

MSC Monica (2016)

Location: Deschaillons-sur-Saint-Laurent, Quebec

Case number: 120-741-C1

The Incident

On January 22, 2016, the Panamanian registered container vessel *MSC Monica* (37398 GT) grounded in the St. Lawrence River near Deschaillons-sur-Saint-Laurent, Quebec. The vessel was successfully refloated the next day at high tide, by the owner, with the assistance of three contracted tugs under light river ice conditions. Transport Canada, Environment Canada, the Canadian Coast Guard (CCG) and Quebec Government Ministries were involved in the planning and response to this incident. The vessel was carrying 673.2 cubic metres of heavier bunker and 173 cubic metres of diesel fuel. On January 24, the *MSC Monica* was secured alongside at the port of Quebec.

The grounding location was rocky and the vessel's speed at the time was about 10 knots. The extent of damage was only known once the vessel was refloated and inspected at the Port of Quebec but given the rocky bottom and vessel's speed, the possibility of severe negative consequences were viewed as high. As it turned out there was minor damage to the hull but major damage to the propeller blades. Although no pollution was reported during the incident, given the uncertain situation before the assessment of damage there was a perceived risk of potential pollution.

The Claim

On January 22, 2018, CCG on behalf of the Department of Fisheries and Oceans (DFO/CCG) filed a claim with the Administrator for costs and expenses incurred in the amount of \$13,121.81, pursuant to the *Marine Liability Act*.

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

Assessment and Offer

The Administrator noted that the ship was covered by P&I insurance and inquired as to whether the claim had already been brought to the attention of the P&I. CCG confirmed that they would do so, and the assessment was put in abeyance.

On June 28, 2018, CCG, having been unsuccessful in contacting the Club at all, asked the Administrator to proceed with assessing the claim and issuing an offer.

On July 4, 2018, after investigation and assessment of the claim, the Administrator made an Offer to CCG for the established amount of \$13,121.81, plus interest, pursuant to section 105 of the Act.

On July 13, 2018 the Offer was accepted by CCG.

On July 31, 2018, the Administrator directed that the amount of \$14,168.02 (which included \$1,046.21 in accrued interest) be transferred to CCG.

Recovery Action

On September 10, 2018, the in-house counsel for the Administrator sent a demand letter to both of the shipowner and the P&I Club informing them that the Administrator is subrogated in the rights of the claimant and asking them to pay the amount of \$14,168.02, plus accruing interest.

On November 13, 2018, the Administrator received the amount of \$14,192.33 from the shipowner.

On November 15, 2018, a Release from Liability letter was sent to the shipowner and the Club.

Status

The file was closed on November 29, 2018.