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## Cruise company violated accord

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Norwegian Cruise Line's Pride of Aloha discharged about 70 tons of treated effluent into Honolulu Harbor last month, violating a voluntary agreement with the state.

NCL America and the state Department of Health said the discharge was not harmful. But an environmental group said it raises health issues and bolsters the argument for enforceable state regulations.

The Pride of Aloha released the effluent from its advanced wastewater treatment system on Feb. 6 from 10:25 am to 12:10 pm, said Laurence Lau, the Department of Health's deputy director for environmental health. NCL officials notified the department about the discharge by phone the next day and sent a letter dated Feb. 22 reporting the incident, he said.

The state's agreement with the cruise ships allows such discharges at least a mile out from shore while traveling at least 6 knots, according to Lau.

He said the Health Department didn't consider the discharge to be a public health threat.

"The advanced wastewater treatment system puts out effluent which is very, very low in bacteria, so in that sense I don't think it is a concern," he said. "The department didn't see a need to post any warning signs."

"Of course we would prefer that they would comply completely with the MOU (memorandum of understanding). They did report that they are taking preventive actions."

Robert Kritzman, executive vice president and managing director of Hawaii's operations for Norwegian Cruise Line's NCL America, said that the discharge was an accident and that the effluent released was treated to the standards of "clean, clear, fresh water."

"It was clearly human error but we have put in place procedures to make sure that that doesn't happen," he said.

He said the discharge did not violate environmental laws, including the federal Clean Water Act, but acknowledged it did violate the agreement with the state.

Kritzman said it was the second violation for the ship, which began interisland cruises last summer. The Pride of Aloha discharged about 300 gallons of advanced wastewater treatment system effluent Oct. 13 going into Hilo Harbor, which Lau characterized as minimal.

Cha Smith, executive director of the Hawaiian environmental alliance KAHEA, said the discharge raises concerns.

"A release of even treated effluent in the harbor may jeopardize human health and it just underscores the need for enforceable regulations to prevent unnecessary discharges," she said, adding that there's a reason why the state set guidelines for such discharges.

"We have to have strong regulations that address all the different kinds of pollutants that are discharged from a cruise ship, not just fecal coliform," she said.

"The intent of the law is not to put anybody out of business. It's to protect human health and the environment."

The state and the North West Cruiseship Association have a memorandum of understanding in which ships agree to refrain from dumping wastewater and chemicals in Hawai'i's coastal waters. The agreement has no provisions for enforcement or penalties.

Lau said the state relies on cruise ships to report such incidents "because we just have very limited resources relative to the number of facilities and operations."

The House and the Senate are considering bills that would authorize the state to regulate cruise ship activities within three miles of shore and impose penalties.

Health Department and cruise ship representatives have said the bill isn't necessary and would likely be pre-empted by federal law.

Environmental groups disagree and say California, Maine and Alaska enacted statutes to regulate the cruise industry. They have said every major cruise line has had significant pollution-related convictions over the past decade.

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