

Ind-2  
DCCO, 8ND (ops)  
6614  
29 July, 1944

*Comdr Lykes*  
*run*  
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To: The Commandant (OPS)

Subj: Oil Pollution Act of 1924, 33 USC, 431-437; violation by FREDERICK LYKES, 16 July, 1944

Forwarded.

*J. J. Gidiere*  
J. J. GIDIERE  
By direction

*[Faint signature]*

*[Faint signature]*

UNITED STATES COAST GUARD



ADDRESS REPLY TO

Galveston, Texas

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

CAPTAIN OF THE PORT (1)  
AND REFER TO 6614

JUL 24 8 30 AM '44

AN ACP F IOF NV OSO PT  
BP L MED OP ORD SC  
CM MIN PA PU  
E RV P T

21 July, 1944

To: The Commandant

Via: 1. Commanding Officer, Coast Guard Base, Galveston, Texas  
2. District Coast Guard Officer, Eighth Naval District

Subj: Oil Pollution Act of 1924, 33 USC, 431-437; violation by FREDERICK LYKES, 16 July, 1944

Ref: (a) HQ ltr to all DCGOS 18 August, 1943 (CG-100.18 Min.).  
(b) DCGO 8ND ltr to COTP, Galveston 18 September, 1943, (6614) Enforcement of the Oil Pollution Act.  
(c) HQ Dispatch to all DCGOS 231920 (October ).

In accordance with References (a), (b) and (c) inclosure is forwarded.

*F. J. Simmen*  
F. J. SIMMEN

Incl. Copy of file in subject case.

Ind-1  
CG Base, Galveston, Texas  
21 July, 1944

Forwarded.

*W. G. Etheridge*  
W. G. ETHERIDGE  
By direction

Captain of the Port (1)  
CAPTAIN OF THE PORT (1)  
6614

Galveston, Texas  
July 21, 1944

Mr. Almond J. Mayberry, the second assistant engineer, of 215 - 87th Street, Brooklyn, New York, was in charge of operations, and is accused as the spill appears to have resulted from his negligence in failing to pump through the oil and water separator for a sufficient length of time.

District Engineer, U. S. Army  
Galveston, Texas

Sir:

Here is a report of the violation of the Oil Pollution Act of 1924, 33 USC, 431-437 by the United States Army Transport Frederick Lykes at Todd-Galveston Dry Dock, Galveston, Texas on 16 July, 1944. Facts in the case are as follows:

The Frederick Lykes, a steam screw vessel under the United States flag, is owned by the War Department, U. S. Army, Washington, D. C., and is operated by the Water Division, Transportation Corps, Washington, D. C., through the Port of Embarkation, New Orleans, Louisiana. The master of the vessel is Milford R. Hoffmann, 34 Dunstan Road, Jamaica Plain, Massachusetts.

The above vessel arrived in Galveston, Texas, at 11:00 p.m., 26 June, 1944, and proceeded to Todd-Galveston Dry Docks for the purpose of undergoing repairs. On 15 July, 1944, at 3:00 p.m., she shifted to pier 14 east slip. At about 6:30 p.m. on the latter date, pumping operations were commenced to remove ballast from the No. 1 double-bottom tank. While this ballast was being pumped overboard through the oil and water separator, a large quantity of oil overflowed from the sediment tank and escaped into the engine room bilge. Soon after this overflow occurred, the pumping apparatus developed mechanical defects, which necessitated discontinuance of pumping operations until necessary repairs could be made.

At about 9:00 a.m. on the following morning, the necessary repairs had been completed and pumping operations were resumed. However, since oil had been spilled in the engine room bilge the previous evening, it was now necessary to pump that bilge, and consequently, the ballast from the No. 1 double-bottom tank and the refuse from the engine room bilge were being pumped overboard simultaneously. For about the first fifteen minutes after pumping operations were commenced, the oil and water were pumped overboard through the oil and water separator, and then the valve to the oil and water separator was closed, allowing the refuse and ballast to go directly overboard. However, the discharge from the pumps still contained oil, and before pumping operations could be stopped about fifty-five gallons of oil escaped into the waters of Galveston Harbor.

Galveston, Texas  
17 July, 1944

Captain of the Port (1)

6614

21 July, 1944

FREDERICK LYKES

Second Joseph Mayberry, 315 87th St., Brooklyn, N.Y.  
by the U. S. Army as 2nd Assistant Engineer aboard  
the U.S. U.S.A.T. Frederick Lykes. My identification number is  
2-164398.

Mr. Elwood J. Mayberry, the second assistant engineer, of 315 - 87th Street, Brooklyn, New York, was in charge of operations, and inasmuch as the spill appears to have resulted from his negligence in failing to pump through the oil and water separator for a sufficient length of time before pumping the discharge directly overboard, we are reporting this spill to the Officer in Charge, Merchant Marine Inspection, U. S. Coast Guard, for his information.

Statements were taken from Elwood Joseph Mayberry, second assistant engineer of the vessel; Edmund F. Nelson; and Coastguardsmen J. C. Johnston and R. C. Bagby. Copies are attached for your information. Samples of the oil were taken from the water and from the bilge of the vessel. These samples, together with the originals of the statements taken, will be retained in this office for use by the U. S. Attorney.

Directly overboard through the bilge and the oil was pumped on the starboard side of the ship.

Yours very truly,

I estimate that approximately a 1/2 gallon of oil went overboard into the Galveston Bay. The oil came from the line itself and from the bilge.

F. E. SIMMEN

Lieutenant, U. S. Coast Guard Reserve  
Captain of the Port, Galveston

The trouble was that we were transferring the pumps overboard and we had to have let the refuge go through the oil and water separator until we were sure there was no longer any oil being pumped.

Incl.

Copies of statements of Mayberry,  
Nelson, Johnston and Bagby.

CC: The Commandant, U. S. Coast Guard, Washington, D. C.  
DCGO, Eighth Naval District, New Orleans, La.  
U. S. District Attorney, Houston, Texas  
Merchant Marine Inspector in Charge, Galveston, Texas

Although I was not officially on duty, I was present at the time of the above-mentioned oil spill, and am aware of just what happened. I have read the 2nd Assistant Engineer's statement and find it to be true and correct.

However, I wish to add that one man, Salvatore, Ballino, Jr., 2nd Asst. 2-30260, was detailed to stand watch on the deck of the ship to watch and keep us advised if and when oil goes overboard. In this case when he saw oil going overboard, he called down to the engine room and pumping was stopped, and a charge went to again pump into the oil and water separator until all oil was disposed of.

Galveston, Texas  
17 July, 1944

My name is Elwood Joseph Mayberry, 315 87th St., Brooklyn, N.Y. I am employed by the U. S. Army as 2nd Assistant Engineer aboard the S.S. U.S.A.T. Frederick Lykes. My identification number is Z-166190.

At 6:30 p.m., 15 July, while at Pier 14, Galveston Harbor, we were in the process of pumping water from the #1 double-bottom tank through the oil and water separator when the refuge from the separator overflowed the sludge tank, thus losing some oil into our bilges. During this process, the rheostat of the pump burned out. We could not pump any more until repairs were made.

At 9:00 a.m., 16 July, we had repaired the pump and again started pumping. We were pumping from the #1 double-bottom tank and from the engine room bilge, both at the same time into the oil and water separator. We pumped into the separator for approximately fifteen minutes, until we thought the oil was out of the line, then shifted the refuge from going into the separator tank to going directly overboard through the bilge and ballast overboard on the starboard side of the ship.

I estimate that approximately a barrel or 55 gals. of oil went overboard into the Galveston Harbor. This oil came from the line itself and from the bilge.

The trouble was that we did not wait quite long enough before transferring the pumps overboard. We should have continued to have let the refuge go through the oil and water separator until we were sure there was no longer any oil being pumped.

I have read the above statement and find it to be true and correct.

/s/ Elwood Joseph Mayberry

Although I was not officially on duty, I was present at the time of the above-mentioned oil spill, and am aware of just what happened. I have read the 2nd Assistant Engineer's statement and find it to be true and correct.

However, I wish to add that one man, Salvatore, Solline, Jr., 3rd Asst. Z-302609, was detailed to stand watch on the deck of the ship to watch and keep us advised if and when oil goes overboard. In this case when he saw oil going overboard, he called down to the engine room and pumping was stopped, and a change made to again pump into the oil and water separator until all oil was disposed of.

During the time he called to me and the time it took to shut off the pump, one barrel went overboard.

Galveston, Texas  
16 July, 1944

/s/ Edmund F. Nelson

At 1730, July 16, 1944, the Coast Guard Auxiliary Picket Boat #38831 notified this office that there was an oil spill at Pier 14 slip. Johnston, J. C. Cox'n (587-614) and Bagby, R. G. CSp (510-761) immediately proceeded to Pier 14. He observed oil on top of the water on the starboard side and stern of the Frederick Lykes docked at Pier 14. After inquiring we were informed that the leakage occurred when the Frederick Lykes was pumping out the bilges. Johnston, J. C. Cox'n (587-614) and Bagby, R. G. CSp (510-761) took samples from bilges and Pier 14 slip.

The proper procedure was taken and signed statements were secured.

/s/ J. C. Johnston, Cox'n (587-614)

/s/ R. G. Bagby, CSp (510-761)

C O P Y

Galveston, Texas  
16 July, 1944

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The proper procedure was taken and signed statements were secured.

/s/ J. C. Johnston, Cox'n (587-614)

/s/ R. C. Bagby, CSp (510-761)

C O P Y