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## **Harbor officials meet on derelict vessel issue**

Published: October 22, 2011



Spanky Paine, a tug built in 1894 that participated in the Spanish American and both world wars, has sat at the Homer Port and Harbor for nearly a decade abandoned by its owner. It was recently deeded to Peninsula Scrap and Salvage to recycle its usable metals on the world market.

NAOMI KLOUDA / Homer Tribune

**HOMER:** Abandoned boats create monetary and environmental ills.

By NAOMI KLOUDA — Homer Tribune

**HOMER --** A 120-foot landing craft called the Sound Developer sank in Cordova's harbor three winters ago, leaving it broken in parts and leaking whatever hazardous fuels were aboard.

The craft was abandoned by its owner, who is nowhere to be found. A consortium of agencies trying to deal with the problem, and \$5 million later, the landing craft and its pieces remain on the harbor floor. Its wheelhouse is partially above water, creating a navigation hazard, with a promised removal coming soon.

This was one of the cautionary tales highlighted by Municipal Attorney Holly Wells at a recent gathering of state harbor officials. The Alaska Association of Harbormasters and Port Administrators chose Homer for its annual conference. The session on what to do about derelict boats engaged the group into overtime.

Expect the problem of derelict vessels abandoned in harbors to worsen in the next decade. An aging fleet of fishing and transportation vessels is approaching the end of its useful life, Wells told the gathering.

"In 10 years, you will be overwhelmed," Wells said.

She suggested solutions that ranged from new laws to protect harbors to good networking among harbor officials.

The economic heyday of commercial fisheries brought many vessels north. Old state ferries, tugs used for hauling freight, World War II transports transformed into floating processors - many are still out there. Downsized fisheries left many of them obsolete, and Alaska's harbors became their last stop.

Homer Harbor Master Bryan Hawkins calls it "the hot potato problem" when one of those ships is evicted from one harbor only to go rest in another.

"The hot potato plan sucks when you get stuck with a derelict. We managed to get four of our derelicts broken down, two changed owners and one is still in the harbor," Hawkins said. "The problem is that most left to other places in the state. I'm not proud of that. I don't like it; it's not a solution."

With the help of a phone tree, harbor officials can alert one another when a derelict is limping in their direction. Wells recommended the harbor officials immediately establish a communication tree.

There are legal pitfalls that can be avoided, Wells advised them. Armed with strong city tariffs and codes spelling out a list of safety requirements, cities can prevent problem boats from becoming an economic and environmental nightmare like the Sound Developer. Hawkins, who believes that Homer is "an overachiever in the derelict vessel problem," set out to find solutions. Hawkins and Deputy Harbor Master Matt Clarke wrote letters and spoke with the U.S. Coast Guard, the Environmental Protection Agency and the Alaska Department of Environmental Conservation.

If old tugs like the Spanky Paine or the Honcho, now being salvaged for scrap metal, were to sink in the harbor, whatever waste oil and other pollutants that remained aboard would also sink.

"I was embarrassed to ask, is there a federal or state plan to help with these boats? ... But, no, in the end I found we're on our own," Hawkins said. "We will continue to push for, number one, them to recognize the problem, and number two, find a workable solution before the costs to the public reach the millions like they have in the case of the Sound Developer."

Hawkins began taking legal steps, working with Wells, to rid the harbor of boats that represent "clear and present danger."

Wells, in searching case histories, discovered an ancient role of federal protection stretching back to the 18th and 19th centuries. While collecting on debt, placing liens or evicting owners, harbors must avoid actions that could be deemed unconstitutional. Harbors also can't reasonably exclude a ship or boat seeking refuge, outlined as the owner's legal rights under admiralty law.

But cities can create legal means to protect their waters.

"The law requires a city to act 'rationally' in regard to vessels. That means having it spelled out in tariffs and code ahead of time. Here is an itemized list of things you cannot do; here are the requirements you must meet in order to remain in the harbor," Wells said.

Homer passed a law that requires each boat in the harbor to be moved on its own power twice per year at least 60 days apart. This helps to identify boats too broken down to move or those abandoned by their owners. So far this has been a valuable tool, Hawkins said.

A harbor official from Ketchikan asked Wells what can be done if an ailing ship is escorted into the harbor by the U.S. Coast Guard.

"You have control. If the ship is falling apart at the seams, you can talk about the 'clear and present danger' it presents. The Coast Guard can be your ally," Wells answered. "This threat can help you immediately get that vessel out of the harbor."

Unpaid moorage fees from abandoned boats mount into the thousands of dollars, representing a double loss to cities since they can't rent the space to a working boat.

Hawkins found that by working with owners, offering to forgive half the moorage fees on the condition of getting the boat out of the harbor, he can achieve the desired results.

In the cases of the Spanky Paine and the Honcho, Homer handed over both tugs to Peninsula Scrap and Salvage, receiving no monetary compensation.

"But the way we look at it, we get back 180 feet of moorage space, and we've mitigated an irritation and prevented a future disaster," Hawkins said.

Of the 14 ailing vessels that formerly inhabited the Homer harbor, all the large derelicts are gone. Now there are a few smaller, 40-foot class vessels on the radar.

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## **Derelict ship causes ammonia scare**

**The Associated Press | Posted: Wednesday, January 2, 2013 3:36 pm**

KODIAK, Alaska - A derelict fish processing ship caused an ammonia scare in Kodiak when two crewmembers living onboard the vessel reported a leak.

Kodiak firefighters were joined by Coast Guard firefighters on Monday in responding to reports of a leak on the 169-foot Pacific Producer, according to the Kodiak Daily Mirror (<http://is.gd/ZqpKgN>). Kodiak City Pier 2 was cordoned off for five hours.

Anhydrous ammonia is commonly used as a refrigerant aboard fishing vessels and in fish processing plants. It can cause severe lung damage if inhaled. High concentrations can be fatal.

Firefighters boarded the ship and shut all the valves connected to the ship's ammonia system.

Subsequent tests found no ammonia circulating in the air.

A storm rolling through Kodiak both helped and hampered firefighters' efforts. Winds gusting up to 52 mph whisked away the ammonia leak so quickly that firefighters were able to walk next to the boat without protective gear, and no evacuations were required.

The wind also prevented firefighters from getting an accurate reading on the size of the ammonia leak.

"We never got a reading because it was always going away from us, which was a good thing," Kodiak deputy fire chief Jim Mullican.

The Pacific Producer has been tied up at Pier 2 for more than two months after its owner, captain and chief engineer all walked away from the boat. Kevin Briggs, the sole remaining engineer aboard the Pacific Producer, said he came aboard 3 months ago to help process fish, but the ship hasn't seen a single fish and he's ready to go home.

"It's just been a nightmare, basically," he said.

Last month, the Pacific Producer's owner left Kodiak to find operating capital, and he hasn't returned since.

"We've just been waiting for him to come up with what he calls 'investment money,'" Briggs said.

Deputy Kodiak harbormaster Lon White said the city wants the ship gone.

"We've asked the owner to remove it from city facilities and they have not done so, either been unable or refused to. Regardless, it's still at our facility," he said.

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## **Diesel spill from derelict ship in Kodiak harbor reported**

**The Associated Press | Posted: Sunday, January 6, 2013 5:21 pm**

ANCHORAGE, Alaska - The Coast Guard says an estimated 150 gallons of diesel fuel from a fish processing vessel spilled into the Kodiak harbor.

KTUU (<http://is.gd/LJDWHd>) says the Coast Guard and other agencies responded to the leak Saturday from the vessel Pacific Producer.

Petty Officer Guy Hughey says the fuel leaked inside of the ship before some of it was pumped into the harbor.

Hughey says about 500 gallons of diesel discharged into the vessel's bilge, triggering the bilge pump.

The fire department also tested the atmosphere for ammonia used in the ship's refrigeration system.

Authorities say there was no ammonia threat to the Pacific Producer's crew.



# Refloating derelict boat

Posted: Wednesday, November 26, 2008

Harbor employees Pete Frank, left, and Doug Liermann work Tuesday to refloat a derelict fishing boat after it sank in Aurora Harbor earlier this fall. The boat was towed to a beach near the Yacht Club at high tide so it could be drained and refloated on a future tide. Port Director John Stone said the boat would be transported to a location where a private contractor could crush it and take it to the city landfill. Stone said the boat's owner would be charged for the work.

