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Fines in Ghana for sewage related matters



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This is an update of our article dealing with fines imposed by the Ghana Maritime Authority (GMA) at Takadori in relation to alleged pollution from waste waters discharged from vessels or resultant from allegedly cloudy samples found on board by the Authorities.

In all cases such discharges were from IMO-approved sewage treatment systems which under MARPOL Annex IV Regulation 11.1.2, are required to discharge effluent with no visible floating solids and not cause discoloration of the surrounding water. However, when the GMA surveyor has taken samples of the effluent discharge this was found to be discoloured under visual examination and the vessel has been fined accordingly. The quantum of the fines imposed have been in the region of US\$36 000. The Club's local correspondents advise that whilst such fines may in theory be disputed, the likelihood of success is low and not economically feasible to Members, since there is a risk of the vessel being delayed pending the outcome of any such appeal.

Masters had been unaware that the onboard treatment system was not producing clean effluent and Members are therefore advised to ensure that sewage treatment plants are operating as designed, with clear effluent discharge, prior to arrival in Ghana. If onboard systems allow, they may also wish to consider retaining sewage plant discharge effluent onboard when the vessel is within Ghanaian territorial waters.

A recent development, and a departure from the above scenario, is the imposition of a fine at Tema resultant from alleged "*discharge of untreated sewage*" and where a sample was taken but no analysis results were provided.

Members are reminded, in relation to these incidents, that Club cover only responds to an accidental escape or discharge of oil or a hazardous substance from the insured vessel.

Any Members requiring further guidance should contact their usual claims team or the Loss Prevention department.