

Bolivarian Government of Venezuela
Ministry of Popular Power for Public Building and Housing
National Institute of Aquatic Spaces

MARACAIBO HARBOUR MASTER
CIRCULAR N° AJZL003 12.010

TO OWNERS, MASTERS, VESSEL AGENCIES, PILOTS, USERS OF
NAVEGATION CHANNEL

Maracaibo April 05, 2010

Maracaibo Harbour Master Miguel A. Figueroa Adrián, appointed by official letter INEA/PRE/0223 dated 08 February 2010, emanated from the President of the National Institute of Aquatic Spaces, in conformity with provision 9 and 81 of the General Marine Law and articles 7 and 17 of the Organic Administrative Proceedings Law.

Considering

That Maracaibo Lake is one of the main hydrographic basins of the country.

Considering

That Maracaibo Lake is a body of superficial water, subject to degradation for the action and effect of introducing materials or substances which induce to create conditions in the body of water which imply a prejudicial alteration of the ecologic function and consequently, producing pollution on those water.

Considering

That in Maracaibo Lake there is a consistent activity of cleaning vessels' hulls that are impregnated by hydrocarbons traces while performing operations in Port Terminals which when removed by a chemist substance or a petrol derivate product, causes an alteration in water quality which has not fully been analyzed by the competent organisms.

Considering

That the removal of hydrocarbons residuals from vessel's hull as well as the painting from it in Port areas, represent a technical activity within the Integral Management

of waters in relation to which the Maritime Authority does not have technical proceedings, methodology and proper provisions.

Considering

That article 5 (8) of the Water Law, among other principles applicable to the Integral Management of waters, states “that it is a fundamental duty of the State with the active social participation, to warrant the preservation of superficial and subterranean water sources”.

Considering

That article 5 (11) of the Water Law states that “preservation of water in any source or physical state, will prevail over any economic or social interest”

Considering

That the Integral Management of waters has been declared of public utility and general interest.

Considering

That it is needed the establishing and maintaining of proper instructive, regarding preservation of the marine area from pollution.

Considering

That waters of national territory are assets of public domain of the Nation; consequently, it is decided to grant and enforce the present circular with the following contains:

1. It is not allowed the cleaning activity or removal of hydrocarbons residuals from vessels’ hull while they are operating or at anchorage area in waters of Maracaibo Lake.
2. It is not allowed painting removal activity from vessels’ hull which are operating in the port areas or at anchorage area in waters of Maracaibo Lake, save repainting vessel’s draught or name, subject to maritime authority’s authorization.
3. Vessel’s agencies or vessel’s representatives must let owners know about this circular.
4. The non compliance of this circular will cause the imposition of administrative corresponding sanctions.
5. This circular will be in force from April 12, 2010.