

## *Nika (2017)*

Location: Campbell River, BC

Case number: 120-808-C1

### **The Incident**

On May 12, 2017, the Canadian Coast Guard (CCG) was notified that the 50-foot converted fishing vessel *Nika*, 27.25 GT, was discharging oil pollution near Campbell River, in the vicinity of Fresh Water Marina. CCG personnel were dispatched from the Campbell River Lifeboat Station. They observed a substantial diesel sheen around the vessel, which was lying low in the water. They boarded, and observed diesel throughout the bilge and engine compartment. Diesel was entering the bilge, and this had caused the pump to engage, releasing it into the marina. CCG reported that Fresh Water Marina immediately began to transfer diesel into waste drums. CCG also contacted the owner of the vessel who informed CCG that he would respond by conducting necessary repairs to the fuel line and arranging for the vessel to be removed from the water.

On May 16, 2017, CCG was informed that the vessel was again discharging diesel into the marina. CCG personnel arrived on scene and determined that the bilge pump was again the cause. Several unsuccessful attempts were made to contact the owner. CCG directed Fresh Water Marina to remove the vessel from the water.

On May 17, 2017, two CCG Environmental Response personnel travelled from Victoria to Campbell River to assess the situation of the vessel. They observed diesel saturation throughout the vessel's interior, and soft spots in the hull. Further, they noted that the fuel line had not been repaired. CCG contracted Building Sea Marine to undertake a survey of the vessel. This was done on May 21, 2017. The survey report indicates that heavy fouling was present in both the engine compartment and the bilge. Furthermore, the survey report appears to indicate that the fuel tanks were full.

CCG made several attempts to contact the owner between the May 16 and 31, 2017, but received no response. In an email sent on June 1<sup>st</sup>, the owner claimed to have paid Fresh Water Marina for the haul-out. He further indicated that he planned to have the vessel remediated in Nanaimo.

Throughout the above period, and extending to July 6, 2017, CCG issued three Direction Orders to the owner stating that the vessel remained a threat to the marine environment and ordering him to make necessary repairs. Ultimately, having received no satisfactory plan from the owner of the vessel, CCG opted to deconstruct the vessel. This was done by Fresh Water Marina on or about July 19, 2017.

### **The Claim**

On March 26, 2019, the Administrator received a claim from CCG, on behalf of the Department of Fisheries and Oceans (DFO/CCG), made pursuant to the *Marine Liability Act*, for costs and expenses in the amount of \$23,646.38.

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

**Assessment and Offer**

As of March 31, 2019, the claim was still under assessment.

**Status**

The file remains open.