

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA	*	CRIMINAL NO:
v.	*	SECTION:
PEDRO GUERRERO	*	

* * *

JOINT FACTUAL STATEMENT

The United States, represented by the United States Attorney's Office for the Eastern District of Louisiana, and the defendant, **PEDRO GUERRERO**, hereby agree that this Joint Factual Statement is a true and accurate statement of the Defendant's criminal conduct, that it provides a sufficient basis for the Defendant's plea of guilty to the charges contained in the Bill of Information in the above-captioned matter and as set forth in the plea agreement signed this same day, and had this matter proceeded to trial, the following facts would be established beyond a reasonable doubt through competent evidence and testimony.

The Defendant **PEDRO GUERRERO** (hereinafter referred to as "**GUERRERO**") served as the Chief Engineer of the *M/V Polymeos* from June 8, 2011 until on or about October 16, 2011. As the Chief Engineer of the vessel, **GUERRERO** was overall responsible for the engineering

machinery on the vessel and for the supervision of the engineering crewmembers. **GUERRERO** was also responsible for managing the vessel's fuel, lubrication and diesel oils, and for managing the collection and disposal of bilge waste, waste oil, sludge, and other oil residues. **GUERRERO** was responsible for maintaining the Oil Record Book in which the operation of the vessel's Oil Water Separator, incinerator, and the disposal of all bilge waste, sludge, and oil residues should have been accurately recorded.

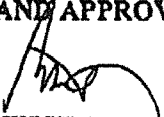
During his time as Chief Engineer of the *M/V Polyneos*, **GUERRERO** admits that he directed members of the engine room crew to connect a hose from the sludge pump to an overboard discharge valve labeled Steering Gear Cooling Line. **GUERRERO** directed the engine room crew members to use this configuration to pump the contents of the bilge tank and bilge oil tank directly overboard. **GUERRERO** did not use, nor did he direct another engine room crew member to use, the vessel's Oil Water Separator or incinerator to properly process and dispose of bilge waste, sludge, or oil residues. **GUERRERO** admits that during his time on the *M/V Polyneos*, the only time the incinerator was used was to burn oily rags or garbage.

GUERRERO admits that he made false entries in the Oil Record Book regarding the use of the incinerator to burn oil waste and sludge and he made them knowing that these entries were material to the Coast Guard's inspection of the vessel. He further admits that he did not maintain an accurate Oil Record Book as required by MARPOL for the *M/V Polyneos*.

On or about October 16, 2011, in the Eastern District of Louisiana, **GUERRERO** in his capacity as the Chief Engineer, did knowingly present to the United States Coast Guard a false Oil Record Book for the *M/V Polyneos* in which all disposals of oil residue, all overboard discharges, and all disposals of bilge water were required to be fully recorded. **GUERRERO** also participated

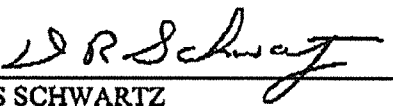
in obstructing the Coast Guard's investigation. On or about October 16, 2011, the Coast Guard requested that GUERRERO provide inspectors with sounding logs. GUERRERO was unable to locate a log book titled "Daily Sounding Bilge and Sludge" and told the engine room crew that if he found it he would have to surrender it to the Coast Guard. Unable to locate it, GUERRERO instructed engine room crew members to destroy the sounding log if they found it. GUERRERO knew that the information in the sounding log was truthful and would contradict the information contained in the vessel's Oil Record Book.

READ AND APPROVED:



PEDRO GUERRERO
Defendant

EMILY K. GREENFIELD 28587
Assistant United States Attorney



DOUGLAS SCHWARTZ
Attorney for Defendant

01.01.2012
Date