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U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SAN FRANCISCO, CALIFORNIA

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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

HERM. DAUELSBERG GMBH
& CO. KG,

Defendant.

CR No. 14 **CR 14 00200**

I N F O R M A T I O N

[33 U.S.C. § 1908(a), 33 C.F.R. § 151.25(a), (d), and (h): Failing to Maintain an Accurate Oil Record Book; 33 U.S.C. § 1232(b)(1), 33 C.F.R. §§ 160.215, 160.204: Failing to Report a Hazardous Condition Aboard a Vessel]

The United States Attorney charges:

COUNT ONE

[33 U.S.C. § 1908(a); 33 C.F.R. § 151.25(a), (d), and (h)]

On or about October 22, 2013, within the Central District of California and elsewhere, defendant HERM. DAUELSBERG GMBH & CO. KG ("defendant"), the operator of the vessel *M/V Bellavia*, knowingly failed to maintain an accurate Oil Record Book in which all overboard discharges, disposals of oil residue, and disposals of bilge water were required to be fully recorded. Specifically, crewmembers aboard the *M/V Bellavia* knowingly failed to record overboard discharges of bunker fuel in the Oil Record Book in violation of 33 C.F.R. § 151.25(a), (d), and (h).

COUNT TWO

[33 U.S.C. § 1232(b)(1); 33 C.F.R. §§ 160.215, 160.204]

Between on or about August 13, 2013, and on or about October 22, 2013, within the Central District of California and elsewhere, defendant HERM. DAUELSBERG GMBH & CO. KG ("defendant"), the operator of the vessel *M/V Bellavia*, willfully and knowingly failed to report to the United States Coast Guard a hazardous condition aboard the *M/V Bellavia* that adversely affected the safety of any vessel, bridge, structure, and shore area, and the environmental quality of any port, harbor, and navigable waterway of the United States.

Specifically, defendant willfully and knowingly failed to report to the United States Coast Guard that the *M/V Bellavia* had a hull fracture located on the side shell of the Number 4

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1 Starboard Fuel Oil Tank, a hazardous condition required to be
2 reported to the United States Coast Guard pursuant to 33 C.F.R.
3 §§ 160.215 and 160.204.

4 ANDRÉ BIROTTE JR.
5 United States Attorney

6 

7 Scott Barrington
8 Deputy Chief, Criminal Division For:

9 ROBERT E. DUGDALE
10 Assistant United States Attorney
11 Chief, Criminal Division

12 JOSEPH O. JOHNS
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