

## **Baffin Sound (2015)**

Location: St. Anthony, Newfoundland

Case number: 120-685-C1

### **The Incident**

On June 23, 2015, the Canadian Coast Guard (CCG) received a report from the local harbour authority that an oil sheen was originating from the fishing vessel *Baffin Sound*, which had been tied up at the town wharf in St. Anthony Harbour for the past seven to eight years. The vessel's main engine had been removed but the remaining quantity of hydrocarbons on board was unknown.

CCG environmental response (CCG ER) personnel were on scene and conducted an assessment of the vessel's condition, following which a Statement of Work (SOW) for removal of the pollutants from the *Baffin Sound* was developed. The SOW was subsequently sent to the vessel owner for action. Response was received from the owner on June 30 that he would be on-site to take the necessary measures.

The owner was on-site on July 3 and commenced the measures that were identified in the SOW. Pails and drums of oil and waste were collected. The hydraulic lines to deck machinery, the engine room generators, as well as the hydraulic and lube oil tanks were drained. CCG ER monitored the removal operations. Since the owner was not able to arrange for a vacuum truck to remove the fuel and bilge waste, CCG took the decision to hire one on July 7. Approximately 1,100 litres of fuel were removed from the vessel, and 8,340 litres of oily water from the bilges.

### **The Claim**

On December 9, 2015, the Administrator received a claim from CCG, on behalf of the Department of Fisheries and Oceans (DFO/CCG) in the amount of \$22,185.86 for costs and expenses incurred, pursuant to the *Marine Liability Act*.

The Administrator determined that the claim was admissible under Part 7 of the Act.

### **Assessment and Offer**

After investigation and assessment of the claim, an offer for the established amount of \$22,185.86, plus interest, was made to DFO/CCG by the Administrator, on February 24, 2016, as full and final settlement. The offer was accepted on March 1, 2016.

On or about July 26, 2016, a payment of \$22,926.95 including interest was made to DFO/CCG.

### **Recovery Action**

A professional locator service was engaged to complete a locate and asset search on the *Baffin Sound*'s registered owner. In addition, in January 2017, the owner was served with a Statement of Claim. In February 2017, the counsel for the Ship-source Oil Pollution Fund secured a judgment from the Federal Court against the owner in the amount of \$22,926.25 plus pre and post judgment interest.

In total, judgments of \$331,000.00 have been registered against the *Baffin Sound*'s owner. In May 2017, St. Anthony Port Authority instructed the seizure and sale of the *Baffin Sound*. However, the auction, held in October 2017, did not yield any bids.

In May 2018, the legal counsel for the Administrator contacted the port authority legal counsel. There was no progress to report.

**Status**

The file remains open.

**Related file**

*Stelie II* (same owner)