

1 of properly." The limitation of liability section of the joint venture agreement included the
2 following information:

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4 "Hansan shall have no liability with respect to any damages or claims arising
5 out of or relating to the Vessels after Mason take (sic.) possession of the
6 Vessels. Mason shall be liable for any damages arising from any and all claims,
7 demands, agreements, contracts, covenants, actions, suits, causes of action,
8 obligations, controversies, debts, costs, expenses, accounts, damages,
9 judgments, losses and liabilities, and rights, of whatever kind of nature, in law,
10 equity or otherwise, whether known or unknown, relating to or arising out of
11 anything having to do with the Vessels."

12 The joint venture agreement was signed by Kien Chau ("Chau") of Hansan and Stephen
13 Mason ("Mason") the owner of Mason Marine Service, Inc.

14 On February 29, 2012, personnel from the U.S. Coast Guard and the Washington
15 Department of Ecology ("WA-DOE") boarded and assessed the condition of the 167 foot M/V
16 "Helena Star" after receiving several complaints about the vessel's condition. The M/V
17 "Helena Star" was moored on the Hylebos Waterway near Mason Marine Service, Inc., 1690
18 Marine View Drive, Tacoma, Washington when regulatory officials boarded the vessel.

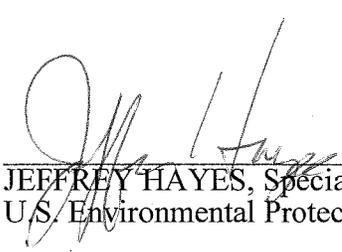
19 On March 2, 2012, the U.S. Coast Guard issued an order to Mason in which they
20 determined the M/V "Helena Star" posed an imminent danger to public health and/or the
21 environment because of an actual or threatened spill/release of oil or other hazardous materials
22 from the vessel. After Mason failed to address the potential for a release from the M/V
23 "Helena Star," the U.S. Coast Guard hired a contractor to remove some of the oil and
24 hazardous materials from the vessel.

25 On January 25, 2013, the M/V "Helena Star" sank in the Hylebos Waterway releasing
26 hundreds of gallons of petroleum products (diesel fuel and lube oil). Investigation determined
that Mason or persons acting on his behalf removed some items of value from the M/V
"Helena Star" before it sank, which may have been a contributing factor in its sinking.

1 Investigation determined the M/V "Helena Star" was left at the aforementioned location
2 on the Hylebos Waterway for a period of more than seven consecutive days when it sank, in
3 violation of the Derelict Vessels Act, RCW 79.100.110. The sinking of the vessel resulted in a
4 discharge of polluting matter (diesel fuel and lube oil) in waters of the state in violation of the
5 Water Pollution Control Act, RCW 90.48.080.

6 I certify (or declare) under penalty of perjury under the laws of the State of Washington
7 that the foregoing is true and correct.

8 DATED this 9th day of January, 2014 at Seattle, Washington.

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11 
12 JEFFREY HAYES, Special Agent
13 U.S. Environmental Protection Agency
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