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CG-6614

28 June, 1946

To: The District Engineer, U.S. Engineer Office, Ft. Norfolk, Norfolk 1, Va.

Via: Commander, Fifth Coast Guard District

Subj: SS JOHN L. McCARLEY; investigation of alleged violation of Oil Pollution Act.

Ref: (a) COTP Norfolk letter 25 June, 1946 (CG-6614)

There is forwarded herewith as inclosure, statement of eye-witness to violation of Oil Pollution Act by subject vessel on 24 June, 1946, for inclusion in the investigative report, reference (a).

Q. McK. GREELEY

Incl: Statement, deck watch of USS JOHN L. McCARLEY

CC. HQ(MVI) ✓  
CC. Com 5CGD(omi)

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Comdr 5thCGDist

28 June, 1946

Forwarded.

N. C. MANYON  
Acting

File  
✓

U.S. Coast Guard



CG-6614

25 June, 1946

To: The District Engineer, U. S. Engineer Office, Fort Norfolk, Norfolk 1, Va.  
Via: Commander, Fifth Coast Guard District  
Subj: SS. JOHN L. McCARLEY; investigation of alleged violation of Oil Pollution Act

1. On 24 June, 1946, representative from this office investigated verbal complaints of oil pollution of navigable waters by subject vessel while moored to the South side of Chesapeake and Ohio Railroad Pier No. 5, Newport News. Complaints originated from employees of C&O RR at Newport News.

2. As a result of the investigation the following information was obtained and reported to this office, and is submitted to the District Engineer for decision as to subsequent prosecution procedure:

(a) Vessel - SS JOHN L. McCARLEY, of American registry, lying at the South side of Chesapeake and Ohio Railroad Pier No. 5, Newport News, Va.

(b) Owner, operator, agent - The McCARLEY is owned by the War Shipping Administration, operated by the U. S. Lines, and U. S. Lines are agents locally.

(c) Signed (joint) statement of Master and Chief Engineer of the McCARLEY (Inclosure 1).

(d) Signed statement of the night engineer aboard the McCARLEY on 24 June (Inclosure 2).

(e) No estimate is made of the amount of oil involved in the reported pollution.

(f) Samples of oil taken from the water alongside the McCARLEY and from the engine room of the McCARLEY (Under separate cover)

(g) Signed statement of Opsitnik, M. K., CGM, USCG (Inclosure 3).

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(h) Reported pollution occurred at about 5:00 a.m. on 24 June, 1946, at Newport News, Va. (See log entry as contained joint statement, Inclosure 1).

3. It appears that the night deck watch aboard the SS JOHN L. McCARLEY was the only witness to the act of oil pollution, and from entry made by the night engineer, that officer upon being notified that oil was going over the side of the vessel into the water, took immediate action to stop the flow of oil. At the time when the COTP investigator, M. K. Opsitnik, arrived at the scene of the pollution, the deck watch who had witnessed the pollution was not available to make a statement; efforts to locate, identify, and obtain a statement from this man are continuing.

C. McK. GREELLY  
Commander, USCG  
Captain of the Port  
Norfolk, Virginia

Incls: 1. Statement, Master and Chief Engineer of the SS JOHN McCARLEY  
2. Statement of the night engineer of the SS JOHN McCARLEY  
3. Statement of M. K. Opsitnik, CGM, USCG

CC: H. (LVI)  
Comdr5thCGDist (omi)

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Comdr5thCGDist  
27 June, 1946

Forwarded.

T. A. SHANLEY  
Rear Admiral, USCG  
Commander, Fifth Coast Guard District

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MERCHANT MARINE  
REGISTRATION DIVISION

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CG-6614

24 June, 1946

**STATEMENT OF OPSITHIK, M.K., CGM, USCG:**

At or about 1140 June 24, 1946, I boarded the SS JOHN L. McCARLEY, moored southside Pier # 5, Newport News, Va. to investigate an oil pollution complaint, made by various employees of the C & O Railroad. I contacted the Master and the Chief Engineer. They stated they were familiar with the Oil Pollution Act.

The Chief Engineer stated that he was not on board the vessel at the time of the pollution. This act of pollution occurred during the morning of June 24, at approximately 0500. A.J. Carson, Night Engineer was on watch. The Night Engineer entered in the Engineer's Log the cause of this act of pollution. I read the Log and found this to be correct.

After having the Master and the Chief Engineer sign the statements they gave me, I left the vessel. I returned at 1830, June 24, in order to question the Night Engineer, A.J. Carson. Assigned statement was received from him, which corresponds with that made by the Master and the Chief Engineer.

In the company of the Chief Engineer and the Night Engineer, I personally made an examination of the disassembled relief valve, mentioned in the Engineer's Log and in the Night Engineer's statement, and concluded that action of valve was faulty due to weakness of the spring which operated to seat the ball check in the valve seat.

I was unable to locate and obtain a statement from the Deck Watch, who allegedly preserved the Act of Oil Pollution and reported it to the Engine Room, but it appears to me that Log entry as made by the Night Engineer is correct and true, and indicates immediate steps were taken to stop the overflow of oil into the waters of Newport News.

In my opinion the Act of Oil Pollution was accidental, and not due to the negligence on the part of any person.

*M. K. Opsithik*  
M.K. OPSITHIK  
Chief Gunner's Mate,  
U.S. Coast Guard

Norfolk, Virginia  
24 June, 1946

WITNESS:

*Q. McK. Greeley*  
Q. McK. GREELEY  
Commander,  
U.S. Coast Guard