

Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Harbor Bunkering Corp)	File No. EB-FIELDSCR-15-00020439
Licensee of Marine Radio Station WDH5927)	
)	NOV No. V201632680001
San Juan, PR)	
)	

NOTICE OF VIOLATION

Released: December 16th, 2015

By the Resident Agent, San Juan Office, South Central Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to Harbor Bunkering Corp, licensee of marine radio station WDH5927 in San Juan, PR.

2. On 12/04/2015, an agent of the Enforcement Bureau's San Juan Office inspected marine radio station WDH5927 located on the M/V Don Alfredo (317 gross tons) and observed the following violation(s):

- a. §80.1083(a) Ships must be provided with radio installations capable of complying with the functional requirements prescribed by §80.1081 throughout its intended voyage and, unless exempted under §80.1071, complying with the requirements of §80.1085 and, as appropriate for the sea area of areas through which it will pass during its intended voyage, the requirements of either §80.1087, §80.1089, §80.1091, or §80.1093. *During the inspection it was confirmed that the vessel did not have on board a DSC medium frequency transmitter, nor a 406 EPIRB as required by transit through the A2 sea areas prior to docking at St. Eustatius, NA. The Netherland Authorities detained the vessel at anchorage on the island for non-compliance of SOLAS on November 23, 2015.*

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Harbor Bunkering Corp must submit a written statement concerning this

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 403.

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matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by Harbor Bunkering Corp. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
San Juan Office Suite 762
150 Carlos Chardon St.
San Juan, PR, 00198-1731

4. This Notice shall be sent to by Certified Mail/Return Receipt Requested and regular mail to Harbor Bunkering Corp at its address of record.

5. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

Reuben Jusino
Resident Agent
San Juan Office
South Central Region
Enforcement Bureau

cc: United States Coast Guard

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*