



MARINFLOC[®]
a clean sea



BILGE WATER
MAGIC PIPES AND MILLION DOLLAR FINES.

COMPUTER TRK
NN SEARCH

AG

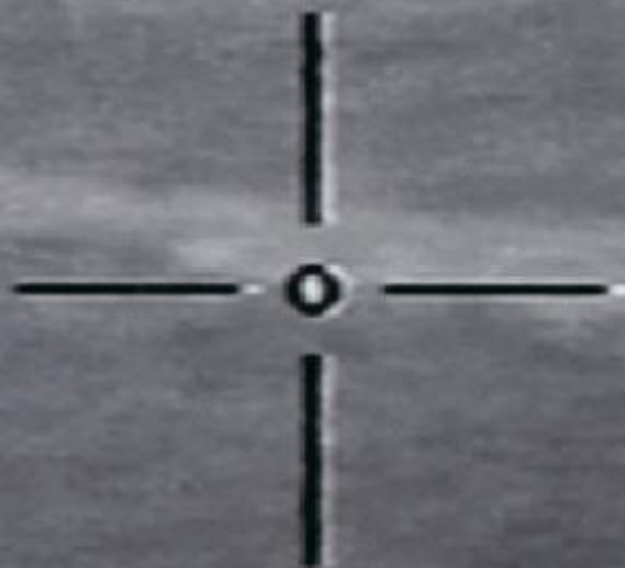


Image taken with Forward Looking Infra-Red Radar

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Bild på utsläppet väst om Orust. Foto: Kustbevakningen

Oljeutsläpp väster om Orust

13 april 2016 kl 14:00

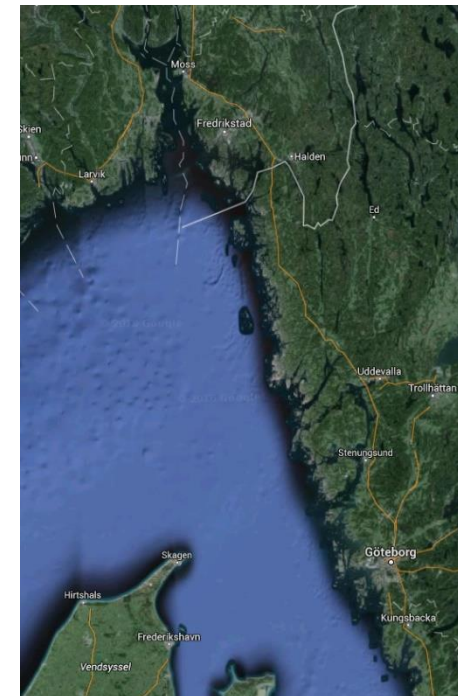
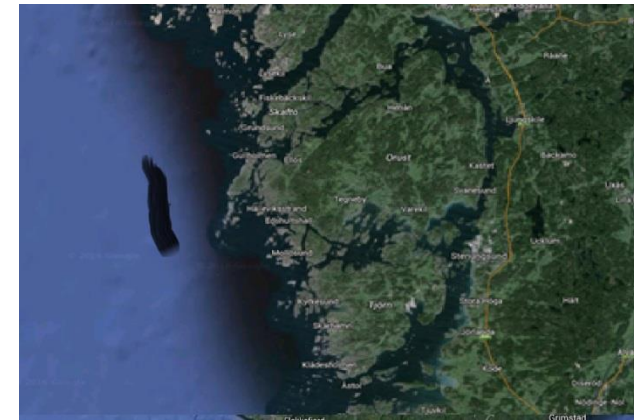
Under förmiddagen fick Kustbevakningens ledningscentral i Göteborg information om ett oljeutsläpp sju sjömil, eller 13 kilometer, väst om Härmanö.

Kustbevakningsflyget har gjort överflygningar och beräknar att oljan sträcker sig tre sjömil och har en bredd på 30 meter. Övervakningsfartyget KBV 312 är på plats och tar oljeprover för att bedöma typen av olja och om det är sanerbart.

Miljöräddningsfartyget KBV 010 från Göteborg är på väg mot platsen och beräknas vara framme under sen eftermiddag för att ta upp oljan om det är möjligt.

Uppdatering 14:35

Oljan håller på och lösas upp och bedöms inte vara sanerbar. Miljöräddningsfartyget KBV 010 har återvänt mot Göteborg.

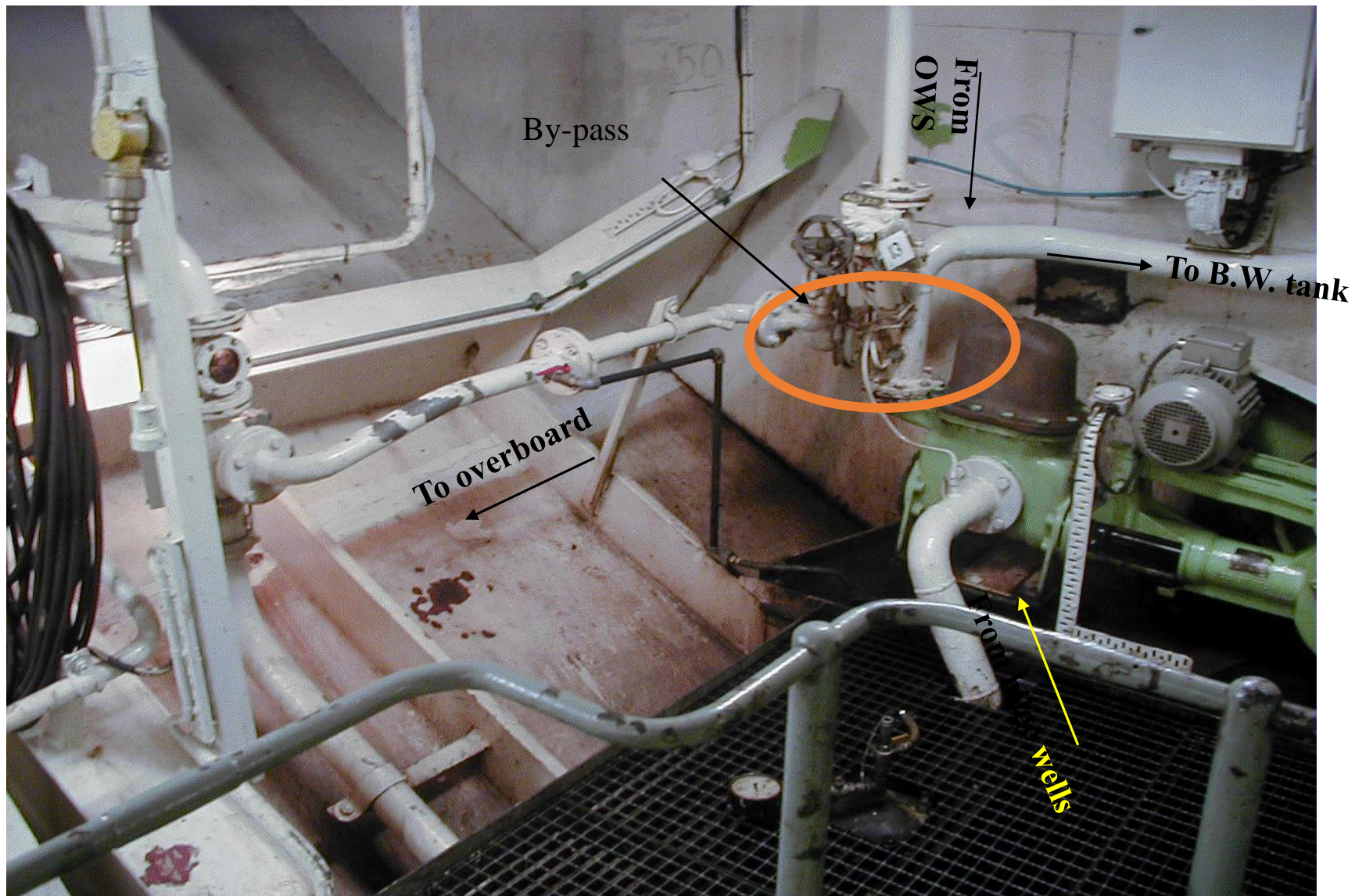


The \$40m 'magic pipe': Princess Cruises given record fine for dumping oil at sea

Caribbean Princess discharged thousands of gallons of polluted bilge waste along British coast, while other ships used rigged sensors to hide contamination

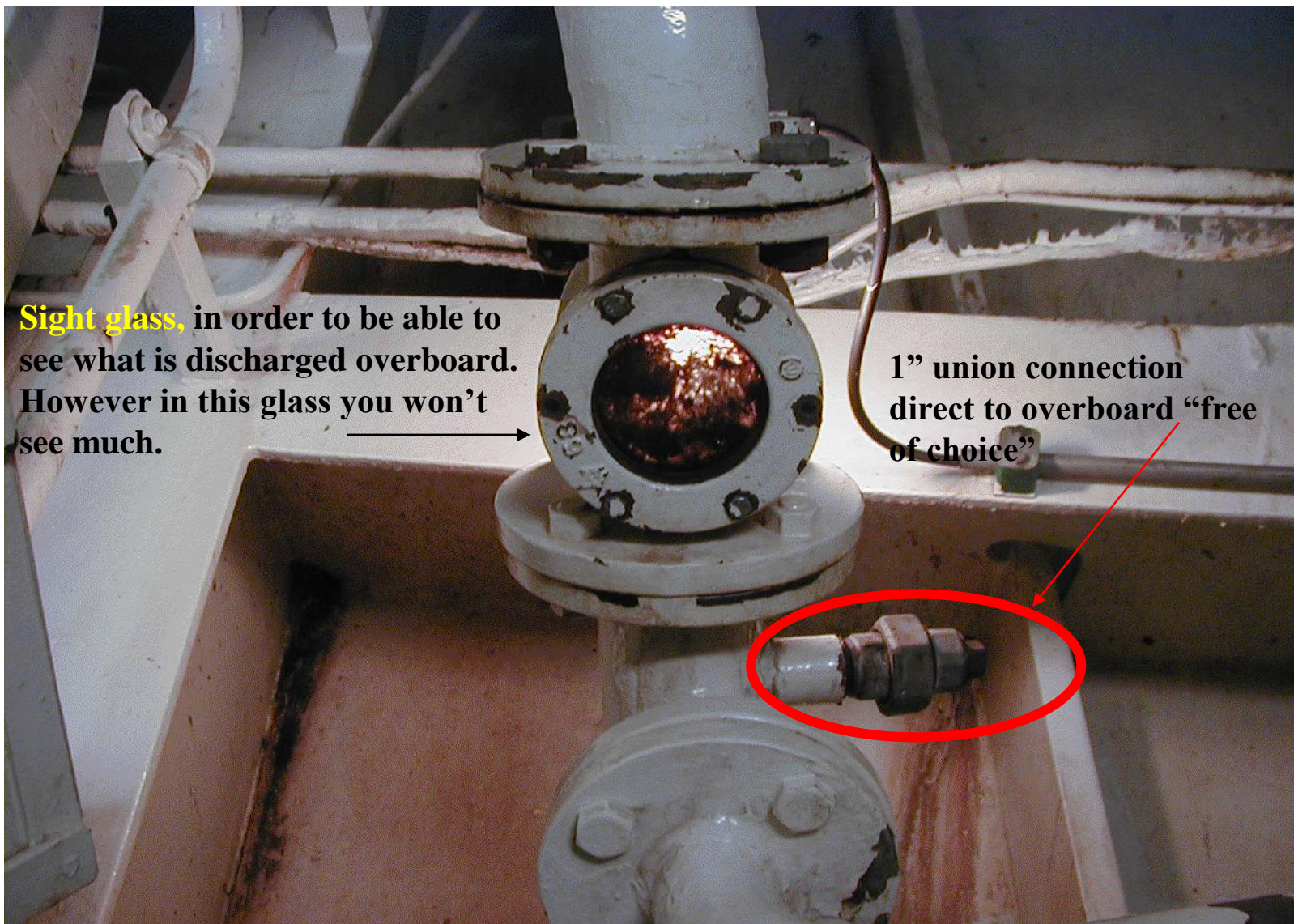


i A 'magic pipe' on the Caribbean Princess discharged huge quantities of oily bilge waste into the ocean.
Photograph: Andy Newman/AFP/Getty Images



Sight glass, in order to be able to see what is discharged overboard. However in this glass you won't see much.

1" union connection direct to overboard "free of choice"

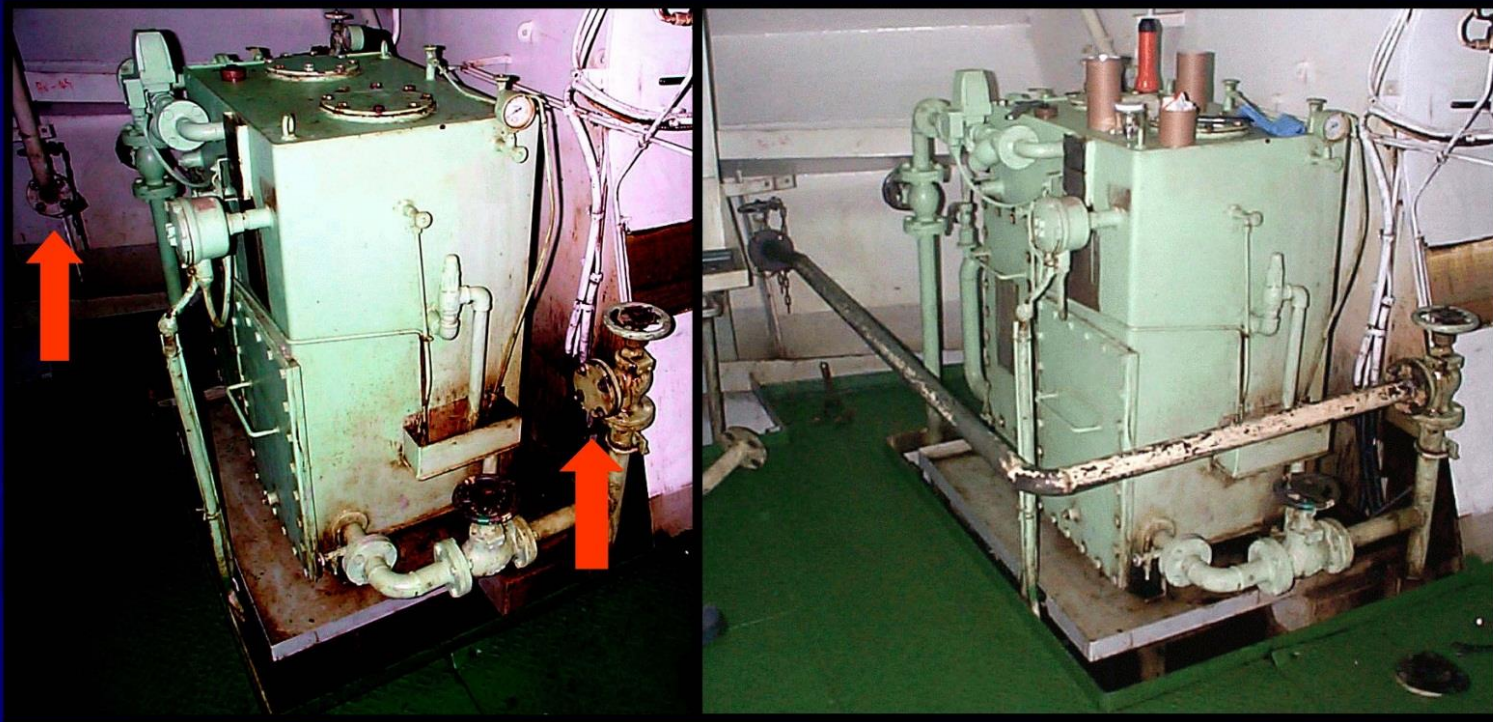


Magic Hoses by Overseas Shipholding Group

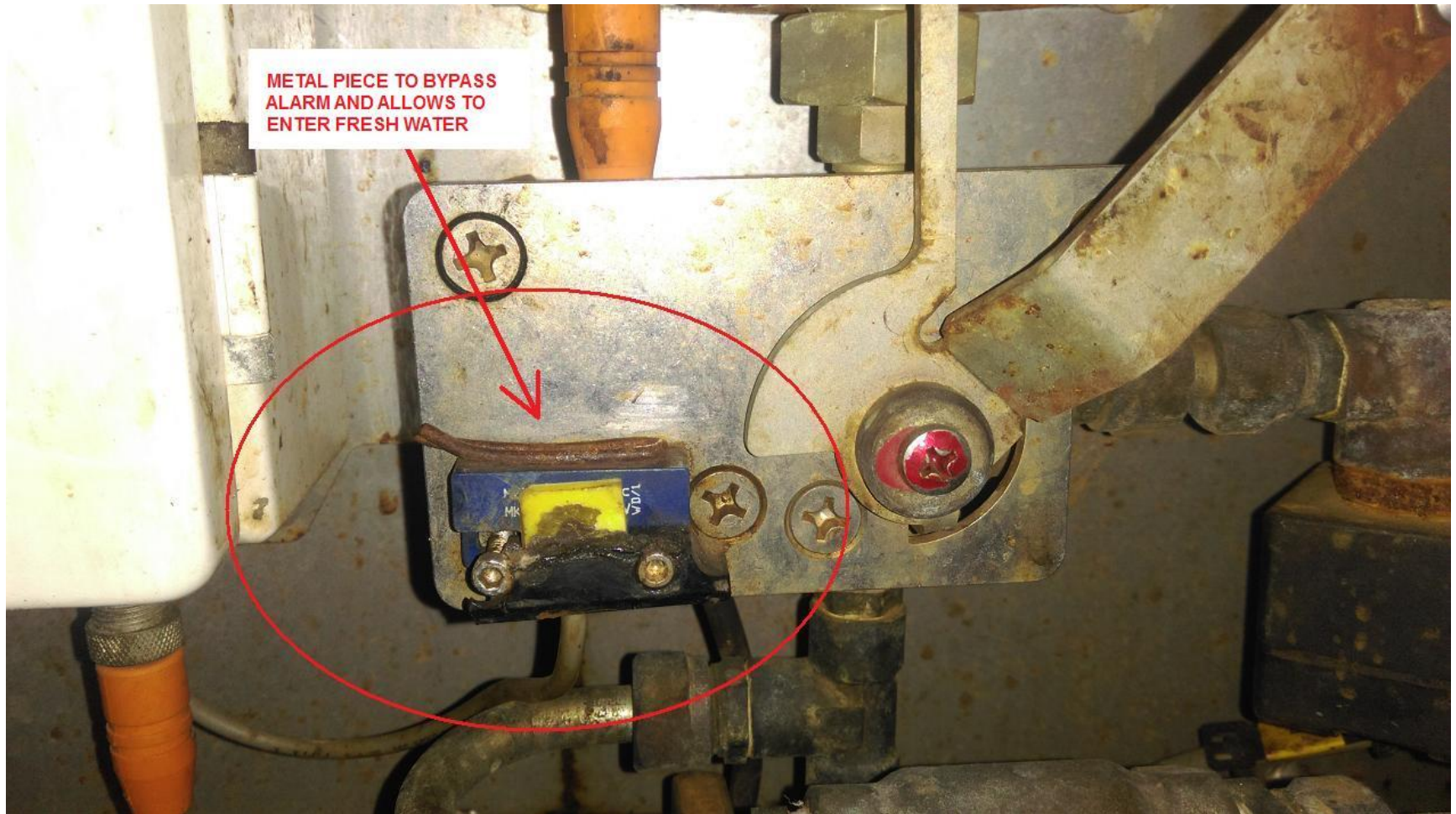


Source: R. Udell USDOJ

Magic Pipe by Evergreen Int'l.



Source: R. Udell USDOJ





Fresh water connected to overboard line before Oil Content Meter

Two Greek Shipping Companies, Engineers Convicted in 'Magic Pipe' Pollution Case

September 5, 2016 by gCaptain



A federal jury in Greenville, North Carolina, has convicted Oceanic Illsabe Limited, Oceanfleet Shipping Limited and two of their employees of violating the Act to Prevent Pollution from Ships (APPS), obstruction of justice, false statements, witness tampering and conspiracy, the U.S. Justice Dept. has announced. Oceanic Illsabe Limited is the owner of the ... [\[Read more...\]](#)

Italian Shipping Firm Sentenced to \$2.75 Million Criminal Fine Over 'Magic Pipe'

March 9, 2015 by Mike Schuler



Italian shipping firm Carbofin S.p.A. has been sentenced to pay an overall criminal penalty of \$2.75 million for violating the Act to Prevent Pollution from Ships stemming from the use of a so-called 'magic pipe' aboard one of its ships. On April 16, 2014, U.S. Coast Guard inspectors at the Port of Tampa were approached by crewmembers of the Carbofin owned and operated LPG ... [\[Read more...\]](#)

DSD Shipping Company Fined \$400 Million Over Illegal Discharges

April 11, 2016 by gCaptain



[\[Read more...\]](#)

The US Coast Guard and Department of justice has to date fined ship owners and ship managers > \$400 million and 44 years in jail for bilge water offences.

Fines ranging from 200 000 USD to 40 million USD

Columbia Shipmanagement Fined \$10.4 Million for Oil Pollution at Sea Violations [UPDATE]

July 24, 2013 by gCaptain



Note: This article has been reposted from March 22, 2013, with an update that the sentence was handed down yesterday, July 23, 2013. Shipping firms Columbia Shipmanagement GmbH (CSM-D) and Columbia Shipmanagement Ltd. (CSM-CY), based in Germany and Cyprus respectively, have been sentenced to pay a \$10.4 million penalty and be placed on probation for four years

after ... [\[Read more...\]](#)

UK Shipping Company Fined \$750,000 Over Illegal Discharges

June 17, 2015 by Mike Schuler



A UK shipping company pleaded guilty in US federal court and has been sentenced to pay a \$750,000 criminal fine over illegal discharges from one its vessels while off the coast of Florida. Norbulk Shipping UK Ltd, a company based in Glasgow, U.K., and operator of the reefer cargo ship M/V Murcia Carrier, pleaded guilty to failing to maintain an accurate oil record ... [\[Read more...\]](#)

Two More Shipping Companies Busted for Using Magic Pipe

March 18, 2016 by gCaptain



Two German shipping companies have pleaded guilty to environmental crimes related to the use of a so-called "magic pipe" to bypass one of its ship's pollution prevention equipment. The U.S. Justice Department reports that Briese Schiffahrts GmbH & Co. KG and Briese Schiffahrts GmbH & Co. KG MS "Extum," who owned and operated the cargo ship MV BBC

Magellan, pleaded ... [\[Read more...\]](#)

PIL Sentenced to Pay \$2.2 Million for Environmental Crimes

February 26, 2013 by gCaptain



A federal judge in Washington, D.C. this week sentenced the Singapore-based container shipping company, Pacific International Lines (PIL), to pay \$2.2 million as part of a plea agreement stemming from illegal bilge water operations on one of its vessels. PIL had previously pleaded guilty to three felony charges that it made false statements to the U.S. Coast Guard,

violated ... [\[Read more...\]](#)



WHY ?



The bilge water problem

1. Oil content meters
2. Bilge water tank
3. Heating
4. Chemicals
5. Oily water separator
6. Regulations
7. Whistle blowers act- False statements act
8. Oil record book
9. Training
10. Attitudes
11. Company policy



The bilge water problem

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Marpol requirements outside special areas

1. The ship is proceeding en route
2. The oily mixture is processed through and oil filtering equipment meeting the requirements of regulation 14 of this Annex.
3. The oil content of the effluent without dilution does not exceed 15 PPM.
4. The oily mixture does not originate from cargo pump room bilges on oil tankers
5. The oily mixture, in case of oil tankers, is not mixed with oil cargo residues.

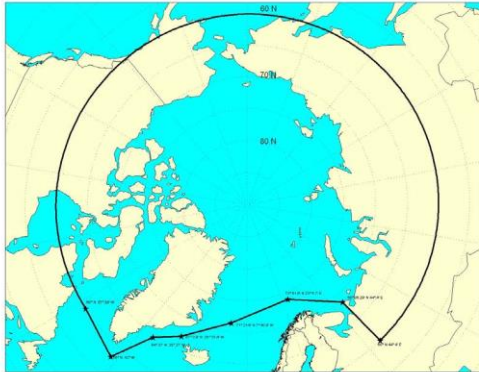


Figure 1 – Maximum extent of Arctic waters application (see paragraph G-3.3)²

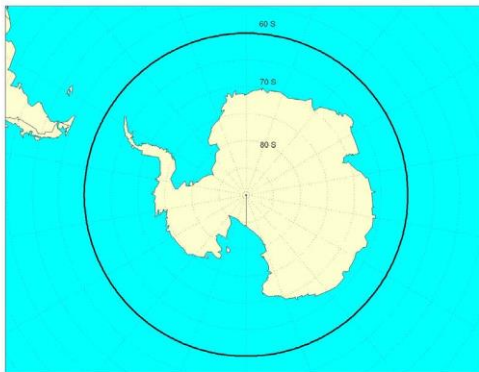


Figure 2 – Maximum extent of Antarctic Waters application (see paragraph G-3.4)²

² Maps are for illustrative purposes only.

Discharge within special areas

All discharge of bilge water is prohibited in Antarctica. It is also prohibited in the Arctic as per the polar code for vessels constructed after 1 Jan 2017. Vessels constructed before 1 Jan 2017 must comply with the polar code requirements by the first intermediate or renewal survey, whichever comes first, after Jan 1 2018.

National legislations

Where can I use the bilge water separator?

- According to MARPOL 73/78 in: Sweden, Norway, Poland, Germany, Netherlands, France, UK, South Africa, Australia, Estonia, Japan.
- USA: Will be addressed separately
- Finland: outside 4 NM:
- Denmark, Lithuania: outside 12 NM
- Canada: According to MARPOL 73/78 except for: 5 ppm in inland waters & no discharge in arctic waters.



MARPOL Protocol 73/78
Act to Prevent Pollution from Ships (APPS)
The Clean Water Act
The False Statements Act
Sarbanes-Oxley act of 2002
Witness tampering
Conspiracy
Responsible Corporate Officer Doctrine
US Vessel general Permit
US State regulations
Whistleblower Protection act



Act to Prevent Pollution from Ships (APPS)

This is the act used for Marpol violations. Each felony punishable with up to 10 years in jail and a fine up to USD 250.000 for an individual and USD 500.000 for a corporation for each violation.

U.S. COAST GUARD

The Clean Water Act

Prohibits discharge of oil and hazardous substances into the navigable waters of the USA or into the waters of the US contiguous zone which is 200 nm from nearest land.

Sarbanes-Oxley act of 2002

Obstruction of justice is considered a very serious crime and the Sarbanes-Oxley act of 2002 may be used to prosecute a seafarer if evidence is willfully withheld or destroyed. This could be the Oil content Meter memory card, the Oil Record Book or other information that would be providing use to the investigation.

U.S. COAST GUARD

Witness tampering

If a crewmember or office representative threatens or intimidates a fellow crewmember to conceal, delay or bare false witness during an investigation it can be considered to be a witness tampering and can lead to fines or imprisonment.

Conspiracy

If two or more persons conspire to defraud the US government it can lead to fines and/or imprisonment.



U.S. COAST GUARD

Responsible Corporate Officer Doctrine

Fleet managers, Superintendents or other office managers or ship officers that were in a position to know or could prevent a violation may be held liable and prosecuted for the violation even though it was committed by someone else.

DSD Shipping Sentenced to Pay \$2.5 Million Over Illegal Discharges

April 11, 2016 by gCaptain

tampering of witness
obstruction of justice
conspiracy



MT Stavanger Blossom. Photo: MarineTraffic.com/Joel Kifer

Norwegian shipping company DSD Shipping has been sentenced to pay a total penalty of \$2.5 million as a result of its convictions in Mobile, Alabama, for **obstructing justice**, violating the Act to Prevent Pollution from Ships (APPS), **tampering with witnesses** and **conspiring to commit these offenses**.

The company was ordered to pay \$500,000 of the penalty to the Dauphin Island Sea Lab Foundation to fund marine research and enhance coastal habitats in the Gulf of Mexico and Mobile Bay.

DSD has also been placed on a **three year term of probation** and was **ordered to implement an environmental compliance** plan to ensure the company's vessels obeyed domestic and international environmental regulations in the future.

Two Greek Shipping Companies, Engineers Convicted in 'Magic Pipe' Pollution Case

September 5, 2016 by gCaptain



Obstruction of justice

False statements

Tampering of witness

Conspiracy

MV Ocean Hope. Photo: MarineTraffic/Trevor Powell

A federal jury in Greenville, North Carolina, has convicted Oceanic Illsabe Limited, Oceanfleet Shipping Limited and two of their employees of violating the Act to Prevent Pollution from Ships (APPS), **obstruction of justice, false statements, witness tampering and conspiracy**, the U.S. Justice Dept. has announced.

At the conclusion of trial, defendants Oceanic and Oceanfleet were convicted of one count of conspiracy, one count of violating APPS, two counts of obstruction of justice, one count of false statements and four counts of witness tampering.

The companies could be fined up to **\$500,000 per count**, in addition to other possible penalties. Ignacio and Samson face a maximum penalty of **20 years in prison** for the obstruction of justice charges.

Whistle blowers protection act.

Whistleblowers may be regarded up to half of the fines and could receive six figure rewards for providing information.

Over 100 crew members have received APPS awards since mid 1990s

Over \$17 million USD awarded

Highest award was for \$2.1 million USD

Many awards were 25 to 30 times what the crewmember earns in a year.



Most of the investigations and prosecutions are initiated by whistle blowers

The whistleblower is rewarded under the Whistleblowers act and > 100 crew members have received APPS awards since mid 1990s.

Over \$17 million USD has been awarded and the highest award was for \$2.1 million USD.

This imposes a tremendous risk for the ship owners and ship managers.



US Judge Awards MARPOL Whistleblower \$462,500

April 17, 2012 by gCaptain



A federal judge in the United States has awarded Salvador Lopez, a former 3rd Engineer from the MV AQUAROSA, \$462,500. The court's order is provided here. But there may be even more reward money for Lopez in the months to come. The Filipino seafarer may collect an additional \$462,500 depending on how the judge rules in another aspect of the case. The award was made for ... [\[Read more...\]](#)

Whistle-Blowing Seafarer Stands to Earn 6-Figure Reward, \$1.2M Fine Assessed to Shipowners

January 26, 2012 by gCaptain



Shipping Companies Plead Guilty to Charges of Obstruction of Justice and Environmental Crimes WASHINGTON – Two corporations pleaded guilty yesterday in separate hearings in Baltimore for their role in managing and owning a ship engaged in deliberate discharges of waste oil and plastic garbage. The companies were each sentenced by U.S. District Judge Marvin Garbis to ... [\[Read more...\]](#)

The Department of justice will procecute the individuals and the company as per the False Statement Act, obstruction of justice, the tampering of witness , the conspiracy charge.



If convicted:

- Fines
- Possible imprisonment
- Probation to up to 5 years during which the company must implement an ECP- Environmental Compliance Plan.
- Continuous onboard inspections by a court appointed monitor that can lead to additional fines.
- Vessels might be banned from calling US ports.

>150 companies and individuals prosecuted and 1400 vessels subject to ECPs.

Aggressiveness of the Coast Guard and Department of Justice will not change

Need for protection



One **bad apple** can cause tremendous damage.

Measures to Avoid Whistleblowers

- Training programs
- Encourage internal reporting of noncompliance in open reporting systems
- Investigate reports and take action
- Reward internal reporting
- Superintendent ship visits reinforcing compliance message
- Ensure technical needs of vessel regarding pollution prevention equipment are addressed promptly
- Document what you do

Implement a program that aims to strengthen the corporate culture of compliance.

A program that strongly emphasizes both ethics and environmental compliance is good business!

Can you afford the cost of non compliance?



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