

**UNITED STATES ATTORNEY'S OFFICE
Western District of Washington**



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**SHIPPING COMPANY PLEADS GUILTY TO
FALSIFYING WASTE RECORDS
Agrees to Fine, Community Service Payment and
Enhanced Environmental Compliance Measures**

THE CHINA NAVIGATION COMPANY PTE. LTD, which operates marine cargo vessels flagged in Hong Kong, pleaded guilty today in U.S. District Court in Tacoma to a felony violation of the Act to Prevent Pollution from Ships based on the company's failure to maintain a Garbage Record Book in which all discharges of garbage were accurately recorded. The company agreed to pay \$100,000 in fines and other penalties and develop and implement an enhanced environmental training program and a direct reporting procedure for all of their ships making port calls in the United States. The company agreed to have a third party entity audit their training program. The financial penalties include a \$25,000 community service payment to the Columbia River Estuarine Coastal Fund, a fund managed by the National Fish and Wildlife Foundation to protect and preserve critical habitat.

"We have a strong history of prosecuting cases of illegal ocean dumping," said U.S. Attorney Jenny A. Durkan. "It is critical that crews be properly trained to follow the laws that protect our seas. If not, in this case, as in others, the government will advocate on behalf of whistle-blowers who take significant personal risk to report illegal conduct to government inspectors and investigators"

According to the plea agreement signed today, on February 23, 2010, the M/V PACIFIC CELEBES arrived at the Port of Kalama in Washington State and was boarded by Coast Guard personnel to conduct a Port State Control inspection. Prior to the ships arrival, a whistle blower had alerted the U.S. Coast Guard that oil contaminated waste generated while containing an oil spill on the ship had been dumped on the high seas. The dumping violates the International Convention for the Prevention of Pollution from Ships, as modified by the Protocol of 1978 (the "MARPOL Protocol"). Approximately five 55-gallon drums of oil contaminated waste had been collected by crew members. Some of the waste was initially appropriately burned in the ship's waste incinerator but the remainder was dumped overboard. The ship's Chief Engineer and the ship's Master failed to record the dumping in the ship's record book, and presented the book to the U.S. Coast Guard as an accurate record of the ship's discharges. The Master and Chief Engineer knew their actions violated the company's policies and procedures on garbage handling and environmental compliance.

The whistle-blower who alerted the Coast Guard to the dumping will receive one half of the criminal fine imposed by the court, or \$37,500. In addition, the company will pay \$25,000 as a community service payment to the Columbia River Estuarine Coastal Fund.

The case was investigated by the U.S. Coast Guard and the U.S. Environmental Protection Agency. The case is being prosecuted by Assistant United States Attorney Jim Oesterle, who leads the U.S. Attorney's Office Environmental Crimes Working Group, and Special Assistant United States Attorney LCDR Marc Zlomek, with the U.S. Coast Guard. U.S.

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