

MAILED 217123 COAST GUARD

Case No. 628-38483
SS MERCER VICTORY

Merchant Marine Investigator
U. S. Coast Guard
3rd CG District
New York, New York
30 September, 1947

IN THE MATTER OF License No.
87895, Issued to James J. Finnegan,
3rd Asst. Engineer
Z-381346-D1

SOURCE OF COMPLAINT: SIO, MMIU, Houston, Texas.

FACTS: Subject seaman, while serving as 3rd Asst. Engr. on the SS MERCER VICTORY, was given written instructions to pump ballast out of #5 port and starboard double bottom tanks during his 12-4 watch on 21 August, 1947.

When Finnegan reported on watch, due to the fact that he was unfamiliar with the ballasts system, he called the Chief Engr. for instructions. Apparently Finnegan misunderstood the Chief Engr., opened the wrong valves and pumped fuel oil overboard instead of the water ballast. When it became apparent to Finnegan that he was pumping fuel oil overboard, he secured the pump. A check of the fuel oil tank indicated that 325 barrels of oil had been pumped overboard.

This job normally had been delegated to the 2nd Asst. Engr; however, on this occasion, due to an anticipated storm of hurricane proportions, the pumping of the ballast was delayed and it was necessary to pump ballast on Finnegan's watch.

According to the testimony of witnesses, the valves were properly labeled in accordance with established practices.

CONCLUSIONS: In view of the fact that subject had written instructions stating which tanks should be pumped out and that the valves were properly labeled, it is believed that he must be considered to some degree inattentive to his duties; however, since the pumping of the ballast had been normally assigned to the 2nd Asst. Engr. and since there are no facts which indicate that subject wilfully pumped the fuel oil overboard, it is believed that an admonition in his case would suffice.

JAMES J. FINNEGAN WAS ADMONISHED ON 5 SEPTEMBER, 1947 FOR NOT FOLLOWING WRITTEN INSTRUCTIONS, THEREBY PUMPING FUEL OIL OVERBOARD INSTEAD OF WATER BALLAST.

Oil Pollution, A.P. Hoewell

A. P. HOPEWELL
Lieut., USCGR
Investigating Officer

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30 September, 1947

To: The Commandant (MVP)

Forwarded, approved.

W.L. Maloney
W. L. MALONEY
By direction

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WASHINGTON, D.C.