
Act to Prevent Pollution on Ships (APPS)

The Act to Prevent Pollution on Ships (APPS) serves an important role in safeguarding the environment. If you have information regarding a suspected violation of the Act, contact us for a free consultation.

In the wake of the world's first major oil tanker disaster, the International Maritime Organization developed MARPOL, an international treaty to combat air and marine pollution caused by ships. To implement MARPOL, the U.S. passed the Act to Prevent Pollution from Ships, which applies to all U.S. flagged vessels and non-U.S. commercial vessels operating in U.S. waters. The U.S. Coast Guard and the U.S. Environmental Protection Agency jointly enforce the statute and rely on whistleblowers to hold polluters accountable. The most recent data (from 1993 to 2017) show that whistleblowers were involved in 76% of successful APPS cases.

The APPS provides a monetary incentive to whistleblowers. Under the statute, courts have discretion to award up to 50% of the fines collected from guilty parties to "the person giving information leading to conviction." Between 1993 and 2017, the average APPS whistleblower award was 28.8% of the total amount of funds collected by the government. This amounted to over \$33 million awarded to whistleblowers during that timeframe. The largest single whistleblower award under APPS was \$2.1 million. Whistleblowers do not need to be U.S. citizens to receive a reward for their contributions to a case.

The most common APPS cases involve bypassing oily water separators and discharging the bilge water or sludge overboard, unauthorized alteration to pipes in the engine room, the use of flexible pipes, suppression of alarm systems, falsifying the Oil Record Book, and making false statements to the U.S. government.

Examples of recent cases under APPS:

- V.Ships Norway A.S. was fined **\$2 million** for discharging oily bilge water and omitting the discharge from the Oil Record Book.
- Eurobulk Ltd. pleaded guilty and paid a **\$1.25 million** fine for giving false records to the Coast Guard to cover up the discharge of the non-oily water separator-treated bilge.
- The Greek companies that owned the Kiriti Ruby tanker were fined **\$3.75 million** and ordered to donate an additional **\$1.25 million** to the U.S. National Fish and Wildlife Foundation after pleading guilty to discharging oil and falsifying records.

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