

Internet Buy Gone Awry

Story by PAI Tasha Tully, PADET St. Petersburg, Fla.

FORT MYERS, Fla. -- It's greasy, stinky, and so ugly that even the tide wouldn't bring it in. It's the wooden-hulled fishing vessel *Challenger*, abandoned by its owner in the Caloosahatchee River in Fort Myers. The 66-foot boat, built in 1973, has spent its last few years slowly polluting the river, and because the vessel's owner failed to remedy the situation, the Coast Guard decided to demolish and remove the vessel at the owner's expense.

The Coast Guard's involvement with *Challenger* began in May 2006, when crewmembers from Coast Guard Station Fort Myers Beach came upon the vessel partially sunk and leaking oil in an area near Jack's Marine, in Fort Myers. Upon investigation, two structural breaches in the vessel's hull were discovered, and about 5,100 gallons of an oil-water mixture were recovered from the river and properly disposed of by Southern Waste Services, an oil-spill response organization.

After repairs were made to the vessel, the owner sold it to the current owner, Edward Zak of Bexley, Ohio, on an internet auction nearly a year later on March 2, 2007, for only \$1. Zak was given several weeks to remove the vessel from its location at Jack's Marine or pay docking fees to the marina.

Coast Guard Sector St. Petersburg's Response Department, in St. Petersburg, Fla., launched an investigation March 15 when the vessel was found anchored and vacant along the Caloosahatchee River, not far from Jack's Marine, with substantial amounts of oil-water mixtures on board. Approximately 250 gallons of the mixture were recovered; however, a significant amount remained on board *Challenger*; in the unreachable engine compartment and in the oil-impregnated wood of the decks and hull.

On March 21, *Challenger* was discovered adrift from its anchorage and aground in the Caloosahatchee River, posing a hazard to navigation. Crewmembers from Station Fort Myers Beach were able to push the vessel against the shoreline and secure it, temporarily alleviating the situation.

However, *Challenger* was located in an environmentally sensitive area that included wading birds, manatees, bald eagles, mangroves and salt marshes all of which could have been affected by any oil spilled from the vessel.



FORT MYERS, Fla. -- The abandoned 66-foot, wooden-hulled fishing vessel *Challenger* was found partially submerged and leaking oil in the Caloosahatchee River in Fort Myers, Fla., May 15. The Coast Guard attempted to contact the vessel's owner several times, and, after receiving no response, the Coast Guard decided to demolish and remove the vessel. Coast Guard photograph.

April 2, *Challenger* was reported to be turned over and settled on its starboard side with an oil sheen surrounding the vessel. The Coast Guard deployed two layers of boom around the vessel to contain the discharge.

The Coast Guard issued Zak several notices about the status of his vessel, and he took no action to resolve the issues.

Considering the structural-repair history of the vessel, the unpredictable hurricane season, and the potential for the damaged vessel to pollute the river and its environmentally sensitive areas, the Coast Guard, in coordination with the Florida Department of Environmental Protection and Lee County, demolished and removal the vessel May 22 to eliminate any further pollution.



FORT MYERS, Fla. – A bulldozer demolishes the fishing vessel *Challenger* May 22. The vessel was taken to a Lee County-approved dumpsite for further destruction and disposal where substantial amounts of residual pollutants within the vessel were safely removed. Coast Guard photograph.

Resolve Marine Group employees disassembled *Challenger*, and the vessel was taken to a Lee County-approved dumpsite for further destruction and disposal where substantial amounts of residual pollutants within the vessel were safely removed.

In accordance with the Oil Pollution Act of 1990, and within the rules governing the Oil Spill Liability Trust Fund, the Coast Guard can charge Zak up to three times the cost incurred in the demolition, including the recovery, cleanup and disposal of the oil. However, the Coast Guard will bill Zak only for the actual cost incurred, an estimated \$350,000. Never before has the term “buyer beware” been more warranted.

USCG