



LP Bulletin

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Bulletin 641 - 6/09 - Environmental Issues - Dominican Republic

It has been brought to the attention of the Association that a situation has developed in the Dominican Republic concerning a number of environment and pollution issues.

Following the general elections held last year in the Dominican Republic, the Ministry for the Protection of the Environment and natural Resources (SEMARENA) has adopted a very strong stance, particularly when concerned with the pollution of the marine environment. This stance has led to a number of vessels being held and prevented from sailing pending investigation by SEMARENA.

Following allegations of pollution in the form of sheens in the port etc, the ministry deploy a mobile team of inspectors who board the vessel to investigate the situation.

“The inspectors have been described by Masters of the vessels concerned as “arrogant, impolite, and extremely aggressive”. They board the vessels sometimes in the company of port authority or navy officials, not always in the presence of a representative of the vessel’s local agents. The inspectors conduct their “enquiries” on board in the Spanish language and demand that the vessel’s command sign documents presented handwritten in the Spanish language. The inspectors demand copies of documents such as oil record books, engine room logs and unilaterally take samples of fuel and other oil from the vessel’s tanks, without leaving a set of samples of the substance or the allegedly polluted water on board the vessel for control purposes.”

Following inspections the vessel is prevented from sailing until the findings are presented by SEMARENA, despite efforts from agents/representatives/attorneys it is often difficult to ascertain information about what is happening and how to proceed. In some cases written demands are made, met with and then rejected, only to be replaced with more stringent demands. Written demands often request costs for the restoration of the environment even if the alleged pollution has clearly not been caused by the vessel.

Vessels can remain in detention for long periods and often confusion arrives over the permission to sail, even when the matter is apparently resolved. Vessels entering Dominican waters or calling at Dominican ports should;

- a) “take extra special precautions against possible damages of any kind to the environment, particularly during bunkering, sludge disposal, transfer of fuel oil (HFO and/or MDO) between tanks, ballast procedures, garbage disposal and the like,
- b) pay particular attention when navigating in the vicinity of coral reefs, banks etc.,
- c) be aware that the Caribbean is a protected marine environment and that the US Coast Guard is responsible for the region, carrying out routine patrols, overflights and inspections,
- d) record and verify the identity and function of all parties wishing to board the vessel,
- e) ensure that a Spanish speaking representative of the local agents is present during visits by the local authorities and can translate and interpret for the vessel’s command,
- f) parallel samples of the allegedly polluted waters and oils on board are taken and witnessed conjointly with the authority’s inspectors and retained on board,

- g) notify immediately the local P&I correspondent, directly or through the vessel's local agent."

The Association would advise Members to be cautious when signing documentation, do not sign anything that is not clearly understood or in a language that the Master is not familiar with, if any doubts arise the local P&I representative should be contacted.

Source of information: Loss Prevention Department