

# Vessel Scuttling: Fine and Apologies

A Gloucester man was sentenced in federal court for towing his charter boat off the coast of Gloucester and sinking it in a commercial fishing area. Thomas W. Lukejord was sentenced by U.S. Magistrate Judge Judith Dien to one year of probation, a fine of US\$2,000, restitution and a public apology in the Gloucester Daily Times and the Standard-Times of New Bedford, the newspapers of the two largest fishing ports in the region, in connection with Lukejord's conviction on one count of violating the Refuse Act.

Lukejord towed a sixty-two foot charter boat named the Nicole Renee to sea and sank it off the coast of Gloucester in approximately one hundred feet of water. After removing fuel and other hazardous materials from the vessel, Lukejord pumped water into it using a bilge pump until it sank stern first. Lukejord had looked into disposing of the vessel properly, but chose not to incur the expense. The vessel sank in an area that is fished by commercial fishermen, thereby creating a navigational hazard.

In imposing sentence, Magistrate Judge Dien adopted the sentencing recommendation in the plea agreement filed in the case. In addition to serving one year of probation, Lukejord will pay a fine of US\$2,000. Under the whistleblower provision of the Refuse Act, a portion of the fine will be paid directly to the individuals who reported the Nicole Renee's sinking. Lukejord also will pay the Coast Guard US\$1,928 in restitution, which equals the cost to the Coast Guard in responding to the sinking.

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