

**Department of Justice**

Office of Public Affairs

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## **German Shipping Corporations Convicted of Environmental Crimes**

Two German shipping companies that owned and operated the Motor Vessel (*M/V Nils B*), pleaded guilty today to an environmental crime in federal court in San Diego before the Honorable Jan M. Adler, announced Assistant Attorney General John C. Cruden and United States Attorney Laura E. Duffy.

W. Bockstiegel Reederei GmbH & Co. KG (which operated the vessel) and W. Bockstiegel GmbH & Co. Reederei KG MS "NILS B" (which owned the vessel), pleaded guilty to one felony violation of the Act to Prevent Pollution from Ships for failing to accurately maintain an oil record book for the *M/V Nils B*. In doing so, the firms failed to disclose that oil contaminated water had been discharged into the ocean from the vessel without the use of pollution prevention equipment.

According to the plea agreement, on August 5, 2014, personnel from the United States Coast Guard boarded the vessel after its entry into the Port of San Diego, California. Once onboard, the Coast Guard discovered that the crew had failed to keep an oil record book for a significant period of time, modifications had been made to piping coming from the oil water separator and oil was discovered in discharge piping that should not have been present.

The defendants acknowledged that Coast Guard examiners took oil samples from the oil water separator's overboard discharge valve and from the vessel's sludge tank and the samples from the two locations matched. Under U.S. and international law, sludge is never to be discharged through an oil water separator. The Coast Guard also discovered a black hose near the oil water separator that contained oil slightly weathered light fuel oil mixed with lubricating oil. In the industry, such a hose is known as a "magic hose." The defendants, in pleading guilty, admitted that the oil record book on board the vessel did not disclose any discharges of sludge between the time that the overboard discharge valve had been cleaned while the vessel was in dry dock in June of 2014 and its entry into the Port of San Diego in August.

Sentencing for this case has been set for Nov. 3. According to the plea documents, the company and the United States agree to recommend that the court impose a total criminal penalty of \$750,000.00, of which \$250,000.00 will be a community service payment for the benefit of the Tijuana River National Estuarine Research Reserve to further research related to the effects of pollution on the marine estuarine environment.

This case was investigated by U.S. Coast Guard Investigative Service and U.S. Environmental Protection Agency, Criminal Investigation Division personnel in San Diego, California. The case was prosecuted by Senior Trial Attorney Kenneth E. Nelson of the Environmental Crimes Section of the Environment and Natural Resources Division of the Department of Justice and Assistant U.S. Attorney Melanie Pierson of the U.S. Attorney's Office for the Southern District of California.

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Environment and Natural Resources Division

**Topic:**

Environment