

TREASURY DEPARTMENT
UNITED STATES COAST GUARD

ADDRESS REPLY TO:
COMMANDANT
U.S. COAST GUARD
HEADQUARTERS
WASHINGTON 25, D.C.



MVI-3
(BOHEME-BONNIE D-
PARKER 102-25
a-8 Bd)
26 June 1963

Commandant's Action

on

Marine Board of Investigation; collision of the M/V BOHEME (Norwegian) and the Tank Barge PARKER 102-25 in tow of the Towboat BONNIE D, lower Mississippi River, on 20 October 1962, with loss of life

1. The record of the Marine Board of Investigation convened to investigate subject casualty together with the Findings of Fact, Conclusions, and Recommendations has been reviewed.
2. At 0340, 20 October 1962, the Norwegian tankship BOHEME collided with the Tank Barge PARKER 102-25, the lead barge of the tow being pushed by the diesel towboat BONNIE D in the lower Mississippi River near Mile 149.6 ahead of passes, slightly below Laura Light.
3. The Mississippi River, in the area of the collision, although basically oriented East-West, presents about a forty degree change of course to the left for a downbound vessel. The channel is about two thousand feet wide with deep water fairly close to either bank.
4. Prior to and at the time of the collision the wind was nearly calm, visibility restricted by haze to about one and a half to two miles. There was no fog of any consequence. The river current was one-half to three-quarter mile per hour.
5. The BOHEME was enroute Baton Rouge to Rotterdam with 46 crewmembers, two passengers, and 12,101 tons of combustible liquid cargo. Speed with one-half knot following current was about 10 knots over the bottom. The ship was about mid-river as it approached the bend at Laura Light shortly after 0330. As St. Elmo Light drew abeam to port, the green lights of the BONNIE D and tow were sighted about 20 to 30 degrees on the port bow at a distance of about one and one-half miles. After initial sighting, the rudder of the BOHEME was placed 10 degrees left to change course to conform to the channel. Witnesses of the BOHEME testified that about the time the rudder order was given a two-blast whistle signal was heard from

the BONNIE D. The signal was interpreted as a proposal for a starboard to starboard passing and was immediately answered. The rudder of the BOHEME remained 10 degrees left as the vessels closed. The relative bearing of the BONNIE D decreased and the vessels were in a near head and head situation at a distance of about 600 feet when a one-blast whistle signal followed by a four-blast danger signal was heard from the BONNIE D. The red light of the BONNIE D was seen and the tow, for the first time, reached a relative bearing slightly on the starboard bow of the BOHEME. The rudder was ordered hard left and the engine full astern. Less than half of a minute later, at 0340, the starboard bow of the BOHEME struck the bow section of the PARKER 102-25 at about a 20-degree angle.

6. The diesel powered towboat, BONNIE D, enroute Ostrica, Louisiana to Mayersville, Mississippi, pushing four tank barges ahead in tandem, containing a combined total of 80,500 barrels of crude oil, was upbound in the Mississippi River making good about five or six miles per hour. The BONNIE D is not subject to Coast Guard inspection. The Master and Pilot on watch held Merchant Mariner's documents endorsed for Tankerman. However, neither held a license issued by the Coast Guard to serve as Master, Mate or Pilot. After passing Latcher Ferry the flotilla was near mid-channel but slightly toward the left descending bank. At about 0336 the lights of the BOHEME were sighted in the vicinity of St. Elmo's Point bearing about 40 degrees relative on the starboard bow. The Pilot of the BONNIE D testified he was unable to determine the type of vessel or its intentions and because it was hazy he sounded a three-blast whistle signal to point out to the other vessel that he was there. He further testified that one or two minutes after initial sighting he sounded a one-blast whistle signal. He heard no whistle signals from the BOHEME at any time. A passing agreement was not reached. When the BOHEME was about one mile distant the rudders were placed 5 degrees right resulting in a slight starboard swing. As the vessels closed, the course and speed remained virtually unchanged. The lights of the BOHEME drifted to the left. Finally, the Pilot recognized the range lights of the BOHEME slightly on his port bow and assumed that the ship was attempting to pass between the tow and the left descending bank. Seconds before collision the danger signal was sounded, the rudders placed full left and the engines stopped. The BOHEME struck the bow section of the lead barge, PARKER 102-25, shearing off a portion of the starboard bow which penetrated and remained in the BOHEME.

7. Fire occurred immediately and ignited a large pool of crude oil released from the lead barge. The BOHEME, engines stopped and reacting to full left rudder, pivoted over the burning oil and grounded nearly perpendicular to the left descending bank. The forward and after spaces

of the tanker burned; however, the bulk liquid cargo did not ignite. After the BONNIE D had backed well clear of the fire, the lead barge sank by the bow, grounding the tow.

8. As a result of the fire, twenty crewmembers of the BOHEME either died or are missing and presumed dead.

REMARKS

1. The Board's reconstruction of the events leading up to the casualty as set forth in the Findings of Fact is amply supported in the record.

2. Concurring with the Board it is concluded that the primary cause of this casualty was the failure of the BONNIE D to reach a passing agreement. In the absence of a passing agreement the BONNIE D failed to recognize the dangerous situation developing and to take timely action to avoid collision.

3. Further concurring with the Board, the BOHEME, although it approached the point of collision on the assumption that a starboard to starboard passing agreement had been reached, failed to recognize a dangerous situation developing and to take timely and sufficient measures to ensure a safe passing.

4. It is considered that the responsibility for this casualty rests solely with the Pilots of the two vessels.

5. Conclusion 12 of the Board represents an opinion based on supposition not supported by factual evidence.

6. The Board's recommendation concerning the evidence of negligence on the part of the Pilot of the BONNIE D is approved. It is considered that the record in this case contains evidence of criminal liability within the purview of Title 18 USC 1115.

7. The Board's recommendation that a copy of this report be referred to the appropriate State Pilotage Commission for possible action against the Pilot of the BOHEME by State authorities is approved. In addition, it is considered that the record contains evidence of criminal liability within the purview of Title 18 USC 1115. *Jene*

8. The evidence of criminal liability on the part of the Pilots as set forth in paragraphs 6 and 7, above, will be referred to the Department of Justice for possible criminal prosecution. *Jene*

9. Concerning the navigation lights displayed by the Tank Barge PARKER 102-25, the Board's recommendation that the evidence of violation of 33 CFR 95.29 be referred to the Commander, Eighth Coast Guard District for possible assessment of monetary penalties against the vessel is approved.

10. The Board's third recommendation concerning the failure of the BONNIE D to reach a timely passing agreement is approved. Accordingly, the evidence of violation of 33 USC 343 will be referred to the Commander, Eighth Coast Guard District for possible assessment of monetary penalties against the vessel.

11. With regard to the Board's recommendation concerning legislation, in September of 1961 the Coast Guard initiated a study of towing vessel operations and practices with a view toward determining whether marine inspection and licensing laws now applicable to steam powered towing vessels should be extended to other classes of towing vessels. The study has been completed and submitted to the Secretary of the Treasury for further consideration.

12. Subject to the foregoing remarks the Findings of Fact, Conclusions, and Recommendations of the Board are approved.



E. J. ROLAND
Admiral, U. S. Coast Guard
Commandant

UNITED STATES COAST GUARD

ADDRESS REPLY TO:
COMMANDER
8TH COAST GUARD DISTRICT
CUSTOMHOUSE
NEW ORLEANS 16, LA.



A17-6/08866
20 December 1962

From: Marine Board of Investigation
To: Commandant (MVI)
Via: Commander, Eighth Coast Guard District

Subj: MV BOHEME, Norwegian Registry, and Motor Towboat BONNIE D
and Tow; collision, 20 October 1962, Mississippi River,
with resultant fire and loss of life

Findings of Fact:

1. At approximately 0340 CST, 20 October, 1962, the Motor Vessel BOHEME and the Towboat BONNIE D and tow of four barges were in collision at about Mile 149.6 AHP, Mississippi River, near the town of Paulina, Louisiana, slightly below Laura Light. (Corps of Engineers Flood Control and Navigation Maps of the Mississippi River, No. 49-50.) Rules of the Road for Western Rivers apply in this area. As a result of the collision and the fire therefrom twenty persons died, or are missing and presumed dead. All of these were members of the crew of the BOHEME; one of the twenty died in the USPHS Hospital, New Orleans, Louisiana, some two days after the collision, from extensive burns on his body. Seven crew members from the BOHEME were treated for burns and shock and recovered satisfactorily. No one was injured on the BONNIE D and tow. There was caused considerable structural damage in the area of the BOHEME's bow and extensive fire damage in way of the bow section and in the crew quarters at the stern; there was no damage to the tanker's cargo, which did not ignite as a consequence of the collision. Collision, fire, and water damage to BOHEME is estimated at about \$2,000,000. The bow of the lead barge of the BONNIE D's tow, Tank Barge PARKER 102-25, was severely damaged, to the extent of about \$115,000.00. Cargo loss from this barge is estimated at \$50,000.00.

2. Vessels involved in the collision:

a. Motor Vessel BOHEME is a Norwegian tankship of 8747 gross tons, 4903 net tons, 509 feet in length, 64 feet breadth. The vessel is owned and operated by A. O. Andersen Shipping Company, Oslo, Norway, with Oslo as home port. The vessel is compartmented to allow the carriage of diversified liquid cargoes in bulk. The BOHEME is of conventional tankship design, built in 1956, with wheelhouse amidships, approximately 150 feet from the stem, machinery aft, and with crews' quarters in the amidships and after sections of the vessel. The height of the pilothouse is approximately 40 feet above water. Horsepower is rated at 6,400. There

is an air whistle on the foremast which was utilized for sound signals. The cargo tanks are equipped with a fixed steam smothering system; however, it was not activated during events following collision. The BOHEME is not equipped with a radio telephone.

b. The Motor Vessel BONNIE D (O.N. 240058) is an uninspected, steel, pusher-type diesel towboat of 222 gross tons, 151 net tons, 94 feet in length, 25 feet beam and 8.5 feet deep, built in 1941 in Chicago, Illinois, with home port of Baton Rouge, Louisiana. The vessel was re-engined a few years ago with three D 397 Caterpillar main propulsion diesel motors of 650 horsepower each, driving three propellers through a 3.75:1 reduction gear. Engine exhausts are located about 15 feet aft of the pilot's operating station in the wheelhouse. The engines are pilothouse controlled; there is no RPM indicator in the pilothouse. There are no means of internal communication between the pilothouse and engine room, or with the crew area. The vessel is not equipped with a general alarm system. There is no compass installed in the pilothouse. There are a total of seven rudders, three for use in going ahead and four in backing up. The vessel has a pilothouse radiotelephone and is equipped with a triple-tone air horn, located on top of the pilothouse, for whistle signals, which has an amber light which ignites simultaneously and in conjunction with the whistle sounding mechanism. Pilothouse height of eye is about 22 feet above water. The BONNIE D is owned by the Victory Towing Company, Incorporated, 342 Alexander Street, Greenville, Mississippi, and was under bareboat charter at the time to Striegel Barge Line, Incorporated, Greenville, Mississippi.

c. BONNIE D's tow at collision consisted of four unmanned, U. S. tank barges:

NAME	PARKER 102-25	PARKER 103-25	RTC-3	RTC-4
OFFICIAL NO.	265032	265033	255326	255444
LENGTH (Ft.)	290	290	220	220
BEAM (Ft.)	50.1	50.1	45	45
DEPTH (Ft.)	12.2	12.2	10.1	10.1
MATERIAL	Steel	Steel	Steel	Steel
GROSS/NET TONS	1,576	1,576	886	886
BUILT IN	1953	1953	1948	1948

HOME PORT	Houston, Texas	Houston, Texas	Wilmington, Delaware	Wilmington, Delaware
CERT. OF INSPECTION	Issued Houston, Tex., 17 Jan 1961	Issued Houston, Tex., 7 Jan 1961	Issued NOLA 29 Dec 1960	Issued NOLA 1 Feb 1961
ROUTE	Lakes, Bays & Sounds		Lakes, Bays & Sounds	
GRADE CARGO AUTH.	"B"	"B"	"B"	"B"
CAPACITY (Bbls)	25,600	25,600	15,500	15,500
OWNER	B. K. Parker & W. R. Parker, Box 96, Houston, Texas		Dixie Carriers, Inc. Harvey, Louisiana	

These barges have raked bows, square sterns, and center line cargo tank bulkheads.

3. Personnel involved:

a. Adolph P. Schwalb, Merchant Mariner's Document Z-264976, age 61, residing at 1717 Claiborne Towers, New Orleans, Louisiana, was the compulsory state commissioned pilot of the BOHEME at the time of the casualty. He holds Coast Guard License No. 264976, issue 9-9, issued at New Orleans, La. on 5 November 1959, as Master, any gross tons, rivers; and First-Class Pilot on the Mississippi River from Baton Rouge, La. to Sea, as well as other pilotage endorsements. He holds a State of Louisiana Pilot's Commission and has been a member of the New Orleans - Baton Rouge Steamship Pilots' Association since 1940. He had piloted the BOHEME several times prior to the collision. Master of the BOHEME was Rolf Gjelstad of Aareo, Norway, who had made about ten (10) previous trips on the Mississippi as Master.

b. Ernest Stone, age 23, residing at 297 Primrose Drive, Greenville, Miss., was the pilot on watch aboard the BONNIE D during events leading to collision. He was the only BONNIE D crew member to see the BOHEME prior to collision. He holds Coast Guard Validated Merchant Mariner's Document Z-344608, issued at Memphis, Tenn. on 22 August 1958, certifying him as Tankerman, Grades "B" and lower. He had joined the BONNIE D on 16 October 1962 as "trip pilot" and, although he had not served on this towboat previously, he had served three and a half years as pilot aboard another larger, radar equipped towboat, and with other service as deckhand prior to this. In testifying he displayed lack of knowledge of the existence of pamphlet CG 169, which contains the Pilot Rules for Inland Waters through which he had navigated.

c. George W. Read, Box 69, Greenville, Mississippi, was serving as Master of the BONNIE D. He arrived on deck after collision, roused by the whistle signals immediately preceding collision. He holds Coast Guard Validated Merchant Mariner's Document Z-344193, issued at Memphis, Tenn. on 29 October 1952, certifying him as Tankerman, Grades "B" and lower. He joined the BONNIE D on 8 October 1962 as relief Master. Although he hadn't served on this vessel previously, he had some fifteen years prior

service on other towboats.

4. Deceased are:

<u>NAME</u>	<u>RATE</u>	<u>NEAREST RELATIVE</u>
Hans Petter Wollesen	Second Officer	Wife: Camilla Wollesen Blamunkevej 21/2 Copenhagen, Denmark
Kjell Willy Fjell	Deck Boy	Mo: Emma Fjell Nodre Osen pr. Rena, Norway
Torbjørn Aaraas	Carpenter	Wife: Fru Solveig Aaraas Kraby, Ostre Toten Norway
Otto Eriksen	Boatswain	Mo: Karoline Gustavsen Steinberg N. Eiker Norway
Daniel Burke	A/B	Betrothed: Frk. Eva Johnssen Hertug Skulesgt. 12 Oslo, Norway
Karstein Haugland Johnsen	A/B	Wife: Fru Borghild Johnsen Kjerringvik, Hadsel Norway
Arild Bratland	Deckhand	Fa: Johan Bratland Horumsvei 11, Borgen Pr. Sarpsborg, Norway
Arve Byenstuen	Deck Boy	Mo: Fru Mary Byenstuen Furnesveien 68 Brumunddal, Norway
Helmuth Pehrsson	Repairman	Wife: Fru Mary Pehrsson Gamleveien 148 Lillehammer, Norway
Signe Mary Pehrsson	Mess Girl	Hus: c/o Mother: Fru H. Thorsson, Gamleveien 148 Lillehammer, Norway
Gunnar Harry Pettersen	Motorman	Sis: Frk. Kitty Pettersen Orasvik, Roedoe, Norway

Kristian Magnar Veiseth	Motorman	Sis: Frk. Ingeborg Veiseth Storgt, 40 Oslo, Norway
Bjørn Rudolf Larsen	Motorman	Mo: Fru Borghild Larsen Ovre Bankgt. 8 Halden, Norway
Ivar Haker	Greaser	Fa: Halvard Haker Driva pr. Oppdal, Norway
Einar Johan Hansen	Greaser	Sis: Fru Lilly Dahl Repaa Helgeland, Norway
Bjørn Willy Olsen	Second Cook	Mo: Fru Gydni Olsen Kongensgt. 7 Moss, Norway
Svend Erik Lorentzen	Mess Boy	Fa: Poul Lorentzen Pilestykket 10 Copenhagen, Denmark
Tellef Bie-Gundersen	Voyage Repairman	(Unknown) Home Address: Fjaere, Norway
Trygve Larsen	Voyage Repairman	(Unknown) Home Address: Greipstad, Norway
Ragnar Johansen	Voyage Repairman	(Unknown) Home Address: Oddernes, Norway

5. Injured are:

<u>NAME</u>	<u>RATE</u>	<u>ADDRESS</u>
Anton Schick	A/B	Botne, Vestfold, Norway
Soeren Gisle Magnussen	O/S	Sarpsborg, Norway
Erik Myller	Deck Boy	Toensberg, Norway
Tor Ramsvik	Motorman	Rognan, Norway
Karsten Oliver Hansen	Steward	Fredrikstad, Norway
Miguel Olaso Basaldua	First Cook	Oslo, Norway
Kjell Skeivall	Voyage Repairman	Greipstad, Norway

6. The weather immediately preceding and at the time of this marine casualty was as follows: calm to very light wind; river current approximately one-half to three-quarter miles per hour, running downstream; visibility, one and a half to two miles with a light haze. It could not be established that fog of any consequence was present. The pilot of the BOHEME and the operator of the BONNIE D. stated that both banks of the river were visible at the time the other vessel was sighted.

7. The BOHEME is equipped with a Decca Radar and the BONNIE D with a RCA Radar. Both radars operated on relative bearings were operating on the one (1) mile and two (2) mile scales, respectively, during the events leading up to collision, and performed satisfactorily.

8. EVENTS ON MOTOR VESSEL BOHEME: At approximately 2130, 19 October 1962, State Pilot Adolph Schwalb boarded the BOHEME at the Standard Oil Dock, Baton Rouge, Louisiana. There were on board this vessel, at the time, 46 crew members and two passengers, which, with the pilot, made a total of 49 persons on board. Four of these were women; two were crew members, and the other two were passengers. Shortly thereafter the BOHEME left the dock, downbound in the Mississippi River en route to the port for Jerusalem, State of Israel, with a near capacity, mixed liquid cargo in bulk, of about 12,101 long tons. This cargo consisted of tallow, lube oils and various flammable chemical solvents, including acrylonitrile. Draft was 28'01" forward, 29'01" aft. The early hours of the run downriver were routine. Schwalb's orders to the helmsman were given directly in English, without difficulty. All required navigation lights were on. At approximately 0310 speed was reduced from full to half ahead, 75 to 78 shaft RPM, giving the vessel approximately 10 knots over the bottom. A lookout was posted as visibility decreased to about two miles. At approximately 0315 College Point, Mile 156 AHP, was cleared; the Master, the state pilot, the second officer and the helmsman were on the bridge and remained there to the point of collision. The lookout left the foc'sle at about 0330 and proceeded aft to call the relieving watch.

9. Shortly after 0330, BOHEME approached the bend at Laura Light (Mile 149.7). The ship was about mid-river and steering on Laura Light. As St. Elmo Light (Mile 150.1 AHP) drew abeam to port, the master, officer on watch and State Pilot sighted the lights of the BONNIE D and tow and recognized them as a tug and tow coming upstream. When sighted the BONNIE D and tow were about 20 to 30 degrees on the port bow of the BOHEME at a distance of approximately one and one-half miles and were displaying the green side lights of the tug and tow.

10. Also, as this St. Elmo light drew abeam to port, Pilot Schwalb commenced a port swing to conform with the bend in the river using ten degrees left rudder. After initial sighting and at about the time the rudder of the BOHEME was placed ten degrees left a two-blast whistle signal

was heard from the BONNIE D. Pilot Schwalb testified that this was confirmed by two flashes of the whistle light. The distance between the BOHEME and the head of the tow was slightly more than one mile. The BOHEME, interpreted the two-blast signal as a proposal for a starboard to starboard passing and immediately answered with two blasts. Captain Gjelstad, who had gone to the radar after the tow was sighted, stated that the tow had not appeared on the radar scope at the time the whistle signals were exchanged. The radar had been placed on the one mile scale at the request of Pilot Schwalb when the vessel was in the vicinity of College Point. Pilot Schwalb did not personally refer to the radar at any time while the vessels were maneuvering with respect to each other.

11. As the vessels closed the intervening distance the relative bearing of the BONNIE D and tow decreased. The master left the radar and went to the front of the pilot house when the vessels were about one half mile apart. At a distance of about 600 feet apart the vessels were virtually in a head and head situation. At this time a one-blast signal followed by a four-blast danger signal were heard from the BONNIE D. The red side light of the BONNIE D was sighted and the tow reached a relative bearing slightly on the starboard bow of the BOHEME. Simultaneously the master and the pilot of the BOHEME ordered the rudder hard left. The time interval between this change to hard port rudder and collision, which occurred at approximately 0340, was less than one half minute. A few seconds before actual impact the master of BOHEME rang full astern, but the engineer on watch had only time to bring the engines to a complete stop before contact. The full astern order was never implemented inasmuch as in the interim, a "stop" bell was received. The tanker, up to time of collision, proceeded with a 10-knot headway on a hard left swing. The forward starboard corner of Tank Barge PARKER 102-25 penetrated the BOHEME's starboard bow a few feet abaft her stem and continued through the tanker, holing the port bow as well; the angle of collision was about 20 degrees from head to head.

12. Approximately at collision time, Captain Gjelstad sounded the general alarm and it was heard to ring throughout the ship.

13. EVENTS ON MOTOR TOWBOAT BONNIE D: The BONNIE D left Ostrica, Louisiana, at approximately 0600, 19 October 1962, on a return voyage, upstream, to Mayersville, Mississippi, with four loaded tank barges strung out in tandem ahead of her; the total length of the tow was approximately one thousand one hundred fifteen feet. Running lights were set out on PARKER 102-25 and secured on top of oil drums filled with water, with portable red and green lights on the port and starboard side respectively. They were positioned by simple visual alignment for the arc of visibility required by the pilot rules. Power was supplied to these lights by four sections of portable electric cable which led back to the BONNIE D. There was an amber light established at the head of the lead barge with a small hole drilled in the

back of its screen to provide a pinpoint of light by which to better gauge the swing of the head of the tow at night. There was a total of ten crew aboard. Total cargo of the barges amounted to 80,500 barrels of crude oil.

14. The voyage upstream was uneventful to the point where Stone came on watch at 0000, 20 October 1962. In addition to the pilot there was an engineer and a deckhand on watch. It was customary for the navigation lights to be checked every two hours and this was done at 0200, 20 October 1962, with no deficiencies noted. The engineer stood his watch mostly in the engine room, while the deckhand stood by near or in the galley; when the latter was required in the pilothouse he was called with a short blast on the towboat's whistle. After slowing down for a short time, at approximately 0230, to allow a large ship to pass, Stone returned the engines to full ahead, building up again to a speed of from five to six miles per hour over the bottom.

15. A short distance below the Lutcher Ferry Landing, at Mile 147.7 AHP, and due to river traffic tied up to the right descending bank, Pilot Stone brought his tow somewhat over toward the left descending bank of the river. Shortly after 0330, the BONNIE D and tow cleared Lutcher Ferry crossing and, with visibility impaired only slightly by a light haze, the tow continued upriver. Prior to this point Stone had deemed it desirable to sound intermittent fog signals, as he stated that he had passed through some fog patches; however, he had stopped blowing such signals by the time he had passed the Lutcher Ferry area.

16. At about this time Stone put out a call on his radiotelephone to determine whether there was any downbound traffic ahead; he received no answer. As he drew near the slight bend at Laura Light, with the light and the outline of both river banks visible to him, Stone sighted lights upriver, bearing about 45 degrees, or a little less, on the BONNIE D's starboard bow; the time was approximately 0336. Stone could not determine the type of vessel the lights belonged to, nor, as he stated, its heading, even through the use of binoculars. He looked into his radar and decided that it was a downbound vessel coming into view on the radar screen across the point in the vicinity of St. Elmo Light. Stone stated that he was holding his tow "an easy distance" off the left descending bank, staying parallel with it, and keeping this position by glancing at the heading flash marker on his radar. At this initial sighting, the position of the tow, with respect to the axis of the river, is a point in conflict. After checking his radar, in which BOHEME appeared approximately one mile distant, Stone stated that he kept his rudder about "five degrees right," and that he maintained a slight swing to his starboard. Due to channel configuration, BOHEME's lights had appeared to Stone to drift to his own left.

17. Stone testified that he blew a three-blast signal at initial sighting because "it was hazy and I could not determine what kind of vessel it was;" upon questioning him on the significance of this whistle signal, he answered that he wanted to call the other vessel's attention to the fact that he was there. Stone further testified that he heard no whistle signals from BOHEME at any time, that his wheelhouse doors and windows were open, but that he had often failed to hear whistle signals from other vessels because of the exhaust noise from the towboat's motors. Stone maintained that he did not see either of the side lights of BOHEME at any time.

18. Pilot Stone stated that following the three-whistle signal from BONNIE D, he blew a one-whistle signal, which was approximately one to two minutes after initial sighting of BOHEME. As the two vessels closed the intervening distance, Stone was not sure of what passing the BOHEME's pilot had in mind because he had heard no whistle signals from that vessel. The tow continued at full speed and virtually on the same course until Stone was able to distinguish the Tanker's range lights bearing a little to the left of the head of his tow, with the after range light to the left of the forward one, as he was looking at them. Seeing this, Stone decided that BOHEME was attempting to go between his tow and the left descending bank, thereupon the rudder was put to hard port and the engines stopped. However, at this point the tanker and tow already were within the jaws of the collision. Stone sounded a danger signal seconds before impact; the BONNIE D was still moving at the same speed of five to six miles per hour and it was only the force of the collision that stopped the tow's headway.

19. Collision occurred in the area of BOHEME's paint locker, where a considerable amount of paints and thinners was stored. When Tank Barge PARKER 102-25 struck the BOHEME's starboard bow, it carried through this compartment, opening the shell plating on the opposite bow. The starboard corner of the barge was completely sheared off by the impact, releasing a large quantity of crude oil from the forward cargo tanks; a large piece of the barge remained lodged in the BOHEME's internals. The heat and sparks generated by this penetration ignited the paint, thinner, and crude oil, and the forward section of the tanker was rapidly engulfed. As the BOHEME continued in her hard left swing toward the left descending bank, she pivoted over the relatively contained pool of burning oil on the water, leaving the midships area unscathed. When the stern section reached the fire in the water, it was quickly engulfed in flames which had spread and intensified, trapping many crew members who had been asleep in their quarters. Only charred remains of most of them were later found. Of those who escaped from the after section, one testified that in gaining access to the poop deck he had difficulties in lifting the hatch over the after lazarette due to its weight. Meanwhile, Number 2 lifeboat was launched from the unscathed port midship area of BOHEME and ferried many crew members and the passengers ashore. Several others escaped by jumping overboard from the after section.

The starboard lifeboat was never used because of the raging fire on that side of the river. The engine room watch on the tanker left the engines at stop, proceeded to the deck and succeeded in leaving the vessel without serious injury. Two aluminum lifeboats on the after section of the BOHEME were so damaged by the fire that they became a total loss. Although the metal in these two lifeboats did not actually melt, the structural members became distorted and the keels sagged considerably. The actual alloy used in the construction of these two lifeboats is not known and could not be determined at this investigation. The tanker grounded in the mud of the left descending bank and continued burning throughout the day. The fire in the water, after extending downstream with the slight current, burned itself out in relatively short time. Fortunately the cargo did not ignite and this was due largely to the efforts of Coast Guard personnel dispatched to the scene; this fire subsequently was extinguished shortly after midnight through the joint efforts of the Coast Guard, the Navy and the City of New Orleans fire fighting personnel.

20. Immediately after the collision the Master of the BONNIE D, Reed, appeared on deck. At this time the tow was at about a 90 degree angle to the BOHEME and the forward end of the tow was close to the after end of the BOHEME. Reed ordered the operator of the tug, Stone, to back away from the fire in order to prevent the remaining barges in the tow from catching fire and possibly exploding. When the tow was well clear of the scene the head of the lead barge sank extinguishing the fire and grounding the flotilla. Reed uncoupled the tow which remained partially sunk until sometime afterward, when it was salvaged and taken to a repair yard.

21. DAMAGES TO BOHEME: All structural damage due to collision is confined to the bow section; there is a hole approximately 50 feet long by 5 feet high in the starboard bow plating, a few feet from the stem, and a smaller hole in the port bow plating, where the barge's starboard rake pushed through, which is about 25 feet long by 5 feet high. Damages extend about from the 26-31 foot waterline. Fire gutted the vessel's foc'sle and poop deck areas but did not burn the engine room proper. Berthing areas aft are completely gutted. After temporary repairs the vessel is to be towed to Europe for further disposition.

22. DAMAGES TO BONNIE D & TOW: Damages to the tow of the BONNIE D were confined to lead barge PARKER 102-25 which, as stated before, had a section of the starboard bow sheared off and left in the forward part of BOHEME. Neither of the other barges nor the towboat in the tow suffered any damage.

23. No difficulties were encountered in breasting the light current by the BONNIE D and her tow nor were the current conditions contributory to any degree to the collision insofar as either vessel is concerned.

24. There were no mechanical failures of any kind on either vessel either shortly before, at the time of, or after the collision.

25. The Mississippi River, in the area of the collision, although twisting, is basically oriented East-West, necking down from either end by a few hundred feet to a channel width of about 2,000 feet around the bend at Laura Light. There is deep water fairly close to either bank in the area of this bend, which, to a downbound vessel, presents about a 40 degree change to the left. Between the marked bend at College Point (Mile 156 AHP) and the relatively shallow bend to the left, facing downriver at Laura Light, there is a comparably shallow bend to the right, whereas, to the south of the bent at Laura Light, the channel is straight for about five miles until reaching Fifty Mile Point (about Mile 145 AHP).

26. Because of the considerable loss of life and the peculiar circumstances of this marine casualty a great deal more than casual interest was shown by the local press, radio, television, as well as the citizenry in general. Daily accounts were carried by all the news media and television tapes, with sound track, of highlights were run on three channels. The Times-Picayune, a leading Southern newspaper, had one editorial on it and there were two letters to the editor critical of the lack of a licensed pilot on the towboat.

Conclusions:

After due deliberation the Board concludes that:

1. There is a serious conflict between the witnesses of the BOHEME and the BONNIE D with regard to the initial whistle signal sounded by the BONNIE D. This conflict cannot be totally resolved.
2. Despite the conflicting versions of material fact it is concluded that the principal cause of this collision was the failure of the BONNIE D to reach a timely passing agreement. The failure to carry a lookout in a position away from the engine noises of the towboat contributed to the cause of the casualty. A lookout so stationed would or should have heard the whistle signals of the BOHEME and warned Stone of a developing dangerous situation. In the absence of a passing agreement the BONNIE D failed to recognize the danger developing and therefore to proceed with caution.
3. Although the BOHEME approached the point of collision on the assumption that a starboard to starboard passing agreement had been reached and that the BONNIE D would fulfill its obligation to execute a safe passing it, therefore, cannot be held responsible for causing the collision, but it's pilot cannot be found entirely without fault. It is considered that Pilot Schwalb failed to make a careful appraisal of the tow's course and bearing in relation to the BOHEME and to the positions of both vessels with relation to the center of the channel before assenting to a starboard to starboard passing. It is further considered that Pilot Schwalb failed to recognize the developing dangerous situation and to timely direct the BOHEME sufficiently to port to execute a safe and reasonable passing notwithstanding of the foregoing.
4. The one blast whistle signal of the BONNIE D was sounded immediately before the collision -- in all probability, at the time Stone first recognized the BOHEME's range lights.
5. That the width of the river and the condition of the current permitted either a starboard to starboard or port to port passing provided that a timely agreement was reached and that each vessel navigated in accordance therewith.
6. Despite the conflict in testimony as to the position of the BONNIE D and tow at the time it was sighted by the BOHEME, it is deemed that the flotilla was near the center of the channel and that the collision occurred somewhat toward the left descending bank from mid-channel as both vessels were swinging toward this bank at impact. The BOHEME reacted to hard left rudder and the BONNIE D's tow in a slight right swing.

7. It is considered that the failure of the BONNIE D to initiate a timely passing signal, to carry a proper lookout, and to navigate with caution constitutes evidence of negligent operation contributing to the death of the victims of the collision.

8. That the failure of the BOHEME to have a lookout on the bow of the ship did not contribute to the cause of the collision since the tow had been promptly sighted and all whistle signals sounded by the BONNIE D were heard.

9. There is evidence that the red and green side lights on the tow were in violation of 33 CFR 95.29 in that they were not fitted with inboard screens.

10. Because of the noise level from her own engine exhaust in the pilothouse of BONNIE D, the person in charge of piloting was often prevented from hearing whistle signals from other vessels; that because of this, undue dependency was placed by the navigator of BONNIE D on radiotelephonic communication for passing other vessels or tows; that Ernest Stone, the pilot on BONNIE D at and before collision, did not hear any whistle signal from BOHEME because of the engine exhaust noise level and that because of that, he was not certain of the other vessel's intentions, or what passing would or should be effected, but that he nevertheless continued on an approach toward the other vessel while the state pilot, Master and officer-on-watch on BOHEME had no reason to doubt that a starboard to starboard passing agreement had been reached until collision was unavoidable.

11. The failure of the BONNIE D to arrive at a timely passing agreement, to carry a lookout, to navigate with caution and the testimony of pilot Stone all clearly reveal a need for placing qualified persons in charge of the navigation of towing vessels. The Board considers that this can best be accomplished by requiring those persons in charge of the navigation of towing vessels of more than 15 gross tons to be licensed by the Coast Guard.

a. This is particularly obvious since Stone is not a half literate but a person who finished high school, spent one semester in college, but yet did not trouble to thoroughly learn the Pilot Rules he had to use daily.

12. In sum, it is concluded that if in the beginning the BONNIE D tow's course upriver had been parallel to the left descending bank at the distance off claimed by Stone, the red, amber and probably -- but not necessarily -- the green light at the head of the tow should have been seen by BOHEME as soon as this vessel cleared St. Elmo Point and shaped up downstream. As it was, only the green light on the head of the tow and the one on the BONNIE D were visible for a substantial period of time. It was not until after the one-whistle signal from the BONNIE D that the red light, in addition to the amber and green lights, at the head of the tow came into BOHEME's view. This is among the strongest evidentiary points to the Board's conclusion that BONNIE D began the events leading to the collision by steering diagonally, though very slightly, across the river to her own left, intending to sweep

the eleven-hundred foot tow into the bend, wide around St. Elmo Point. This would have made for a natural and normal starboard to starboard passing with BOHEME, the passage understood and agreed to by Pilot Schwalb. Then, BONNIE D not hearing an answer to her whistle signal, erroneously and fatally decided that a port to port passing should be attempted. However, by that time the vessels had come too close to successfully effect such maneuver.

Recommendations:

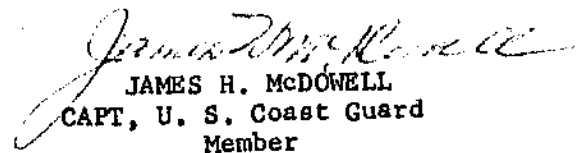
1. It is recommended that the evidence of negligent operation on the part of Ernest Stone, pilot of the BONNIE D, be referred to the United States Attorney having jurisdiction for possible criminal prosecution.
2. It is recommended that the evidence of violation of 33 CFR 95.29 as set forth in conclusion No. 9 be referred to the Commander, 8th Coast Guard District for possible assessment of monetary penalties against the owner of the barge PARKER 102-25.
3. It is recommended that the evidence of fault as set forth in conclusion No. 2 on the part of the BONNIE D be referred to Commander, 8th Coast Guard District for possible assessment of monetary penalties against the owner of the BONNIE D.
4. With regard to the faults of Pilot Adolph P. SCHWALB, as set forth in conclusion No. 3, it is recommended that a copy of this report be referred by the Commandant to the appropriate State Pilotage Commission for possible action by the State authorities.
5. Also, it is recommended that legislation be enacted which would require Coast Guard inspection of towing vessels and the licensing and certification of their crews.
6. Finally, it is recommended that all action in the instant case be held in abeyance until the action of the Commandant of the United States Coast Guard has been completed.



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