

7-9

*Handwritten signature*

*Handwritten initials*

UNITED STATES COAST GUARD

NEW ORLEANS 9, LA

ADDRESS REPLY TO **CAPTAIN OF THE PORT**  
~~DISTRICT COAST GUARD OFFICER~~  
EIGHTH NAVAL DISTRICT  
REFER TO FILE: **CG-6614**

RECEIVED

JAN 5 - '45 PM



1945 JAN 5 PM 3 53

30 December, 1944

PORT SECURITY SECTION



To: THE COMMANDANT (OPS)

Via: DCGO, 8th Naval District (ops)

Subj: Oil Pollution Act, 1924; violation of

AN  
ACP  
DE  
AX  
UM  
E  
F  
IOF  
L  
MED  
MIN  
MV  
NV  
OSD  
OP  
ORD  
PA  
P  
PT  
SC  
PUC  
S  
T

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

*Handwritten signature*  
P. A. SHORT

Incls

- 1. Report of Geo. W. LeBlanc, Sp.lc(PS)USCGR - 26 Dec., 1944
- 2. U. S. Customs Laboratory Report #3783/4 - 30 Dec., 1944.

Ind-1

DCGO, 8ND (ops)  
2 January, 1945

To: The Commandant (OPS)

Forwarded.

*Handwritten signature*  
J. J. GIDIERE  
By direction

New Orleans, Louisiana  
26th December, 1944

CAPTAIN OF THE PORT

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

To: Commanding Officer, Coast Guard Base, 1000  
CG-6614 Custom House, New Orleans, Louisiana.

30 December, 1944  
Discharge of oil contaminated ballast water into  
the Mississippi River by the S. S. BERNADETT, WHITON,  
at Custom Street Wharf, New Orleans, Louisiana,  
1944, at about between 1100 and 1130.

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. Analysis of oil discharged into the Mississippi River, together  
with analysis of oil from vessel, has been forwarded with report to the  
District Engineer, War Department. Copy of report has been forwarded  
to the U. S. Attorney.  
The surface  
of the water under the wharf structure in this area was also  
covered with oil. An examination of the surface of the water  
ahead of midships and ahead of the bow of the vessel revealed  
that it was clear of oil.

P. A. SHORT

3. Upon boarding the vessel to determine the nature of  
the circumstances surrounding the oil discharge, I spoke with  
Joseph Henry Myers, Chief Engineer, and he readily admitted  
that the oil had been discharged from his vessel. He explained  
that some time prior to the time of the oil discharge, the

Incls  
1. Report of Geo. W. LeBlanc, Sp.1c(PS)USCGR - 26 Dec., 1944  
2. U. S. Customs Laboratory Report #3783/4 - 30 Dec., 1944.  
The vessel had a port and starboard side. On 23rd December, 1944, sound-  
ings were taken of these tanks and the readings were as follows:  
\* Number 5 tank showed one inch on the port side and two inches  
on the starboard. Number 6 tank showed three inches on the  
port and four inches on the starboard. All soundings were  
taken from the end of the section line which is one or two  
inches from the bottom of the tanks. He went on to say that  
he ordered the Third Assistant Engineer, Herbert E. Cox, to  
pump the ballast in number 5 and number 6 tanks and also or-  
dered him to stand by the ballast pump on 26th December, 1944,  
at about 0930, and the operation was begun at that time or  
within a very short time thereafter. The ballast pump was

New Orleans, Louisiana  
26th December, 1944

To: Commanding Officer, Coast Guard Base,  
Custom House, New Orleans, Louisiana.

Subj: Discharge of oil contaminated ballast water into  
the Mississippi River by the S. S. HERMAN F. WHITON,  
St. Andrew Street Wharf, New Orleans, Louisiana,  
26th December, 1944, at about between 1100 and 1130.

1. On 26th December, 1944, while making a routine inspection of the waterfront for possible sources of oil pollution, I arrived at St. Andrew Street Wharf at about 1510. Moored to this wharf, headed upstream, was the S. S. HERMAN F. WHITON, property of the Union Sulphur Company with offices in the Richards Building, New Orleans, Louisiana, and under time charter to the W. S. A., said charter being in existence on the date and time mentioned in subject.

2. An examination of the area revealed a considerable accumulation of oil on the surface of the water from amidships on the starboard or inboard side to the stern. The surface of the water under the wharf structure in this area was also covered with oil. An examination of the surface of the water ahead of amidships and ahead of the bow of the vessel revealed that it was clear of oil.

3. Upon boarding the vessel to determine the nature of the circumstances surrounding the oil discharge, I spoke with Joseph Henry Gyere, Chief Engineer, and he readily admitted that the oil had been discharged from his vessel. He explained that some time prior to the time of the oil discharge, the vessel had a port list. To correct this condition, he ordered the ship trimmed by pumping ballast from tank number 5 and tank number 6. These two tanks are separated so that each had a port and starboard side. On 23rd December, 1944, soundings were taken of these tanks and the readings were as follows: - Number 5 tank showed one inch on the port side and two inches on the starboard. Number 6 tank showed three inches on the port and four inches on the starboard. All soundings were taken from the end of the suction line which is one or two inches from the bottom of the tanks. He went on to say that he ordered the Third Assistant Engineer, Herbert T. Cox, to pump the ballast in number 5 and number 6 tanks and also ordered him to stand by the ballast pump on 26th December, 1944, at about 0930, and the operation was begun at that time or within a very short time thereafter. The ballast pump was

New Orleans, Louisiana

26 December, 1944

operating at approximately 500 or 600 gallons per minute and is connected to a four inch line with the discharge located at about amidships on the starboard side.

4. Mr. Gyere stated that to the best of his knowledge there had been no oil in the tanks referred to, however, he admitted that these tanks can carry fuel oil. It was at about between 1100 and 1130, 26th December, 1944, while he was speaking with the laundryman near the starboard side of the vessel, that he saw oil pouring through the ballast discharge outlet on the starboard side of the vessel, about amidships. He immediately went to his quarters, telephoned to the Third Assistant who was standing by the ballast pump and ordered him to shut down. This stopped the flow of oil.

5. A sample was secured from the river by investigator and Myles C. Floyd, B.M.1c, U.S.C.G.R., commanding officer of the CG 38803, summoned to assist in securing an oil sample from the river. This sample was taken from the water at a point about amidships, starboard side. A second sample was secured from the ballast pump in the engine room. Both samples have been submitted to the U. S. Customs Laboratory for analysis and a copy of their findings accompanies this report.

6. Signed statements were obtained from Joseph H. Gyere, Chief Engineer; Herbert T. Cox, Third Assistant Engineer; Gervais P. Galennie of the U. S. Coast Guard Volunteer Port Security Force and from Myles C. Floyd, B.M.1c, U.S.C.G.R., commanding officer of the CG 38803. The originals of these statements accompanies the original of this report, with certified copies of the original attached to the copies of this report.

*J. P. Taylor*  
J. P. TAYLOR, Chief Warrant Officer  
U.S.C.G.R.

*George W. LeBlanc*  
Geo. W. LeBlanc, Sp. 1/c, (PS), USCGR  
CG Base, Custom House, New Orleans, La.

New Orleans, Louisiana  
26 December, 1944

My name is Joseph Henry Gyere. I reside at 43 North 56th St., Philadelphia, Penn. I am employed as Chief Engineer aboard the S. S. HERMAN F. WHITON. I would state that I was on duty on 26th December, 1944 at which time we were docked at the St. Andrew Wharf, New Orleans, Louisiana, headed upstream in the Mississippi River. I would state that at about 9:30 a.m. the vessel had a slight list to port. I gave orders to pump ballast in order to right the vessel. I had the third assistant engineer stand by the ballast pump in case any oil would pass through the pump. The discharge pipe is on the starboard side amidships, so I stood by on the weather deck to see if any oil would pass through the discharge pipe, so I could order the third assistant to shut off the pump. Between 11:00 and 11:30 a.m., I saw the oil passing through the discharge pipe and going into the river, so I immediately gave orders to stop the pump. I have been employed on board this vessel for a period of two years, and to my knowledge the tanks contained no oil.

Signed: Joseph H. Gyere

Certified to be a true copy

Witness: George W. LeBlanc, Sp.1/c (PS)  
U.S.C.G.R.

*J. F. Taylor*  
J. F. TAYLOR, Chief Warrant Officer

Certified to be a true copy  
of the original:

*J. F. Taylor*  
J. F. TAYLOR, Chief Warrant Officer  
U.S.C.G.R.

New Orleans, Louisiana  
26 December, 1944

My name is Herbert T. Cox. I reside at Ray City, Georgia, P.O. Box 95. I am employed aboard the S. S. HERMAN F. WHITON as third assistant engineer. I would state that I was on duty on December 26, 1944 while we were moored to the docks at the St. Andrew Wharf, New Orleans, Louisiana. At about 9:30 a.m. I received orders from the chief engineer to pump the ballast in numbers 5 and 6 tanks. I stood by the pumps to watch the pipe from the discharge line to see if any oil was passing through the line. Some time after 11:00 a.m. I received orders to shut off the pump which I did. To my knowledge no oil went through the line.

Signed: Herbert T. Cox

Witness: George W. LeBlanc, Sp.1/c, (PS)  
U.S.C.G.R.

CERTIFIED TO BE A TRUE COPY  
Certified to be a true copy  
of the original:

*J. F. Taylor*  
J. F. TAYLOR, Chief Warrant Officer  
U.S.C.G.R.

New Orleans, Louisiana  
26 December, 1944

My name is Myles C. Floyd. I am employed by the U. S. Coast Guard Reserve (T) Volunteer Port Security Force. My name is Gervais P. Gaiennie. I am a B.M.1/c in the U. S. Coast Guard Reserve (T) Volunteer Port Security Force. I would state that I was on duty on 26 December, 1944 when at about 1515, I observed oil in the river between the wharf and the S. S. HERMAN F. WHITON which is docked at the St. Andrew Wharf curtain 60. I also saw oil on the water around the pilings of the wharf, New Orleans, Louisiana. The oil was aft of the gangplank or amidships and extended nearly to the stern of the HERMAN F. WHITON. I helped obtain a sample from the river by placing a bucket on a line and dipping it into the water. Signed: G. P. Gaiennie

Witness: George W. LeBlanc, Sp.1/c, (PS)  
U.S.C.G.R.

Signed: Myles C. Floyd

CERTIFIED TO BE A TRUE COPY  
OF THE ORIGINAL:

Witness: George W. LeBlanc, Sp.1/c, (PS)  
U.S.C.G.R.

J. F. Taylor  
J. F. TAYLOR, Chief Warrant Officer  
U.S.C.G.R. to be a true copy  
of the original:

J. F. Taylor  
J. F. TAYLOR, Chief Warrant Officer  
U.S.C.G.R.

New Orleans, Louisiana  
26 December, 1944

New Orleans, La.

12/30/44

My name is Myles C. Floyd. I am employed by the U. S. Coast Guard as a Boatswain's Mate, first class. I am, at present, in charge of the CG 38803, a Coast Guard picket boat. I would state that I was on duty on 26 December, 1944 when at about 1720 I arrived at the St. Andrew Wharf, where I was instructed to assist George W. LeBlanc, Sp.1/c, (PS) in obtaining a sample of oil from the river at this spot. When I arrived at the St. Andrew St. Wharf, I found moored to the docks there headed upstream in the Mississippi River, the S. S. HERMAN F. WHITON. Upon arrival, I observed oil on the water from about amidships of the S. S. HERMAN F. WHITON to near the stern and also beneath the wharf. I helped obtain a sample from the river by placing a bucket on a line and dipping it into the water. I would state the oil was between the S. S. HERMAN F. WHITON and the wharf, St. Andrew St., at New Orleans, Louisiana.

Total amount received -----	1/2 pint	1 quart
Percent oil -----	100%	75%
Percent oil-water emulsion -----		
Analysis of oil portions	Signed: Myles C. Floyd	
Specific Gravity at 60° F -----	0.972	0.972
Odor -----	petroleum	petroleum
Specific Gravity at 60° F -----		mineral oil
Witness: George W. LeBlanc, Sp.1/c, (PS)		
U.S.C.G.R.		
Initial -----	240° C	could not distill
25 over at -----	250° C	because of oil-
10% over at -----	290° C	water emulsion
17% over at -----	305° C	
Certified to be a true copy -----	305° C	

Certified to be a true copy of the original:

Analysis shows these oils to be heavy petroleum oils, having similar characteristics.

*J. F. Taylor*

J. F. TAYLOR, Chief Warrant Officer  
U.S.C.G.R.

✓  
SLT

✓  
George E. Hoover, Acting



2 samples

New Orleans, La.

12/30/14

OIL WATER MIXTURE

12/27/14

Coast Guard

H.O.

Sample taken from fuel pump in engine room SS HERMAN F. WHITON; sample taken from river between SS HERMAN F. WHITON & St. Andrew wharf between amidships & stern

## Analysis

1 sample of dark oil, and 1 sample of dark oil-water.

Sample -----	<u>from fuel pump</u>	<u>from river</u>
Total amount received -----	1/2 pint	1 quart
Percent oil -----	100%	75%
Percent oil-water emulsion -----	0%	25%
Analysis of oil portion:		
Specific Gravity at 25° C -----	0.968	0.972
Odor -----	petroleum	petroleum
Saponification -----	mineral oil	mineral oil
Distillation:		
Initial boiling point -----	240 C	Could not distill
5% over at -----	280 C	because of oil-
10% over at -----	290 C	water emulsion
17% over at -----	305 C	
End Point -----	305 C	

Analysis shows these oils to be heavy petroleum oils, having similar characteristics.

SLT

George E. Hoover, Acting