

## *Sikuk* (2017)

Location: Clarenville, NL

Case number: 120-712-C1

### The Incident

On September 21, 2017, the Canadian Coast Guard (CCG) was notified that two vessels, identified as *Sikuk* and *Françoise*, were together dragging anchor in Clarenville Harbour, NL. CCG directed the owner of *Sikuk* to take immediate action.

On September 22, 2017, two CCG personnel arrived on scene to find *Sikuk* at anchor with the *Françoise* secured by three mooring lines to its port side. CCG boarded *Sikuk* and found that both its forward anchors were deployed but could not be retrieved due to a lack of power. CCG personnel determined that *Sikuk* contained approximately 11,500 litres of pollutants. No pollution was observed outside the vessel.

On September 23, 2017, *CCGS Harp* arrived on scene and CCG made a decision to enter an emergency contract to have the two vessels towed.

On September 24, 2017, the contractor's tug was en route and expected to arrive early the following day. CCG had vetted and secured a temporary place of refuge for the vessels at a disused local dock. As the dock was in poor condition, only CCG was to be allowed access. To this end, CCG arranged 24-hour security for the site. CCG prepared both the dock and the vessels for the mooring arrangement, procuring the supplies it deemed necessary to safely secure the vessels to the dock.

On September 25, 2017, the tug arrived, towing the vessels after a safety briefing. The *Sikuk* was secured to the south side of the dock by 10:00 and the tug and *CCGS Harp* were released from the scene.

On September 30, 2017, CCG personnel were on scene again to inspect the vessels at their moorage. While *Françoise* continued to list, *Sikuk* rested on even keel with no change to its draught. Minor adjustments were made to moorage.

On October 4, 2017, the owner engaged a contractor and a marine consultant.

On October 12 2017, CCG made another site visit to check on the vessels. No issues were observed, nor was any pollution sighted. On November 8, 2017, a final notice was sent to the owner of *Sikuk*, indicating that CCG action was imminent, and setting November 14 as a deadline to submit an acceptable plan.

On November 16, 2017, CCG arrived on scene with a marine consultant, who had been contracted to conduct a survey of *Sikuk*'s condition and of any pollutants aboard. The consultant's report indicates that *Sikuk* had been modified from its original fishing trim for the purpose of harvesting ice from icebergs. The report also indicates that the hull appeared to be sound, raising no concerns

about seaworthiness. Various miscellaneous pollutants were identified, and oils on board were estimated at 16,250 litres, though the bulk of these were assumed to be in a dirty oil tank that could not be sounded. A potential asbestos presence was also speculated on, given the age of *Sikuk*.

The owner submitted a plan to CCG on December 14, 2017, to be engaged on December 28, but this was delayed by weather. On January 4, 2018, under CCG supervision, a tug contracted by the owner arrived on scene and was secured alongside *Sikuk*. A pumping operation began, with some oil being pumped onto the tug and the remainder into to a truck on shore. Sorbent booms were eventually deployed. The pumping operation was complete on January 6, with approximately 18,000 litres removed.

CCG conducted an inspection of *Sikuk* on January 7, 2018 and confirmed that “All pumpable quantities of hydrocarbons had been removed”. Various other oily detritus and barrels were also removed by the owner’s contractor. A Transport Canada inspector arrived on scene for a survey of the tow plan. The following day, after Transport Canada approval and under CCG supervision, the tug began its tow of *Sikuk* to Springdale, NL. CCG departed the scene the following day, and *Sikuk* was reported to have arrived at Springdale on January 10 2018 with no release of pollution.

### **The Claim**

On March 1, 2019, the Administrator received a claim in the amount of \$195,109.00 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**

On March 4, 2019, the Office of the Administrator informed CCG that given the involvement of two vessels and the issue of apportionment of costs, assessment of the *Sikuk* claim would be held in abeyance until delivery of the *Françoise* claim. CCG advised that the latter would be submitted in April 2019.

### **Status**

This file remains open.

### **Related Files**

F/V *Françoise* (2017), file 120-725-R (same date and location, same type of incident, i.e. ship dragging anchor, same potential claimant)