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DEPARTMENT OF JUSTICE

MR

UNITED STATES ATTORNEY
EASTERN DISTRICT OF LOUISIANA

NEW ORLEANS 12, LOUISIANA

December 28, 1944.

Captain of the Port
United States Coast Guard,
New Orleans, La.

In re: Violation of Oil Pollution Act; SS CAMPFIRE, U.S. Registry, Waterman Lines, Agent, moored to Stuyvesant Docks, Secs. 8 and 9, New Orleans, La., March 5, 1944. Your file No. 6614.

Dear Sir:

Reference is made to your communication dated March 10, 1944, reporting a violation of the Oil Pollution Act of 1924 in connection with the above matter.

The United States Engineer Office does not recommend prosecution in this case for the following reasons:

No eye witnesses to the violation; purely circumstantial. No evidence that oil in the river, on the piles, or on the side of the ship was not there before arrival of ship.

This office concurs in the above finding and we are therefore closing our file in the case.

Very truly yours,
For the U. S. Attorney

/s/ N. E. Simoneaux
Asst. U. S. Attorney.

NES:cam
cc
United States Engineer Office, New Orleans, La.

6614

NEW ORLEANS DISTRICT
U. S. COAST GUARD
NEW ORLEANS, LOUISIANA



UNITED STATES COAST GUARD

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Captain of the Port
New Orleans, La.

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10 March, 1944

To: THE COMMANDANT (OPS)

Via: DCGO, 8th Naval District (ops)

Subj: Oil Pollution Act, 1924; violation of

1. Forwarded herewith for your information is report of violation of Oil Pollution Act, 1924 (U.S.C. Title 33, Sec. 431-437), furnished in compliance with General Order No. 7, U. S. Treasury Department, U. S. Coast Guard, dated 2 September, 1941.

2. Sample of oil discharged into Mississippi River, together with sample of oil from vessel, has been forwarded with report to the District Engineer, War Department. Copy of report has been forwarded to U. S. Attorney.


P. A. SHORT

Incl

- 1. Report of W. A. Sickinger dated 5 March, 1944
- 2. Report of T. B. Wheeler dated 9 March, 1944



5. Mr. Robert J. Delaney, 3027 St. Philip Street, New Orleans, La., watertender aboard the CAMPIRE, stated that he had the 0800 to 1600 watch on 5 March, 1944, and that there was no activity in the engine room while he was on watch. He was interviewed at about 1200 on 5 March, 1944. He denied that the bilge pump was operated while he was on watch.

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Captain of the Port
New Orleans, La.

learned that none of the engineers assigned to the vessel had departed from the ship at various times since when any of them would return. The deck department was aware of the conditions existing involving the oil.

7. Conditions existing at the scene of the violation were as follows:
5 March, 1944

To: COTP Office, New Orleans, Louisiana

Subj: Violation of Oil Pollution Act; SS CAMPIRE, U. S. Registry, Waterman Lines, Agent, moored to Stuyvesant Docks, Sections 8 and 9, New Orleans, La., 5 March, 1944

1. Relative to subject, investigator received information from Lt. (jg) T. B. Prather, Duty Officer, Captain of the Port Office, New Orleans, La., on 5 March, 1944, at about 1115, that the SS CAMPIRE had discharged oil into the Mississippi River. Investigator proceeded immediately to the scene, where I met Boyd Uzzell, Sp. 1c (PS), assigned to COTP Office, New Orleans, Ensign L. D. Bailey, Volunteer Port Security Force, 3014 Calhoun Street, New Orleans, and Lt. Sam G. Peters, Volunteer Port Security Force, 7703 Plum Street, New Orleans, La. I learned that there had been no eye witnesses to the violation.

2. Interviewed Mr. John L. Erickson, residing at 1219 Poland Street, New Orleans, La., Relief Chief Engineer, employed by Waterman Steamship Co., and he informed me that he came aboard at 1200 on 4 March, 1944, to relieve the Chief Engineer, Mr. R. E. Carroll. Mr. Erickson stated that he knew nothing whatever about the oil being discharged into the river and that he had not ordered the bilges pumped at any time while he was on duty. Stated that he blew out the port boiler at 0400 on 5 March, 1944, took on water in the starboard tanks, and pumped up the starboard boiler to get it ready for inspection on 6 March, 1944. Mr. Erickson stated that he had not kept a log of his operations since coming aboard.

3. Mr. Erickson accompanied the writer, Uzzell, Lt. Peters, and Ensign Bailey to the engine room and pointed out an 8-inch line which he stated was connected to the bilge pump. It was out of this scupper that most of the oil found its way into the river. Connected to this line was a pump which Mr. Erickson stated was the bilge pump.

4. Interviewed Mr. G. B. Mabrey, watertender aboard the CAMPIRE, who had the engine room watch from 0000 to 0800 on 5 March, 1944. He informed me that the starboard bilge pump was not in operation at any time while he was on watch. Stated that the center boiler was the only one operating while he was on watch. At 0400 he stated that the port boiler was blown and that was all of the activity on his watch.

5. Mr. Robert J. Delaney, 3027 St. Philip Street, New Orleans, La., watertender aboard the CAMPFIRE, stated that he had the 0800 to 1600 watch on 5 March, 1944, and that there was no activity in the engine room while he was on watch. He was interviewed at about 1200 on 5 March, 1944. He denied that the bilge pump was operated while he was on watch. aboard the CAMPFIRE, Badge No. 203, National Corp. Service.

6. Investigator learned that none of the engineers assigned to the vessel were aboard, that all of them had departed from the ship at various times and it was not known when any of them would return. The deck department was ignorant of the conditions existing involving the oil.

(9) F. S. Williams, R.M. 20, USCG (R), assigned to SS Quarter

7. Conditions existing at the scene of the violation were as follows:

(a) The SS CAMPFIRE is moored at Stuyvesant Docks, New Orleans, La., between Sections 8 and 9. She is headed upstream with her starboard side to the docks, with about 3 feet separation between the skin of the ship and the piling and stringers. What Mr. Erickson claimed to be the bilge pump scupper is located aft of midships, about 100 feet from the stern of the ship, and is about 8 inches in diameter. A three-inch scupper leading from the overboard discharge to the fuel tanks is about 10 feet forward of the bilge scupper and about one foot below the plane of that scupper. From this scupper there was a thick oil still in evidence, though not flowing, and this oil fanned out as it made its way down the side of the ship into the river. A similar condition existed with the other scupper. The stringers and piling in line with the large scupper were covered with this thick oil and there was a considerable amount of oil under the docks from a point in line with the scupper extending to the stern of the vessel. Some of the oil was getting out into the current of the river and was being carried downstream.

(b) The physical facts present left no doubt that the oil came from the scuppers mentioned above.

(c) The following witnessed the conditions existing as outlined in paragraph (a) and are the same opinion as stated in 7 (b):

(1) Lt. Sam G. Peters, Volunteer Port Security Force, 7703 Plum Street, New Orleans, La.

(2) Ensign L. D. Bailey, Volunteer Port Security Force, 3014 Calhoun Street, New Orleans, La.

(3) Wm. A. Sickinger, C.Sp. (PS), Investigator, COTP Office, New Orleans, La.

(4) Boyd Uzzell, Sp. 1c (PS), assigned to COTP Office, New Orleans, La.

(5) John L. Erickson, 1219 Poland Ave., New Orleans, La., Relief Engineer aboard the CAMPFIRE.

(6) V. H. Cox, Customs Guard, 7544 Plum Street, New Orleans, La.

(7) Wm. Emerson, 1019 St. Ann St., guard aboard the CAMPFIRE, Badge No. 263, National Corp. Service.

(8) M. J. Manning, 447 Jackson Ave., guard aboard the CAMPFIRE, Badge No. 338, National Corp. Service.

(9) F. C. Williams, B.M. 2c, USCG (R), assigned to CG Quarter Barges, Algiers, La.

(10) E. P. Collins, Cox., USCG (R), assigned to CG Quarter Barges, Algiers, La.

(11) E. W. Hancock, Sea. 1c, Volunteer Port Security Force, 5500 Hurst Street, New Orleans, La.

8. Necessary samples were secured and are properly tagged with the name of the persons securing them. These samples accompany this report.

9. Photographs were taken by E. Bierhorst, S. 1c, USCGR, at the scene.

1. Continuing the investigation on 5 March, 1944, investigator proceeded to the scene on Monday morning 5 March, 1944, where the USCGC CAMPFIRE had gone to Todd-Johnson for docking. As there was still some oil on Sections 8 and 9 at Stuyvesant Cove, Algiers, La., was notified and a Coast Guard fireboat was directed to push the oil into midstream by means of a stream of water from her monitor.

2. Investigator then boarded the USCGC CAMPFIRE at Lower Todd-Johnson, and also at Orange Street Pier, where she was in the lines undergoing repairs. Interviewed Mr. R. E. Carroll, Chief Engineer, who denied knowledge of any oil being discharged from his vessel. Upon being shown the scupper from which the oil had been discharged, he stated that he did not know the point from which the scupper drained, and that it would be difficult for him to trace the source of the scupper. He stated that it was possible that it was a bilge scupper or a scupper from an overflow tank. Investigator then obtained a pipefitter foreman from Island Machine & Manufacturing Company and went down into the engine room to trace the source of the scupper. After considerable searching it was discovered that the scupper pipe leads directly to the settling tank on the starboard side about amidships. It was also learned that the only way in which oil could have passed through its scupper was by the overflowing of the settling tank.

Thomas E. Venner
THOMAS E. VENNERS
S.1c USCGR, CVR Investigator

Captain of the Port
New Orleans, La.

9 March, 1944

To: COTF Office, New Orleans, Louisiana

Subj: Violation of Oil Pollution Act; SS CAMPFIRE, U. S. Registry, Waterman Lines, Agen, moored to Stuyvesant Docks, Sections 8 and 9, New Orleans, La., 5 March, 1944.

1. Continuing the investigation begun by Chief Sickinger on 5 March, 1944, investigator proceeded to Stuyvesant Docks on Monday morning 6 March, 1944, where it was learned that the SS CAMPFIRE had gone to Todd-Johnson's lower plant for dry docking. As there was still considerable oil in the river at Sections 8 and 9 at Stuyvesant Docks, Ensign Weeks, USCGR, was notified and a Coast Guard fireboat was ordered to push the oil into midstream by means of a stream of water from her monitor.

2. Investigator then boarded the SS CAMPFIRE at Lower Todd-Johnson, and also at Orange Street Wharf, where she was in the lines undergoing repairs. Interviewed Mr. R. E. Carroll, Chief Engineer, who denied knowledge of any oil being discharged from his vessel. Upon being shown the scupper from which the oil had been discharged, he stated that he did not know the point from which the scupper drained, and that it would be difficult for him to trace the source of the scupper. He stated that it was possible that it was a bilge scupper or a scupper from an overflow tank. Investigator then obtained a pipefitter foreman from Boland Machine & Manufacturing Company and went down into the engine room to trace the source of the scupper. After considerable searching it was discovered that the scupper pipe leads directly to the settling tank on the starboard side about amidships. It was also learned that the only way in which oil could have passed through its scupper was by the overflowing of the settling tank.

Thomas E. Wheeler
THOMAS E. WHEELER
S.1c USCGR, COTF Investigator