

Stephanie & Darrel (2007)

Location: Shelburne, Nova Scotia
Case number: 120-530-C1

The Incident

On April 11, 2007, the Port Manager of the Shelburne Marine Terminal in Nova Scotia informed the Canadian Coast Guard (CCG) that a 45-foot fishing vessel secured to its wharf, had been abandoned by its owner. The *Stephanie & Darrel* contained approximately 3,500 litres of fuel plus hydraulic oils, and had been pumped out several times to prevent it from sinking alongside the terminal. On April 17, CCG representatives met with Environment Canada and Transport Canada personnel at the terminal to determine the action to be taken since no response had been received from the owner. All parties agreed that the pollutants should be removed.

Therefore, on June 1, RMI Marine Limited was engaged to remove all the oil and other contaminants on board the abandoned fishing vessel and to dispose of the waste oil. The clean-up operation was completed on June 8.

The Claim

On February 9, 2008, the Administrator received a claim from CCG, on behalf of the Department of Fisheries and Oceans (DFO/CCG), for costs and expenses in the amount of \$13,627.73, pursuant to the *Marine Liability Act*.

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

Assessment and Offer

After investigation and assessment of the claim, the Administrator made an offer to DFO/CCG for the established amount of \$13,627.73 plus interest, as full and final settlement. DFO/CCG accepted the offer and a payment of \$14,505.11, including interest was sent to DFO/CCG on or about May 14, 2008.

Recovery Action

A recovery action was commenced by the Administrator in the Supreme Court of Nova Scotia on December 10, 2008, from which he obtained an encumbrance against any property the owner of the *Stephanie & Darrel* may have or acquire. A Certificate of Judgment was therefore registered in both the Land Registry and Personal Property Security Registry in Nova Scotia in December 2008. The registration in the Personal Property Security Registry was extended until January 5, 2019.

A search was conducted in October 2018, but no exigible assets were found, therefore, the registration of the judgment has been extended until December 10, 2028.

Status

The file remains open.