

Crackdown: On Oily Water Separators

In recent months, the federal government has stepped up their hardnosed pursuit of vessel owners and operators as well as shipboard personnel who they believe are contributing to the violation of oil pollution laws. American-flag vessels have come under close scrutiny and all indications are that they will continue to be targeted.

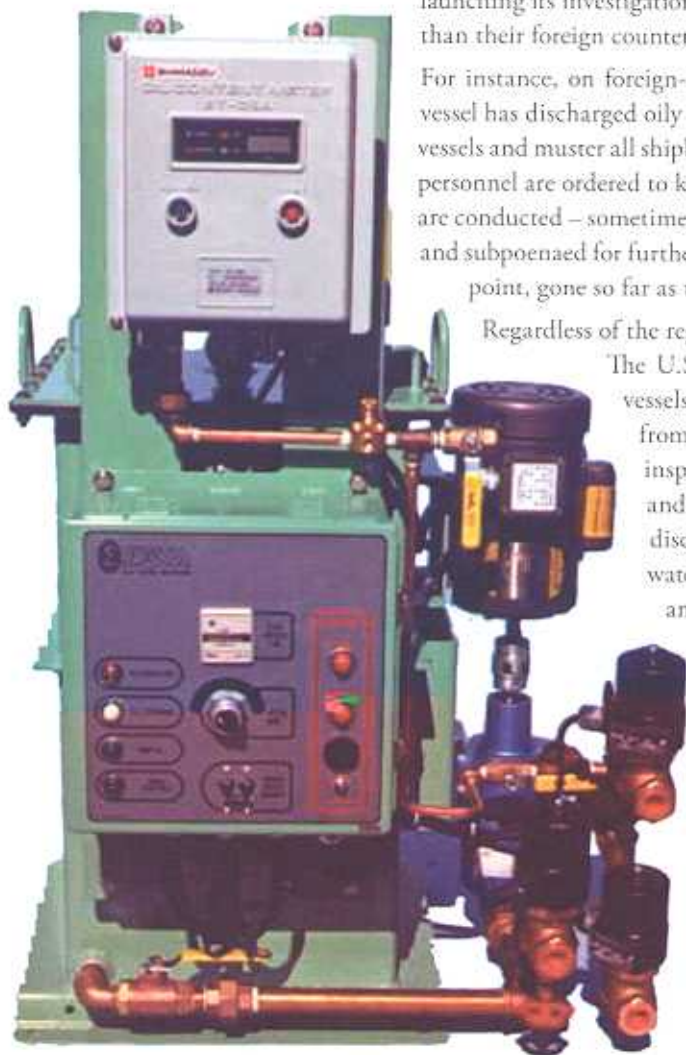
Please be advised that all MEBA members must immediately take extra special care to ensure that the oily water separator (OWS) aboard your vessel is performing properly. If there is even the slightest doubt that an OWS is not, in fact, functioning correctly you must not run that piece of equipment.

To further stress, you must not allow any oily water to be pumped over the side of the vessel. All slops and bilges need to be pumped into holding tanks before being transferred to a shoreside facility. The U.S. Coast Guard is coming down hard on vessel owners, operators and managers – as well as licensed officers. The government is showing little differentiation between U.S.-flag and foreign-flag vessels when launching its investigations. American officers and crew are receiving only slightly better treatment than their foreign counterparts.

For instance, on foreign-flag ships, when the government has reason to believe that a particular vessel has discharged oily water over the side, U.S. investigators have been known to board targeted vessels and muster all shipboard personnel onto the mess deck. Once in the mess deck, the shipboard personnel are ordered to kneel on the deck with their hands behind their heads while interrogations are conducted – sometimes for hours on end. At times, entire crews are arrested, confined to the ship and subpoenaed for further legal proceedings. With U.S.-flag vessels, the government has not, at this point, gone so far as to order shipboard personnel to endure the hours-long kneel down.

Regardless of the registry of the vessel, interrogation methods are following a certain pattern. The U.S. Coast Guard and federal inspectors board ships (including U.S.-flag vessels) and make a beeline for the engine room. The Chief Engineer is separated from the First Assistant Engineer and kept apart, at times for hours. Then, inspectors break the discharge side of the oily water separator three-way-valve and disconnect the overboard discharge line at the skin valve. While they are disconnecting the ends, they hold a container under the pipes looking for oily water to spill out of the line. If no oily water spills out, they will take a rag and wipe the inside of the pipe in search of oily residue. Should oily water or oily residue be discovered, the inspectors launch into an interrogation process which customarily concludes with subpoenas being issued on that day or the next business day. Some of these inspectors are so aggressive that they confiscate every logbook, work book and any scrap of paper they think is relevant.

Remember, it is better to be safe than sorry. We present this notice for the benefit of our members and contracted companies. The criminal and civil penalties that could arise out of these investigations are far more expensive than the cost of containing slops aboard the ship for their ultimate transfer to a shoreside facility. ■



An oily water separator, U.S.-flagships are now being subjected to rigorous Coast Guard inspections regarding this particular device.