brojni.

Usvajanje jednog protokola ambijetalnog ponašanja u lučkim područjima predstavlja prvi neophodan korak u procesu održavanja koji može napredovati putem standardizovanih tokova, što se na primjer dešava kada se dobrovoljno udruži više opštinskih sistema ambijentalne uprave (SGA/SAU), kao sto su Norma ISO 14001 i Pravilnik EMAS.

Ovi SGA/SAU-i pružaju mogućnost da se upoznaju, nadgledaju i da se upravlja posljedicama na okolinu koje lučke operacije stvaraju, gdje element otpada predstavlja sigurno jedan naročito delikatan i kritičan sektor. Usvajanje održivog upravljanja lučkim otpadom može u početku imati za rezultat velike obaveze u ekonomskom smislu i u smislu potrebe za osobljem, odgovornost Pomorskih i Lučkih vlasti, međutim poslije toga slijedi ekonomski dobit, zahvaljujući prije svega većoj "privlačnosti" lučkog područja, kad su u pitanju usluge, uključujući turiste. Ne može se podcijeniti činjenica da su primjenom jednog sistem ambijetalnog upravljanja zagarantovane bolje kontrole nedozvoljenog pražnjenja u more i nezgode, uz što se sigurno uštedjuje na troškovima za otklanjanje posljedica i vraćanje eventualno zagadjenih oblasti u prvobitno stanje.

Osnovni cilj ovih Uputstava elaboriranih u okviru projekta WAP je da se pruže sve indikacije koje su potrebne da bi se moglo organizovati pravilno upravljanje raznovrsnim otpadom u nadzirom da će ovaj dokument doprinijeti garanciji jedne bolje zaštite mora na Jadranu.

¹ www.newhansa.net

Prvo poglavlje – Normativni okvir i klasifikacija

1.1 Normativni evropski referencijalni akti

Dispozicije na temu lučkog otpada su po svemu sudeći dobro definisane s ozirom da polaze od brojnih mjera izrečenih po disciplinama različitog karaktera.

Na području Unije referencijalna norma iz oblasti otpada je Direktiva 91/156/CEE², koja, između ostalog, predviđa da:

- Zemlje članice usvoje odgovarajuće mјere da bi se promovisalo sljedeće:
 - a) prevencija ili smanjenje proizvodnje i štetnosti otpada;
 - b) vraćanje otpada putem reciklaže, ponovna upotreba, vraćanje u proizvodnju ili drugim operacijama pretvaranje proizvoda u sirovinu (dobijanje sekundarnih sirovina), ili upotreba otpada kao izvora energije;
- da Zemlje članice usvoje neophodne mјere da bi se osigurale da otpad bude povraćen ili eliminisan bez opasnosti po čovjekovo zdravlje i bez upotrebe procedura ili metoda koji bi mogli biti štetni po okolinu;
- preduzeća i pogoni koji tretiraju otpad, skladište ga i odlažu za račun drugih, moraju za to biti ovlašćeni od kompetentnih vlasti;
- u skladu sa principom "ko zagadjuje taj plaća", troškove eliminiranja otpada snosi vlasnik koji dostavlja otpad sakupljaču ili firmi u ime prethodnih vlasnika ili proizvodjača artikla koji stvara otpad.

Dalje je korisno podsjetiti na druge direktive vezano za temu otpada, kao što su:

- Direktiva 91/689/CEE3, koja se odnosi na opasan otpad;
- Direktiva 94/62/CE4, u vezi sa ambalažom i otpadom od ambalaže.

Za sektor specifičan za otpad proizведен od strane brodova i ostataka tereta, Evropska unija je izdala Direktivu 2000/59/CE5 koja za generalni cilj ima pojednostavljenje usvajanja Konvencije MARPOL 73/786, garantujući vremenom bolju efikasnost, čak i u smislu uskladjenosti sa

² Direktiva 91/156/CEE Savjeta, od 1. marta 1991., koja modifikuje direktivu 75/442/CEE koja se odnosi na otpad – Objavljena u G.U.C.E.-u 2. marta 1991., br. L 78.

³ Direktiva 91/689/CEE Savjeta, od 12. decembra 1991. koja se odnosi na opasan otpad – Objavljena u G.U.C.E.-u, 31. decembra 1991., br. L 377

⁴ Direktiva 94/62/CE Evropskog parlamenta i Savjeta, od 20. decembra 1994. u vezi ambalaže i otpada od ambalaže – Objavljena u G.U.C.E.-u, 31. decembra 1994., br L 365.

⁵ Direktiva 2000/59/CE Evropskog parlamenta i Savjeta, od 27. novembra 2000., koja se odnosi na lučku opremu za sakupljanje otpada proizvedenog od strane brodova i ostataka tereta, objavljena u G.U.C.E.-u, 28. decembra 2000., br. L 332.

⁶ Pod izrazom MARPOL 73/78 se podrazumijeva Medjunarodna Konvencija zvana "International Convention for the Prevention of Pollution from Ships" (Medjunarodna konvencija za preventivnu zagadjenosti od brodova), usvojena 2 novembra 1973., integrirana, 26. septembra 1978., sa protokolom "Protocol of 1978 relating to the International convention for the Prevention of Pollution from Ships". Ova Konvencija je jedina koja se odnosi na sprečavanje zagadjenosti morske okoline koju prouzrokuju brodovi a koje nijesu samo slučajne već su prisutne i u toku uobičajenih operacija; ta ista dalje predviđa da Zemlje potpisnice garantuju obezbijedjenje adekvatne lučke opreme za sakupljanje otpada dostavljenog od strane brodova koji se vezuju u njihovim lukama. Italija je potvrdila Konvenciju MARPOL 73/78 Zakonom br. 662 od 29. septembra 1980., "Ratifica ed esecuzione della Convenzione Internazionale per la Prevenzione dell'Inquinamento causato da navi e del Protocollo sull'intervento

već ustanovljenim propisima prethodne Direktive 95/21/CE7, koja se odnosi na sigurnost i preventivnu zagadjenja prouzrokovanih brodovima. Ova poslednja Direktiva predviđa, između ostalog, za brodove koji predstavljaju opasnost za morskou okolinu, mogućnost da im se ne izda dozvola za isplavljanje.

Direktiva 2000/5/59CE, uz propise predviđene na medjunarodnom nivou, predviđa restriktivnije dispozicije (iako je njeno područje za primjenu ograničeno na brodove koji se vezuju u lukama unije i koji plove vodama koje su u nadležnosti Zemalja članica bez obzira na njihovu zastavu) i dalje definiše, koristeći termine istog značenja, da, polazeći od definicije date na medjunarodnom nivou, i ostaci tereta (i otpadne vode) su uzeti u obzir kao otpadi koji, prema tome, spadaju pod nadležnost normativa o kojima je riječ (na primjer kada se radi o pravilima vezanim za njihovo cirkulisanje, procedure ovlašćenja, itd. ...). U stvari, i Konvencija MAPROL 73/78 predviđa realizaciju, "što prije", opreme za sakupljanje ostataka ugljovodonika i za prihvat i tretman zagadjenog balasta i voda od čišćenja cisterni tankera, otpadnih voda i otpada (definisanim odredjenim u Dodatku V), ali se samo u Direktivi 2000/5/59/CE predviđaju posebne mјere koje treba realizovati u predviđenim rokovima.

Još jedna specifičnost Direktive je, s obzirom na dugi vremenski period uložen da se opišu dolje navedeni djelovi koji spadaju u Konvenciju, da se usvoje što sintetičnije dispozicije koje se odnose ne samo na, kao što je rečeno, cirkulisanje, tretman i sakupljanje otpada od brodova, već prije svega na:

- organizaciju i tipologiju lučke opreme za sakupljanje, putem namjenskih planova;
- proceduru preventivne najave⁸, koja spada u nadležnost kapetana broda vezano za odlaganje otpada u pogone luke;
- režim kontrole;
- "mjere pravnje", sa detaljnim spiskom instrumentanih obaveza, adresirane na ime kompetentnih lučkih vlasti;
- predviđanje sistema sankcija, koji treba da se odredi shodno opštim principima unije.

Ovom Direktivom se kreirao sistem propisa, koji ima za cilj da se postigne visok stepen zaštite koristeći pravila podsticanja (pravnog, tehničkog i finansijskog) prilikom dopremanja otpada u lučke pogone, smanjujući na taj način pražnjenja otpada u more i otpad od tereta, koji proizvode sve vrste brodova, bilo da se radi o dozvoljenim, a naročito, nedozvoljenim pražnjenima.

Važno je istaći, bez obzira na karakter "uputstava" Direktive o kojoj je riječ, da ista već predviđa jedan mehanizam prinude koji predstavljaju inspekcije od strane lučkih vlasti kompetentnih na datom lučkom području, čiji negativan rezultat može za posljedicu imati zabranu isplavljanja, kojoj se mogu dodati posebne ekonomske sankcije koje predviđa i jedna Zemlja članica sama za sebe.

in alto mare in caso di inquinamento causato da sostanze diverse dagli idrocarburi, con Annessi, adottati a Londra il 2 novembre 1973" (Ratifikacija i izvršenje medjunarodne konvencije za preventivnu zagadjenosti prouzrokovane brodovima i Protokola o intervenciji na otvorenom moru u slučaju da je zagadjenost prouzrokovana supstancama različitim od ugljovodonika, sa Aneksima, usvojena u Londonu 2. novembra 1973.) – Objavljenog u Službenom listu od 23. oktobra 1980., br. 292.

⁷ Direktiva 95/21/CE Savjeta, od 19. juna 1995., koja se odnosi na sprovodenje medjunarodnih normi za sigurnost brodova, sprečavanje zagadjenosti i uslove života i rada na brodu, za brodove koji se vezuju u lukama unije i plove vodama koje pripadaju Zemljama članicama – Objavljena u G.U.C.E.-u 7. jula 1995., br. L 157.

⁸ O najavi ce biti detaljnije riječi u paragrafu 2.3.1.

U zakjučku, Evropska Unija je usvojila odlučan pristup zaštite mora od ispuštanja otpada i ostataka od strane brodova, putem jednog mehanizma pravila, ne samo represije već i odluka, što kapetanima brodova olakšava odluku o predaji otpada i ostataka u lukama u odnosu na ispuštanje u more, bilo da rizikuju da plate kaznu za prekršaj bilo da je ispuštanje odobreno od starne medjunarodne Konvencije i odgovarajućih nacionalnih zakona ratifikacije.

1.2 Klasifikacija lučkog otpada

Radi finaliziranja ovog dokumenta lučki otpad je klasificiran kao:

1) Otpad proizведен od strane brodova i ostataka tereta koje Konvenca MARPOL 73/78 dijeli u podgrupe, u pet Priloga, kao što slijedi:

- benzin u svim njegovim formama (Prilog I) a naročito nafta, ulje za sagorijevanje, talog, ostaci ugljovodonika i rafinirani proizvodi (različiti od petrohemidskih proizvoda koji su predmet dispozicija Priloga II MARPOL-a) koji sadrže suptance navedene u Prilogu I MARPOL-a.

U Prilog I su uključeni: uljni otpad, (otpad mineralnih ulja za motore, zupčanike i podmazivanje, koji su hloridi; otpad mineralnih ulja za motore, zupčanike i podmazivanje, koji nijesu hloridi; otpad sintetičkih ulja za motore, zupčanike i podmazivanje; sintetičko ulje za motore, zupčanike i podmazivanje koje se lako biološki degradira; ostala ulja za motore, zupčanike i podmazivanje; ulja iz kaljuža za plovidbu; ulja proizvedena separacijom ulja od vode), blato (blato proizvedeno separacijom ulja od vode), voda koja se koristi za pranje cisterni i ostataka tereta, i uljni ostaci od motora (vode iz kaljuža, talozi, itd).

- škodljive tečne supstance koje transportuju brodovi (hemski tankeri) koje sadrže ostatke od pranja cisterne (Dodatak II).

Tečne supstance se dijele na sljedeće kategorije: Kategorija A, Kategorija B, Kategorija C i Kategorija D (Prilog II, norma 3) i klasificirane su kao što je navedeno u Dodatku I istog Priloga).

- ambalaža, kontejneri, kontejneri-cisterne, vagoni-cisterne za putni ili željeznički prevoz koji su već bili upotrebljavani za transport štetnih materija i koje nijesu bile transportovane zatvorene, mogu da ostave ostatke tereta (Prilog III).
- crne vode (Prilog IV).
- otpad koji se obično stvara potrebama života posade na brodu (Prilog V), kao što su:
 - plastika;
 - materijali za ambalažu, platna;
 - proizvodi od papira, krpe, metala, flaše, keramika;
 - prehrabeni otpad;
 - pepeo od pogona za spaljivanje.

2) Otpad koji se uglavnom stvara u lučkoj zoni, kao što je:

- otpad koji nije diferenciran;
- otpad koji treba da se odvojeno sakuplja;

3) Otpad koji se stvara čišćenjem zajedničkih površina i lučkih vodenih površina.

Drugo Poglavlje – Plan održivog upravljanja lučkim otpadom

2.1 Uvod

Principi i ciljevi koje nameće Direktiva 200/59/CE predviđaju izradu plana, od strane kompetentnih Vlasti za datu luku, za upravljanje lučkim otpadom, što znači da su indikacije navedene u ovom poglavljiju namijenjene Vlastima kompetentnim za ovu problematiku i uopšte svima onima koji su odgovorni za upravljanje kategorijama lučkog otpada, kao što je navedeno u sljedećem paragrafu 2.1.1.

Intencija ovog dokumenta je da pruži podršku koja, osim što bi bila u skladu sa propisima citirane Direktive vezano za sakupljanje i upravljanje otpada koji proizvode brodovi i ostatke tereta, može da služi kao važan referencijski dokumenat da bi se organizovalo unutar samih luka upravljanje ostalim tipovima otpada koji se u njima stvaraju.

Cilj kome se riješilo težiti, slijedeći jedan elaboriran Plan održivog upravljanja lučkim otpadom, je da se stvori jedno jedinstveno i integrисано upravljanje svim ovim otpadom, upravljanje koje je u stanju da garantuje više stepene zaštite čovjekovog zdravlja i okoline.

Informacije u dijelu koji slijedi su samo indikacije i treba ih prilagoditi realnostima svake luke pojedinačno.

2.2 Preliminarne informacije

2.2.1 Oblast primjene i izuzeci

Plan održivog upravljanja se primjenjuje na sljedeće vrste otpada:

- 1) **proizvodi od brodova**, bilo da su u obavezi da se najave⁹ (brodovi namijenjeni za transport robe ili putnika, ili jahte sa dozvolom za više od 12 putnika) ili koji nijesu u obavezi da se najave (koče i jahte sa dozvolom za ne više od 12 putnika), bez obzira na zastavu, koji svraćaju i operišu u luci (usidreni u luci ili stacionirani na sidrištu), medju koje spadaju:
 - a) otpad koji se stvara aktivnostima na samom brodu, uključujući otpad od hrane koja je porijeklom iz Zemalja van EU;
 - b) istrošena ulja i uljni ostaci;
 - c) specijalni otpad bilo da je opasan ili ne;
 - d) crne vode;
- 2) **otpad koji se uobičajeno proizvodi u lučkoj zoni;**
- 3) **otpad koji se stvara čišćenjem zajedničkih zona i vodenih površina luke.**

Plan se ne primjenjuje na otpad koji proizvode:

- vojna ratna i pomoćna flota;
- drugi brodovi pod upravom Države, ako se koriste samo za državne usluge i nekomercijalnu namjenu;
- aktivnosti koje se odvijaju unutar zone koja je u privatnoj svojini.

⁹ O najavi će biti govora u detaljima u paragrafu 2.3.1.

2.2.2 Uopšteno o Planu i njegovim ciljevima

Izrada jednog Plana za održivo upravljanje lučkim otpadom ima za osnovni cilj da pruži detaljan opis usluga unutar ciklusa upravljanja otpadom, da opiše njegovu diferencijaciju, pri odnošenju, transportovanju i njegovom daljem tretmanu, njegovo povraćanje ili eliminisanje, na način da se izbjegne njegovo prosipanje u moru, čime se spriječava zagadjenost morske okoline.

U Plan će dalje biti dat kraći opis ili kraći spisak normativa na koje se poziva i koje treba elaborirati.

Na kraju, da bi se definisali jedinstveni termini koji se koriste, savjetujemo da se koristi i rječnik (jedan primjer je dat u Prilogu 2).

2.2.3 Opis luke i analiza istorijskih podataka

Radi jasne individualizacije lučkog konteksta unutar kojeg se izvode operacije upravljanja otpadom, potrebno je ukratko opisati glavne karakteristike luke, uključujući broj uplovljavanja, prilažeći, ako je to moguće, i relativnu planimetriju.

Zatim, uzimajući u obzir tipologiju plovnih jedinica koje redovno svraćaju, može se definisati **serijski prikaz u pogledu broja i tipologije lučkog otpada koji se proizveo** i izvještaji za prethodne tri godine, prije same izrade Plana.

Iz analize tih podataka i procjenom eventualnih planiranih dogadjaja u luci za naredne godine, moguće će biti da se **predviđa buduća cjelokupna proizvodnja lučkog otpada**, koja se odnosi na najmanje tri naredne godine poslije izrade Plana, a na osnovu toga će biti proračunate potrebe u pogledu lučke opreme i kontejnera za sakupljanje i bit će izradjena struktura usluga za upravljanje tim istim otpadom.

U Planu treba specificirati izvore iz kojih su podaci uzeti i metodologiju koja je usvojena pri realizaciji gore navedenog proračuna.

2.3 Preliminarne procjene u vezi tipologije i kvantiteta lučkog otpada

Prvi korak ka izradi plana usluga upravljanja lučkim otpadom, uključujući definiciju potreba luke da sakuplja otpad koji stvaraju brodovi, sastoji se u tome da se sakupe brojne informacije koje su vezane za luku.

Da bi se definisale tipologije i kvantitet lučkog otpada neophodno je preliminarno sakupiti sljedeće podatke:

- za otpad koji proizvode brodovi treba ustanoviti koji tipovi brodova i pomorskog saobraćaja su ubičajeni u luci.

Vrste brodova koji obično svraćaju u jednu luku se mogu podijeliti na:

- trgovачke brodove,
- putničke brodove,
- koče i jahte.

Prve dvije vrste proizvode raznovrstan otpad, uključujući uljne ili muljne ostatke, otpad koji se može asimilirati sa gradskim otpadom i koji proizvodi posada ili je rezultat brodskih aktivnosti, kao i ostaci tereta ili otpad vezan za transport.

Putnički brodovi međutim imaju jednu proizvodnju sličnu urbanom otpadu koji se da asimilirati, dok koče i jahte proizvode sve tipologije otpada.

Da bi se procijenio pomorski saobraćaj, potrebno je uzeti u obzir sljedeće:

- promet brodova;

- promet robe.

Ove informacije se mogu dobiti od lokalnih Pomorskih Vlasti i/ili Lučkih Vlasti (u nastavku označene kao Vlasti kompetentne za luku).

- za otpad koji se uglavnom proizvodi u lučkoj zoni potrebno je da se definiše sljedeće:
 - perimetar i lučka zona u okviru koje se moraju odvijati usluge;
 - postojanje i dislokacija zona pod zakupom-koncesijom;
 - postojanje putničkih terminala;
 - postojanje i dislokacija komercijalnih, proizvodnih aktivnosti i usluga.
- za otpad koji se stvara od čišćenja zajedničkih površina i vodenih površina luke moraju se jasno razgraničiti:
 - površine vode na kojima treba da se izvrše usluge čišćenja;
 - perimetar i lučka zona u okviru koje treba vršiti usluge odvoza smeća.

2.4 Procedure sakupljanja lučkog otpada

Načini na koje se vrši sakupljanje otpada su različiti zavisno od njegovog porijekla. U narednim paragrafima su opisane procedure za:

- prihvatanje otpada koji proizvode brodovi koji su u obavezi da se najave;
- prihvatanje otpada sa brodova koji nijesu u obavezi da se najave;
- odnosenje otpada koji se uglavnom stvara u lučkoj zoni;
- sakupljanje otpada koji se stvara čišćenjem zajedničkih površina i vodenih površina luke.

2.4.1 Prihvatanje otpada sa brodova koji su u obavezi da se najave

Direktiva 2000/59/CE obavezuje Zemlje članice i predviđa da Kapetan jednog broda koji nije koča ili jahta sa dozvolom za najviše 12 putnika, a koji plovi ka luci koja pripada Uniji, vjerno i tačno popuni formular najave (čiji je sadržaj specificiran u Prilogu II gore navedene Direktive) i da ga predala Vlastima kompetentnima u dатој luci (Lučkim ili Pomorskim Vlastima). U dokumentu treba da budu prikazani kvantitet i vrsta otpada i ostataka tereta, navodeći koliko tog istog otpada treba predati ili zadržati na brodu, preko maksimalnog mogućeg procenta uskladištenja koji je dozvoljen tom brodu. Ovaj formular, pravilno popunjeno u svakom njegovom dijelu, se može poslati i pomorskoj Agenciji nadležnoj za taj brod.

Rok za slanje najave od strane Kapetana broda je kao što slijedi:

- najmanje 24 sata prije dolaska broda u luku, ako se zna luka;
- onog momenta kada se zna luka uplovljavanja, u svakom slučaju najmanje 24 sata prije pristajanja u luku i pošto se dozna luka;
- prije isplavljanja broda iz luke gdje je prethodno pristao, ako se radi o putovanju koje traje manje od 24 sata.

Usluga sakupljanja otpada može biti organizovana tako da stalno radi (na primjer od 8.00 do 24.00 sata, tj. 16 sati, ili 24 sata na dan) zavisno od lučkih potreba i lokalnih propisa. Dalje je moguće definisati operativne modalitete da bi se organizovala usluga na poziv, bolje rečeno prema potrebi, o čemu obavještava isključivo Komandant broda. Broj radnog osoblja mora biti dovoljan i sa odgovarajućim kvalifikacijama da može garantovati efikasnost usluge.

U nastavku slijedi opis operativnih faza za sakupljanje otpada po tipovima, koji proizvode brodovi koji su u obavezi da se najave.

Otpad proizведен aktivnostima na brodu

Otpad koji je posljedica aktivnosti na brodu (koji se može asimilirati sa gradskim otpadom, od prehrambenih ili drugih proizvoda koji nije poseban niti opasan) mora biti diferenciran po tipovima od strane osoblja broda da bi se obavila pravilna predaja. Pošto se obavi faza preliminarne garancije kvantiteta i vrsta, odnošenje otpada može započeti, što obavlja osoblje zaduženo za te usluge, kopnenim ili pomorskim putem, zavisno od toga da li je brod vezan ili čeka na sidru. Shodno tome, ako je:

- **brod na vezu:** koristeći motorno vozilo koje je opremljeno ili drugo sredstvo. Osoblje sa brodalkoj je zahtijevao uslugu je dužno da iskrcu otpad, osoblje zaduženo za otpad je dužno da podje do broda i izvrši preuzimanje otpada koji je u vrećama i/ili kontejnerima;
- **brod na sidru:** koristeći motorni čamac sa adekvatnom opremom. Vrše se manovre približavanja, privezivanja i odvezivanja od broda sa kojeg je trebalo prihvati otpad, operacija koja mora biti obavljena poštujući norme za sprečavanje ispadanja otpada u more, a što spada pod odgovornost kapetana brodova i mora biti obavljeno na način na koji je sa njima ugovoren. Prenošenje otpada sa broda na čamac obavlja osoblje sa broda i osoblje zaduženo za tu uslugu i mora se obavljati pri povoljnim vremenskim i morskim uslovima.

Pošto se obave usluge prihvatanja, bilo kopnenim bilo morskim putem:

- Komandant broda koji koristi uslugu (ili osoba koju isti delegira) mora potpisati "Priznanicu o usluzi"¹⁰(posvjedočenje);
- pomorski čamci se vraćaju u luku (ako se prihvati vrši morskim putem);
- otpad se transportuje do određenog lučkog mjesta gdje se vrši sakupljanje ili u centre za tretman i/ili eliminisanje, koji su adekvatno označeni i za to ovlašćeni. Za otpad koji se da asimilirati sa gradskim i specijalnim bezopasnim otpadom, kad god nije diferenciran, potrebno je da se obavi adekvatna selekcija i razdvajanje u smislu separacije rasličitih tipova otpada, da bi se garantovala kontrola i eliminacija eventualnih neodgovarajućih frakcija i, poslije toga, se počinje sa korektnim odnošenjem sakupljenog materijala i eliminacijom ostalih ostataka;
- otpad od hrane koji je lako kvarljiv (podložan truljenju) i neupotrebljiv mora se u toku istog dana transportovati do mjesta gdje se vrši autorizovana eliminacija; za ostale tipove otpada se može predvidjeti skladištenje u zoni koja je za to rezervisana na mestu za sakupljanje otpada u luci, sa naknadnim periodičnim dostavama najbližim centrima ovlašćenim za tretman i/ili eliminisanje.

Da bi se garantovala higijensko-sanitarna sigurnost, **otpad koji potiče iz Zemalja koje nijesu članice E.U.** se može deponovati u posebnim kontejnerima i eliminisati u pogonima za spaljivanje ili odnijeti na depo pošto je izvršena sterilizacija i preduzete mjere sigurnosti.

Istrošena ulja i uljni ostaci

Usluga sakupljanja istrošenih ulja i ostalih uljnih ostataka se obavlja koristeći motorno vozilo sa cisternom-prikolicom ili drugo odgovarajuće pomorsko sredstvo kad god je brod na sidrištu. Cisterne/kontejneri/rezervoari moraju imati sisteme zatvaranja i uredjaje koji omogućavaju da se u bezbjednim uslovima obavljaju operacije punjenja, pretakanja i pražnjenja. Ovi sistemi

¹⁰ "Potvrda usluge" je formular putem kojeg Komandant broda i kompetentne vlasti u luci mogu potvrditi da je otpad predat. Formular bi uglavnom trebao da navede: ime broda, zastavu, kancelariju gdje je upisan, broj matrikule, intrenacionalni naziv, broj IMOa, tonazu neto (TSN) i gross (TSL), ime brodara i njegovu adresu, ime vlasnika i njegovu adresu, vrste otpada koji je predat, datum/sat predaje, mora biti potписан od strane i proizvodjača kao i onoga ko preuzima i upravlja otpadom.

moraju biti opremljeni uredjajima protiv zapušavanja ili crijevima za slučaj prepunjavanja, moraju zatim imati indikatore nivoa i prikladno postavljene oduške. Ručke i priključci crijeva se moraju održavati da budu savršeno efikasni da bi se izbjeglo izlivanje u okolinu.

Tečnosti mogu biti pumpane direktno sa ivice broda ili od firme koja je koncesionar, bilo da je brod na sidrištu ili na vezu:

- ako se tečnosti pumpaju direktno sa broda, osoblje firme koja vrši uslugu mora preuzeti crijevo/a i postaviti ga /ih na otvor od cistijerne. Kada se napuni cistijerna, osoblje koje je zaduženo za kontrolu nivoa tečnosti u cistijerni zaustavlja operaciju pumpanja na brodu, vraćaju nazad crijevo/a i zatvaraju otvor cistijerne.
- ako se tečnosti pumpaju opremom zakupca, intervencija se izvodi od strane radnika koji koristi motornu pumpu sa crijevom/ima za aspiraciju tečnog otpada sa broda. Radnik mora razvući crijevo/a do mjesta za sakupljanje na brodu i povezati ga/ih sa ulaznim otvorom cistijerne, uključiti pumpu, kontrolisati operacije punjenja i, pošto se cistijerna napuni, ugasiti motornu pumpu i odvojiti crijevo/a od priključka cistijerne.

Pošto se obave operacije preuzimanja:

- od Komandanta broda (ili osobe koju ovaj delegira) se traži da potpiše račun o usluzi, tzv. "Priznanicu o usluzi"(posvjedočenje),
- osoblje zaduženo za obavljanje usluge punjenja cistijerne odlazi ka autorizovanom centru da bi ispraznilo tečni otpad.

Specijalni otpad koji je, ili nije, opasan

Specijalan otpad, opasan ili ne, mora se predati u namjenskim kontejnerima, adekvatno označenim u skladu sa propisima normativna koji je na snazi u toj Zemlji, vodeći računa da se otpad ne pomiješa. Pošto se obave faze preliminarnog provjeravanja kvantiteta i tipologije, odnošenje otpada se odvija koristeći opremljeno prevozno sredstvo za to namijenjeno sa adekvatnom posudom.

Poslije toga slijede operacije odnošenja:

- od Komandanta broda (ili osobe koju ovaj delegira) se zahtijeva da potpiše račun o usluzi, tzv. "Priznanicu o usluzi"(posvjedočenje);
- otpad se transportuje do lučkog pogona namijenjenog za sakupljanje otpada ili autorizovanog centra za tretiranje i/ili eliminaciju otpada. Kada je u pitanju specijalan otpad koji nije opasan, i kad god nije diferenciran, bit će potrebno izvrsiti odgovarajuću selekciju i razdvajanje sa ciljem da se separiraju različite vrste otpada, da se osigura kontrola i eliminacija eventualnih nekompatibilnih frakcija raznog karaktera, i nakon toga se počinje sa ispravnim odnošenjem sakupljenog materijala i eliminisanjem drugih ostataka;
- otpad može biti odložen u pogon rezervisan za opasan i bezopasan otpad koji postoji u lučkom pogonu za sakupljanje, a zatim se naknadno periodično dostavlja najbližim autorizovanim centrima za tretman i/ili eliminaciju.

Crne vode

Pošao se obavlja koristeći motorno vozilo sa cisternom-prikolicom ili plovnim sredstvom koje je za to namijenjeno kad god je brod na sidrištu. Tečnosti se mogu pumpati direktno sa broda ili od koncesionara (Vidi operativne faze *Istrošena ulja i uljni ostaci*).

Pošto se napuni cistijerna, osoblje zaduženo za ove usluge odlazi do namijenjenog pogona za prečišćavanje da bi istovarilo otpadne vode.

2.4.2 Predaja otpada koji potiču sa brodova koji nemaju obavezu najave

Komandanti brodova koji nijesu pod obavezom najave, shodno Direktivi 2000/59/CE (koče i jahte do 12 putnika), moraju autonomno obezbijediti dostavljanje proizvedenog otpada. **Otpad koji je posljedica normalnih aktivnosti na brodu**, koji nije opasan, može da se prenese do određenih posuda-kontejnera koje su raspoređene u zoni i/ili do lučkih pogona sa sakupljanje, u kojima postoje i adekvatne posude-kontejneri koje su odredjene za sakupljanje otpada koji je već diferenciran (papir, plastika, staklo, metali, itd....). **Specijalan otpad, bilo da je opasan ili ne, i istrošena ulja i uljni ostaci** moraju biti obavezno dostavljeni do pogona za sakupljanje lučkog otpada.

Za razliku od ovih, za crne vode, se mora obezbijediti odgovarajuća aktivnost za njihovo preuzimanje, koristeći motorno vozilo sa cisternom-prikolicom. Tečnosti mogu biti ispumpavane direktno sa palube brodova ili od koncesionara(vidi operativne faze Istrosena ulja i uljni ostaci koje su opisane vezano za odnošenje otpada koji potiče sa brodova koji su obavezni da se najave). Kada se napuni cistijerna, osoblje zaduženo za ovaj posao odlazi do određenog pogona za prečišćavanje da bi istovarilo otpad.

Odlaganje u odgovarajuće pogone za sakupljanje se vrši u odgovarajuće vrijeme kada su isti otvoreni i u prisustvu odgovornog lica, koje određuje koncesionar ove djelatnost, i koje je zaduženo da provjeri i registruje porijeklo dostavljenog otpada i izda priznanicu o dostavci.

2.4.3 Sakupljanje otpada koji se uobičajeno proizvodi u lučkoj zoni

Nediferenriran otpad mora biti sakupljen koristeći odgovarajuće zaštitne omotače, da bi se izbjeglo bilo kakvo njegovo ispadanje ili odavanje neprijatnih mirisa, i dostavljen, što spada u obavezu proizvodjača, do posuda-kontejnera koje moraju biti obezbijedjene. Za djelove otpada koji se može povratiti mora biti zabranjena mogućnost da se ostavlja u posudama koje su namijenjene za nediferencirani otpad.

Ova usluga mora biti obezbijedjena svakog radnog dana i moraju biti obezbijedjene posebne mjere u slučaju prazničnog dana u toku sedmice ili za više prazničnih dana.

Otpad koji podliježe direncijaciji je na primjer: organski otpad osjetljiv na visok stepen vlažnosti, otpad od rezanja grana i kosenja trave koji se proizvodi održavanjem zelenih površina, staklo, limenke, papir i karton, plastika, materijali od metala, drveta, baterije, ljekovi, električni i elektronski aparati, kabasti otpad i sav drugi materijal koji podliježe reciklaži.

Proizvodjač mora obezbijediti preventivnu selekciju navedenog materijala na licu mjesta i nakon toga deponovati isti u odredjene kontejnere zavisno od kategorije za koju su ti kontejneri namijenjeni. U slučaju da je kvantitet i težina ovog otpada veća od kapaciteta kontejnera, kao i za otpad koji je opasan (stari akumulatori, toksični i/ili zapaljivi proizvodi), može biti obezbijedjeno dostavljanje na poziv u saglasnosti sa koncesionarom za ovu djelatnost.

2.4.4 Sakupljanje otpada koji se proizvodi čišćenjem zajedničkih površina i vodenih površina luke

Otpad koji se stvara čišćenjem zajedničkih površina i lučkih vodenih površina obično sakuplja jedno pravno lice sa kojim je sklopljen ugovor za usluge sakupljanja otpada.

Zajedničke lučke površine na kojima se obavlja operacija **čišćenja i odnošenja smeća** su:

- ulice, trgovi i trotoari, koji se koriste zajednički i koji nijesu pod zakup;
- grebeni i gatovi duž gradske morske obale koji nijesu pod zakup;

- zone povezivanja izmedju luke i grada, koje se nalaze na državnom morskom dobru.

Ko obavlja operacije utovara i istovara robe i ostalih materijala ne smije ostavljati otpad nijednog tipa u zoni koju koristi i mora obezbijediti, po završetku operacije, čišćenje te iste površine.

Čišćenje vodenih površina luke može se periodično obavljati "na poziv" pri čemu se koriste adekvatna pomorska sredstva koja su u stanju da sakupe ploveći otpad. S obzirom na uobičajene karakteristike otpada koji se sakuplja sa vodenih površina (npr: drvo, polistirol, plastika) moguće je predvidjeti prvo njihovu diferencijaciju a zatim se počinje sa sakupljanjem.

2.5 Sprečavanje ispuštanja ugljovodonika u more i upravljanje hitnim slučajevima

Plan mora predvidjeti modalitete za otklanjanje štetnih supstanci ukoliko se izliju u more i u slučaju drugih nezgoda koje mogu prouzrokovati zagadjivanje mora. Ova organizacija ne može ne primijeniti preventivne mjere koje pružaju mogućnost da se ograniče i da se interveniše u što kraćem roku. Da bi se isplanirale aktivnosti koje treba preduzeti u tim slučajevima, potrebno je ne samo izvršiti detaljnu analizu vezano za potencijalne rizike, već i definisati uloge i kompetentnost u smislu ko treba biti prvi da interveniše.

Najvjerojatnije hipoteze koje mogu determinisati zagadjivanje mora i obale se mogu svesti na slijedeće:

- prolivanje tečnih goriva i ulja za podmazivanje za vrijeme operacija punjenja brodova na vezu;
- prolivanje ugljovodonika i proizvoda od petroleja i drugih štetnih supstanci u more, proizvoda koji, na primjer, potiču od brodova cisterni u tranzitu i onih koji su u fazi privezivanja za lučki gat ili terminal marine, u slučaju nezgode.

Ako se uzme u obzir da prolivanje ili izливanje zagadjivača u more može biti ne samo posljedica ljudske greške, nepažnja pri rukovanju, nepravilan rad pogona, već i usled požara i/ili eksplozija, očigledno je da je stepen opasnosti koji im treba pripisati jako velik. Načini na koje treba aktivirati operacije da bi se suočili sa opasnošću od zaganjenja koje prouzrokuje prolivanje štetnih materija u lučkim zonama su različiti, zavisno od karaktera nezgode. Kada se radi o izlivima štetnih supstanci koje zagadjuju, obavezne su kompetentne vlasti da zahtijevaju da se ukloni opasnost od zagadjenja. Ukoliko se radi o nezgodi većih razmjera koja prouzrokuje ispuštanje veće količine štetnih materija, mora se preduzeti cijela procedura za hitne slučajeve koja će biti odlučena od strane angažovanih lokalnih institucionalnih pravnih lica, kao npr. lokalne službe, vatrogasne službe, službe bezbjednosti, itd.

2.6 Pogoni za sakupljanje otpada koji proizvode brodovi

Jedna luka mora obezbijediti pogone za sakupljanje otpada koji proizvode brodovi koji moraju biti adekvatnih dimenzija i kojima treba upravljati shodno karakteristikama uplovljavanja i usluga koje su zastupljene toj luci, kao i zavisno od tipologije i frekvencije pomorskog saobraćaja.

Uglavnom se mogu obezbijediti tri različita tipa pogona:

- za jednu luku velikih dimenzija, u kojoj se odvija čest i važan promet roba i putnika, mogu se obezbijediti predispozicije posebnih pogona, tzv-e "operativne baze";
- za jednu luku srednje veličine, u koju, na primjer, uglavnom svraću koče i jahte, pogoni mogu biti poput "opremljenih zona";

- za luke malih dimenzija, ili luke u koje uplovjava jedan manji broj brodova, svejedno je neophodno obezbijediti minimum opreme za sakupljanje opasnog otpada. 'Ostrvo u luci' predstavlja jedan takav primjer.

Veličine, lokacije i osnovne karakteristike tih struktura, bilo da su fiksne, pokretne ili ploveće, će biti date u potrebama koje se određuju naknadno, poslije analize istorijskih podataka. Ne isključuje se da jedna luka ne može biti istovremeno opremljena sa više kategorija struktura, zavisno od njenih potreba i nezavisno od tipa veličine koji je prethodno bio utvrđen.

Pogoni moraju imati takvu strukturu da obezbijede brzo deponovanje otpada, izbjegavajući pri tome bezrazložna zakašnjenja dostave sakupljačima, i moraju garantovati, vremenom, potreban standard sigurnosti za okolinu i za čovjekovo zdravlje, uključujući usaglašenost sa propisima koji su na snazi na nacionalnom nivou po pitanju sprečavanja požara, čak i ako se koriste najbolje postojeće tehnologije.

Osim postojanja datih pogona, u luci moraju biti rasporedjeni kontejneri koji omogućavaju sakupljanje diferencijalnog i nediferencijalnog otpada koji se može dopremiti u te instalacije. Karakteristike ovih kontejnera su navedene u poglavljiju 2.6.

U planu treba opisati tehničke karakteristike i upravljanje tim strukturama, kao na primjer:

- tipologije i lokacije istih 'unutar lučkog prostora', navodeći indikacije o dimenzijama i strukturu, prilažeći, ako je to moguće, jednostavan trodimenzionalni opis; poželjno je definisati i koje zone u luci nijesu pogodne da se na njima postave pogoni ovog tipa;
- tipovi otpada koji se mogu sakupljati i eventualne specifikacije načina odlaganja za posebne kategorije, kao i detalje opreme i procedura pripreme za tretman koji eventualno postoje u luci;
- maksimalni kapacitet, dnevni i godišnji, relativan za svaku vrstu otpada;
- način kontrolisanja, navodeći vrijeme otvaranja i zatvaranja, raspoloživost odgovornog lica da da razjašnjenja potrebna vezano za modalitete odlaganja otpada, mogućnost otvaranja na poziv, itd...;
- eventualne druge informacije koje su potrebne radi adekvatnog opisa operativnosti.

U produžetku su opisane tehničke karakteristike koje moraju imati tri tipa lučkih struktura za sakupljanje otpada o kojima je prethodno bilo riječi.

2.6.1 Tehničke karakteristike operativne baze u lukama velikih dimenzija

Da bi dobro funkcionalo upravljanje aktivnostima vezanim za otpad jedna luka kroz koju prolazi znatan broj brodova, može razmišljati o tome da realizuje u lučkoj zoni jednu operativnu bazu, bolje rečeno jednu zgradu koja bi imala:

- jednu centralu za komunikaciju sa kancelarijama i lokalnom upravom;
- prostorije za radno osoblje (svlačionice, kupatila, menzu itd...);
- jedan prostor za smještaj vozila sa eventualnom radionicom;
- jedan prostor namijenjen za odlaganje i pripremanje opasnog otpada za tretman;
- jedan prostor namijenjen za odlaganje i pripremanje za tretman bezopasnog otpada;
- jedan prostor za sklanjanje opasnog otpada;
- jedan prostor određen za sklanjanje bezopasnog otpada.

Sve ove površine moraju biti ograničene i označene, a u slučaju da postoji i mjesto namijenjeno za zapaljivi otpad, moraju biti preduzete odgovarajuće mjere protiv požara.

Pogoni odredjeni za odlaganje i pripremanje opasnog ili neopasnog otpada za tretman su neophodne radi eventualne selekcije i odvajanja u slučaju kada se otpad ne odlaže pravilno diferenciran. Površina mora biti vodootporna i opremljena sistemima tako da se mogu sakupljati nazad tečnosti od motornih vozila ili od samog otpada. Na ovim pogonima mora biti postavljena tabla, sa spoljne strane, za oznaku pogona. Dalje moraju biti istaknuta pravila pogona: modaliteti za odlaganje otpada, vrijeme kada je otvoren, obaveze i zabrane za osobe koje ga dostavljaju, primjenjive sankcije, podaci o upravi pogona, modaliteti označavanja neadekvatnosti od strane korisnika i telefonski broj koji se može nazvati u eventualnim hitnim slučajevima.

Sektor za odlaganje u rezervni depo mora biti organizovan na označenim pogonima zavisno od kategorije otpada u depou i adekvatno označene dobro vidljivim tablama, i po dimenzijama i po mjestu na kojem se postavljaju, na kojima trebaju biti istaknute sljedeće informacije:

- pravila ponašanja za rukovanje otpadom i za postojeće rizike po zdravlje čovjeka i po okolini;
- odgovarajuće šifre CER11 ili, kad god nije usvojena evropska klasifikacija otpada, opis tipologije postojećeg otpada, fizički status i opasnost naslaganog otpada.

Fiksni ili pomicni kontejneri ili rezervoari za skladištenje moraju imati adekvatne karakteristike otpornosti vezano za hemijsko-fizičke i druge opasne karakteristike otpada i moraju imati sistem zatvaranja, dodatke i uređaje koji omogućavaju da se operacije punjenja, pretakanja i pražnjenja, vrše u bezbjednim uslovima.

Depo koji je rezervisan za odlaganje opasnog materijala može biti organizovan u vidu polica sa više nivoa do visine na kojoj je moguće rukovati otpadom koristeći viljuškare ili neko drugo odgovarajuće motorno sredstvo. Na svakoj pojedinačnoj polici mora se slagati otpad te iste kategorije. Ukoliko se radi o tečnoj formi istih ili sadrže tečnost koja bi mogla iscuriti, police moraju imati planiranu posudu za sakupljanje da bi se sva tečnost koja iscuri ponovo sakupila. Korišćenje polica mora u svakom slučaju garantovati smještaj otpada koji je u potpunosti siguran i pristup istom da bi se kontrolisali izliv.

Da bi se definisale količine neophodne za odlaganje na rezervisanom mjestu može se hipotetično, indikativno, izračunati odnos između opasnog otpada koji treba da se odloži i raspoloživog prostora koji je jednak: 1 m kubni (otpad): 6 m kubnih (prostor). Da bi se dobole dimenziye prostora rezervisanog za skladištenje opasnog otpada odnos je sljedeći: 1 m kubni (otpad): 3 m kubna (potreban prostor). Ovi se odnosi mogu poboljšati usvajanjem boljih raspoloživih tehnologija.

Transport bezopasnog otpada sa mjesta odlaganja do mjesta za skladištenje vrši se u kutijama sa tockovima i koje su adekvatno označene.

Operativna baza mora biti locirana u logistički adekvatnoj zoni da bi se mogla obavljati usluga i konstrukcija može varirati, ali njena površina mora biti takva da dozvoljava rukovanje otpadom i opremom pri ulazu i izlazu uz potpunu bezbjednost.

Za otpad koji čine ostaci hrane potrebne za snabdijevanje posade na brodu i putnika i njenih ostataka koji ostavljaju za sobom sredstva za komercijalni transport, bilo nacionalna ili inostrana, i koji potiču iz Zemalja koje nijesu članice EU-e i mora biti uništen u pogonima za sagorijevanje (ili izliven u kanalizaciju pošto se izvrši sterilizacija), moglo bi se pokazati kao korisno, pošto se izvrši proračun realnih potreba za tim, izgradnja jednog pogona za sterilizaciju na površini operativne baze. Za ovo, isto tako, treba namijeniti prostor za odlaganje.

¹¹ Evropski katalog otpada je standardizovana lista u kojoj su pod istim nazivima klasificirani, prvenstveno na osnovu procesa na koji se formiraju, svi tipovi otpada koji cirkuliše u Zemljama članicama EU. Svaka tipologija otpada je identifikovana jednom šifrom od 6 brojeva, definisanom kao CER.

2.6.2 Tehničke karakteristike površine opremljene za sakupljanje otpada u lukama srednjih dimenzija

Za aktivnost sakupljanja otpada u lukama srednjih dimenzija moraju se realizovati jedna ili više opremljenih zona, zavisno od karakteristika luke. U stvari, može se pojaviti potreba da se obezbijede označene opremljene zone namijenjene za brodove koji su u obavezi da se najave, za flote koča i/ili jahti (na primjer, u slučaju da je turistička luka potpuno odvojena od ostalog dijela luke). Opremljene zone moraju garantovati sakupljanje bilo opasnog bilo bezopasnog otpada. U opasan otpad spadaju istrošena ulja, istrošeni filtri za ulje, ulošci, materijal za filtriranje, krpe i zaštitna oprema, kontaminirana opasnim supstancama, i olovni akumulatori. Opasan otpad u tečnom stanju donesen u opremljenu zonu se sakuplja u rezervoarima koji su adekvatni za tečne opasne supstance i moraju naročito imati:

- Oduši kapaciteta ostatka od 10%, koji moraju biti pražnjeni i upućivani od odgovarajućih sistema;
- Uredjaje protiv prelivanja ili odvodne cijevi u slučaju prepunjenoosti; indikatore ili alarm za nivo;
- adekvatne uredjaje koji omogućavaju da se operacije punjenja i pražnjenja obavljaju u bezbjednim uslovima;
- jednu kadu istog kapaciteta kao što je kontejner, ili u slučaju da se radi o kadi za više rezervoara, kapaciteta od 30% od volumena rezervoara. U svakom slučaju, kapacitet kade ne može biti manji od zapremine rezervoara većeg kapaciteta, povećan za 10%.
- pokretne oznake-table adekvatno postavljene radi indikacija u vezi sa tipovima odloženog otpada.

Da bi se osigurao nizak stepen rizika u skladištu ovog opasnog otpada, savjetuje se sljedeće:

- za istrošena/teška ulja, maksimalna količina skladištenja od 10 tona i ne više od 100 tona godišnje (četiri kontejnera);
- za filtre od ulja i slično, maksimalna količina skladištenja od 5 tona i sveukupno 20 tona godišnje (jedan kontejner);
- za olovne akumulatore, maksimalna količina skladištenja od 10 tona i sveukupno 100 tona godišnje.

Za ovu zonu se mora odrediti svakodnevna maksimalna količina skladištenja koja, uobičajeno, iznosi oko 25 tona.

Opremljena zona može takođe imati kontejnere za sakupljanje otpada koji je diferenciran (vlažan/organski, staklo, limenke, papir i karton, plastiku, vlažan otpad, itd...) i nediferenciran, obezbijedući kante za vlažan otpad i često odnošenje.

Opremljena zona mora zadovoljiti sljedeće zahtjeve:

- mora biti locirana na jednoj logistički adekvatnoj površini da bi se omogućilo da korisnici olakšano odlažu otpad;
- mora biti veličine koja je adekvatna za kretanje vozila;
- mora biti ograničena sa rebrastim poklopcom koji je montiran na podlogu od armiranog betona, visine najmanje 80 cm, da bi se sprječilo ulaženje vode od pranja; dno mora biti od bitumena;
- na ovu površinu se polažu kade kao podmetači u koje se poslije polažu rezervoari odgovarajućeg kapaciteta zavisno od tipa otpada; kade moraju biti napravljene od materijala otpornih na hemijsko fizička oštećenja i moraju biti zatvorene u gornjem dijelu sa metalnim poklopcom u vidu grile (žaluzine);

- zona može biti adekvatno pokrivena i kišnica adekvatno kanalisana. Opremljena zona može biti pokrivena sa plehovima laminiranog metala, sa ravnom površinom većom od baze, da bi se bilo sigurnije da kišne vode što dalje padaju.

Mora se dalje obezbijediti instalacija odgovarajućih spoljnih oznaka za signalizaciju strukture (sadržaja). Zatim se moraju istaći i pravila vezana za zonu gdje se navode: modaliteti odlaganja otpada, vrijeme kada se može ući, odgovornosti osoba koje donose otpad, primjenjive sankcije, podaci o upravi zone, modaliteti signalizacije od strane korisnika u slučaju neadekvatnosti i telefonski broj koji se može nazvati u hitnim slučajevima.

Ako se radi o turističkoj luci koja je pod zakupom, da bi se garantovalo ispravno upravljanje sakupljenim otpadom, kompetentne Vlasti luke mogu od zakupnika tražiti sljedeće:

- kopiju ugovora sa ovlašćenom službom za obavljanje usluga sakupljanja otpada koji potiče od jahti;
- opisni projekat organizacije predložene za upravljanje otpadom;
- godišnji statistički izvještaj o sakupljenom otpadu po tipologijama.

2.6.3 Tehničke karakteristike "Ostrva u luci": minimalna oprema neophodna u lukama malih dimenzija

U jednoj luci malih dimenzija, u kojoj nema puno pomorskog saobraćaja, je u svakom slučaju neophodno obezbijediti sakupljanje opasnog otpada sa brodova na vezu i Ostrvo u luci može predstavljati u tim slučajevima optimalno rješenje. "Ostrva u luci" sastoje se od adekvatne strukture od metala koja je pokrivena (čije tehničke karakteristike su date detaljnije u Prilogu 1). Unutar njih su smješteni kontejnери za sakupljanje istrošenih ulja, akumulatora od olova, istrošenih filtera za ulje i, eventualno, kantica od ulja.

Samim terminom "Ostrvo u luci" se pozivamo na projekat koji je promovisao Obavezan konsorcij za istrošena ulja" (COOU: Consorzio Obbligatorio degli Oli Usati) i "Obavezan konsorcij za istrošene akumulatore od olova" (COBAT: Consorzio Obbligatorio per le Batterie al Piombo Esauste), formiran da bi senzibilisao javno mišljenje vezano za problem bacanja u more istrošenih ulja za podmazivanje i starih akumulatora i relativne štete okoline koje nastaju zbog pojave "uradi sam"¹².

2.7 Kontejneri za sakupljanje otpada raspoređeni u lučkoj zoni

Lucki otpad koji se odlaže na mjestima za sakupljanje mora biti sakupljen koristeći namjenske kontejnere/kante koji su postavljeni u lučkoj zoni.

Postavljanje kontejnera u lučkoj zoni se vrši uzimajući u obzir:

- kategorije proizvodjača koji su zastupljeni u luci;
- kategorije otpada koji se moraju redovno dostavljati;
- osnovne tipologije diferencijalnog sakupljanja koje treba aktivirati.

Na jednom istom mjestu mogu se postaviti više kontejnera/kanti zavisno od zahtjeva za ove usluge i objektivnih uslova različitih mjesta. Za organske kvarljive djelove koje stvaraju ostaci koji potiču iz javnih ili privatnih menzi, koji se stvaraju u blizini restorana i usled komercijalnih aktivnosti, moraju se usvojiti dodatne mjere s obzirom da se ti ostaci moraju odložiti u kontejnere

¹² Za dalje informacije vezano za inicijativu savjetuje se da se posjete stranice web www.coou.it i www.cobat.it.

na trgovima ili drugim mjestima, koje su za to odredjene u menzama, restoranima i uglavnom mjestima za kolektivnu upotrebu.

U smislu garancije higijensko-sanitarne bezbjednosti, pri postavljanju kontejnera/kanti moraju biti udaljeni najmanje 5 metara horizontalno u odnosu na prozore koji se nalaze na prizemljima ili suterenima ili poslovnim prostorima (bar, supermarket, švedski sto, restoran, itd...). Kontejneri moraju biti postavljeni na mjesta na kojima se mogu obavljati operacije pražnjenja, manipulisanja i pranja istih. Da bi se omogućile te operacije od starne vozila ugovorenog vrsioca usluga mora biti zabranjeno zaustavljenje automobila u neposrednoj blizini kanti. Površina koju zauzimaju kontejneri mora biti ograničena adekvatnim horizontalnim oznakama i, ako je to potrebno, moraju biti instalirani uredjaji za sidrenje i kočenje.

Kontejneri moraju biti adekvatni za zaštitu otpada od atmosferskih agenata i životinja; kante namijenjene za sakupljanje organskog raspadljivog otpada moraju imati hermetičko zatvaranje, ne samo da bi spriječili da ih životinje prospipaju, već da bi se isto tako izbjeglo da izbijaju isparavanja neprijatnog mirisa i eventualno formiranje tečnosti.

Kapacitet kanti može biti različit zavisno od tipa otpada koji se sakuplja, korisnika u luci kojima su naminjene, uzimajući u obzir relativan indeks proizvodnje, zavisno od veličine putne mreže i karakteristika vozila koje ih moraju manipulisati. Na kontejnerima moraju biti jasno istaknute tipologije otpada koji se u njima može odlagati i modaliteti odlaganja.

Kontejneri moraju biti održavani, čišćeni i periodično dezinfikovani.

Konačno, da bi se garantovalo održavanje i čišćenje zajedničkih lučkih površina, moraju biti postavljeni i odredjeni kontejneri za odnošenje otpada, namijenjeni isključivo za manji otpad koji povremeno stvaraju korisnici gore navedenih površina. U njima se mogu odlagati druge vrste otpada.

2.8 Zadaci zakupca-koncesionara usluga sakupljanja lučkog otpada

Na osnovu iskustva u Italiji, upravljanje raznim tipologijama lučkog otpada obavljaju razni zakupci-koncesionari selekcionirani putem javnog konkursa.

Za **otpad koji proizvode brodovi**, pravno lice koje je zaduženo za usluge mora:

- 1) garantovati da se sakupljanje otpada, transpot, tretman i uništavanje obavljaju pod uslovima maksimalne bezbjednosti i uvijek u skladu sa uslovima i modalitetima propisanim pravilima nacionalnog zakona na snazi. Naročito se mora kontrolisati da otpad bude dostavljen adekvatnim pogonima koji su za to ovlašćeni;
- 2) obezbijediti upravljanje kontejnerima/kantama i lučkim pogonima za sakupljanje;
- 3) obezbijediti obavljanje poslova shodno nacionalnim normativima za otpad koji su na snazi;
- 4) dokumentovati dostavku pogonima izdajući dostavljajući "Priznanicu o usluzi" (posvjedočenje);
- 5) periodično obavještavati kompetentne lučke Vlasti o kvantitetu otpada koji je sakupljen, povraćen, eliminisan, o porijeklu istog i njegovoj destinaciji, kao i druge informacije koje mogu biti od koristi za proračun toka proizvodnje tog istog;
- 6) vršiti distribuciju, potencijalnim korisnicima usluga, informativnog materijala vezano za organizaciju usluga sakupljanja otpada na lučkom području, uključujući tabelu-šemu za signalizaciju neadekvatnosti..

Kada je u pitanju **otpad koji se uglavnom stvara u lučkom području**, zakupac mora:

- 1) garantovati da će se sakupljanje, transport, tretman, i eliminisanje odvijati u skladu sa aktuelnim nacionalnim normativima;
- 2) obezbijediti administrativnu dokumentaciju koja je predvidjena zakonom zemlje kojoj pripada;
- 3) periodično obavještavati kompetentne lučke Vlasti o kvantitetu otpada koji je sakupljen, povraćen, eliminisan, o porijeklu istog i njegovoj destinaciji, kao i druge informacije koje mogu biti od koristi za proračun toka proizvodnje tog istog;
- 4) obaviti odgovarajuće informativne kampanje upućene lučkim korisnicima radi potenciranja diferencijalnog sakupljanja otpada, naročito kada se radi o opasnom otpadu.

Usluga sakupljanja **otpada od čišćenja zajedničkih površina i vodenih površina luke** može biti povjerenio dodatnom zakupcu-koncesionaru koji mora:

- 1) čistiti i sakupljati smeće sa navedenih površina;
- 2) garantovati čistoću, otklanjanje korova i povremeno navodnjavanje zajedničkih zelenih površina prisutnih u lučkoj zoni, kao i odnošenje i eliminisanje otpada koji tom prilikom proizvede;
- 3) pružiti druge vrste usluga na zahtev lučkih kompetentnih Vlasti, koji se određuju pojedinačno svakog puta kad je to potrebno, uz dogovorenu nadoknadu kada budu obavljene, kao, na primjer, sto može biti slučaj sa uslugama "na poziv", što se radi kad su u pitanju hitni slučajevi;
- 4) garantovati usluge čišćenja vodenih površina luke, naročito u periodima godine kada ima više plutajućeg otpada (npr.: u zavisnosti od povećanog priliva robe i putnika u luku);
- 5) obezbijedi, ukoliko je to primjenljivo, diferencijalno sakupljanje frakcija otpada koji je povratan i potiče sa vodenih površina;
- 6) periodično obavještavati kompetentne lučke Vlasti o kvantitetu otpada koji je sakupljen, povraćen, eliminisan, o porijeklu istog i njegovoj destinaciji, kao i druge informacije koje mogu biti od koristi za proračun toka proizvodnje tog istog.

2.9 Okvir troškova upravljanja sa primjenom tarifa

Pošto se izvrši procjena i planiranje potrebnih aktivnosti za cijelokupno upravljanje lučkim otpadom moraju biti procijenjeni, što vjernije, troškovi upravljanja na osnovu stavki koje su u daljem dijelu navedene. Vrlo je bitno da se ti iznosi adekvatno proračunaju da bi se adekvatno izradile tarife za lučke korisnike koji će se služiti lučkim uslugama sakupljanja otpada. Te tarife će biti formirane i na osnovu raznih tipologija brodova koji redovno uplovjavaju u luku. Plan mora sadržati detalje o tome kako su te tarife izračunate i odgovarajući iznos.

2.9.1 Troškovi upravljanja

Uzimajući u obzir modalitete organizacije, jedan prosječan zakupac jedne od usluga sakupljanja lučkog otpada, mora održavati sljedeće troškove upravljanja:

1. TROŠKOVI ZA STRUKTURE I OPREMU:
 - instalacije i održavanje lučkih pogona za sakupljanje (za zakupnika usluga sakupljanja otpada koji proizvode brodovi);
 - kupovina kontejnera za sakupljanje lučkog otpada;

2. DIREKTNI TROŠKOVI

- odnošenje, tretman ili eliminisanje lučkog otpada;
- logistika (gorivo za motorna vozila, gorivo za pomorske čamce koji se koriste, voda, itd.);
- osoblje zapošljeno za upravljanje/čuvanje pogona za sakupljanje i za izdavanje "Priznanice o usluzi"(posvjedocenja) ili drugog računa pojedincima po dostavljanju otpada;
- operativno osoblje za korišćenje kopnenih/pomorskih vozila;
- drugi operativni troškovi koji proističu od odvijanja poslova (održavanje i popravka vozila i kontejnera, vozila bezbjednosti, nadzora, itd.).

3. ADMINISTRATIVNI TROŠKOVI

- fiksni i mobilni telefonski aparati;
- generalni troškovi;
- savjetovanja;
- administrativno osoblje.

2.9.2 Režim tarifa koje treba primijeniti za sakupljanje otpada koji proizvode brodovi i ostaci tereta

Na osnovu čl. 8 Direktive 2000/59/CE, Zemlje članice EU-e moraju predvidjeti naplaćivanje tarifa od strane brodova dok se ne povrate troškovi za lučke pogone za sakupljanje otpada sa brodova, uključujući troškove tretmana i eliminisanja istog.

Sistemi sakupljanja sredstava upotrebom lučkih pogona za sakupljanje ne smiju biti podsticaj za brodove da prazne otpad u more i tarifa može biti izračunata predviđajući:

- a) jednu fiksnu kvotu, nezavisno od efektivnog korišćenja lučkih pogona za sakupljanje, odmjerena na način da pokrije najmanje 35% troškova investicije i onih koji se odnose na tretman i eliminaciju otpada. Ta tarifa može biti svrstana u prava luke ili se može odrediti tarifa standard namijenjena za otpad, ili pak diferencirana u zavisnosti od kategorije, tipa i dimenzija broda;
- b) jedna kvota u korelaciji sa kvantitetom i tipom otpada koje praktično dostavlja sam brod do lučkih postrojenja za sakupljanje, procijenjena na način da pokrije dio troškova koje ne pokriva tarifa iz tačke a).

Da bi se bilo sigurno da su tarife koje se primjenjuju ispravne-odmjerene, jasne, ne diskriminatorne i reflektuju troškove postrojenja i usluga kojima se raspolaze i, eventualno, koje se koriste, korisnicima luke bi trebalo precizirati tarife i po kom osnovu su izračunate. Tarife mogu biti smanjene ukoliko su upravljanje ambijentom, zakup, oprema i rad broda takvi da Kapetan samog broda može dokazati da brod proizvodi manje otpada. Mogu dalje biti predviđeni dodatni popusti ili se izaći u susret, na primjer, brodovima koji sakupljaju otpad napušten na moru ili na dnu, i koje slučajno pukupe koće loveći ribu.

Tarifa za dostavljanje ostataka tereta je predviđena isključivo za brodove koji zahtijevaju odredjenu uslugu. Mogu se predviđjeti smanjene tarife ako su ambijentalno upravljanje, oprema i rad broda takvi da garantuju smanjenu proizvodnju otpada. Moći će se isto tako predviđeti jedno dodatno smanjene tarife kad god, u zavisnosti od povećanja trgovačkog saobraćaja, se povećaju zahtjevi za obavljanjem ovih usluga.

Tarifa za ribolovne brodove i jahte će biti sastavljena od jedne fiksne kvote, različite za razne tipologije plovila, obavezna, obračunata pozivajući se na kvantitativni standard; kad god plovilo dostavi kvantitet preko standardnog, ili u slučaju posebnih zahtjeva dostavke, primjenjivaće se izvjesno povećanje da bi se pokrili dodatni troškovi vezani za obavljanje usluge. Za jahte u tranzitu mogla bi se predviđeti naplata tarife samo u slučaju kada koriste usluge koje su obavljene u pravom smislu te riječi.

2.9.3 Režim određivanja tarifa za sakupljanje otpada koji se uobičajeno stvara u lučkoj zoni i potiče od čišćenja zajedničkih površina i vodenih površina luke

Za **otpad koji se uobičajeno stvara u lučkoj zoni** moraju biti predviđene posebne tarife koje plaćaju korisnici luke. Njihov iznos mora biti odmjerен prema efektnom kvantitetu otpada dostavljenog od strane korisnika, predviđajući posebnu uslugu za mjerjenje/zastupljenost. U slučaju da nijesu obezbijedjeni takvi sistemi mogu se usvojiti kriteriji proračuna, na bazi, na primjer, individualizacije tarife po mq oporezovane površine, praveći razliku zavisno od kategorije mjesta.

Za **otpad koji potiče od čišćenja zajedničkih površina i vodenih površina luke** troškovi za upravljanje mogu biti povraćeni, na primjer, putem uslova zakupa dodijeljenih zakupcu lučke površine.

2.10 Lice odgovorno za izradu Plana održivog upravljanja lučkim otpadom

Potrebno je odrediti jednu ili više osoba iz Vlasti kompetentnih za luku da budu zaduženi za izradu Plana.

2.11 Izmjene i dopune

Plan se ažurira najmanje svake tri godine i u svakom slučaju kada se verifikuju znatne operativne promjene upravljanja u luci koje se odražavaju na planiranje sakupljanja otpada.

Treće poglavlje – Implementacija sistema ambijentalnog upravljanja (SGA/SAU) u lučkoj zoni

3.1 Uvod

Odluka da se usvoji Sistem ambijentalnog upravljanja (SGA/SAU) u jednoj organizaciji ili firmi proističe od dobre volje, izražene od strane isključivo osoblja članova direkcije, u cilju poboljšanja ne samo ambijentalnih performansi već i imidža strukture. To može imati posebnu važnost u lučkim zonama unutar kojih se odvijaju, međusobno povezane, brojne aktivnosti (promet robe i osoba, čak i industrijske i logističke aktivnosti) koje podležu jakom uticaju ambijentalnih, socijalnih i ekonomskih promjena.

Usvajanje jednog SAU-a može biti priznato na internacionalnom ili evropskom nivou putem dobrovoljnog priključenja sertifikaciji ISO 14001 i/ili registraciji EMAS (Environmental Management Audit Scheme/ Šema inspekcije ambijentalnog upravljanja). Oba standarda imaju uglavnom za cilj da vode organizacije koje ih usvoje ka jednom procesu kontinuiranog poboljšanja sopstvenih ambijentalnih usluga uvođenjem jednog adekvatnog sistema upravljanja koji, između ostalog, garantuje bolju konkurentnost.

Standard ISO 14001 je priznat na internacionalnom nivou i ne zahtijeva dostizanje specifičnih nivoa usluga, kao što su, na primjer, niski nivoi atmosferskih emisija, budući da su ta ograničenja vjerovatno ustanovljena posebnim specifičnim obavezujućim zakonima. Čak štaviše, zahtijeva se da organizacija operiše sa dovoljnom svjesnošću o svojoj poziciji (bilo aktuelnom bilo planiranom) u odnosu na okolinu, da definiše i ostvari poboljšanja (izvodljiva) i verifikuje efikasnost procesa.

Pravilnik "Eco-Management and Audit Scheme", poznat pod skraćenicom **EMAS**, je konstituisan Pravilnikom (CEE) br.1836, od 29. juna 1993., "o dobrovoljnem pripajanju preduzeća iz sektora industrije u zajednički sistem eco-upravljanja i inspekcije"¹³, i kasnije bio otvoren za lokalne vlasti Pravilnikom (CE) Evropskog parlamenta i savjeta, br 761, od 19. marta 2001., "o dobrovoljnem pripajanju organizacija iz sektora industrije u zajednički sistem eco-upravljanja i inspekcije (EMAS)"¹⁴.

Osnovne karakteristike ovog Pravilnika EMAS su:

- sistem je **dobrovoljnog** karaktera;
- primjenjuje se u jednoj **'organizaciji'**¹⁵;
- za cilj ima **kontinuirano poboljšanje** ambijentalnog poslovanja organizacije, pod uslovom da je u skladu sa zakonima;
- zahtijeva se elaboracija **izjava o ambijentu** i njena potvrda od strane **akreditovanog inspektora/verifikatora**.

Razlike izmedju ISOa 14001 i EMASa su bile brojne u prošlosti, međutim, već od stupanja na snagu Pravilnika EMAS iz 2001., ISO 14001 je faktički bila ukućena u taj isti pravilnik i njihovi osnovni propisi su se skoro izjednačili.

¹³ Objavljen u G.U.C.E.u, 10. jula 1993., br. L 168.

¹⁴ Objavljen u G.U.C.E.a, 24. aprila 2001.,br. L 114.

¹⁵ U Članu 2 iz gore citiranog Prav. br. 761/2001, organizacija se definije na sledeći način: "udruženje, preduzeće, firma, vlast ili institucija, ili dio ili njihova kombinacija ovih, sa ili bez legalnog karaktera javnog ili privatnog, koja ima sopstvenu administraciju i funkcije".

U Tabeli koja slijedi dat je ponovni epilog osnovnih razlika izmedju EMASA i ISOa 14001.

| ISO 14001 | EMAS |
|--|---|
| Uskladjenost sa ambijentalnim normativima koja se indirektno zahtijeva | Uskladjenost sa ambijentalnim normativima koja se eksplicitno zahtijeva od kompetentnih vlasti na teritoriji u instruktivnoj fazi |
| Internacionalni validitet | Evropski validitet |

Norma ISO 14001 potvrđuje Usaglašenost sistema ambijentalnog upravljanja organizacije sa samom normom. Pravno lice za sertifikaciju je jedna nezavisna organizacija akreditovana od starne SINCERTa.

Predviđa predispoziciju jedne izjave o ambijentu, namijenjena za komunikaciju sa javnošću, sadržaj se kontroliše od starne trećeg neutralnog pravnog lica akreditovanog od strane Comiteta Ecoinspekcija Ecoetiketa.

3.2 Beneficije od usvajanja jednog SGA (SUA) na lučkom području

Sertifikacija jednog Sistema upravljanja ambijentom uglavnom omogućava da se postignu brojne prednosti, među kojima:

- poboljšanje ambijentalnih usluga u smislu racionalizacije i efikasnosti (ponovna upotreba energije, redukcija otpada, štetnih isparavanja u atmosferu i otpad vode putem povraćanja i reciklaže);
- smanjenje rizika koji su posljedica zagadjenja uz dodatno smanjenje mogućnosti primjene sankcija u slučaju nepoštovanja zakonskih dispozitiva;
- smanjenje neizbjježnih troškova koji su vezani za eventualne štete nanesene okolini;
- optimizacija upravljanja preduzećem i radnim procesima;
- veća sposobnost da se planiraju unutrašnji resursi;
- veća kompetitivnost na tržistu;
- veće povjerenje/credibilnost i bolji imidž/sliku u odnosu na referencijalne komponente, socijalne ili nesocijalne, (clienti, snabdijevači, opština, institucije, itd..).

Iskustvo stečeno iz ostalih lučkih realnosti¹⁶ koje su već krenule ovim putem pokazuju da se investicijom u SGA/SUA postiže ušteda novca, smanjenje polisa osiguranja, da postižu bolje mogućnosti za pomoći od države i svakako veća sigurnost u pogledu ambijentalnih problematika.

Uopšte, jedna organizacija koja primjenjuje jedan SGA/SUA može odmah konstatovati korisnost investiranja na vrijeme i resursa. Jedan SGA/SUA olakšava individualizaciju porijekla uzroka potencijalnih ambijentalnih problema dajući lučkoj organizaciji osnovu strukturisanog pristupa

¹⁶ 2000. god. Lučke vlasti u Altamira (Meksiko) su bile prve koje su dobile sertifikat kvaliteta ambijenta ISO 14001 za jednu luku. Poslije toga, na svjetskom nivou, su bile brojne luke koje su dobile sertifikat ISO 14000/14001, kao na primjer, luka Hudson (SAD), Halifax (Kanada), Brisbane (Australija), Walvis Bay i Luderitz (Namport – Namibia - Africa), Klaipeda (Litvanija) i Tallinn (Estonija). U Evropi, 2003., Lučke vlasti Valencije (Španija) u okviru Fondacije i evropskim projektom ECOPORTS, je bila prva u Evropi koja je primjenila Politiku ambijenta u svojoj realnosti, constituišući jedno validno mjesto kao referencu za ostale evropske luke osjetljive po pitanju tematike ambijenta. Kao jedan primjer evropske luke sa sertifikatom ISO 14001 sluzi luka Hamina u Finskoj, dok luka Londona ima u projektu da ga dobije u toku 2006. god. U Italiji pojedine luke već imaju sertifikat ISO 14001, kao na primjer, luka Genove, dok su druge već na putu da ga dobiju, među kojima su Civitavecchia, La Spezia, Savona i Trst. Jedinu registraciju EMAS u Evropi za jednu luku su uspjele dobiti Lučke vlasti Livorna. Slijedeći španjsko iskustvo u luci Valencija, osvojili su ovaj cilj preko projekta, koji je finansiran u okviru evropskog programa "LIFE III (2000-2006)", zvani EMAS.PO.LI. (EMAS Porto di Livorno).

upravljanu odgovornostima vezanim za okolinu. Moguće je, u stvari, strukturisati efikasne operativne kontrole i poboljšati praksi upravljanja, uključujući ih adekvatno u već postojeće instrukcije o radu.

Na osnovu jedne ankete sprovedene u pojedinim lukama koje su, na svjetskom nivou, usvojile jedan SGA/SUA, otkrilo sa da su brojne i raznovrsne beneficije koje mogu dati ti sertifikati. Luka u Houstonu (SAD) je, na primjer, nakon dobijanja sertifikata uspjela da:

- smanji za 25% proizvodnju azotnih oksida (NOx) koje proizvode autodizalice i kamioni;
- smanji za 58% otpad (oko 2,3 tone);
- eliminiše krpe zagadjene od ulja koje treba eliminisati;
- smanji za 20% troškove osiguranja.

Naročito ne treba zanemariti redukciju suma za osiguranja koja slijedi poslije usvajanja jednog SGA/SUA zahvaljujući većoj dokumentaciji proizvoda i iznad svega mogućnosti da se dokaže primjena operativnih kontrola.

I dalje se pozivajući na iskustva luke Houston otkrilo se:

- povećanje operativnih kontrola, što je nadalje smanjilo broj nezgoda;
- bolja sposobnost da se reaguje u hitnim slučajevima;
- smanjenje troškova i veća produktivnost;
- upravljanje osjetljivošću na bezbjednost;
- bolja javna slika/imidž i povjerenje;
- povećanje savjesnosti i kompetentnosti radnog osoblja;
- bolji odnosi sa učesnicima konkursa i lučkim akcionarima i bolje instrukcije namijenjene kontroli;
- smanjenje rizika i bolje mogućnosti za finansijske pomoći.

3.3 Proces za usvajanje jednog SGA/SUA na lučkom području

Izbor jednog lučkog lokaliteta da dobije sertifikat i registraciju, shodno sa normom ISO 14001 ili EMAS, mora biti napravljen pošto se obave odgovarajući proračuni vezani za tržiste.

Put koji treba slijediti da bi se dobio sertifikat ISO 14001 može biti šematski prikazan po sljedećim fazama:

- 1) obavljanje preliminarne Inspekcije internog ambijenta;
- 2) usvajanje jedne Ambijentalne politike;
- 3) definisanje jednog Programa za upravljanje ambijentom;
- 4) izrada Programa za poboljšanje ambijenta;
- 5) definitivna implementacija Sistema upravljanja ambijentom;
- 6) dobijanje sertifikata ISO 14001 putem nezavisnog organa.

U odnosu na sertifikat ISO 14001, registracija EMAS jednog lučkog lokaliteta znači imati "najbolje" upravljanje ambijentom, nametnuto obavezom obavljanja jedne podrobnije **analize ambijenta na početku**, koja osigurava jedan rigorozniji prikaz ambijentalnog konteksta u kome operiše organizacija, i **izjavom o ambijentu** kojom, onaj ko se registruje, prihvata odgovornost da komunicira, van radnog ambijenta, modalitete upravljanja zaštitom okoline koje je primijenio. EMAS stvara dakle jedan izabran instrument u smislu garancije i povjerenja, iako je priznat samo na evropskom nivou, i bolje je isplatljiv u ekonomskom i vremenskom pogledu jer ima duži plan i program da bi se dobila registracija.



Prilog 1 - Tehničke karakteristike Ostrva u luci

Ostrvo u luci je jedna nastrešnica, pocinčana i ofarbana zelenom bojom, postavljena na šestougaonoj osnovi. Na ovu šestougaonu osnovu od lima je postavljen pod od rebrastog željeza po kome se može gaziti.

Praznina između baze i poda predstavlja kadu za sakupljanje odredjenog kvantiteta istrošenog ulja. U uglovima (šest) su postavljeni stubovi koji drže krov od lima. Struktura je zatim zatvorena sa šest rebrastih tabli koje su pocinčane i ofarbane po cijeloj visini, od kojih se dvije otvaraju. Unutar ostrva su postavljena 4 kontejnera:

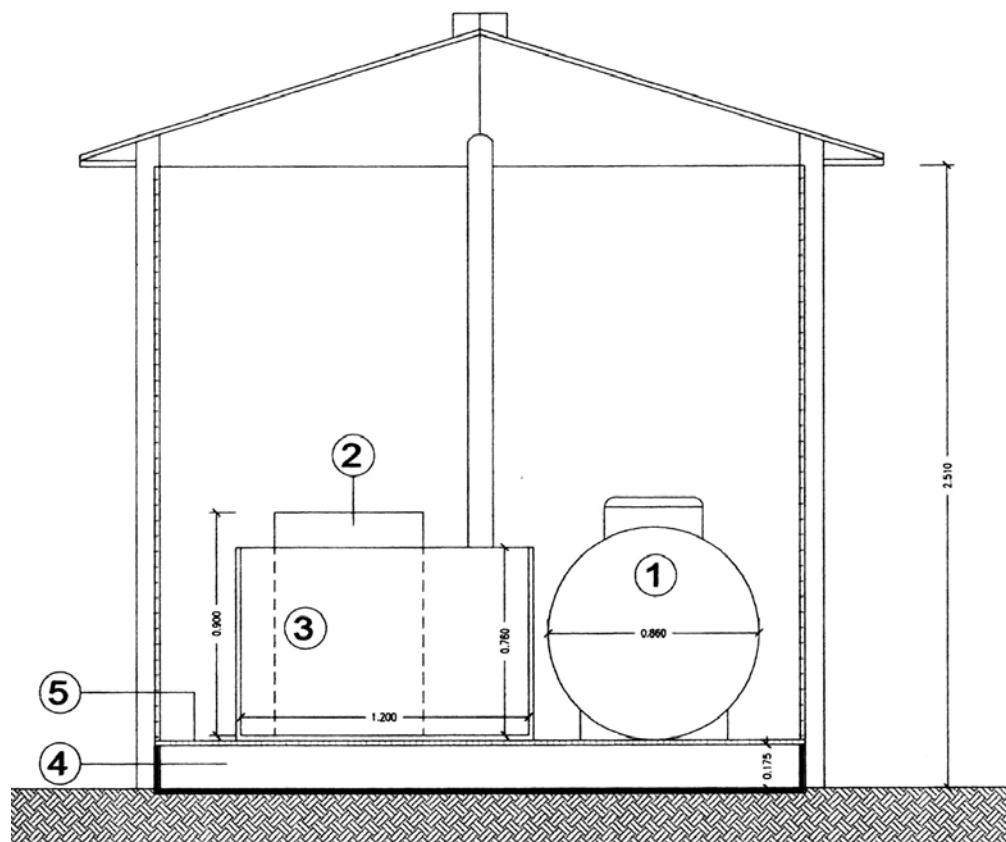
- 1 rezervoar za sakupljanje istrošenog ulja;
- 1 kontejner od PVCa za sakupljanje starih akumulatora od olova;
- 1 bačva za sakupljanje starih filtera za ulje;
- 1 bačva za sakupljanje limenki od ulja.

Zauzet prostor je maksimalno 3 m x 3 m x h. 3.2 m, manje više, i predviđena težina kad je bez otpada, na prazno, je 850 kg.

U produžetku je dat nact jednog prosječnog Ostrva u luci.

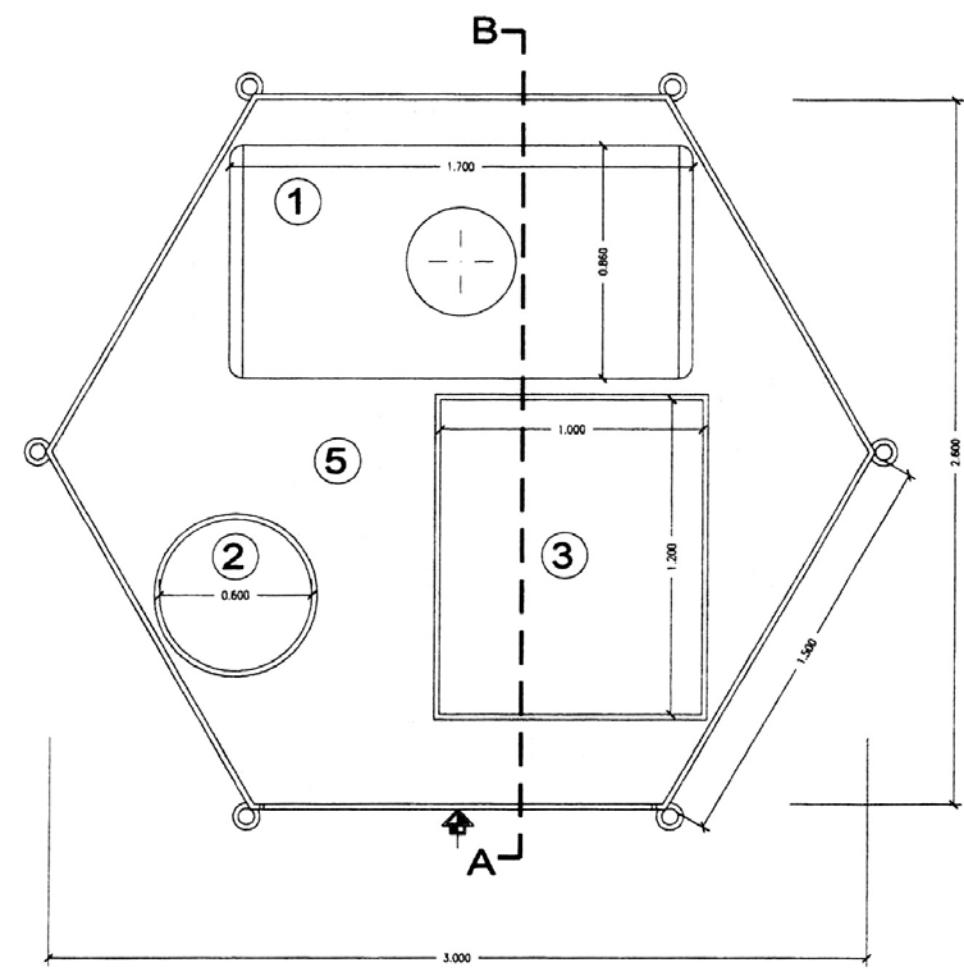
PROSPEKAT OSTRVA U LUCI

(vertikalni presjek)



PROSPEKAT OSTRVA U LUCI

(horizontalni presjek)



| Ref. | Opis | Mjere | Kapacitet |
|------|--------------------------------|--|-----------|
| 1 | REZERVOAR ZA ISTROŠENA ULJA | Diam. 86 cm – L= 170 cm | 0,987 mc |
| 2 | KONTEJNER ZA FILTERE | Diam. 60 cm – H=90 cm | 0,255 mc |
| 3 | KONTEJNER ZA STARE AKUMULATORE | 100x120 cm H=76 cm | 0,912 mc |
| 4 | KADA ZA SAKUPLJANJE | Šestougaona strana 150 cm H=17,5 cm | 1,024 mc |
| 5 | REBRASTI POD | | |

| Ref. | Opis |
|------|---|
| 1 | REZERVOAR ZA ISTROŠENA ULJA |
| 2 | KONTEJNER ZA FILTERE |
| 3 | KONTEJNER ZA STARE AKUMULATORE |
| 4 | KADA ZA SAKUPLJANJE (ispod osnove rebrastog poda) |
| 5 | REBRASTI POD |

Prilog 2 - Rječnik

KOMPETENTNE VLASTI U LUCI

Lučke vlasti, ako su instituisane, i/ili Lučka kapetanija.

UPRAVLJANJE OTPADOM

Diferencijacija, sakupljanje, transport, povraćanje i eliminisanje otpada, uključujući kontrolu ovih operacija.

ZAKUPAC USLUGA-KONCESIONAR

Pravno lice izabrano javnim konkursom i kome se povjerava usluga sakupljanja otpada i upravljanje sa jednom ili više klase lučkog otpada, uključujući lučke pogone za sakupljanje.

JAHTE

Jedna jedinica bilo kojeg tipa, bez obzira na sredstvo pokretanja, koja se koristi u cilju sporta i rekreacije.

LUČKI POGON za SAKUPLJANJE OTPADA KOJI PROIZVODE BRODOVI

Bilo koja struktura, fiksna, ploveća ili pokretna unutar luke gdje, prije nego počne sakupljanje ili eliminisanje, otpad sa brodova i od ostataka tereta može biti dostavljen. Lučkim pogonima za sakupljanje otpada se smatraju **operativne baze** (namijenjene sakupljanju otpada koji potiče sa brodova koje su u obavezi da obavijeste) i **opremljene zone** (za sakupljanje otpada sa brodova koje nisu u obavezi da obavijeste), uključujući tzv.a "**Ostrva u luci**".

OSTRVA U LUCI

Opremljene zone za sakupljanje lučkog opasnog otpada. U Italiji ova ostrva mogu biti realizovana uz kontribuciju Obaveznog konsorcija za istrošena ulja (Consorzio Obbligatorio per gli Oli Usati -COOU) i Obaveznog konsorcija za stare olovne akumulatore (Consorzio Obbligatorio per le Batterie al Piombo Esauste - COBAT).

NAJBOLJE RASPOLOŽIVE TEHNIKE

Najefikasnija faza razvoja je odmakla faza aktivnosti i relativnih metoda rada koji su indikatori adekvatne primjene u praksi određenih tehnika radi stvaranja, u krajnjem slučaju, osnove vrijednosti sprečavanja emitovanja sa ciljem da se izbjegnu ili, gdje je ovo nemoguće, da smanji u generalnom smislu, emitovanje i njegove posljedice na ambijent u cjelini.

BROD

Jedna plovna jedinica bilo kojeg tipa koja operiše u morskom ambijentu, uključujući hidrogliser, amfibijna vozila, podmornice, plutače, kao i koče i jahte.

KOČE

Jedan bilo kakav čamac koji je opremljen ili se koristi u svrhe lovljenja ribe ili drugih živih morskih resursa.

LUKA

Mjesto ili geografska površina sa izgradjenim sadržajem i dodatnom opremom što omogućava pristajanje brodova, koča i jahti.

OSTACI TERETA

Ostaci bilokakvog materijala koji čini teret na brodu u štivama ili cisternama i koji preostane poslije operacija iskrcaja, čišćenja, uključujući isto tako i vode od čišćenja (slop) i tereta, kad god

da su bile u kontaktu sa teretom ili sa njegovim ostacima. Ti ostaci se nagomilavaju utovarom-istovarom i ispuštanjem.

OTPAD

Bilikakva supstanca ili predmet koji spada u kategorije navedene u Prilogu A Dijela IV Zakonskog Dekreta br. 152/2006 kojega se vlasnik oslobođa/lišava, ili je odlučio da se riješi ili ima obavezu da se riješi.

OTPAD PROIZVEDEN OD BRODOVA

Otpad, uključujući otpadne vode i razni ostaci od ostataka tereta, uključujući isto tako vode iz kaljuža, proizvedeni na samom brodu, koji podliježu primjenama priloga I, IV i V MAPROLA 73/78, kao i otpad vezan za teret za koji su uputstva koja se primjenjuju odredjena na nivou unije u dodatku V MARPOLa 73/78.

Stranice web za detaljnije informacije

- www.imo.org
- www.londonconvention.org
- <http://europa.eu.int>
- www.infrastrutturetrasporti.it
- www.minambiente.it
- www.regione.marche.it
- www.guardiacostiera.it
- www.gencimarancona.it
- www.infoleges.it
- www.reteambiente.it
- www.ambiente.it
- www.laserlab.it
- www.onon.it
- www.informare.it
- www.autoritaportuale.ancona.it

Uputstava za primjenu norme SA8000 u lučkom ambijentu

Predgovor

Osnovna funkcija jedne organizacije sastoji se u tome da kreira vrijednost putem proizvodnje dobara i usluga koje su potrebne potrošačima, stvarajući istovremeno profit za vlasnike i akcionare, kao i bogatstvo za društvo, naročito putem jednog kontinuiranog procesa kreiranja radnih mjeseta.

Nove forme društvenog i komercijalnog pritiska nameću tim organizacijama potrebu da progresivno modifikuju njihove vrijednosti i referencijalne horizonte.

Sve više su svjesnije činjenice da se ne mogu slijediti ciljevi islučivo jedne održive komercijale i relativnih beneficija za stakeholders/akcionare, težeći ka maksimalnim profitima u kratkom roku, već zauzimanjem pažljivog i odgovornog ponašanja u odnosu na tržište.

One su isto tako svjesne činjenice da mogu doprinijeti održivom razvoju upravljanjem njihovim realnostima jačanjem ekonomskog porasta i njihove konkurentnosti bez nanošenja ambijentalnih šteta, ne zanemarujući interes potrošača i ne bježeći od svojih društvenih odgovornosti, što podrazumijeva "dobrovoljnu integraciju socijalnih i ekoloških problematika u komercijalne opracije djelatnosti i odnose preduzeća sa učesnicima" (Evropska zelena knjiga – mart 2001.)

Uzimajući u obzir razmatrane informacije, jedan rastući broj preduzeća je krenuo upravo od ovog koncepta socijalne odgovornosti.

Realnosti luka, koje su posljednjih godina postale prave i stvarne kompleksne ekonomske organizacije, ne mogu biti nesvesne ove činjenice. Moraju započeti jedan tok porasta, stremeći ka strateškom cilju da postanu jedna kompetitivnija i dinamičnija ekonomija, sposobna da ostvari održivi ekonomski razvoj i kvantitativno i kvalitativno poboljšanje zapošljavanja, garantujući jednu bolju društvenu koheziju.

Postići da luke budu socijalno odgovorne znači stimulisati integrисану analizu, na dobrovoljnoj osnovi, društvene i ambijentalne probleme svih preduzeća koja u njima operišu, i usvojiti, shodno tome, zajedničko ponašanje, u nastojanju da se nadje jedan odmijeren kompromis između potreba i zahtjeva učesnika.

Ako se mutacijama-promjenama koje proističu upravlja sa odgovornošću i znanjem, uticaj na makroekonomskom polju će svakako biti pozitivan.

U tom kontekstu, društvene odgovornosti lučkih organizacija, njihova etička i socijalna uloga, osim toga što su dokaz jednog sopstvenog etičkog Kodeksa i/ili Socijalnog bilansa, može biti sertifikat/potvrda (bolje rečeno, priznanje od strane nekog trećeg lica) u saglasnosti sa jednim medjunarodnim standardom.

Medjunarodni standard sertifikacije koji se odnosi na:

- poštovanje ljudskih prava,
- poštovanje prava radnika,
- zaštita protiv iskorištavanja djece/maloljetnih,
- garancija bezbjednosti i zdravlja na radnom mjestu,

je definisan u normi SA 8000.

Ova Uputstva, elaborirana u okviru projekta WAP – Waste Management in the Adriatic Ports, (Upravljanje otpadom u jadranskim lukama), konstituišu jedan operativni instrumenat za primjenu norme SA 8000 u lučkim zonama, uzimajući u obzir, da danas, nijedna realnost ovog tipa ne rezultira da posjeduje sertifikat shodno dispozicijama.

Osnovni ciljevi, koji su se nametnuli u toku izrade ovih uputstava, mogu se sintetisati na sljedeći način:

- pružiti osnovno znanje u vezi glavnih principa standarda SA8000;
- dati indikacije vezano za uticaj norme na glavne lučke poslove;
- definisati društvene učesnike u sistem "luka";
- ilustrirati poslovne faze za razvoj jednog Sistema društvene odgovornosti u ambijentu luke;
- dati primjenljiv primjerak rokovnika SA 8000 za jednu hipotetičnu organizaciju u ambijentu luke.

Argumenti su razmatrani uzimajući u obzir socio – ekonomske analize obavljene od strane Politehničkog univerziteta Marche, koje se odnose na luke iz regije Marke: Ancona, Civitanova Marche, Pesaro i San Benedetto.

Prvo poglavje – Norma SA8000

1.1 Prezentacija norme

Norma SA8000 predstavlja prvi standard koji je validan na medjunarodnom nivou vezano za društvene odgovornosti preduzeća.

Standard je jedna norma o dobrovoljnem pristupanju i definiše minimalne zahtjeve, u smislu ljudskih i socijanih prava, koje svaka Organizacija mora zadovoljiti da bi moglo za nju da se kaže da je u skladu sa normom.

Ova uskladjenost sa zahtjevima norme je oficijalno priznata putem sertifikata koji izdaje jedan treći nezavisani Organ.

SA8000 je izdata 1997. god., u Nju Jorku, od strane SAI (Social Accountability International, koji je nastao prvo pod imenom CEPAA), finansiran od strane CEP-a (Council on Economic Priorities), organa koji ujedinjuje, na medjunarodnom nivou, predstavnike vlada, sindikata, univerziteta, agencija za sertifikaciju i udruženja za savjetovanja. Norma je bila dopunjena u toku 2001. god.

1.2 Oblast primjene i prednosti

Norma SA8000 se može usvojiti od strane Organizacija malih i velikih dimenzija, kao i od preduzeća iz privatnog i javnog sektora.

Osnovne prednosti koje Organizacije mogu imati primjenom ove norme su:

- redukcija prometa (turn-over) zapošljenih;
- veće povjerenje investitora i klijenata;
- transparentnost aktivnosti organizacije sa povaćanjem unutrašnjeg i spoljnog vizibiliteta vezano za sopstvene etičko-socijalne principe;
- bolje upravljanje snabdijevačima i zakupcima;
- povećanje satisfakcije zaposljenih.

1.3 Struktura

Norma definiše jednu seriju etičkih kriterija važnih u odnosu na ljudska prava u poslovnom svijetu, a naročito:

- rad djece;
- rad pod prinudom;
- zdravlje i sigurnost na poslu;
- sloboda udruživanja i pravo na kolektivni ugovor;
- diskriminacija;
- disciplinarne procedure;
- radno vrijeme;
- nadoknada.

Ovim zahtjevima se priključuje i još jedan vezan za upravljanje. Norma SA 8000 u stvari smatra da Organizacija treba da primjeni na sebi Sistem društvene-socijalne odgovornosti koji ima za

cilj kontinuirano poboljšanje doprinosa (performance) organizacije u smislu poštovanja gore navedenih etičko-socijalnih zahtjeva.

1. RAD DJECE

Norma predviđa da Organizacija:

- nesmije koristiti ili favorizovati djecu za obavljanje poslova;
- mora predviđjeti procedure za prihvatanje djece koju zateknu na radu i pružiti im adekvatnu podršku da bi pohadjali školu;
- mora ustanoviti procedure za promovisanje obrazovanja djece i mlađih radnika koji podliježu obaveznom obrazovanju. Naročito djeca i mlađi radnici ne smiju raditi u vrijeme školskih sati, u svakom slučaju, suma školskih sati, rada i prevoza nesmije biti preko 10.
- nesmije izlagati djecu i mlađe radnike opasnim, nebezbjednim situacijama ili koje su štetne po njihovo zdravlje.

2. RAD POD PRINUDOM

Pod prinudnim radom se smatra svako obavljanje posla jedne osobe pod prijetnjom sa bilo kojom vrstom kazne kada se ta osoba nije dobrovoljno ponudila da obavi posao.

Detaljnije, norma SA8000 predviđa da Organizacija:

- nesmije iskorištavati ili favorizovati korišćenje rada pod prinudom;
- nesmije zahtijevati od osoblja da im ostavi depozite u novcu ili dokumenta identifikacije na početku radnog odnosa.

3. ZDRAVLJE I BEZBIJEDNOST

Norma predviđa da Organizacija:

- mora garantovati mjesta rada koja su bezbjedna i ne škode zdravlju, usvajajući adekvatne mјere za sprečavanje nezgoda i posljedica po zdravlje, kako za vrijeme odvijanja rada tako i poslije;
- mora imenovati predstavnika Direkcije da bude ovoran za zdravlje i bezbjednost cjelokupnog personala;
- mora se truditi da cjelokupni personal, čak i novozapošljeni, prodje regularnu i dokumentovanu obuku iz oblasti zaštite zdravlja i bezbjednosti;
- mora uspostaviti sistem da bi se individualisali, izbjegli i da bi se suočilo sa potencijalnim rizicima po zdravlje i bezbjednost osoblja;
- mora garantovati čiste higijenske prostorije, dostupnu pitku vodu i higijenske strukture za čuvanje hrane;
- mora garantovati da spavaonce, ukoliko se daju personalu, budu čiste, bezbjedne i zadovoljavaju egzistencijalne uslove.

4. SLOBODA UDRUŽIVANJA I PRAVO NA KOLEKTIVNI UGOVOR

Norma utvrđuje da Organizacija mora:

- poštovati pravo cjelokupnog osoblja da se udružuje i formira sindikate prema svom sopstvenom izboru i pravo na kolektivni ugovor;
- pomagati alternativne načine sindikalnog udruživanja i kolektivne nagodbe u slučajevima kada su ova prava ograničena zakonom;
- garantovati da predstavnici sindikata neće biti diskriminisani i da mogu slobodno komunicirati sa kolegama na poslu.

5. DISKRIMINACIJA

Norma određuje da Organizacija nesmije:

- vrsiti diskriminaciju pri zapošljavanju, dijeljenju viška, učešću u obuci, promociji, davanju otkaza, u pogledu rase, staleža, nacionalnog porijekla, godina, religije, invaliditeta, pola, seksualnog opredjeljenja, pripadanja sindikatu ili političkim udruženjima;
- miješati u prava radnika da slijede principe vezano za praksu rase, staleža, nacionalnog porijekla, religije, invaliditeta, pola, seksualnog opredjeljenja, pripadanja sindikatu ili političkim udruženjima;
- dozvoliti, na mjestu rada, ponašanja koja su seksualno napastna, prijetnje, uvrede ili ponasanja koja imaju za cilj iskorištavanje.

6. DISCIPLINARNE PROCEDURE

Norma određuje da Organizacija nesmije koristiti ili podržavati tjelesne kazne, mentalno ili fizičko maltretiranje i verbalne uvrede.

7. RADNO VRIJEME

Norma određuje da Organizacija mora poštovati zakone i industrijske standarde koji su na snazi po pitanju radnog vremena i, kad god bi se nacionalni zakon pokazao manje restiktivan u odnosu na zahtjev SA8000, mora se pridržavati sljedećih parametara:

- radna sedmica nesmije biti više od 48 sati redovnog rada, sa najmanje jednim neradnim danom.
- prekovremeni rad nesmije biti preko 12 sati nedeljno, mora biti dobrovoljan i plaćen uz dodatni procenat u odnosu na redovan rad;
- ako je Organizacija stranka jednog kolektivnog ugovora, zahtjev za prekovremeni rad mora uslijediti prema ugovoru da bi se zadovoljila jedna kratkoročna potreba tržišta.

8. NADOKNADE

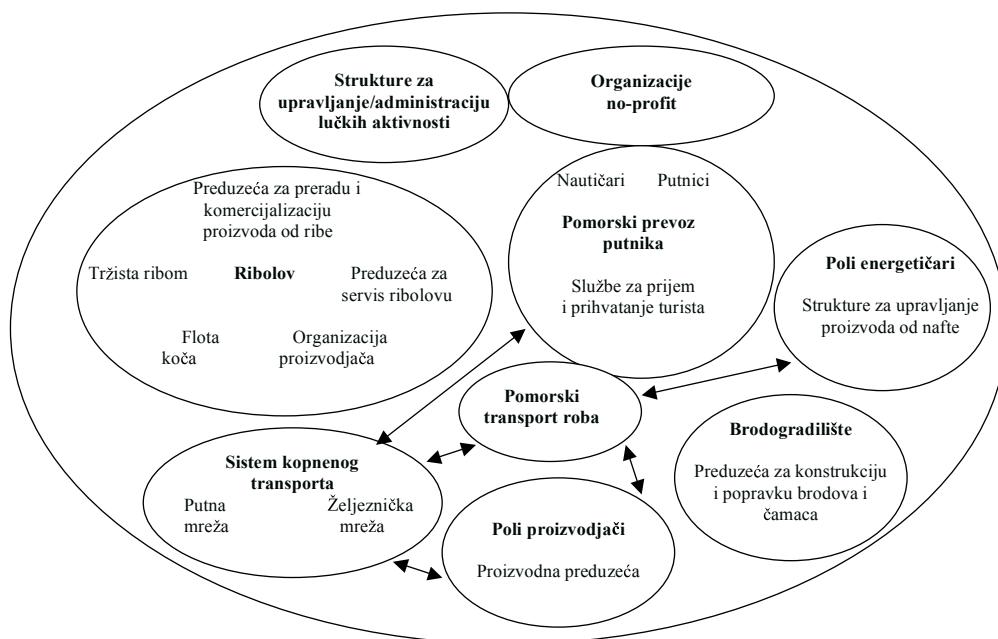
Organizacija mora garantovati:

- platu jednaku ili veću od legalnog minimuma nadoknade, koja mora da zadovolji egzistencijalne potrebe i koja omogućava radniku da diskretno zaradjuje;
- da odbici od plate nijesu posljedica disciplinskih mјera i da obračun zarada bude jasan i da ga sva radna lica mogu razumjeti;
- da razlika bude data shodno važećim zakonima i, u svakom slučaju, na način koji je najpovoljniji za radnike (u gotovini, putem čeka, ...);
- da ne budu sastavljeni ugovori koji bi otkrili nepravilno korišćenje odnosa saradnje, u smislu neispunjavanja, od strane Organizacije, odgovornosti po pitanju uplaćenog doprinosa.

Drugo Poglavlje – Sistem “luka”

2.1 Struktura sistema “luka”

Sa ciljem da se primjeni norma SA8000 u lučkom ambijentu napravljen je jedan šematski prikaz funkcionisanja sistema u luci i glavne aktivnosti koje se u okviru njega odvijaju.



2.2 Uticaj norme SA8000 na aktivnosti u luci

Niže prikazana ilustrativna tabela upoređuje, procijenjujući uticaj, kriterije norme SA 8000 sa aktivnostima koje se odvijaju na području luke:

| | Rad djece | Rad pod prinudom | Zdravje i bezbjednost na radu | Sloboda udruživanja i pravo na kolektivni ugovor | Discriminacija | Disciplinarne procedure | Radno vrijeme | Nadoknada | Sistem upravljanja |
|---|-----------|------------------|-------------------------------|--|----------------|-------------------------|---------------|-----------|--------------------|
| Strukture za upravljanje/administraciju lučkih aktivnosti | 😊 | 😊 | 😊 | 😊 | 😊 | 😊 | 😊 | 😊 | 😐 |
| Activnosti ribolova | 😊 | 😐 | 🙁 | 🙁 | 🙁 | 😐 | 🙁 | 😐 | 🙁 |
| Aktivnost brodogradilišta | 😊 | 😊 | 🙁 | 🙁 | 🙁 | 😐 | 😐 | 😐 | 🙁 |
| Utovar i istovar robe (upravljanje robom) | 😊 | 😐 | 🙁 | 🙁 | 🙁 | 😐 | 🙁 | 😐 | 🙁 |
| Aktivnosti vezane za pomorski transport putnika | 😊 | 😊 | 😊 | 😐 | 😊 | 😊 | 😐 | 😊 | 🙁 |

Legenda:

- 😊 Mali uticaj
- 😐 Srednji uticaj
- 🙁 Veliki uticaj

2.3.1 Problematike pri obavljanju kontejnerskih aktivnosti¹⁷

| Problematike | Situacija u luci |
|--|---|
| Rad djece | Na osnovu sakupljenih informacija ova problematika nije bila evidentirana na očigledan način. Istočе se, međutim, da bi se izvjesni problemi mogli pojaviti primjenom normativa c.d. Bolkestein ¹⁷ . |
| Rad pod prinudom | Na osnovu sprovedene ankete nijesu nadjeni primjeri koji bi se mogli pripisati ovom fenomenu kao i zbog teškoća analize u tom smislu: ograničenja zbog interpretacije normativa Bolkestein i slabe kontrole upravljanja zakupcima. |
| Zdravlje i bezbjednost na poslu | Vezano za probleme u odnosu na zdravlje i bezbjednost, evidentiran je jedan elemenat kritičnosti vezan za vrstu rada: zastupljenost fizičkog rada, upotreba potencijalno opasne opreme koja tu vrstu rada čini jako rizičnim. Učesnici analize su otkrili da instrumenti predviđeni normativom – iako su validni u smislu SDO-a – nijesu uvijek adekvanto upotrebljavani. Ovaj problem je posebno prisutan u malim preduzećima koja upravljaju poslovima vezanim za zakupce. Evidentirani su primjeri ozbiljnih nezgoda. |
| Sloboda udruživanja i pravo na kolektivni ugovor | U pogledu slobode udruživanja nijesu otkrivene "nametnute obaveze" koje ograničavaju ovo pravo, štaviše, postojanje sindikata nije uvijek uniformno u različitim preduzećima. U preduzećima srednjih i većih dimenzija koja se bave direktnim isporukama, prisutan je veliki broj predstavnika sindikata koji može biti i više od 50%. U preduzećima manjih dimenzija ili u onima koje, međutim, upravljaju poslovima zakupaca, stepen "sindikalizacije" je daleko više ograničen, u nekim slučajevima čak i ne postoji; posljedica je manja zaštita radnika. Prisustvo sindikata je tako i aktivno naročito u sistemu luke Ankona. |
| Diskriminacije | Kada je riječ o sektoru brodogradilišta, osjeća se prisustvo radnika stranaca (naročito iz zemalja nečlanica unije), posebno u luci Ankona. Na osnovu sprovedene ankete, međutim, nijesu otkriveni elementi koji bi mogli pružiti informacije korisne za procjenu "težine" ovog fenomena. |
| Disciplinarne procedure | Što se tiče ovog argumenta, kako je to i potvrđeno, uspostavilo se da je kompleksno verifikovati eventualne primjere preduzetih disciplinskih mjera. Ne izgleda da postoje dovoljno konsistentne problematike ovog tipa u velikim brodogradilištima. |
| Radno vrijeme | I u ovom slučaju, u odnosu na norme iz kolektivnog ugovora o radu (za onoga ko vam se pridružuje) potrebno je praviti razliku izmedju malih i velikih firmi, kao i u prethodnom slučaju. Problemi u ovom smislu mogu da se javi usled interpretacije "pravila" u zemlji porijekla kako je predviđeno normativom Bolkestein. |
| Nadoknade | Vezano za aspekt nadoknade, otkriveno je da postoji jedan kolektivni nacionalni ugovor (metalomehaničara). Glavni problemi mogu se pojaviti usled: <ul style="list-style-type: none"> • interpretacije i primjene normativa Bolkestein; • usvajanja tzv. "globalne plate" kao nadoknade zavisno od saradnika koji obavljaju posao u firmama zakupaca. |

Izvor: Socio-ekonomска analiza sistema luka napravljena od strane Politehničkog Univerziteta Marche.

¹⁷ Predlog Direktive evropskog parlamenta i savjeta Evropske Unije koji se odnosi na službe unutrašnje trgovine prezentiran od strane Evropske Komisije, februara 2004. god.

2.3.2 Problematike na radu u aktivnostima ribolova

| Problematike | Situacija u luci |
|--|---|
| Rad djece | Prema sakupljenim infomracijama, ovaj problem se nije pokazao kao prioriteten; obavljanje kontrole u fazi ukrcanja i potrebnu ovlašćenja, kao i obaveze o informisanju kojima svaki čamac podleže, dozvoljavaju jednu efikasnu kontrolu aktivnosti koje se odvijaju na čamcu. Normativ na koji se poziva dà se uglavnom svesti na "Italijanski kodeks navigacije" koji daje indikacije o obavezama raznih tipova plovila i aktivnosti. Svaki čamac mora konstantno ažurirati "spisak ukrcaja", instrumenat provjere obavljenih aktivnosti. U tom dokumentu moraju biti navedeni lica koja su se ukrcala, zbog provjere minimalnog predviđenog broja posade, shodno Kodeksu o navigaciji". To se uglavnom odnosi na već ukrcanu posadu. Za osoblje koje je na kopnu, mogu se vidjeti različite situacije, bilo zbog manje mogućnosti kontrolisanja, bilo zbog manjeg stepena rizika u vezi sa aktivnostima koje se obavljuju. |
| Rad pod prinudom | Anketom nijesu otkriveni slučajevi vezani za ovaj fenomen, ujedno i zbog poteškoća analize u tom smislu. |
| Zdravlje i sigurnost | Što se tiče problematike vezane za zdravlje i bezbjednost na radu, naročito, evidentiran je siguran elemenat rizika, posebno u smislu preventive. S obzirom na prisustvo korisćenja potencijalno opasne opreme i sam elemenat "more", čine da je taj tip posla srednjeg-visokog rizika za povrede. Pojedine poteškoće su vezane za smanjene dimenzije ovih ekonomskih subjekata koji se koriste. Produktivne jedinice koje su individualisane u tom sektoru imaju, u stvari, često manje dimenzije. U tom slučaju, lice koje je zaduženo za sigurnost nema velike mogućnosti. Mnogo zavisi od komande koju često predstavlja sam vlasnik čamca. U vezi sa tim se primjetio senzibilan porast obuke na tom polju. |
| Sloboda udruživanja i pravo kolektivne nagodbе | U pogledu slobode udruživanja nijesu nadjene "nametnute obaveze" koje bi ograničavale to pravo, čak štaviše, zastupljenost sindikata nije naročito velika. Ovaj aspekt se uglavnom svodi na preduzeća srednjih dimenzija, jako reducirano, gdje je ograničen broj "predstavnika organizacije". Konačno, odnos izmedju broja radnika i učlanjenih u sindikat ne prelazi, prema datom proračunu, 20-30% ukupnog broja. Jedna veća zastupljenost, koja izmedju ostalog varira od jednog sindikata do drugog, je otkrivena u luci Fano. |
| Diskriminacije | Anketa nije pokazala da postoje relevantni elementi koji bi mogli dati informacije korisne da bi se definisala situacija u sektoru vezano za ovaj aspekt. Mogu se međutim iznijeti pojedina razmišljanja: <ol style="list-style-type: none"> osjeća se velika zastupljenost stranih radnika (zemlje van unije naročito), prije svega u lukama Ankone i San Benedeta. pokazalo se komplikovano potvrditi eventualne diskriminativne radnje koje bi se mogle pojaviti u toku aktivnosti ribolova. |
| Disciplinske procedure | Vezano za ovaj problem, i kako je to i ranije utvrđeno, pokazuje se kako komplikovano verifikovati eventualnu primjenu disciplinskih mjera od strane kapetana za vrijeme ribolova. |

| | |
|---------------|---|
| Radno vrijeme | Italijanski nacionalni kolektivni ugovor o radu (CCNL) predviđa u osnovi 40 sati sedmično (8 sati na dan). Međutim, bilo zbog nemogućnosti jedne efikasne inspekcije, bilo uslijed nepredvidljivosti pojedinih elemenata, (prisustvo proizvoda koji se lovi i uslovi mora), mišljenja intervjuisanih lica omogućavaju da se prepostavi da je broj efektivnih radnih sati mnogo veći od te granice dozvoljenog. |
| Nadoknade | <p>U vezi sa aspektom nadoknade, otkriveno je da postoji jedan zajednički nacionalni kolektivni ugovor (potpisani zajednički od strane sindakata CGL, CILS, UIL i Federpesca). Čak štaviše, u pojedinačnim lukama uspostavljeni su tipični običaji i navike marginalno različite među različitim realnostima. Aspekti ugovora su (time i nadoknada) regulisani u skladu sa dvije različite norme koje određuju različite modalitete nadoknade za obavljene poslove u toj djelatnosti: mali ribolov (L. br. 250/1958, ugovori vezani za autonoman rad) i veliki ribolov. Ipak se može tvrditi za ovu posljednju vrstu ugovora da su uglavnom zastupljeni u lukama San Benedetto del Tronto, Ancona i Fano.</p> <p>Poznajući te normative i uzimajući u obzir upotrebu, može se govoriti o nadoknadi koja je tipična s obzirom da ima fiksni iznos (minimalnu platu, shodno CCNL – Contratto Collettivo Nazionale del Lavoro, za koga je karakteristično da sadrži jednu nametnutu taksu za penzijski fond), i jednog varijabilnog dijela koji zavisi od ulova (50% uzima vlasnik čamca, 50% posada, u prosjeku). Ovaj posljednji dio, shodno datim informacijama, često označen pod “van platnog izvještaja”, naknadno se isplaćuje i za radnika je isto tako nemoguće da kontroliše i provjeri nadoknadu.</p> |

Izvor: Socio-ekonomika analiza sistema luka napravljena od strane Politehničkog Univerziteta Marche.

Treće poglavlje – Radne faze za razvoj jednog Sistema društvene-socijalne odgovornosti (SDO) u ambijentu luke

U specifičnom slučaju sertifikacije jedne luke, nema sumnje da je fundamentalno započeti sa primjenom pravila norme na postojeće strukture upravljanja i inspekcije lučkih aktivnosti, tj. Lučke i/ili Pomorske vlasti.

Pozivajući se na principe kontinuiranog poboljšanja i “društvene-socijalne” odgovornosti snabdijevača, koje su izrečene u normi SA 8000, upotreba ovog dokumenta i usvajanje jednog SDO-a trebalo bi, kasnije, da se odnose i na Organizacije koje operišu u luci.

Da definišemo sve potrebne korake (steps) koji su neophodni za realizaciju jednog SDO-a i njegove sertifikacije.

1a Faza: Mapa akcionara (stakeholders)

Prvi korak ka realizaciji jednog SDO-a je individualizacija svih korisnika (stakeholders) Organizacije, unutar i van lučkog ambijenta.

Neki od njih mogu biti:

- Strukture za upravljanje/administraciju lučkim djelatnostima (Lučke i Pomorske vlasti),
- Osoblje koje se bave ribilovom,
- Osoblje koje radi u brodogradilištu,
- Osoblje koje obavlja utovar i istovar (upravlja) robom.
- Osoblje koje je zaduženo za pomorski transport putnika i aktivnosti vezane za ovu vrstu transporta.
- Organizacije no-profit.
- ONG.
- Javna administracija,
- Organizacije sindakata.

Trebaju biti organizovani susreti/intervjui sa akcionarima (stakeholders) koji su najvažniji za ostvarivanje jednog SDO-a, u cilju da se:

- definije kontekst u kome će se operisati;
- sakupi informacije i statistički podaci koji su korisni za identifikaciju budućih mogućih rizika pri implementaciji SDO-a.

2a Faza: Definicija nacionalnih i internacionalnih normi po pitanju socijalne odgovornosti (internacionalni, evropski, italijanski zakoni)

Druga faza predviđa naročito individualizaciju svih zakona, normi, pravilnika, dokumentaciju ugovora koji se odnose na:

- *Rad djece* (D.Lgs. br. 345/1999, D.Lgs. br. 262/2000, Direktiva br. 1994/33/CE, L. br. 148/2000, Konvencije ILO br. 138 i br. 182, eventualni interni pravilnici)
- *Rad pod prinudom* (Konvencije ILO br. 29 i br. 105, eventualni interni pravilnici)
- *Zdravlje i bezbjednost* (D.Lgs. br. 626/1994, D.Lgs. br. 494/1996, Konvencija ILO br. 155, eventualni interni pravilnici)
- *Sloboda udruživanja i pravo na kolektivni ugovor* (Statut radnika, CCNL, Konvencije ILO br. 87, br. 135, br. 98, eventualni interni pravilnici)
- *Diskriminacija* (Statut radnika, Konvencije ILO br. 111, br. 100, br. 159, br. 177, eventualni interni pravilnici)
- *Disciplinarne procedure* (Civilni zakon, Statut radnika, Konvencija ILO br. 29, eventualni interni pravilnici)

- Radno vrijeme (Statut radnika, CCNL, Konvencija ILO br. 98, eventualni interni pravilnici)
- Nadoknada (CCNL, Konvencija ILO n. 100, eventualni interni pravilnici)

3a Faza: Verifikacija stepena usklađenosti i odgovora Organizacije na obavezne postojeće propise izdvojene-prepoznate u toku prethodne faze.

U toku ove faze terba da se izvrši kontrola (check-up) cijelokupnog organizacionog sistema, sa ciljem da se:

- definije pravo stanje na početku;
- individualisati-prepoznati eventualne neusklađenosti sa zakonskim odredbama otkrivenima u toku 2e Faze ;
- popuniti otkrivene praznine.

4a Faza: Planiranje i implementacija Sistema upravljanja društveno-socijalnom odgovornošću.

Najvažniji aspekti koji se moraju uzeti u obzir u ovoj fazi su:

a) Definicija politike društvene odgovornosti

Direkcija ima za zadatak da definije jednu politiku društvene odgovornosti koja razumije principe osnova vrijednosti sa kojima Organizacija teži da bude usklađena. Imajući na umu te vrijednosti, Direkcija ima za zadatak da budi saznanje i motivaciju cijelokupnog osoblja i poznavanje sopstvenih principa vanjskog upravljanja. Instrumenat koji uglavnom koriste Organizacije za obuku i širenje sopstvene politike društvene odgovornosti su "Uputstva SA8000".

b) Nominuje predstavnike

Norma SA8000 predviđa da moraju biti imenovane tri važne funkcije:

• *Predstavnik za zdravlje i bezbjednost:*

Ova figura je član osoblja direkcije (i predstavlja osoblje uprave) koja se bavi implementacijom odredbi koje se odnose na zdravlje i bezbjednost na radu. Tu funkciju može obavljati (što nije neophodno) ista osoba koja je imenovana za predstavnika osoblja uprave za upravljanje sa SA8000.

• *Predstavnik SA8000 osoblja uprave:*

Ova figura je član osoblja uprave (i predstavlja osoblje upravljanja) koja se bavi implementacijom svih odredbi i sistema SA8000. Ovu funkciju može obavljati (što nije neophodno) ista osoba koja je imenovana za predstavnika zdravlja i bezbjednosti.

• *Predstavnik SA8000 radnika:*

Ova figura predstavlja radnike i ne može biti nijedna od prethodno navadenih koje pripadaju osoblju upravljanja. Ovo lice je zaduženo za odnose sa direkcijom i osobljem uprave u pogledu svih pitanja vezanih za zahtjeve SA8000 a koji se odnose na radnike. Ovu funkciju može obavljati ista osoba koja obavlja ulogu predstavnika zdravlja i bezbjednosti radnika i/ili predstavnik sindikata.

c) Obuka personala vezano za SA8000.

Moraju biti predviđeni programi senzibilizacije radi difuzije principa i politike SA8000 i planovi za povremenu obuku, u vrijeme radnog vremena, za sve zapošljene na neodredjeno vrijeme kao i one zapošljene na odredjeno vrijeme. Argumenti o kojima treba govoriti na kursevima obuke su, na primjer: zdravlje i bezbjednost na radnim mjestima, osnovi norme SA8000, itd....

Direkcija je dužna da verifikuje efikasnost obavljene obuke putem testa, ili kontrolišući "na licu mjesta" da li radnik primjenjuje u praksi ono što su ga naučili.

Direkcija bi, nadalje, trebala da obezbijedi raspoloživ materijal o SA8000, prilagodjen nivou obuke osoblja tako da ga svi razumiju (npr.: kraći pismani izvještaji, dijapositivi, članci iz novina, itd...).

d) Procedure za selekciju snabdijevača proizvoda/usluga

Moraju se obaviti procedure za selekciju i kvalifikaciju snabdijevača proizvoda/usluga na bazi njihove sposobnosti da udovolje zahtjevima SA8000. Posebno, svaki kvalifikovan snabdijevač mora napismeno prezentirati Organizaciji sopstvenu obavezu da će udovoljiti svim zahtjevima koje predviđa norma SA8000.

e) Upravljanje zapažanjima

Norma predviđa da budu izradjeni adekvatni dokumenti radi registrovanja, koje predstavljaju, u svim njihovim djelovima, evidenciju primjenjivanja proceduralnih pravila. Primjeri evidentiranja mogu biti oni koji se odnose na obuku koju su prošli radnici, praćenje snabdijevača, otkrivene neusaglašenosti, čak i revizija ili izvještaji internih inspekcija verifikacije.

f) Upravljanje problematikama (neusaglašenostima) i korektivne mjere

Moraju biti definisane procedure za rješavanje neusaglašenosti, u smislu intervencije, sa ciljem da se odmah riješi otkriveni problem, modaliteti sprovodenja korektivnih mjera namijenjeni rješavanju problema u osnovi i njihovom sprečavanju da se ponove.

g) Direkcijska revizija

Norma predviđa da se, periodično, pristupi ocijenjivanju Sistema upravljanja društveno-socijalnim odgovornostima da bi se bilo sigurno u njegovu kontinuiranu adekvatnost i efikasnost.

Polazni elementi (input) radi izvodjenja revizije moraju neophodno sadržati: povratne informacije od strane klijenata/korisnika, rezultate prethodnih inspekcijskih verifikacija, doprinos procesa, prirodu i broj otkrivenih neusaglašenosti, status korektivnih mjera, postupke iz prethodnih revizija obavljenih od strane Direkcije, koje treba slijediti.

Završni elementi (output) revizije mogu se odnositi, na primjer, na elaboraciju jednog plana za poboljšanje, potreba da se održe novi kursevi obuke personala, itd....

h) Spoljna komunikacija u vezi obaveza i rezultata

Moraju biti utvrđeni modaliteti obavještavanja akcionara (stakeholders) vezano za podatke i informacije koje se odnose na politiku, ciljeve i doprinos (performance) u pogledu SA8000. Pojedini primjeri spoljne komunikacije bi mogli biti Društveni-socijalni bilans, Kodeks ponašanja ili Bilans o SA8000.

5a Faza: Mjerenje nivoa doprinosa (performance) postignutog po pitanju društveno-socijalne odgovornosti

Neophodna je definicija odgovarajućih indikatora doprinosa (performance) koji omogućavaju da se prate procesi/aktivnosti koji su od bitnijeg uticaja na društvene-socijalne odgovornosti. Proističe da je ova djelatnost od fundamentalnog značaja za kontinuirano poboljšanje koje nameće norma SA8000. Mogući indikatori doprinosa mogu se odnositi na: sate prekovremenog rada koji je osoblje obavilo, broj novozapošljenih, godište radnika, povrede na poslu, itd....

6a Faza: Završna provjera

Sistem društvene odgovornosti, na taj način realizovan, mora u ovoj fazi biti podvrgnut inspekciji verifikacije da bi utvrdilo da li je SDO:

- u saglasnosti sa planom i odredbama norme SA8000;
- efikasno sproveden i dopunjavan/ažuriran.

Ovu inspekciju sama Organizacija obavlja na sebi (radi se, u stvari, o "internoj inspekciji verifikacije").

7a Faza: Sertifikacija Sistema upravljanja društvenim/socijalnim odgovornostima

Pošto se uspostavi da je SDO sproveden i provjeren od strane same Organizacije, njegova usklađenost (u smislu podudaranja sa odredbama norme SA8000 i ispravne primjene pravila i procedura sadržanih u SDO-u) mora biti kontrolisana od strane jednog trećeg akreditovanog Organa. U slučaju da je rezultat kontrole pozitivan, Organ pristupa izdavanju sertifikata SA8000 Organizaciji.

Prilog 1 - Rječnik

Dijete: svaka osoba koja ima manje od 15 godina, osim ako lokalne vlasti ne predviđaju da najmanji broj godina za rad ili za obavezno školovanje bude veći. U tom slučaju se uzima veći broj godina.

Bilans SA8000: je jedna forma izvještaja kojom Organizacije prikazuju sopstvene indikatore doprinosa (performance) koji se razmatraju u odnosu na svaku pojedinačnu odredbu norme SA8000. Fundamentalna karakteristika ovog dokumenta je verifikacija, od strane trećeg lica, koje provjerava tačnost informacija i podataka koje sadrži jedan SDO.

Društveni bilans: je jedan instrument izvještavanja (zasnovan na seriji kvalitativnih i kvantitativnih indikatora doprinosa/performance organizacije) koji Organizacija koristi da bi informisala kolektiv o uticaju socijalnog momenta na sopstvene djelatnosti.

Kodeks ponašanja: radi se o pravilniku ponašanja koji dobrovoljno elaboriraju Organizacije sa ciljem da se konstituiše jedan interni dokument o ponašanju na koji se može pozvati kada su u pitanju, prije svega, svakodnevni odnosi sa raznim učesnicima i, također, interno ponašanje u okviru odnosa raznih učesnika, i kao drugo, da bi pokazala sopstvenu politiku ponašanja u pogledu pojedinih najvažnijih ambijentalnih, društvenih i ekonomskih pitanja. Jedna od najvažnijih karakteristika etičkog kodeksa je činjenica da nijesu predviđene forme verifikacije sa strane koje su namijenjene za procjenu stvarne primjene.

Mladi radnik: svaki onaj radnik koji ima više godina od djeteta, kao što je gore definisano, a manje od 18.

ILO: je akronim koji se koristi za Internacionalu organizaciju rada (Organizzazione Internazionale del Lavoro). Ovaj organ se bavi širenjem politike vezane za poboljšanje uslova radnika, formulišući internacionalne standarde (Konvencije i Preporuke).

SDO: Sistem društvene-socijalne odgovornosti.

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- www.liuc.it/ricerca/cele/default.htm (Centro di Ricerca in Etica, Diritto ed Economia)
- www.manitese.org (Mani Tese)
- www.sa-intl.org



Marche Region
Assessorato Ambiente - Gestione dei Rifiuti



Region of Vlora (Albania)



Municipality of Durres (Albania)



European Commission



Region of Durres (Albania)



Port of Bar (Montenegro)



Adriatic Cross Border
INTERREG IIIA Programme



Municipality of Vlora (Albania)



Sviluppo Marche S.p.A.



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