

## **Miss Universe (2016)**

Location: Port Edward Harbour Authority, B.C.

Case number: 120-721-C1

### **The Incident**

On December 10, 2016, the Port Edward Harbour Authority (PEHA) was made aware of a sunken vessel in waters under their jurisdiction. Upon investigation, the vessel was identified as the *Miss Universe*, a 12.45 GT disaffected fishing vessel; it was determined that there was a high risk for both safety and pollution so the Canadian Coast Guard (CCG) was contacted by the PEHA.

A thick grey substance was observed on the water; oil absorbent pads were laid down and a boom was deployed around the vessel to mitigate pollution damage to the environment. The absorbent pads were replaced the following day. Since the vessel and contaminants were unknown and pollution leaking from the vessel was of a substantial volume, not to mention the port authority was without the capability of safely containing the contaminants, the decision was taken to salvage and then demolish the wreck.

The PEHA continued to monitor the vessel and change the absorbent pads until December 15, 2016, when the sunken vessel was salvaged by a private contractor and brought to a safe location for demolition.

### **The Claim**

On July 12, 2017, the Port Edward Harbour Authority filed a claim with the Administrator for costs and expenses incurred in the amount of \$19,911.85, pursuant to section 103 of the *Marine Liability Act*.

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

### **Assessment and Offer**

On August 31, 2017, after investigation (including requests for extra documents, timesheets and invoices) and assessment of the claim, the Administrator made an offer to the PEHA for the established amount of \$18,711.85, plus interest, pursuant to section 105 of the Act.

The salient reductions from the PEHA claim were on account of punt rental fees deemed excessive compared to competitive rates.

On September 15, 2017, the letter of acceptance was received from the PEHA.

On October 12, 2017, the Administrator directed that the amount of \$19,113.80 (including \$401.95 in accrued interest) be paid to the Port Edward Harbour Authority.

### **Recovery Action**

Having carried out an investigation, the Administrator was satisfied that the shipowner passed away some time after the incident. However, as of March 31, 2019, recovery efforts were still ongoing as the Administrator was still examining recovery possibility from the deceased owner's estate.

### **Status**

The file remains open.

### **Related file**

The Administrator eventually realized that the *Miss Universe* incident was the same incident as the one initially reported as a mystery spill incident (see report file *Mystery Spill*, Port Edward (2016), 120-701-R). The PEHA later confirmed that this was indeed the case.