

Ronda (2016)

Location: Embree, Newfoundland
Case number: 120-703-C1

The Incident

On December 24, 2016, the Canadian Coast Guard (CCG) received a report that the 39-foot wood and fibreglass fishing vessel *Ronda* was taking on water and in danger of sinking alongside a condemned dock at Embree, Newfoundland. The vessel appeared to be low in the water, particularly at the bow, but there was no immediate risk of sinking and no visible pollution at this time. The local volunteer fire department arrived on scene, but a decision was made not to send personnel onto the condemned dock.

The same evening, CCG contacted the owner of the vessel, who was then in St. John's. The owner informed CCG that he would instruct a local contact to pump and otherwise attend to the vessel in order to keep it from sinking. He further stated that there were approximately 25 to 30 gallons of diesel on board the vessel, in addition to hydraulics and base oils. Finally, the owner informed CCG that he had fallen behind on payments for the vessel's insurance.

On December 25, 2016, CCG received another report that the vessel was unlikely to be afloat much longer. CCG again spoke with the owner of the vessel, who said that his local contact was having trouble pumping the vessel. He was unable to do anything more, and agreed to a CCG Environmental Response (ER). Later, CCG was informed by Transport Canada in an email that the vessel had sunk at the dock. No pollution was observed at the time.

During a snow storm on December 26, 2016, two CCG ER personnel arrived on scene with a small boat. They deployed sorbent booms and secured the vessel. After several days of poor weather during which CCG remained in contact with local observers, two ER specialists visited the vessel on January 5, 2017. CCG decided to raise the vessel and remove it from the marine environment. A contractor was engaged for this purpose. Poor weather, the condition of the dock, and technical difficulties delayed progress, but the vessel was raised and pumped of pollutants on January 9, 2017. The following day, the vessel was towed to Twillingate and removed from the water there. On January 11, CCG demobilized.

On May 1, 2018, the owner was notified that CCG had contracted to have the vessel deconstructed. The vessel had been assessed as valueless by TriNav Marine Design Inc. and storage on the hard meant that CCG was incurring a regular cost. The vessel was deconstructed at some point in May or June of 2018.

The Claim

On November 26, 2018, the Administrator received a claim in the amount of \$98,858.83 from CCG on behalf of the Department of Fisheries and Oceans (DFO/CCG) in respect of the incident pursuant to the *Marine Liability Act*. The Administrator determined that the claim was admissible under Part 7 of the Act.

Assessment and Offer

During the assessment, the Administrator's office made requests to CCG for additional information and documentation, which were provided.

On assessment, the Administrator determined that the costs associated with the three contractors engaged by CCG were not compensable. Portions of the costs relating to salaries, travel, and vehicles were also not accepted as reasonable. In addition, the rate for the calculation of administration costs was adjusted.

On February 26, 2019, the Administrator made an offer for the established amount of \$5,953.87, plus interest, as full and final settlement to DFO/CCG. The offer was accepted on March 5, 2019 and payment in the amount of \$ 6,396.57, including interest, was made to DFO/CCG on March 7, 2019.

Recovery Action

A professional locator service was hired to complete a locate and asset search on the *Ronda's* owner. The report was received in November 2018. It identified an address and a mortgaged property.

As of March 31, 2019, the Administrator is in the process of taking action to recover the amount paid from the polluter.

Status

The file remains open.