

*Wm. Stange* RCS

7-9

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



ADDRESS REPLY TO Galveston, Texas  
CAPTAIN OF THE PORT (1) RECEIVED  
AND REFER TO 6614

SEP 7 7 48 AM '44

1944 SEP 11 AM 9 36  
4 September, 1944

AN ACP EP AX CM E F IOF L MED MIN MV NV OSO OP ORD PA P PT SC PUB

SEP 11 44 AM

PORT SECURITY SECTION

To: The Commandant  
Via: District Coast Guard Officer, Eighth Naval District  
Subj: Oil Pollution Act of 1924, 33 USC, 431-437; violation by SS  
W. F. BURDELL, 1 September, 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.

*L. A. Welsh*  
L. A. WELSH

Incl. Copy of file in subject case.

Ind-1  
DCGO, 8ND (ops)  
CG-6614  
7 September, 1944

To: The Commandant (OPS)

Forwarded.

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

*[Signature]*  
W. F. BURDELL  
Lieutenant, USCG

CAPTAIN OF THE PORT (1)

Galveston, Texas  
September 4, 1944

6614  
District Engineer, U. S. Army

District Engineer, U. S. Army  
Galveston, Texas

Sir:

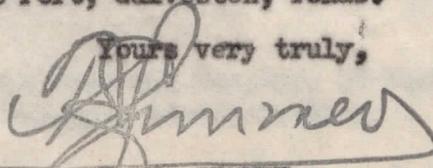
Here is a report of a violation of the Oil Pollution Act of 1924, 33 USC, 431-437 by the SS W. F. BURDELL in the Texas City Harbor, Texas City, Texas, on September 1, 1944. The facts in the case are as follows:

The SS W. F. BURDELL is owned by the Pure Oil Company, 35 Wacker Drive, Chicago, Illinois, and is under charter to the War Shipping Administration. On the date above mentioned, she was receiving oil at the Atlantic Docks at Pier B in the Texas City Harbor. Mr. E. K. Webber of 420 Lexington Avenue, New York, New York, Chief Mate, Ticket No. 73638, was in charge of loading cargo. At about 4:45 a.m. o'clock, oil overflowed from the No. 3 hatch port side and escaped overboard through improperly plugged scupper holes. It is estimated that approximately ten barrels of oil escaped in this manner into the waters of Texas City Harbor. Mr. Webber stated to our investigators that he had been on duty since 4:00 a.m. o'clock on the day previous to the spill, and had become very sleepy and had retired at about 2:30 a.m. o'clock on the morning when the spill occurred, leaving no one on duty to watch the loading of cargo. He was awakened after the spill occurred by Anthony Wein, Sea.lc, U. S. Naval Reserve, who is a member of the armed guard on the W. F. Burdell. Buren Linscomb, Box 389, Port Arthur, Texas, an employee of the Atlantic Pipe Line Company, was the dockman on duty when this spill occurred. He states that he shut off the pump when he observed oil overflowing onto the deck of the W. F. Burdell. This case was reported to the Officer in Charge, Marine Inspection, U. S. Coast Guard, for his information and action.

Statements were taken from Coastguardsmen Elbert L. Balsbaugh, Sea.2c and Kenneth A. Wilson, Sea.2c, copies of which are attached. A statement was prepared for Mr. Webber, the first mate, which statement he refused to sign. We inclose a copy of this unsigned statement. Also inclosed is copy of letter addressed to this office by Eldon C. Purvis, Specialist First Class, who supervised the investigation of this spill. Samples of the oil were taken from the water along the starboard side of the W. F. Burdell by Kenneth A. Wilson, and from the No. 3 port hatch of that vessel by Elbert L. Balsbaugh. These samples, together with originals of the statements taken, will be retained in this office for use by the United States Attorney.

By direction of the Captain of the Port, Galveston, Texas.

Yours very truly,



F. E. SIMMEN  
Lieutenant, USCGR

District Engineer, U. S. Army

6614

September 4, 1944

Incl.

1. Copy of statement of Elbert L. Balsbaugh
2. Copy of statement of Kenneth A. Wilson
3. Copy of unsigned statement of E. K. Webber
4. Copy of letter addressed to this office by Purvis

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

1. Upon arrival at the scene of the spill at 0600, all men in uniform on and around the 20 foot boat, port side, and across the deck from port to starboard side midline. All covered the spill on the starboard side of vessel to the opposite side of the ship, a distance of approximately 100 feet.

2. I questioned E. K. Webber of 420 Lexington Ave., New York, N. Y., Chief Mate, Steamer "Winn", in course of loading of cargo. Webber stated that since he had been on duty since 0600 the evening before, he was very sleepy. At 0600 he lay down on his bunk to get some sleep. He was not left to watch the loading of cargo. At 0615 Arthur Fink, Ops. Lt., U. S. N. R. called Webber and told him there had been an oil spill. Webber rushed out on deck and told the Captain, James Linscomb, to shut off the pump. Linscomb told the mate he had already shut down.

3. James Linscomb, Ops. Lt., Coast Officer, Texas on employee of Atlantic Pipe Line Company was the person on duty when the spill occurred. Linscomb stated he saw the oil flowing over the deck and had the pump shut off. When Linscomb started pumping the mate. The logbook record shows that the pump was stopped at 0615. The chief mate retired on deck at 0615.

4. I walk aft on deck approximately 1000 (10) barrels of oil were found the 20 foot boat and approximately 100 of this amount through the property damaged cargo hold into the water of Texas Bay Harbor.

5. Kenneth A. Wilson, Ops. Lt., U. S. N. R., took a sample of oil from the water along the starboard side of the "W. F. Merrill" and Elbert L. Balsbaugh, Ops. Lt., U. S. N. R., took a sample of oil from the 20 foot boat of the "W. F. Merrill". These samples were stored and sealed and followed by Linscomb and Wilson to the legal officer, Coast Guard Base, Galveston, Texas.

6. This vessel is used by the Texas Oil Company, 28 Tucker Drive, Chicago, Ill., and is chartered by the War Shipping Administration.

Eldon C. Purvis  
Eldon C. Purvis, Ops. Lt.  
U. S. Coast Guard (A)

Texas City, Texas

ASS'T CAPTAIN OF THE PORT

6614

1 September, 1944

To: Captain of the Port, Galveston, Texas

Subj: Oil Pollution Violation by S/S "W. F. BUNDLE"; report on

1. I was notified by telephone at 0540 this date that there had been an oil spill on the S/S "W. F. BUNDLE", docked at the Atlantic Docks at Pier "B", Texas City, Harbor.

2. Upon arrival at the scene of the spill at 0550, oil was in evidence on and around the #3 hatch, port side, and across the deck from port to starboard side amidship. Oil covered the water on the starboard side of vessel to the opposite side of the slip, a distance of approximately 100 feet.

3. I questioned E. K. Webber of 420 Lexington Ave., New York, N. Y., Chief mate, Ticket #73638, in charge of loading of cargo. Webber stated that since he had been on duty since 0400 the morning before, he was very sleepy. At 0230 he lay down on his bunk to get some sleep. No one was left to watch the loading of cargo. At 0445 Anthony Wein, Sea. lc, U. S. N. R. called Webber and told him there had been an oil spill. Webber rushed out on deck and told the dockman, Buren Linscomb, to shut off the pump. Linscomb told the mate he had already shut down.

4. Buren Linscomb, Box 389, Port Arthur, Texas an employee of Atlantic Pipe Line Company was the dockman on duty when the spill occurred. Linscomb stated he saw the oil flowing over the deck and had the pump shut off. Then Linscomb started hunting the mate. The dockmans record shows that the pump was stopped at 0445. The chief mate arrived on deck at 0448.

5. I would estimate approximately ten (10) barrels of oil overflowed the #3 Port hatch and practically all of this escaped through improperly plugged scupper holes into the water of Texas City harbor.

6. Kenneth A. Wilson, Sea. Sc, U.S.C.G.R., took a sample of oil from the water along the starboard side of the "W. F. BUNDLE" and Elbert L. Balsbaugh, Sea. Sc, U.S.C.G.R., took a sample of oil from the #3 Port hatch of the "W. F. BUNDLE". These samples were signed and sealed and delivered by Balsbaugh and Wilson to the Legal Officer, Coast Guard Base, Galveston, Texas.

7. This vessel is owned by the Pure Oil Company, 55 Wacker Drive, Chicago Ill., and is chartered by the War Shipping Administration.

*Eldon C. Furvis*  
Eldon C. Furvis, Sp. lc  
U. S. Coast Guard (R)

STATEMENTS

1 September, 1944

1 September, 1944

"S/S V. F. BURLINGAME"

Owned by Penn Oil Company

20 Wacker Drive, Chicago, Ill.

Under War Shipping Administration

Ind-1  
AGOTF, Texas City, Texas  
1 September, 1944

Forwarded.

*William Lazauskas*

WILLIAM LAZAUSKAS, C. Sp.

CC:

Bureau of Marine Inspection, Galveston, Texas  
File.

cause for the oil spill was that he never had any sleep since 0800, 21 August, 1944; and that the buoy on which [Anthony Fazio, Mate, 1st of 2004 M. Pierce St., Milwaukee, Wis.] woke him when the spill occurred.

Herbert A. Wilson, Esp. took a sample of the crude oil spilled in the water on starboard side of the ship, V. F. Burlingame, and I took a sample from the hatch I took on port side of said ship. E. G. Purvis Esp. 1st also arrived at the ship at about 0800, was a witness to the taking of both samples. I also saw the sample taken by Herbert A. Wilson, Mate, 1st.

After the samples were taken, E. G. Purvis, Esp. 1st and Herbert A. Wilson, Mate, 1st took both samples to the U. S. Coast Guard Office, Texas City, Texas.

During the time I was the deckman for the Atlantic Oil Company at the time the spill occurred. He stated that he saw the crude oil overflowing from tank #5 port side of vessel and that he had the pump shut off before the first mate N. E. Walker had arrived at the scene of the spill.

Approximately 200 (200) barrels of crude oil overflowed on the deck and into the water because of improperly closed scuppers.

*Albert L. Salisbury*  
Albert L. Salisbury, Mate, 1st  
U. S. Coast Guard (R)

STATEMENT

1 September, 1944

1 September, 1944

1 September, 1944

"S/S W. F. BUNDALL"

Owned by Pure Oil Company  
35 Wacker Drive, Chicago, Ill.  
Under War Shipping Administration

I, Elbert L. Balsbaugh, Sea. 20, U.S.C.G.R., saw the oil spill occur on the "S/S W. F. BUNDALL" at the Atlantic Docks, Texas City Harbor, Texas. The oil overflowed from tank #3 port side, and ran over the deck into the water on port and starboard sides of said ship. E. E. Webber 1st mate stated that the cause for the oil spill was that he never had any sleep since 0400, 31 August, 1944 and that the Navy boy on watch (Anthony Weir, Sea. 10 of 2984 W. Pierce St., Milwaukee, Wis.) woke him when the spill occurred.

Kenneth A. Wilson, Sea. 20 took a sample of the crude oil spill in the water on starboard side of the ship, W. F. Bundall, and I took a sample from the Number 3 tank on port side of said ship. E. C. Purvis Sp. 10., who arrived at the ship at about 0555, was a witness to the taking of both samples. I also saw the sample taken by Kenneth A. Wilson, Sea. 10.

After the samples were taken, E. C. Purvis, Sp. 10 and Kenneth A. Wilson, Sea. 20 took both samples to the U. S. Coast Guard Office, Texas City, Texas.

Buren Linscomb was the dockman for the Atlantic Oil Company at the time the spill occurred. He stated that he saw the crude oil overflowing from tank #3 port side of vessel and that he had the pump shut off before the First mate E. E. Webber had arrived at the scene of the spill. U. S. Coast Guard (R)

Approximately ten (10) barrels of crude oil overflowed on the deck and into the water because of improperly closed scuppers.

*Elbert L. Balsbaugh*  
Elbert L. Balsbaugh, Sea. 20  
U. S. Coast Guard (R)

STATEMENT

1 September, 1944

1 September, 1944

"S/S W. F. BURDELL"

Owned by Pure Oil Company

35 Wacker Drive, Chicago, Ill.

Under the War Shipping Administration

My name is E. K. Webber, 420 Lexington Avenue, New York, N. Y. I  
On the morning of 1 September, 1944, the ship W. F. Burdell was  
employed by the Pure Oil Company as Chief Mate on the "S/S W. F. BURDELL".  
moored at the Atlantic Dock in Texas City Harbor, Texas City, Texas. A  
I have been on duty continuously since 0400, August 31, 1944. There was no oil  
spill was found about 0540 on 1 September, 1944 on the W. F. Burdell.  
On board ship to help me and I became very sleepy. At 0230 I lay down on my  
They were loading crude oil and it came out of #3 port tank and ran on the  
deck to starboard. At 0445, Anthony Cain, Sea. 1st., U.S.N.R., 2204 W. Pierce St.,  
deck and out through the scuppers which were not closed tight.  
Eldon G. Purvis, Sp. 1c, called me and told me there had been an oil spill. I  
rushed to the deck and told the Deckman to shut off the pump. At this time  
charge of the investigation. I took the sample of the oil from the water on  
the starboard side just aft amidship about 0605. Elbert L. Balsbaugh, Sea. 2c  
took the sample of oil from the #3 port tank. Balsbaugh witnessed the taking  
of the sample from the water and Eldon G. Purvis witness Balsbaugh taking  
the sample from #3 Port tank. I was present by E. K. Webber, Chief Mate, in  
charge. I would estimate that about ten (10) barrels of crude oil came out  
of #3 port tank and practically all of this run into the water through the  
improperly plugged scuppers.

Eldon G. Purvis  
Kenneth A. Wilson  
Kenneth A. Wilson, Sea. 2c

U. S. Coast Guard (R)

Elbert L. Balsbaugh, Sea. 2c

STATEMENT

1 September, 1944

"S/S W. F. BURDELL"  
Owned by Pure Oil Company  
35 Wacker Drive, Chicago, Ill.  
Under War Shipping Administration

My name is E. K. Webber, 420 Lexington Avenue, New York, N. Y. I am employed by the Pure Oil Company as Chief mate on the "S/S W. F. BURDELL". I have been on duty continually since 0400, August 31, 1944. There was no one on board ship to help me and I became very sleepy. At 0230 I lay down on my bunk to rest. At 0445, Anthony Wein, Sea. Ic., U.S.N.R., 2334 N. Pierce St., Milwaukee, Wisconsin, called me and told me there had been an oil spill. I rushed to the deck and told the dockman to shut off the pump. At this time the #3 hatch port side was overflowing. I would estimate only five to seven (5 to 7) barrels of oil escaped into the water.

This statement was made in our presence by E. K. Webber, Chief Mate, in charge of the loading of cargo of the "S/S W. F. BURDELL" at 0600, 1 September, 1944. Chief Webber refused to sign this statement.

*Eldon C. Purvis*  
Eldon C. Purvis, Sp. Ic.

*Elbert L. Balsbaugh S<sup>2</sup>*  
Elbert L. Balsbaugh, Sea. 23