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~~Commandant Bureau~~
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ODCGO, 8ND (1)
661
23 October, 1943

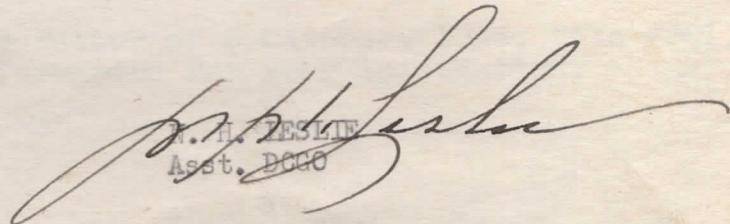
1943 OCT 29 AM 8 08

PORT SECURITY SECTION

To: The Commandant (OPS)

Subj: Violation of Oil Pollution Act by the S/S FAIRENO

1. Reference is made to indorsement of DCGO, 8ND (661) this date, bearing bearing on subject matter.
2. Basic communication, with inclosure, having further reference to subject matter, is forwarded herewith in accordance with Headquarters' directive of 18 August, 1943 (CG-100.18 MIN).


R. H. LESLIE
Asst. DCGO

CC: COTP (Primary), Houston, Texas

COPY

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DEPARTMENT OF JUSTICE
UNITED STATES ATTORNEY
Southern District of Texas

27-A3066

Houston, Texas
October 8, 1943

Lieutenant W. H. Seemann, Jr.
Captain of the Port
United States Coast Guard
Houston, Texas

Dear Sir:

In Re: Violation of Oil Pollution Act
Panamanian S/S FAIRENO
(Your File: 661)

Reference is here made to a memorandum bearing date of October 6, 1943, addressed by you to the United States Engineers Office at Galveston, Texas relative to an apparent violation of the Oil Pollution Act by the Panamanian Steamship "Faireno", occurring at Baytown, Texas, at the Humble docks on October 1, 1943.

Inasmuch as the report recites that the spill occurred from a break in the seams of the ship and since there is no evidence of any negligence on the part of the crew of the vessel, this office will not undertake prosecution of the matter. We are considering the matter closed in this office.

Yours very truly

DOUGLAS W. MCGREGOR
United States Attorney

By Assistant
/s/ W.F. Leigh

WFL*mk

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DEPARTMENT OF JUSTICE
UNITED STATES ATTORNEY
Southern District of Texas

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1943 OCT 29 AM 8 09

PORT SECURITY SECTION

Houston, Texas
October 8, 1943

27-43086

- LT. COMDR. STANLEY
- LT. COMDR. GULICK
- LT. COMDR. HUNT
- LT. DEL PRA
- LT. METZEN
- MR. LIVAN
- LT. COLES
- LT. KIEFERLE
- LT. BELVESTINE
- LT. WALTERS
- ENGTEN SLAUGHTER
- MR. BUTLER

Lieutenant W. H. Seemann, Jr.
Captain of the Port
United States Coast Guard
Houston, Texas

Act by the S/S FAIRENO

is forwarded herewith in accordance
August, 1943 (CG-100.18 MIN).

Dear Sir:

FILE

COMMENT:

In Re: Violation of Oil Pollution Act
Panamanian S/S FAIRENO
(Your File: 661)

Reference is here made to a memorandum bearing date of October 6, 1943, addressed by you to the United States Engineers Office at Galveston, Texas relative to an apparent violation of the Oil Pollution Act by the Panamanian Steamship "Faireno", occurring at Baytown, Texas, at the Humble docks on October 1, 1943.

Inasmuch as the report recites that the spill occurred from a break in the seams of the ship and since there is no evidence of any negligence on the part of the crew of the vessel, this office will not undertake prosecution of the matter. We are considering the matter closed in this office.

Yours very truly

DOUGLAS W. MCGREGOR
United States Attorney

By

Assistant

/s/ W.F. Leigh

WFL:mk

VIOLATION OF: Oil Pollution Act (Title 33, U.S.C., Sects. 431-437)

BY: S/S Faireno (Panamanian Tanker)

OWNED BY: War Shipping Administration

OPERATED BY: Cities Service Oil Co., New York City.

DATE OF OFFENSE: 1 October, 1943

LOCATION: Berth #1, Humble Docks, Houston Ship Channel,
Baytown, Texas

OUTLINE OF OFFENSE: Oil spill resulting from a break in the seams of the ship in tank No. 2 which caused leakage of oil covering an area approximately 100 feet with widths up to thirty feet from midship to stern.

VIOLATION REPORT FILED: 6 October, 1943

ORIGINAL ROUTED TO:	DISTRICT ENGINEER, U.S. ARMY:	<u>X</u>
COPIES TO:	COMMANDANT, U.S. COAST GUARD:	<u>X</u>
	U. S. ATTORNEY	<u>X</u>
	DCGO 8ND	<u>X</u>
	MERCHANT MARINE INSPECTION	<u>X</u>
	FILE	<u>X</u>

DATE OF TRIAL: --

COURT IN WHICH TRIES: --

RESULT OF TRIAL: --

COMMENT: United States Attorney, Southern District of Texas, in letter dated 8 October, 1943, File 27-A3066, to COTP, Houston, Texas, refused to prosecute case on ground that there was no negligence on the part of the crew.

W. H. SEEMANN, JR.
Captain of the Port