

2010 JUN 22 AM 11:24
LORRETTA G. WILKINSON
CLERK

FELONY

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

**BILL OF INFORMATION FOR VIOLATIONS OF THE
ACT TO PREVENT POLLUTION FROM SHIPS AND THE CLEAN WATER ACT**

UNITED STATES OF AMERICA	*	CRIMINAL NO.:	10 - 172
	*	SECTION:	SECT. C MAG. 1
v.	*	VIOLATION:	33 U.S.C. § 1908(a)
STANSHIPS, INC.	*		33 U.S.C. § 1319(c)(2)(A)
	* * *		33 U.S.C. § 1321(b)(3)

The United States Attorney charges that:

Count 1

A. INTRODUCTION:

1. Defendant **STANSHIPS, INC.** ("STANSHIPS") was a ship management company with a registered address in the Marshall Islands and a corporate office located in Athens, Greece, that was engaged in the business of operating cargo ships, one of which was the *M/V Doric Glory*.
2. The *M/V Doric Glory* was a Panamanian flag vessel that regularly transported cargo between Jamaica and the Port of New Orleans.
3. The United States is part of an international regime that regulates discharges of oil from vessels at sea: the International Convention for the Prevention of Pollution from Ships, as modified by the Protocol of 1978 (the "MARPOL Protocol"). The MARPOL Protocol is embodied into law by the Act to Prevent Pollution from Ships (APPS), Title 33, United States

Fee USA
 Process _____
 X Dktd _____
 CtRmDep _____
 Doc. No. _____

Code, Sections 1901, *et seq.* APPS makes it a crime for any person to knowingly violate the MARPOL Protocol, APPS, or regulations promulgated under APPS. These regulations apply to all commercial vessels operating in United States waters or while at a port or terminal under the jurisdiction of the United States, including vessels operating under the authority of a country other than the United States.

4. The United States Coast Guard, an agency of the United States Department of Homeland Security, is charged with conducting inspections, investigations of potential violations, and to determine compliance with MARPOL Protocol, APPS, and implementing regulations.

5. During the period from on or about December 15, 2009, through in or near early May 2010, engineering crews aboard the *M/V Doric Glory* discharged oily contaminated bilge waste on multiple occasions directly through a pipe that was part of the ship's original design, but which bypassed the oily water separator, a required piece of pollution prevention equipment.

6. During the period listed above in paragraph number five, the engineering crews aboard the *M/V Doric Glory* knowingly failed to maintain an accurate Oil Record Book, a required log that is regularly inspected by the U.S. Coast Guard, as required by MARPOL. Specifically, the discharges of oily waste made without the use of the oily water separator were not recorded in the Oil Record Book while the log also included false entries claiming the proper use of the oily water separator.

7. The Federal Water Pollution Prevention and Control Act ("The Clean Water Act"), Title 33, United States Code, Sections 1251 to 1387, was enacted to restore and maintain the chemical, physical, and biological integrity of the Nation's waters. 33 U.S.C. § 1251(a). The Clean Water Act prohibits the discharge of harmful quantities of oil in the navigable waters and contiguous

zone of the United States and, if it may affect natural resources, the Exclusive Economic Zone belonging to the United States, except where permitted under MARPOL. 33 U.S.C. § 1321(b)(3).

8. The term “oil” means “oil of any kind or in any form,” including fuel oil. 33 U.S.C. § 1321(a)(1). A “harmful quantity” of oil is an amount sufficient to “cause a film or sheen upon or discoloration of the surface of the water or adjoining shorelines or cause a sludge or emulsion to be deposited ... upon adjoining shorelines.” Title 40, Code of Federal Regulations, Section 110.3.

B. APPS VIOLATION:

On or about May 14, 2010, in port and in the internal waters of the United States and within the Eastern District of Louisiana, defendant **STANSHIPS**, by and through its agents and employees acting within the scope of their agency and employment and for the benefit of the defendant, specifically certain crew members of the *M/V Doric Glory*, did knowingly fail to maintain an Oil Record Book for the *M/V Doric Glory* in which all disposals of oil residue, all overboard discharges, and all disposals of bilge water were required to be fully recorded. Specifically, on that date, the defendant **STANSHIPS** maintained an Oil Record Book that omitted entries relating to the overboard discharge of oil contaminated bilge waste using a bypass pipe and that contained entries falsely claiming the use of the oily water separator; all in violation of Title 33, United States Code, § 1908(a) and Title 33 C.F.R. §§ 151.25(a), (d), and (h).


Count 2

A. The allegations contained in Section A of Count 1 are realleged and incorporated as if fully set forth herein.


B. CLEAN WATER ACT VIOLATION:

On or about May 2010, in the navigable waters, contiguous zone and Exclusive Economic

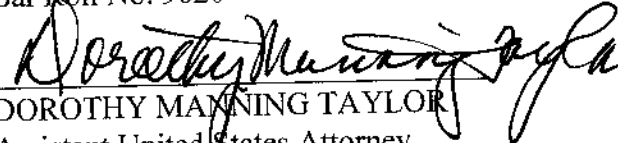
Zone of the United States and within the Eastern District of Louisiana, the defendant **STANSHIPS**, by and through its agents and employees acting within the scope of their agency and employment and for the benefit of the defendant, specifically certain crew members of the *M/V Doric Glory*, did knowingly discharge and cause the discharge of a harmful quantity of lubricating oil from the stern tube of the *M/V Doric Glory* into the navigable waters and contiguous zone of the United States and the Exclusive Economic Zone belonging to the United States in the Gulf of Mexico and prior to the *M/V Doric Glory*'s entry into the mouth of the Mississippi River; all in violation of Title 33, United States Code, Sections 1319(c)(2)(A) and 1321(b)(3).




JIM LETTEN
UNITED STATES ATTORNEY
Bar Roll No. 8514



JAN MASELLI MANN
Assistant United States Attorney
Chief, Criminal Division
Bar Roll No. 9020



DOROTHY MANNING TAYLOR
Assistant United States Attorney
Bar Roll No. 12678



RICHARD ALLEN UDELL
Senior Trial Attorney
Environmental Crimes Section
U.S. Department of Justice
Bar Roll No. 432482, District of Columbia

New Orleans, Louisiana
June 22, 2010

No. _____

United States District Court

FOR THE

EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

v/s.

STANSHIPS, INC.

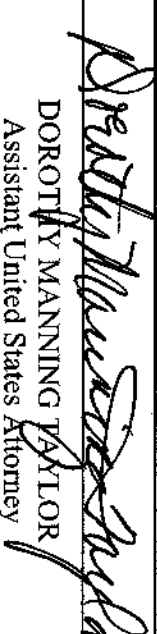
**BILL OF INFORMATION FOR VIOLATIONS
OF THE ACT TO PREVENT POLLUTION FROM
SHIPS AND THE CLEAN WATER ACT**

Violation(s): 33 U.S.C. § 1908(a)
33 U.S.C. § 1319(c)(2)(A)
33 U.S.C. § 1321(b)(3)

Filed _____, 20 10

_____, Clerk

By _____, Deputy


DOROTHY MANNING TAYLOR
Assistant United States Attorney

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: INFORMATION INDICTMENT

Matter Sealed: Juvenile Other than Juvenile
 Pre-Indictment Plea Superseding Defendant Added
 Indictment Charges/Counts Added
 Information

Name of District Court, and/or Judge/Magistrate Location (City)

UNITED STATES DISTRICT COURT EASTERN
 DISTRICT OF LOUISIANA Divisional Office

Name and Office of Person Furnishing Information on THIS FORM EUNICE PRICE
 U.S. Atty Other U.S. Agency
 Phone No. (504) 680-3000

Name of Asst. U.S. Attorney (if assigned) DOROTHY MANNING TAYLOR

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)
CGIS, Eric Horst, Special Agent

person is awaiting trial in another Federal or State Court (give name of court)

this person/proceeding transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of:
 U.S. Atty Defense

this prosecution relates to a pending case involving this same defendant. (Notice of Related Case must still be filed with the Clerk.)

prior proceedings or appearance(s) before U.S. Magistrate Judge regarding this defendant were recorded under

SHOW DOCKET NO.

MAG. JUDGE CASE NO.

Place of offense Orleans Parish

CASE NO. 10-172

USA vs.

Defendant: Stanships, Inc.

SECT. C MAG. 1

Address:

Interpreter Required Dialect: _____

Birth Date _____ Male Alien
 Female (if applicable)

Social Security Number XXX-XX-

DEFENDANT

Issue: Warrant Summons

Location Status:

Arrest Date _____ or Date Transferred to Federal Custody _____

Currently in Federal Custody
 Currently in State Custody
 Writ Required
 Currently on bond
 Fugitive

Defense Counsel (if any): Mr. Michael Chalos

FPD CJA RET'D
 Appointed on Target Letter

This report amends AO 257 previously submitted

OFFENSE CHARGED - U.S.C. CITATION - STATUTORY MAXIMUM PENALTIES - ADDITIONAL INFORMATION OR COMMENTS

Total # of Counts 2 (for this defendant only)

Offense Level (1, 3, 4)	Title & Section/ (Petty = 1 / Misdemeanor = 3 / Felony = 4)	Description of Offense Charged	Count(s)
4	33 U.S.C. § 1908(a)	violation of Act to Prevent Pollution from Ships	1
4	33 U.S.C. §§ 1319(c)(2)(A) and 1321(b)(3)	violation of Clean Water Act	2