

Turkish Ship Management Company and Two Employees Plead Guilty in Maryland to Environmental Crimes

Shipping Company to Pay Over \$1 Million Criminal Fine for Marine Oil Pollution Crime

Ciner Gemi Acente Isletni Sanayi Ve Ticaret S.A., a ship management company in Turkey, pleaded guilty and was sentenced in federal court in Baltimore, Maryland, for violating the Act to Prevent Pollution from Ships (APPS), announced Assistant Attorney General John C. Cruden for the Department of Justice's Environment and Natural Resources Division and U.S. Attorney Ron J. Rosenstein for the District of Maryland.

Ciner operated the *M/V Artvin*, a 44,635 ton bulk carrier ship that transported cargo to and from ports around the world, including the Port of Baltimore. According to the plea agreement, from March 2014 until November 2014, oily waste water was routinely discharged from the vessel into the sea without the use of required pollution prevention equipment. During that time, the crew intentionally covered up the illegal discharges of oil waste by falsifying the vessel's oil record book.

In previous proceedings, the chief engineer of the vessel, John C. Malaki, 56, of the Philippines, pleaded guilty to failing to maintain an accurate oil record book. For his role, Malaki was sentenced to six months supervised probation and a \$50,000 fine. The vessel's second engineer, Ulyses A. Atabay, 46, also of the Philippines, pleaded guilty to aiding and abetting Malaki's failure to maintain an accurate oil record book and received a sentence of one year of unsupervised probation. According to their plea agreements, Atabay directed members of the crew to discharge oily water from the waste oil tank into the sea without first using the vessel's oil water separator, as required by law. Malaki did not stop the discharges and did not record them in the vessel's oil record book, as he was required to do.

The court accepted the terms of the company's plea agreement, and sentenced Ciner to pay an overall criminal penalty of \$1.05 million, \$150,000 of which will be in the form of an organizational community service payment to the National Marine Sanctuary Foundation and used to fund projects aimed at the restoration of marine and aquatic resources in the District of Maryland. Ciner will also be required to implement an environmental compliance plan, which will ensure that any ship operated by Ciner complies with all maritime environmental requirements established under applicable international, flag state and port state laws. The plan ensures that Ciner's employees and the crew of any vessel operated by Ciner are properly trained in preventing maritime pollution. An independent monitor will report to the court about Ciner's compliance with its obligations during the period of probation.

This case was investigated by the U.S. Coast Guard Investigative Service. The case was prosecuted by Michael Cunningham from the U.S. Attorney's Office of the District of Maryland and by Thomas Franzinger of the Environmental Crimes Section of the Environment and Natural Resources Division of the Department of Justice.