MARPOL VIOLATIONS

Background:

The Industry continues to suffer from deliberate MARPOL violations.

The environmental section of the U.S. Department of Justice recently reported on its 2016 results with the following

> *The division continued its robust program of prosecuting shipping companies and crew for the intentional discharges of pollutants from ocean-going vessels in U.S. waters. At the end of fiscal year 2016, criminal penalties imposed in these cases totaled more than $363 million in fines and more than 32 years of confinement.*

Last year also saw the largest environmental fine ever in history of 40$ million for deliberate vessel pollution by Princess Cruises – for practices related to illegal dumping overboard of oil contaminated waste and falsification of the Oil Record Book in order to conceal the discharges:

- One practice was to open a salt water valve when bilge water was being processed by the oily water separator and oil content monitor. This prevented the oil content monitor from going into alarm mode and stopping the overboard discharge
- The second practice involved discharges originating from the overflow of graywater tanks into the machinery space bilges. This waste was pumped back into the graywater system rather than being processed as oily bilge water, and then pumped overboard when more than four nautical miles from land

The industry shares information on violations and hence we have identified some potential weaknesses with our MARPOL violation protection processes by reviewing the following four industry Cases.

Cases:

1. Bypass without breaking a seal on Flange

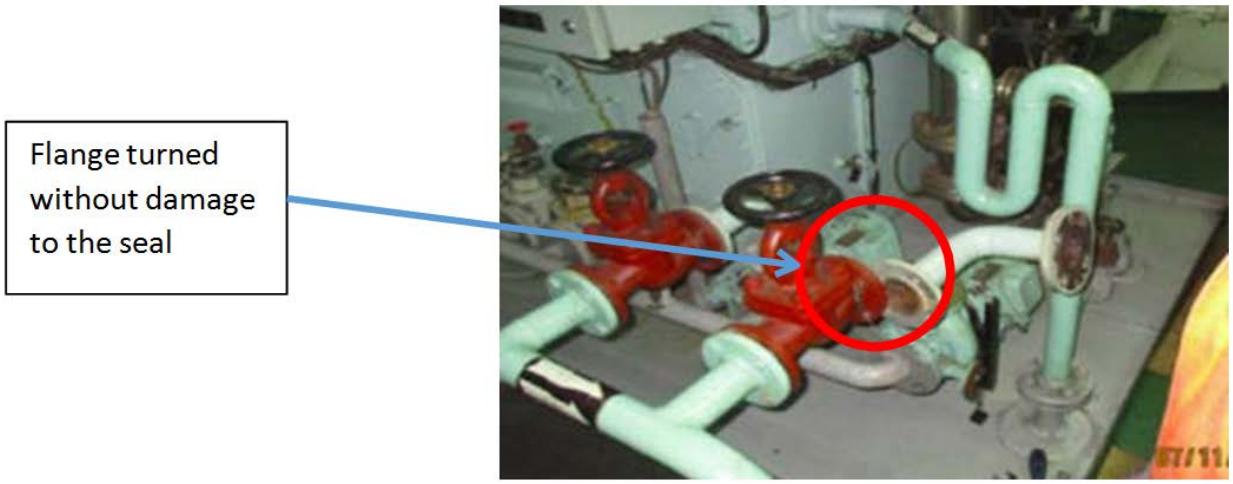
A vessel fitted with environmental seals was able to use a bypass hose ('magic pipe') without removing or breaking the seal.

Environmental seals had been fitted to the various valves and flanges in the engine room.

In this case the ER staff had managed to remove all the bolts from one end of the elbow pipe.

On the other end of the elbow pipe, (with the seal fitted) three bolts without a seal were removed.

The single bolt with the seal fitted was loosened enough to allow the flange to be turned without damaging the seal.



A special connector was fabricated onboard to fit to the exposed flange of the discharge valve (circled in the photo), secured by three bolts.

This enabled a flexible hose to be fitted to the connector and the contents of the bilge tank discharged using a portable pump through the 'magic pipe' and overboard via sewage discharge line

2. Oily Water Separator (OWS) Checks

Check 1 – there is a simple test that the USCG inspectors carry out during their inspections. The OWS is run on re-circulation for a set period and the rate m3/h calculated. The entries in the Oil Record Book (ORB) for recent OWS use are checked and the rate calculated. If the rates are similar (within 10%) then all is ok

Check 2 – A second calculation carried out is to check the sludge on board. This is done by calculating the amount of sludge that should have been produced from the fuel consumed for the last voyage. This figure is added to sludge ROB last port and compared with sludge on board. The percentage used for the calculation depending on the type of fuel used is 1% to 3%

Check 3 – Sounding books are also compared with ORB records to ensure in line.

Check 4 – ER Automation control system records (electronic logs and/or printouts) maybe cross checked for logging and/or alarms for the use of OWS/OCM against the relevant records in the ORB

3. Failure of controls for portable transfer equipment

The third case failure relates to the lack of any controls for portable pumps and hoses.

Compliance management systems require that portable pumps and hoses must be fitted with a seal that prevents the pump or hose being used without removing a seal. This could be either by securing the pump or hose to a fixed part of the ship or fitting a blank that has a seal'

4. Failure of the Environmental Compliance Declaration (form C606A/B – Crewmembers' Acknowledgement of Company's Policies)

Completion of "Crewmember's Acknowledgment of Company Policies" C606A (or B) is important.

It addresses core compliance issues.

We remind you of the declarations contained therein and in particular the sections at the end of C606a – copied below:

c) **If I observe unsafe and/or illegal practices, I shall notify the Master, the DPA or other Company representative without delay**

d) **If the reporting in (c) above is unsafe or inappropriate, I will report as per the "whistleblowing" policy and procedures**

e) **I will not delay alerting the Company of unsafe or illegal practices in order to notify another party**

UNACCEPTABLE RISK

We remind you again that Marpol violations are totally unacceptable.
All V.Ships seafarers serving on a V.Ships vessel must be aware of the strict policies on environmental compliance.
Seafarers involved in a violation will be dismissed.
In a recent case, the seafarers involved also had their certificates of competency cancelled by the Flag administration concerned.

Actions required

All Masters with the direct assistance of the Chief Engineers:

1) Hold a meeting with all Deck and Engine Crew onboard
2) Revisit the VMS requirements in:
   a) Operations > Environmental Management > Shipboard Oily Waste Pollution Prevention Plan
   b) Company > Whistleblowing Policy
   c) Operations > Ship Operations > Ship Crew Management > Crew Policies
3) **Make sure all understand the above and what they must do in events of failures of environmental compliance**

4) Confirm to your DPA and Fleet Cell that:

a) The meeting has been conducted

b) All understand and agree to the Environmental Compliance Declaration (form C606A "Crewmember's Acknowledgment of Company's Policies")

c) All understand and know how to use the 'Whistleblowing Policy'

d) Environmental seal arrangements have been reviewed and are properly installed

e) Portable pumps and hoses are secured as required by the VMS

[redacted] Completed [redacted]

