



Ship Type: Tanker

Trade Area: Venezuela

Bulletin 50 - 06/98 - Strict new policies on deballasting, disposal of dirty ballast and slops - Venezuela

We have been made aware of strict new attitudes of the Venezuelan authorities, especially the Institute of the Preservation of the Lake Maracaibo (ICLAM) and the Ministry of the Environment towards incidents where oil is spilt, or where ballast water is pumped into the sea, Lake Maracaibo or rivers.

Unfortunately the procedural system under the penal court in conjunction with the Penal Law of the Environment and a decree about Rules regarding the Control and Recovery of Dangerous Materials and the Handling of Dangerous Residues published in February 1998, has given the authorities the ability to carry out extensive investigations and this has led to long periods of delay to some ships.

P&I correspondents have advised that in one recent case where, having pumped sludge and slops into the slop tanks of the Puerto Miranda terminal, the ship was detained because the contractors who had manually cleaned the sludge out of the ship's slop tanks into plastic bags on board a barge, did not have the necessary permits from the Ministry of the Environment. The matter was apparently referred to the local authorities who instructed the National Guard. Because the investigation was of a penal nature the ship was detained. It took 10 days to release the ship and then only on the lodging of a guarantee with the penal court at Maracaibo.

If Members wish to dispose of sludge and slops other than into the slop tanks of the oil terminal, they should ensure that contractors employed to do the work possess the proper permits and authorization of the Ministry of the Environment for such work. If this is not done Members could find their ships detained.

With regard to **discharge of ballast into the sea, Lake Maracaibo or rivers**, the correspondents inform us they have had recent cases, where, with practically no damage to the environment and after efficient and timely cleanup action, ships have been detained for long periods of time. They also advise that in one such case a ship has been faced with multi-million dollar claims from local fishermen.

The correspondents recommend that Members should avoid the discharge of ballast in Venezuelan waters if it at all possible. If the ship cannot avoid deballasting as in the case of tankers, if there is any doubt as to whether or not the ballast is clean, use should be made of the terminal's slop tanks.

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