

Portuguese Shipping Company Found Guilty in Pollution Case, Plans to Appeal

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On November 26, 2008, Portuguese tanker vessel operator General Maritime Management and two of its employees were found guilty of making false statements to the U.S. Coast Guard and failing to maintain an accurate record book of oil discharges. The two felony violations were related to illegal activity on the tanker M/T General Defiance while voyaging to Corpus Christi, Texas, in November 2007. According to the Department of Justice, on November 24, 2007, First Engineer Jose Cavadas instructed crew members to install a bypass hose to allow bilge tank contents to be dumped directly into the ocean. Then, on November 26, 2007, Cavadas and Chief Engineer Antonio Rodrigues ordered another crew member to connect a hose from the vessel's fresh water supply to the oil content meter on the ship's oily water separator, thereby tricking the oil content meter into allowing the discharge of oily water directly overboard. Two crew members photographed the illegal activity and alerted Coast Guard authorities to its occurrence during a routine inspection on November 28, 2007. Defendants Cavadas and Rodrigues face a maximum penalty of five years in prison, as well as a fine of \$250,000 or twice the gross gain or loss caused by the offenses. General Maritime Management, found to be vicariously liable for the crimes, faces a maximum fine of \$1 million or twice the gross gain or loss caused by the offenses. Sentencing is scheduled for February 10, 2009. General Maritime Management has indicated its intentions to appeal the guilty verdicts and make motions for a judgment of acquittal and a new trial.

Please see the Department of Justice press release for more information.

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