

Investigator (2016)

Location: Toker Point, Northwest Territories

Case number: 120-696-R

The Incident

On September 2, 2016, the double-hulled barge *Investigator* ran aground near Toker Point, about 15 km north of Tuktoyaktuk, with 50,000 litres of diesel fuel on board and remained stranded. Refloating attempt having been unsuccessful, the barge overwintered in the Arctic.

On July 6, 2017, updates were received from the Canadian Coast Guard (CCG) to the effect that the barge still remained aground and the refloating attempt had been delayed until August. CCG also advised the Administrator that most of the oil had been removed by Fathom Marine Inc., the Canadian bareboat charterer of the barge, with helicopters and baskets, during the winter, pursuant to CCG's order. CCG had taken care of pumping the remaining oil. During August 2017, a small tug and a work barge were sent by Fathom Marine Inc. to free the *Investigator*; however, they ended up on the shore next to the barge. The small tug and the work barge were recovered and another attempt was planned during the first week of September.

On October 5, 2017, the counsel for the SOPF was informed that the *Investigator* would be leaving Toker Point and towed to Vancouver.

Measures taken by the Administrator

The Administrator was informed of the incident by the CCG on October 11, 2016. On October 18, the Administrator, retained advice from counsel and decided to maintain a watching brief on the situation, taking no further action for the moment.

In October 2017, counsels negotiated a Letter of Undertaking (LOU) that would cover potential claims, whilst the Administrator was getting ready to arrest the barge. Warrants to arrest the tug *Fathom Wave* and the barge *Investigator* were to be issued on November 2, 2017 unless a security in a form satisfactory to the Administrator was given.

On November 2, 2017, the counsel for the SOPF was informed that, on its way to Vancouver, the *Investigator* started drifting and was not expected to be in Vancouver in the coming weeks. An action was commenced by the SOPF on November 3, 2017, and on November 28, 2017, the Administrator received a LOU covering all three claims. The SOPF filed a Notice of discontinuance and the action is stayed.

The ship insurer has received the claims from the three claimants and keeps the Administrator advised when settlements have been reached and releases signed. As of March 31, 2019, the file was still open with the insurer.

The Claim

As of March 31, 2019, no claim had been filed with the Administrator.

Status

The file remains open.