

Alaskan (2016)

Location: Jenkins Island, BC

Case number: 120-796-C1

The Incident

On December 16, 2016, the Canadian Coast Guard (CCG) was notified that the *Alaskan*, a forty-foot vessel had sunk near Jenkins Island, BC. The vessel stranded on a falling tide and was fully flooded on the rise of the subsequent tide. CCG assumed the role of On-scene Commander. An upwelling of pollution was observed on scene and the CCG deployed containment and sorbent boom around the vessel.

The CCG *Cape Coburn* was tasked to respond and the crew carried out initial response activities on scene including booming the sunken vessel. The On-scene Commander, with the knowledge that the vessel contained more than 100 gallons of diesel fuel plus an unknown amount of lube oil made the decision to remove the vessel and its contents from the marine environment. This decision was taken to mitigate the ongoing threat of pollution.

The CCG engaged Eagle Eye Marine to mobilize the site and to recover the vessel. On December 17, 2016, the vessel was righted, recovered, pumped out and towed to Stones Marina in Nanaimo. The vessel was removed from the water at Stones Marina using the travel lift. This allowed for a survey of the vessel by a marine expert.

The survey confirmed that the entire interior of the vessel was soaked with the odour of diesel fuel and that all interior spaces were lightly fouled with diesel fuel and oil. Both fuel tanks were full of diesel/water each containing 250 gallons. The vessel's hull required work on the underwater plank seams and reinforcement and repair of the main structural members aft of amidships as well as rib replacement or sistering to maintain hull integrity and seaworthiness of the vessel. Furthermore, there was zero residual value in the salvage of electronics and machinery, all of these were antiquated prior to the submersion and any possible salvage was fully lost due to the delay in taking any preservation actions.

Based on the survey results, the decision was taken to have the vessel deconstructed. On January 13, 2017, the vessel was towed to Saltair facilities in Ladysmith where it was hauled out on the travel lift, placed on a containment pad and secured for inaccessible pollutant removal, deconstruction and disposal.

The Claim

On June 11, 2018, the Administrator received a claim in the amount of \$37,723.18 from the CCG on behalf of the Department of Fisheries and Oceans (DFO/CCG) in respect of the incident for clean-up and preventive measures, including deconstruction services provided by a third party, pursuant to the *Marine Liability Act*. The Administrator determined that the claim was admissible under Part 7 of the Act.

Assessment and Offer

During the assessment, the Administrator's office made requests to CCG for additional information and documentation, which was provided.

On July 4, 2018, after investigation and assessment of the claim, the Administrator made an offer for the established amount of \$37,723.18, plus interest, as full and final settlement to DFO/CCG. The offer was accepted on July 10, 2018 and, on July 20, 2018, a payment in the amount of \$39,440.38 including interest was made to DFO/CCG.

Recovery Action

In July 2018, the Administrator tasked a professional locator service to investigate the assets of the *Alaskan*'s registered owners. On July 24, 2018, in-house Counsel for the Administrator sent a demand letter to the registered owner of the *Alaskan* who advised that he had sold the vessel five years ago and communicated a bill of sale to this effect. In September 2018, the Administrator tasked a professional locator service to investigate the assets of the *Alaskan*'s purchaser/alleged owner. On September 7, 2018, a demand letter was sent to the alleged purchaser of the vessel but the letter could not be delivered.

As of March 31, 2019, the Administrator was still trying to locate and contact the owner of the vessel.

Status

The file remains open.