

Cruise ship pollution – Garbage

The true sources, of course, are the persons aboard these vessels who generate garbage as a normal consequence of all the sundry activities they pursue.

The quantity and nature of vessel discards depend in part on the standards of crew or passenger accommodations. The amount of garbage is proportional to the community's standard of living; the higher the standard, the more seafarers are likely to use packaged prepared foods, supplies, and single-use items rather than provisions requiring added preparation and cleanup. (Moreover, the use of disposable items and packaging has been encouraged by changes in ship practices, sanitation concerns, and a desire for convenience.) The result is added waste.

When an individual is accustomed to a high standard of living on shore, he or she expects similar conveniences on a vessel, despite the cramped living space. Modern vessels are capable of providing many conveniences, even on long voyages.

Cruise ship pollution – Case Studies

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Cruise ship pollution fine draws criticism

By Marilyn Adams, USA TODAY

MIAMI — The stately cruise ship Norway, which sails to the Caribbean, evokes a gentler time. Beneath modern trappings such as an Internet cafe, the 40-year-old steamship with its grand ballrooms is reminiscent of ocean liners that crossed the Atlantic before the advent of the jet plane.

But the Norway, owned by Norwegian Cruise Line, long kept a secret: It illegally dumped oily waste into the ocean, and the crew filed false records to mislead the Coast Guard. Three months ago, after the cruise line's new owner cooperated with the Justice Department, Norwegian pleaded guilty to one felony and paid a \$1 million fine for falsifying records.

Now, some of the federal agents who investigated the case say the company's pollution went on for much longer and was much worse than the light fine suggests.

Environmental Protection Agency agents say — and court records support — that the Norway not only poured hundreds of thousands of gallons of oily bilge water into the ocean. It also dumped raw sewage mixed with hazardous, even cancer-causing, chemicals from dry cleaning and photo development into the waters near Miami for many years.

"The violations at Norwegian were some of the worst we've ever seen," Rick Langlois, EPA's Florida-based special agent in charge, said in an interview. "Almost every waste they had was going overboard."

The current CEO of the cruise line, Colin Veitch, acknowledged the company's past mistakes in a recent interview. "The presence of hazardous waste in that mix does seem to have been the case" before the late '90s, Veitch, who took over in 2000, told USA TODAY.

Langlois and several other investigators from government agencies that probed Norwegian wanted to see the cruise line pay more than a \$1 million fine

because the Norway and other ships it owned dumped so much waste for so long. For some of the same types of violations, Royal Caribbean Cruises in recent years was fined \$27 million and Carnival Corp., \$18 million.

But the Justice Department imposed a \$1 million fine to reward the company's new owners for voluntarily reporting pollution problems and assisting the government — even though Norwegian received a tip that an EPA probe was underway before it came forward.

The outcome "may have fit the circumstances, rather than the crime," says EPA agent James Pearsall, who investigated the company.

"It's definitely troubling," says Teri Shore, an activist for Bluewater Network, a San Francisco-based environmental group. "It's like telling the industry it's OK to pollute, so long as you tell us later."

The Norwegian case is an eye-opening glimpse into the federal government's long fight to end cruise ship pollution. In a campaign to reverse decades-long dirty practices, the Justice Department has prosecuted nine cruise lines in nine years for dumping everything from plastic trash to hazardous waste to oil. It has been a sometimes frustrating battle against secretive dumping, often at night, by foreign-registered ships owned by foreign-registered companies. By avoiding proper disposal, the cruise lines saved hundreds of thousands — possibly even millions — of dollars a year.

A lighter penalty

The Norwegian case is significant because, despite its pollution history, prosecutors imposed a lighter penalty to reward the cruise line's new owner for offering no resistance, admitting wrongdoing and taking steps to fix problems.

Knowingly dumping hazardous waste into Miami's Biscayne Bay "is a crime," says Richard Udell, a Justice Department senior trial attorney for environmental crimes. "In this case, Norwegian provided cooperation above and beyond what any cruise line had done in any prior case." The one felony to which the company pleaded guilty was representative of its violations, he said.

But this case and other recent developments, including a major cruise ship spill in Alaskan waters in August, raise questions about whether — and why — some in the cruise industry still might be circumventing pollution laws.

"I can tell you the senior management of my (cruise) lines is focused on improvements," says Michael Crye, president of the International Council of Cruise Lines, which represents the biggest cruise lines. "Gone are the days when the oceans were viewed as a dumping ground."

Others aren't convinced.

"Recent cases document continuing violations both by cruise ships and the much larger shipping industry," says prosecutor Udell.

"What we found at Norwegian surprised and angered us," says agent Langlois. "Is the message getting out? I don't know."

"We see the same practices that cruise lines have been convicted for happening over and over," says Tracy London, policy director for Oceans Blue Foundation, a Vancouver, British Columbia-based environmental group.

Among recent developments:

- In April, Carnival Corp. pleaded guilty to falsifying records to cover up oil pollution by six ships over several years. It paid an \$18 million fine, and the company is on probation. A new violation could prompt new criminal charges.
- In late September, a fired Carnival Cruise Lines executive filed a whistle-blower lawsuit alleging a host of environmental and safety violations, including toxic-chemical dumping, on ships sailed by Carnival, Holland America, Cunard and Costa to many ports around the USA. Carnival Corp. owns all those lines. The allegations have not been proved, and Carnival Corp. has not commented on them.
- On Oct. 15, Carnival Corp. disclosed in a government filing that officers from one of its Holland America ships have been subpoenaed to testify before a federal grand jury in Alaska investigating a spill of wastewater in Juneau Bay in August. The Coast Guard in Alaska estimates 40,000 gallons went overboard.

As much waste as a city

The cruise industry represents only a fraction of the worldwide shipping fleet. The most famous ship-pollution disaster involved the Exxon Valdez oil tanker, which spilled 240,000 barrels of oil into the Gulf of Alaska after running aground in 1989.

But federal authorities have focused considerable resources on cruise ships because of the industry's rapid growth and its unique threat. Unlike a typical freighter, which might carry a dozen crewmembers, a large cruise ship typically carries at least 2,000 passengers and 1,000 crew, generating as much waste as a small city. Cruise ships also sail through fragile ecosystems like Florida's coral reefs and Alaska's Inside Passage.

Cruise ships generate a wide range of man-made toxins, including perchloroethylene (PERC) from dry cleaning; benzene and toluene from paint and solvents; and oily waste from fuel and machine oil. PERC is linked to cancer and birth defects in humans and even small amounts in water have been shown to be toxic to aquatic animals. Benzene is a known human carcinogen. Oil in even minute concentrations can kill fish. Consuming oil can kill birds and cause internal haemorrhaging or death in marine mammals.

Proper disposal of that waste is costly. By law, waste must be analyzed for content, packaged, documented and shipped to an authorized disposal facility. Handling a 55-gallon drum of photo waste, for example, runs about \$300 a drum, says Larry Doyle, executive vice president of Cliff Berry, a Fort Lauderdale-based environmental services firm. Anywhere from a few to a dozen such drums are taken off a typical cruise ship after each trip.

According to Royal Caribbean figures, a typical cruise generates 110 gallons of photo chemicals, five gallons of dry cleaning waste and 10 gallons of used paint. Doyle, whose firm handles waste disposal for all Carnival Cruise Lines ships in South Florida, says the annual bill runs in the "high six figures."

Miami's the focus

Nowhere has the Justice Department been tougher on cruise ship pollution than in Miami, the USA's cruise capital and headquarters of Carnival, Royal Caribbean and Norwegian, three of the biggest lines. Last year, nearly 3.4 million passengers boarded cruise ships here. In the annals of cruise ship

pollution cases, the four-year Royal Caribbean case was a watershed.

Royal Caribbean admitted in court it had installed special pipes on some ships — removed before every scheduled Coast Guard inspection — to bypass pollution-control devices that prevent oily dumping. The line also pleaded guilty to dumping toxic chemicals used in dry cleaning, photo processing and other activities.

The Coast Guard shot aerial videotape in 1994 of an oil slick trailing Royal Caribbean's 900-foot ship *Sovereign of the Seas* near San Juan, Puerto Rico. Despite that and other photographic evidence, Royal Caribbean hired several high-powered former Justice Department lawyers to argue the federal government lacked jurisdiction to prosecute. Royal Caribbean is incorporated in Liberia.

That case "was in a class by itself," says Udell, who helped prosecute Royal Caribbean.

After a judge ruled the government did have jurisdiction, Royal Caribbean pleaded guilty to 30 criminal charges in Miami, New York, Puerto Rico, Los Angeles, the Virgin Islands and Alaska. It paid \$27 million in fines in 1998 and '99. The line has since implemented a companywide environmental compliance program.

When subpoenas arrived at Carnival Corp. a year later, the corporate response was far different. Carnival didn't question jurisdiction and instead handed over 1,200 boxes of records and began negotiating a deal. In April, the company pleaded guilty in Miami, agreed to set up a compliance program and paid an \$18 million fine.

Just three months later, Justice announced Norwegian's guilty plea and \$1 million fine. The government's press release said Norwegian, a Bermuda corporation, had turned itself in and lauded the company's "corporate citizenship." In its own announcement, Norwegian said only that it had "discovered reporting irregularities" and "immediately reported these problems to the government."

But whether Norwegian technically turned itself in is a matter of debate.

In fact, a former Norway officer, who had been fired for what Norwegian says were unrelated reasons, had gone to the EPA in 1999 with piping diagrams and videotaped evidence of oil-dumping by the ship, court documents and officials say. EPA began an investigation. Months into it, senior Norwegian officials were faxed an anonymous letter warning that the former officer had tipped off the EPA, say federal officials and court records.

Agents already had come across other disturbing information: The Norway had few of the legally required records for its wastes and had apparently routinely dumped sewage and hazardous waste into the ocean for years, government officials say.

Around the same time, Hong Kong-based Star Cruises Group bought Norwegian in a hostile takeover and brought in a new CEO, Veitch. He had been an executive with Princess Cruises when that line was investigated for pollution crimes years earlier.

Veitch says he heard about the faxed tip to Norwegian and immediately began looking for problems aboard the Norway, the company's oldest ship. He hired

an outside consultant who witnessed Norway crew members tampering with pollution-control equipment to cover up dumping of oily bilge water. The consultant boarded a second ship, the Majesty, and found the same thing, court records say.

Norwegian's lawyer, Norman Moscowitz, approached the EPA and Justice in spring 2000, saying the cruise line wanted to voluntarily disclose pollution violations and request leniency: a civil case rather than a criminal one. The government declined that request, and the probe continued.

Only weeks later, in documents handed over by the cruise line, did investigators find the faxed tip.

Veitch and lawyer Moscowitz, one of the lawyers who represented Royal Caribbean, maintain the company didn't know it was under active investigation when it came forward. No subpoenas or search warrants had been issued.

"If we actually thought something was going on, I would have acted on it the day I arrived," Veitch says. "The decision (to self-report) was very difficult. We knew we were potentially exposed to a huge fine."

The last steamship

The Norway is believed to be the last steamship in U.S. cruise use, and it runs on 1,700 tons of black oil a week. The vessel, as long as three football fields, was designed before modern environmental laws were enacted and had never been retrofitted. Before Star Cruises took over, it had outdated equipment for separating water from waste oil that drops into the bilge. It also had a single 547-ton wastewater tank that held all dirty water and waste from toilets, kitchens, showers and sinks used by 3,000 passengers and crew.

Though the company had added two upper decks of cabins during the '90s, the wastewater tank had not been enlarged, Veitch says, so that it sometimes overflowed into Port of Miami waters. Dumping untreated sewage within 12 miles of the coast is illegal.

When investigators asked for Norwegian's required records of hazardous waste disposal by the ship, they say they found none kept before 1998 and incomplete records after that. Agents were told those wastes had probably gone overboard, too — as Royal Caribbean was convicted of doing.

Without waiting for the investigation's outcome, Veitch ordered new pollution-control equipment installed on all Norwegian ships. Since early 2000, Veitch says, Norwegian has invested \$22 million in pollution-control equipment, training and testing.

"Their cooperation set a very high standard," says Udell, the prosecutor. "We struck a balance to reward that." The company even turned over to Justice notes from internal interviews with employees that contain what amount to criminal confessions of polluting, he said.

Today, the Norway has three tamper-proof machines that separate oil from bilge water and recycle the oil.

The wastewater tank capacity has been nearly doubled, and the company is installing a treatment system that will sanitize wastewater before it's sent overboard. Toxic wastes are packaged and offloaded.

People familiar with the case say the government is still investigating current or former Norwegian employees. But the case against the company is closed.

"We think it's a very fair outcome," Veitch says.

"Nothing in this result says that what they did wasn't serious," Udell says.

EPA agent Langlois, who wanted a stiffer penalty, has his own view of Norwegian's decision to come forward as it did. "In light of the circumstances," he says, "it was a brilliant business decision."

Liner may have dumped oily water, reports say

Records from Holland America's Noordam are being investigated to find if bilge water was illegally dumped on trips out of Tampa.

STEVE HUETTEL

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TAMPA - Federal agencies are investigating reports that a Holland America Lines cruise ship illegally dumped oily water during Caribbean cruises from Tampa this year.

Holland America notified U.S. government officials last month that a chief engineer admitted to "improperly processing" bilge water on the Noordam, according to a report filed with the federal Securities and Exchange Commission last week by the cruise line's parent company, Carnival Corp.

The cruise line and three engineers received subpoenas from the U.S. Attorney's Office in Tampa to testify before a federal grand jury, the report stated.

An internal investigation by Holland America found the "improper operation" may have started in January and continued sporadically through March 4, the day before the company reported it, Carnival said. There was no information about where the alleged discharges took place.

Steve Cole, spokesman for the U.S. Attorney's Office in Tampa, said he could not comment on grand jury matters. Holland America officials did not respond to telephone and e-mail inquiries for comment.

However, Coast Guard and federal Environmental Protection Agency investigators interviewed crew members and combed through records on the Noordam on March 14 when the ship returned to Tampa from a 14-day cruise, said Lt. Scott Muller of the Coast Guard's Marine Safety Office in Tampa.

Coast Guard officials in San Juan, Puerto Rico, received information that the ship had released oil in U.S. waters and asked their counterparts in Tampa to investigate, he said. "I know the EPA collected evidence for possible criminal violations" and may have passed it to federal prosecutors, Muller said. He declined to discuss details because the investigation is still active.

Holland America pleaded guilty to federal pollution charges in 1998 for dumping oily bilge water off the Alaskan coast four years earlier and for not keeping records of the discharges. The Seattle-based company agreed to pay a \$2-million fine and be placed on five years' probation.

In 2002, Carnival Corp. pleaded guilty to six felony counts related to dumping oily discharges in the Caribbean and seas off Florida between July 1998 and January 2001. The company paid an \$18-million fine and agreed to set up an environmental compliance department.

Those convictions weren't for the illegal dumping, but for lying about it on records presented to the Coast Guard.

Bilge water is water from condensation mixed with oil, metal shavings and other debris in ship bottoms. Crews must run the mixture through a cleaning machine and then an oil content meter, which sets off an alarm if the water entering the discharge system contains too much oil.

Cruise ships are required to record any treatment and release of tainted water in an oil record book for review by the Coast Guard. The Noordam's book was among the documents investigators looked at last month, Muller said. Large and small cruise lines alike have been caught dumping waste. Royal Caribbean once fitted a ship with a pipe to release bilge water without running it through an oil separator. The company pleaded guilty and paid a \$27-million fine for multiple violations in 1999.

"The industry claims this is a thing of the past," said Kira Schmidt of the environmental group Bluewater Network, based in San Francisco. "But they all use the ocean as a dumping ground. It's despicable."

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