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DEPARTMENT OF JUSTICE

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UNITED STATES ATTORNEY

Eastern District of Louisiana

NEW ORLEANS 12, LOUISIANA

December 28, 1944.

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

In re: Discharge of oil into the Mississippi River by the towing vessel MATAGORDA August 28, 1944, Bianville St. Wharf, New Orleans, La. Your file CG-6614.

Dear Sir:

Reference is made to your communication dated September 13, 1944, reporting a violation of the Refuse Act in connection with the above matter.

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

Apparent failure of equipment responsible; no negligence of personnel. Small quantity of oil discharged.

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

Very truly yours,
For the U. S. Attorney

/s/ N. E. Simonèaux,
Asst. U. S. Attorney.

NES:cam

cc

United States Engineer Office, New Orleans, La.

UNITED STATES COAST GUARD

ADDRESS REPLY TO
CAPTAIN OF THE PORT
NEW ORLEANS, LOUISIANA
AND REFER TO
CG-6614

RECEIVED RES

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



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MATABORDA

Legal
8-7

13 September, 1944

PORT SECURITY SECTION

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.

P. A. Short
P. A. SHORT

Incls

- 1. Report of W.A.Sickinger, C.Sp(PS)USCGR - 12 Sept., 1944
- 2. U. S. Customs Laboratory Report #2352/3 - 11 Sept., 1944

Ind-1

DCGO, 8ND (ops)

6614

15 September, 1944

To: The Commandant (OPS)

Forwarded.

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

1944 SEP 21 AM 9 57
MERCHANT MARINE INSPECTION DIVISION

Oil Discharge.

New Orleans, La.
12th September, 1944.

To:- Commanding Officer, Coast Guard Base,
Customhouse, New Orleans, Louisiana.

Subject:- Discharge of oil into the Mississippi River by
the towing vessel MATAGORDA, 28th August, 1944,
at about 10:30 a.m., Bienville Street Wharf,
New Orleans, Louisiana.

1. Relative to subject, the office of Captain of the Port, U. S. Coast Guard, received information from Lt. F. W. Darrow, Security Officer, U.S.C.G.R., that there was a coating of oil on the surface of the water at Bienville Street Wharf. Investigator proceeded to the above location where I met Lt. Darrow. We saw a coating of light oil over the surface of the river and under the wharf structure. Because of a back stream eddy at this location, the oil was moving upstream on the water. Tracing the oil down, it was noticed that there was a considerable collection of oil on the starboard side of a towing vessel, the MATAGORDA, moored at the lower end of Bienville Street Wharf. It was from this collection of oil about the starboard side of the MATAGORDA and under the wharf structure that the oil was flowing upstream.

2. The towing vessel MATAGORDA is the property of the War Shipping Administration and is operated by the Moran Towing and Transportation Company, Inc., a New York Corporation, 17 Battery Place New York City, with local offices in the Maison Blanche Building, New Orleans, La.

3. Investigator boarded the MATAGORDA and spoke with Charles W. Sikes, the Chief Engineer. He informed me that on 28th August, 1944, at about 10:30 a.m., it became necessary for him to have the contents of the number one center deep tank undredged and put into number two deeps in order that clean, fresh fuel might be placed in the number one center deep tank. The number one center deep contained oil and water, the oil being a light diesel. It was during the course of this operation that, because of defective tankometers on the number two deeps, that there was an overflow, permitting, according to Mr. Sikes, about one half barrel of oil to reach the River through the overflow line. This was caused by overflowing the number two deeps. Mr. Sikes stated that during the transfer process he was watching the tankometers personally; that when the tanks overflowed the tankometer indicated that the number two deeps were 2500 gallons short of being full.

4. The Second Assistant Engineer, Joseph A. Cedotala, stated that prior to the time of the oil discharge, the vessel had a

MATAGORDA
Oil Discharge.

New Orleans, La.
28 August, 1944
12 September 1944.

My name is Joseph A. Gedeale, and I reside
in No. 511 Independence St., New Orleans, La. I
slight list to starboard (which the Chief Engineer ordered corrected
by shifting fuel oil from the center deep tank into the number two
deeps. It was during this operation there was an overflow of the tanks
causing a spill of oil into the Mississippi River.

5. A sample of oil was obtained from the line connect-
ing the tanks and another sample was obtained from the Mississippi
River alongside the MATAGORDA. Both samples were properly marked and
were submitted to the U. S. Customs Laboratory for analysis. A copy
of the analysis accompanied this report. Signed statements of the
Chief Engineer and Second Assistant Engineer are attached hereto.

The port tank, I immediately
that tank and wiped up the
leak. It was at about 11:30
He told me that there was oil on the water in
the river on our starboard side. I looked and
saw the oil on the water, shut off the valve on
the starboard tank and relayed the information
to the Chief Engineer who shut down the pumps.
The oil which got into the river came through the
overflow line on the starboard side of the ship
below the water line. This was caused by over-
filling the number two tanks. At the next, one
barrel of oil got into the river and it was clean
fuel oil, a light diesel. The above statement is
true and correct in detail.

Wm. A. Sickinger
Wm. A. Sickinger, C.Sp., (PS), USCGR.

JOSEPH A. GEDEALE
2nd Asst. Engineer
M/V MATAGORDA

Witness:
Wm. A. Sickinger
C.Sp. (PS), USCGR

CERTIFIED TO BE A TRUE COPY

J. F. Taylor
J. F. TAYLOR, M.S.A., USCGR

New Orleans, La.
28 August, 1944

My name is Joseph A. Cedotale, and I reside in No. 911 Independence St., New Orleans, La. I am presently sailing aboard the towing vessel MATAGORDA as Second Asst. Engineer. I would state that on 28 August, 1944 the Chief Engineer ordered the ship trimmed because she had a slight list to starboard. In order to do this it was necessary to move our fuel oil from the center deep tank into the number two deep tanks comprising a port and starboard tank. It was about 10:30 a.m. when we began and I was standing on the stern of the tug operating the trimming valves. Within a short time I saw fuel oil coming up out of the plug over the port tank. I immediately closed the valve to that tank and wiped up the oil which reached the deck. It was at about this time that the Chief Mate told me that there was oil on the water in the river on our starboard side. I looked and saw the oil on the water, shut off the valve on the starboard tank and relayed the information to the Chief Engineer who shut down the pumps. The oil which got into the river came through the overflow line on the starboard side of the ship below the water line. This was caused by overflowing the number two tanks. At the most, one barrel of oil got into the river and it was clean fuel oil, a light diesel. The above statement is true and correct in detail.

JOSEPH A. CEDOTALE
2nd Asst. Engineer
M/V MATAGORDA

Witness:

Wm. A. Sickinger
C.Sp. (PS) USCGR

Witness:

Wm. A. Sickinger
C.Sp. (PS) USCGR

CERTIFIED TO BE A TRUE COPY

J. F. Taylor
J. F. TAYLOR, Bos'n, USCGR

New Orleans, La.
28 August, 1944

My name is Charles W. Sikes and I reside in No. 2343 Forbes Street, Jacksonville, Fla. I am presently sailing aboard the towing vessel MATAGORDA as Chief Engineer. The vessel is the property of the W.S.A., and is being operated by Moran Towing and Transportation Company, Inc., 17 Battery Place, New York City. On 28 August, 1944 at about 10:30 a.m., the MATAGORDA was moored to Bienville Street Wharf, New Orleans, La., headed upstream. It was necessary at this time to pump out the contents of the number one center deep and put it into number two deep so that clean, fresh fuel could be placed in the number one center deep. The number one center deep contained oil and water, the oil being a light diesel. It was during this operation that, because of defective tankometers, about one-half barrel of oil came through the overflow line as the number two deep tanks were overflowed. I was watching the tankometers personally at the time of the overflow and know that they were defective, being off by about 2500 gallons. The above statement is true and correct in detail.

C. W. SIKES
Chief Engineer
M. V. MATAGORDA

Witness:

Wm. A. Sickinger
C.Sp.(PS) USCGR

CERTIFIED TO BE A TRUE COPY

J. F. Taylor
J. F. TAYLOR, Bos'n, USCGR

New Orleans, La.

9/11/44

OIL WATER MIXTURE

8/28/44

Sickinger

N.O.

Coast Guard

Sample from line connecting #1 center deep to #2 deeps.
Towing Vessel M/V NATAGORDA,
Bianville St. wharf; sample from Mississippi River at
inboard side M/V NATAGORDA

Analysis.

One sample of oil and one sample of oil-water mixture

Sample ----	<u>from line</u>	<u>from river</u>
Total volume -----	575 mls.	525 mls.
Percent oil -----	100.0	5.7
Percent oil-sediment emulsion -----	none	29.5
Percent water -----	none	64.8
Odor -----	petroleum	petroleum
Specific Gravity (33 C) -----	0.830	0.8423
Saponification test -----	mineral oil	mineral oil
Initial boiling point -----	205 C	180 C
Fluorescence test -----	Lubricating oil	Lubricating oil

These analyses show that the oil portions of these samples are light petroleum oils. The analyses and physical properties (odor, color, viscosity) show the oils have similar characteristics.

SLT

George E. Beavers, Acting