

WAR DEPARTMENT

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UNITED STATES ENGINEER OFFICE
751 SOUTH FIGUEROA STREET
LOS ANGELES, CALIF.

Address Reply To
The District Engineer

PSLGB

11 September 1946 1946

SUBJECT: Oil Pollution, Los Angeles Harbor, California, 19 August
1946 (USS Army Transport ADMIRAL E. W. EBERLE)

TO: The United States Attorney
Federal Building
Los Angeles 12, California
Long Beach 2, California

Dear Sir:

Report of the above pollution case has been received from the
Commander, Eleventh Coast Guard District, Long Beach 2, California,
duplicate copies of which are inclosed for your information.

Prosecution is not recommended, inasmuch as this vessel is
owned and operated by the United States Government. However, a
letter has been written to the Commanding Officer of the ADMIRAL
E. W. EBERLE, the vessel involved, and a copy thereof, together
with copies of all letters pertaining to the case, are inclosed for
your files.

FOR THE ACTING DISTRICT ENGINEER:

Very truly yours,

H. W. THOMPSON
Chief, Engineering Division

3 Incls (in dup)

1. Copy of report dated 20 Aug. 1946
2. Copy of ltr. to Commanding Officer, Admiral E. W. Eberle
3. Copy of ltr. to Commander, Eleventh Coast Guard District

Life District
Various Gen
OFF. OFFICER
OFFICER

A. ALLES CO.
LOS, CALIF.

WAR DEPARTMENT

UNITED STATES ENGINEER OFFICE
751 SOUTH FIGUEROA STREET
LOS ANGELES, CALIF.

COPY

Address Reply To
The District Engineer

PSLGB
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11 September 1946

SUBJECT: Oil Pollution, Los Angeles Harbor, California, 19 August 1946 (USS Army Transport ADMIRAL E. W. EBERLE)

TO: Commander
Eleventh Coast Guard District
Times Building
Long Beach 2, California

Dear Sir:

Report has been received by this office that on 19 August Army Transport ADMIRAL E. W. EBERLE polluted the navigable waters of the United States with oil in the vicinity of Berth "A", Todd with reference to your letter dated 20 August 1946, File No. 629.1, inclosing a report from the Captain of the Port, Los Angeles, of a violation of the Federal Oil Pollution Act of 7 June 1924 (33 U. S. Code, Sections 431-437), a letter has been written to the Commanding Officer of the United States Army Transport, ADMIRAL E. W. EBERLE, the vessel involved, and a copy is inclosed for your files.

FOR THE ACTING DISTRICT ENGINEER:

Particular attention is directed to Section 1 of River and Harbor Act, approved 3 March 1899, which provides for the preservation of the navigable waters of the United States and the responsibility of Officers and Agents of the United States in charge of river and harbor improvements. (See extract herewith enclosed.)

Very truly yours,

H. W. THOMPSON
Chief, Engineering Division

2 Incls (in dup)

- 1. Copy ltr. to Commanding Officer ADMIRAL E. W. EBERLE
- 2. Copy ltr. to United States Attorney

4 Incls (in dup.)

- 1. Copy of report dated 20 Aug. 1946
- 2. Extract R & H Act
- 3. Pollution Booklet
- 4. Pollution Notice

H. W. THOMPSON
Chief, Engineering Division

Life Division
Voyages
A. ALLES CO.
LOS ANGELES, CALIF.

Address Reply To
The District Engineer

WAR DEPARTMENT
UNITED STATES ENGINEER OFFICE
751 SOUTH FIGUEROA STREET
LOS ANGELES, CALIF.

C
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PSLGB

11 September 1946

639.1
SUBJECT: Oil Pollution, Los Angeles Harbor, California, 19 August
1946 (USS Army Transport ADMIRAL E. W. EBERLE)

TO: Army Commanding Officer
United States Army Transport
ADMIRAL E. W. EBERLE
San Francisco, California

The inclosure is forwarded for your attention in accordance with
instructions contained in Headquarters...

1. Report has been received by this office that on 19 August 1946, the Army Transport ADMIRAL E. W. EBERLE polluted the navigable waters of the United States with oil in the vicinity of Berth "A", Todd Shipyard, Los Angeles Harbor, California, while taking on bunkers. This is a violation of the Federal Oil Pollution Act of 7 June 1924 (33 U. S. Code, Sections 431-437) as well as State law and local regulations. A copy of this report is inclosed for your information.

2. Because of the great danger to commercial shipping and harbor facilities involved in pollution violations, the District Engineer desires to emphasize the seriousness of this offense.

3. Particular attention is directed to Section 17 of River and Harbor Act, approved 3 March 1899, relative to the protection and preservation of the navigable waters of the United States and the responsibility of Officers and Agents of the United States in charge of river and harbor improvements. (See extract herewith inclosed.)

4. A supply of booklets and notices prepared by this office concerning the prevention of pollution of the navigable waters of the United States and the laws pertaining to violations thereof are inclosed and it is requested that copies be furnished to responsible crew members in order that they may be thoroughly informed as to the laws and, therefore, govern themselves accordingly.

FOR THE ACTING DISTRICT ENGINEER:

Incl.
Report of Oil Spill from U. S. Army
Transport Admiral E. W. Eberle
20 August, 1946 (639.1)

H. W. THOMPSON
Chief, Engineering Division

- 4 Incls (in dup.)
- 1. Copy of report dated 20 Aug. 1946
- 2. Extract R & H Act
- 3. Pollution Booklet
- 4. Pollution Notice

OPY

UNITED STATES COAST GUARD
REPORT OF VIOLATION

629.1

Captain of the Port, Los Angeles

20 August, 1946

20 August, 1946

The To: U.S. Steam Screw Admiral E.W. Eberle
(Nationality) Commander, 11th Coast Guard District (Official number)
San Francisco, Ross U.S. Government (Army Transport)

Subj: Oil spill from Admiral E.W. Eberle in Los Angeles Harbor,
17 August, 1946.

1. In compliance with HQ letter of 26 October, 1945, subject "Oil Pollution; peacetime law enforcement by U.S. Coast Guard," the following is reported as a violation of the Federal Oil Pollution Act of June 7, 1924 (33U.S. Code, Section 431-437).

2. On or about 2200, 17 August, 1946 oil was permitted to be discharged into the navigable waters of Los Angeles Harbor from the U.S. Army Transport Admiral E.W. Eberle. At this time the vessel was moored at dock "A" in Todd Shipyard loading fuel oil into her bunkers. The vessel is owned and operated by the U.S. Government, E.A. Pefiffer is the master and the chief engineer is J.A. Richlam, the 2nd assistant engineer being in charge of the loading operation at the time the spill occurred.

3. The Captain of the Port, Los Angeles was not notified of this spill until 1135, 19 August, 1946, at which time the oil pollution detail was dispatched with Chief Bos'n Green in charge. The investigation disclosed that during the transfer of oil on or about 2200, 17 August, 1946, the spill was caused by a leaking valve and as soon as this was discovered the valve was shut off. It was estimated that about five barrels had been spilled.

4. Upon the arrival of the pollution detail the spill was in the process of being cleaned.

| (Give brief description of violation such as "Oil discharged into navigable waters.") | STATUTE VIOLATED (Cite section of U. S. Code such as "43 USC 437") | PENALTY (Insert amount of penalty provided in statute for each violation.) |
|---|---|---|
| Permitted oil to be discharged into the navigable waters of Los Angeles Harbor. | 33 U.S.C. 431-437 | \$500.00-\$2500.00 |

W. C. GILL
Acting

UNITED STATES COAST GUARD
REPORT OF VIOLATION

Captain of the Port, Los Angeles

20 August, 1946

The U.S. Steam Screw Admiral E.W. Eberle
(Nationality) (Propulsion) (Name) (Official number)
San Francisco None U.S. Government (Army Transport)
(Home port) (Kind of document) (Employment for which documented)
806 feet 15920 9340 \$9,000,000
(Length) (Gross tonnage) (Net tonnage) (Approximate value)
Government Owned
(Name of owner) (Address of owner)
E.A. Pefiffer
(Name of master or person in charge) (Address of master or person in charge)

was boarded and examined at 1220 a m., plus 8 zone time on 19 August, 1946
(Day)

, 19, in the 11th Coast Guard District
(Month)

Los Angeles county, State of California
(Name of county, if known) (Name of State, if within a State)

while Moored in Los Angeles Harbor, Berth "A" Todd Yd.
(Underway, anchored, etc.) (Body of water)

bearing 0°, true, 0 miles distant from 0
(Prominent point of land)

(Lat. 0° 0' 0" N., Long. 0° 0' 0" W.).

The weather conditions prevailing at the time were as follows: Clear
(Moonlight, dark, fog, clear, etc.)

Calm
(Describe wind and sea using expressions such as "fresh breeze" "rather rough sea," etc.)

Port departed San Francisco, Calif.; port destined In yard for repairs. voyage.
(Inland, coastwise, ocean)

The following violations are reported:

| VIOLATION | STATUTE VIOLATED | PENALTY |
|---|---|--|
| (Give brief statement of violation such as "no fire extinguisher on board.") | (Cite section of U. S. Code such as, "46 USC 516.") | (Insert amount of penalty provided in statute for each violation.) |
| Permitted oil to be discharged into the navigable waters of Los Angeles Harbor. | 33 U.S.C. 431-437 | \$500.00-\$2500.00 |

(a) Down by head
 (b) Down by stern
 (c) Port side
 (d) Starboard list
 (e) Even keel
 Captain of the Port, Los Angeles
(Title)

REMARKS.—Give a brief yet informative statement of the facts constituting the violation. Since the statement may be used in the process of remitting or mitigating the penalties involved, it is essential the statement include any pertinent information which might be helpful to reviewing officers in determining the nature of the violation, the degree of culpability, the likely effect of such violation on enforcement generally, and the effect which the imposition of a penalty is likely to have on the offender. This statement should also indicate whether or not the owner or person in charge was instructed as to the requirements of the law violated and should include any pertinent comments made regarding the violation by the owner or person in charge:

DATE 17 AUG 1946
VESSEL NAME
OWNER
CAPTAIN

The spill occurred while the vessel was loading bunkers at Berth "A", Todd Shipyard. The Second assistant engineer was in charge of the loading of the vessel. As soon as the spill occurred the flow of oil was stopped with the result, approximately five barrels of oil escaped over the side which covered an area of about 300 square feet. The spill was being cleaned at the time the spill was investigated.

Name of master or person in charge: E. A. Parlier
Date: August 19, 1946

Location: Los Angeles, California

Port of origin: San Francisco, Calif.

Weather conditions: Clear

Wind: Calm

The following violations are reported:

| VIOLATION | STATUTE VIOLATED | PENALTY |
|---|-------------------|--------------------|
| Permitted oil to be discharged into the navigable waters of Los Angeles Harbor. | 33 U.S.C. 431-437 | \$200.00-\$2500.00 |
| <p>W.C. GILL (Reporting officer)</p> <p>Captain of the Port, Los Angeles (acting) (Title)</p> | | |

Prepare two copies. Retain copy for files and forward original to District Coast Guard Officer.

Since this is essential that in determining

REPORT OF VIOLATION

DATE 17 August, 1946 BIRTH Dock "A" Todd Shipyard
 VESSEL Admiral E.W. Eberle NATIONALITY U.S.
 OWNER U.S. Government AGENT None
 CAPTAIN E.A. Pefiffer FIRST MATE J. Coden
 CHIEF ENGINEER J.A. Richlam ENGINEER ON DUTY 2nd Assistant
 PRODUCT CAUSING POLLUTION: (a) Name Oil (b) Type Fuel

VIOLATION CLASSIFICATION:

- (a) Overflowing of tanks while topping off ()
- (b) Siphoning of oil through vents while bunkering ()
- (c) Errors in valve manipulation ()
- (d) Line breaks between ship and shore ()
- (e) Pumping of contaminated ballast water ()
- (f) Miscellaneous Valve leaking while fueling ()

Portion of ship from which product causing pollution was discharged; Amidship's port side below No. 3 cargo port.

Describe how you established same : By observation of oil on side of vessel.

Violation reported by : Calif. Ship Service Time it occurred : 2200. 17 August, 1946

Action taken: Clean up operations in progress Time: 1135 19 August, 1946
Time: _____
Time: _____

Cooperation received: Good

Direction ship heading: West Ship side moored to dock: Port

Condition of vessel:

- (a) Down by head ()
- (b) Down by stern ()
- (c) Port list ()
- (d) Starboard list ()
- (e) Even keel (X)

Direction of drift of pollution in relation to vessel: Southwest

TIDE: STATE: Ebb Direction of wind: West

CG 26386
October 1942

FORCE OF WIND: 1. Very light () 2. Light (x) 3. Strong ()

AT TIME OF INSPECTION WERE OUTBOARD SEA VALVES SEALED? Yes

ESTIMATED AREA COVERED: 30 sq. feet TIME OBSERVED: 1220, 19 August, 1946

ACTION TAKEN TO STOP POLLUTION, AS OBSERVED BY PERSON REPORTING: At the time this spill was investigated the California Ship Service was in progress of cleaning up the oil in water.

SAMPLES TAKEN FROM SHIP:

NUMBER TIME PLACE

None

SAMPLES TAKEN FROM WATER:

NUMBER TIME PLACE

None

WERE PICTURES TAKEN OF SHIP? No OR OF WATER SURFACE? No

| WITNESSES: | <u>NAME</u> | <u>ADDRESS</u> | <u>PHONE</u> |
|------------|------------------------|-------------------------|------------------------------|
| | <u>Harold E. Shahn</u> | <u>USCG Repair Base</u> | <u>San Pedro, California</u> |

REMARKS: The Admiral E.W. Eberle is a United States Army Transport, the chief engineer of the vessel was interviewed and he stated that the oil spill that was caused by a leaky valve while loading fuel. The leak was stopped as soon as discovered and it is estimated that about five barrels was spilled into the navigable waters of the Los Angeles Harbor.

s/ DAVID E. GREEN
SIGNATURE
Chief Bos'n
RATE

FILE

UNITED STATES COAST GUARD REPORT OF VIOLATION

MERCHANT MARINE
REGISTRATION DIVISION

RECEIVED
AUG 28 1946

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Captain of the Port, Los Angeles

20 August, 1946

The U. S. Steam screw Admiral E. W. Eberle
 (Nationality) (Propulsion) (Name) (Official number)
San Francisco None U. S. Government (Army Transport)
 (Home port) (Kind of document) (Employment for which documented)
806 feet 15920 9340 \$9,000,000
 (Length) (Gross tonnage) (Net tonnage) (Approximate value)
Government Owned
 (Name of owner) (Address of owner)
E. A. Pefiffer
 (Name of master or person in charge) (Address of master or person in charge)

was boarded and examined at 1220 a. m., plus 8 zone time on 19 August, 1946
(Day)

19, in the 11th Coast Guard District
(Month) Los Angeles county, State of California
(Name of county, if known) (Name of State, if within a State)

while Moored in Los Angeles Harbor, Berth "A" Todd Yd.
(Underway, anchored, etc.) (Body of water)

bearing 0° true, 11th Coast Guard District miles distant from
(Prominent point of land)

(Lat. 0° ' " N., Long. 0° ' " W.)

The weather conditions prevailing at the time were as follows: Clear
(Moonlight, dark, fog, clear, etc.)
Calm

Port departed San Francisco, Calif.; port destined In yard for repairs. voyage.
(Inland, coastwise, ocean)

The following violations are reported:

| VIOLATION | STATUTE VIOLATED | PENALTY |
|--|---|---|
| (Give brief statement of violation such as "no fire extinguisher on board.") <u>Permitted oil to be discharged into the navigable waters of Los Angeles Harbor.</u> | (Cite section of U. S. Code such as, "46 USC 516.") <u>33 U.S.C. 431-437</u> | (Insert amount of penalty provided in statute for each violation.) <u>\$500.00 - \$2500.00</u> |
| <u>W. C. Gill</u> (Reporting officer) | | |
| <u>Captain of the Port, E. A. Pefiffer</u> (Title) | | |

Prepare two copies. Retain copy for files and forward original to District Coast Guard Officer.

REMARKS.—Give a brief yet informative statement of the facts constituting the violation. Such statement may be used in the process of remitting or mitigating the penalties involved, it is essential that the statement include any pertinent information which might be helpful to reviewing officers in determining the nature of the violation, the degree of culpability, the likely effect of such violation on enforcement generally, and the effect which the imposition of a penalty is likely to have on the offender. This statement should also indicate whether or not the owner or person in charge was instructed as to the requirements of the law violated and should include any pertinent comments made regarding the violation by the owner or person in charge:

The spill occurred while the vessel was loading bunkers at Berth "A", Todd Shipyard. The Second assistant engineer was in charge of the loading of the vessel. As soon as the spill occurred the flow of oil was stopped with the result, approximately five barrels of oil escaped over the side which covered an area of about 300 square feet. The spill was being cleaned at the time the spill was investigated.

was boarded and examined at _____ in the _____ in the _____
 County, State of _____
 bearing _____ miles distant from _____
 The weather conditions prevailing at the time were as follows:

The following violations are reported:

| VIOLATION | STATUTE VIOLATED | PENALTY |
|---|---|---|
| (Give brief statement of violation such as "no fire extinguisher on board") | (Cite section of U. S. Code such as "48 USC 818") | (Insert amount of penalty provided in statute for each violation) |
| DAVID E. DAVIS | | |

W. C. Gill
 (Reporting officer)

Captain of the Port, L. A. (Acting)
 (Title)

Prepare two copies. Retain copy for files and forward original to District Coast Guard Officer.