

U.S. Department
of Transportation
United States
Coast Guard



MARINE CASUALTY REPORT

M/V JOAN LA RIE III

**CAPSIZING AND SINKING
IN THE ATLANTIC OCEAN
ON 24 OCTOBER 1982
WITH MULTIPLE LOSS OF LIFE**

U.S. COAST GUARD

MARINE BOARD OF INVESTIGATION REPORT

AND

COMMANDANT'S ACTION

REPORT NO. USCG-M-84-2

(16732/0004 HQS 82)

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16. Abstract <p>The charter fishing vessel JOAN LA RIE III capsized at about 1100 on October 24, 1982, in the Atlantic Ocean approximately nine miles east of Manasquan Inlet, New Jersey. The vessel floated for approximately 45 minutes before sinking to the bottom in 80 feet of water. Of the two crew members and twenty passengers on board six drowned. Two are missing and presumed dead.</p> <p>This report contains the U. S. Coast Guard Marine Board of Investigation report and the Action taken by the Commandant to determine the proximate cause of the casualty and the action taken with respect to the recommendations to prevent recurrence.</p> <p>The Commandant has concurred with the Board that the most probable cause of the casualty was the loss of positive stability as a result of the cockpit flooding by a large wave breaking over the starboard quarter of the vessel. While added flying bridge weight, shifting of passengers and cargo, and the continuing of wind and wave action contributed to the loss of positive stability, the water filling and remaining in the cockpit had the most detrimental effect on the vessel's stability.</p>					
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M/V JOAN LA RIE III; CAPSIZING AND SINKING
IN THE ATLANTIC OCEAN ON OCTOBER 24, 1982
WITH MULTIPLE LOSS OF LIFE

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16732/JOAN LA RIE III

8 JUN 1984

Commandant's Action

on

The Marine Board of Investigation convened to investigate the circumstances surrounding the capsizing with subsequent sinking of the M/V JOAN LA RIE III on October 24, 1982, with multiple loss of life

The report of the marine board of investigation convened to investigate the subject casualty has been reviewed; and the record, including the findings of fact, conclusions and recommendations, is approved subject to the following comments.

COMMENTS ON CONCLUSIONS

1. In concurrence with the board, the most probable cause of the casualty was the loss of positive stability as a result of the cockpit flooding by a large wave breaking over the starboard quarter of the vessel. While added flying bridge weight, shifting of passengers and cargo, and the continuing of wind and wave action contributed to the loss of positive stability, the water filling and remaining in the cockpit had the most detrimental effect on the vessel's stability.
2. Contributing to the sinking of the vessel was the loss of the hatch covers after the vessel had capsized. It is clear in the record that the hatch covers were not secured to hatch frames nor fitted with securing devices as required by 46 CFR 178.35-1(d). The loss of these hatch covers allowed water to enter the hull unimpeded and increased the rate at which the stern of the vessel sank below the surface of the water. A program has been initiated in which Coast Guard marine inspectors will insure that hatch closures are equipped with adequate securing devices and that they are being properly maintained as required in 46 CFR 178.35-1(d) during the next regularly scheduled inspection of all small passenger vessels. In addition, operators will be reminded of the importance of keeping hatch covers secured to preserve the watertight integrity of the hull.

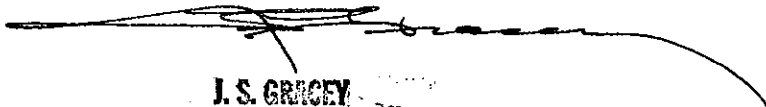
ACTION CONCERNING THE RECOMMENDATIONS

1. Recommendation 1: This recommendation is concurred with. A regulatory project will be initiated to review and revise as necessary portions of 46 CFR Subchapter T. Included in the revision will be a proposal to require primary lifesaving equipment for not less than 100% of the total persons on board for all small passenger vessels.
2. Recommendation 2: This recommendation is concurred with. Included in the above revision to Subchapter T will be a proposal to change 46 CFR 185.25-1(d) to require the safety orientation announcement rather than making it optional as it currently is now if instructive placards are provided.

3. Recommendation 3: This recommendation is concurred with. Small passenger vessels operating in ocean and coastwise service are required to carry EPIRBs; but those that operate within 20 miles are not required to carry one if they have a VHF radio. A regulatory project will be initiated to require these vessels to carry a Class C EPIRB which operates on the VHF marine band.

4. Recommendation 4: This recommendation is concurred with. Under 46 U.S.C. 3502 passenger lists or counts are required to be kept on certain vessels carrying passengers. "Seagoing vessels in the coasting trade," vessels arriving from foreign ports (except certain Great Lakes vessels), and "passenger vessels making voyages of more than 300 miles on the Great Lakes" (except from a Canadian to U.S. port) are required to "keep a correct list of passengers received and delivered from day to day." The "owner, charterer, managing operator, agent, master or individual in charge" is required to maintain the passenger list. On small passenger vessels not included in these categories, the "master" is required to keep a correct count of all passengers received and delivered." Revisions to Subchapter T and the Marine Safety Manual will be initiated to include implementing regulations and guidelines regarding lists and counts on small passenger vessels.

5. Recommendation 5: The intent of this recommendation is concurred with; however, it is not supported in the findings of fact. Findings of fact 23 and 24 set forth calculations which showed that the stability characteristics of the vessel far exceeded the International Maritime Organization's stability criteria for cargo and passenger vessels under 100 meters with the exception of the requirement for the least angle of maximum righting arm (25 degrees). It is noted that this criteria is a stringent, 8-part criteria which is normally applied to vessels over 65 feet. The significance of the minimum 25 degree angle is that it ensures that a vessel has a reasonable range of stability. Even though the maximum righting arm for this vessel occurred at less than 25 degrees, the range of stability of the M/V JOAN LA RIE III before the wave hit was more than adequate. A project has been initiated to review the simplified stability test for small passenger vessels. Upon completion of this review this recommendation will be given further consideration.


J. S. GRACEY
Admiral, U. S. Coast Guard
Commandant



16732/JOAN LA RIE III
6 September 1983

From: Marine Board of Investigation
To : Commandant (G-MMI)

Subj: M/V JOAN LA-RIE III, O.N. 514 848; capsizing and sinking on 24 October 1982 in the Atlantic Ocean 9 miles east of Manasquan Inlet, New Jersey, with loss of life and personal injury

FINDINGS OF FACT

1. SUMMARY

The charter fishing vessel JOAN LA-RIE III capsized at about 1100 hours (all times are Eastern Daylight Time) on 24 October 1982, in the Atlantic Ocean in position Latitude 40 - 04.1' North, Longitude 73 - 51.1' West approximately nine miles east of Manasquan Inlet, New Jersey. The vessel floated for approximately 45 minutes before she sank to the bottom in 80 feet of water. Of the two crewmen and twenty passengers on board six drowned. Two are missing and presumed dead.

2. VESSEL DATA

Name:	JOAN LA-RIE III
Official Number:	514848
Nationality:	U.S.
Service:	Small Passenger Vessel
Maximum Passengers Allowed:	33
Total Persons Allowed:	37
Required Crew:	2 Licensed Ocean Operators, and 2 Deckhands, if operating more than 12 hours in a 24 hour period
Lifesaving Equipment:	1 life float for 15 persons, 1 buoyant apparatus for 7 persons, 37 adult and 4 children's life preservers
Gross Tons:	29
Net Tons:	19
Material:	Wood/Fiberglass Reinforced Plastic
Length:	47.0 feet
Beam:	12 feet
Draft:	2 feet 9 inches
Propulsion:	Motor, diesel
Horsepower:	540
Year Built:	1968

Place Built: Waretown, New Jersey
Home Port: New York, NY
Owner/Operator: Charles H. Housley
Ridgewood, New Jersey 07450
License: No. 146053, Issue No. 06
Ocean Operator in the Atlantic
Ocean, not more than 100 miles
offshore, between Sandy Hook, NJ and
Beach Haven, NJ: Also operator of
motorboats, or other vessels of 15
gross tons or less propelled by
machinery other than steam, as defined
in the Act of 25 April 1940, while
carrying six or less passengers for
hire on the navigable waters of the
U.S.

Last Coast Guard Inspection: 18 February 1982 (Marine Inspection
Office, NY, NY) (second reinspection)
Pt. Pleasant, NJ

Place:
Last Drydock Examination: 16 February 1982 (Marine Inspection
Date: Office, NY, NY)
Pt. Pleasant, NJ

Place:
Vessel Document: Permanent license number 122, for
vessel under 20 gross tons in the
Coasting and Mackerel Fishery issued
at New York, NY on 28 May 1975

Endorsement Date: 2 June 1982

3. PERSONAL DATA: (Loss of Life/Reportable Injury)

Name: CHARLES H. HOUSLEY
Age: 55
Address: 606 Grove Street
Ridgewood, New Jersey 07450
Status on vessel: Owner/Operator
Injury: Drowned

Name: WALTER MEISENBACHER
Age: 60
Address: 449 Hulse Avenue
Bricktown, New Jersey 08723
Status on vessel: Crew/Mate
Injury: Drowned

Name:	THOMAS J. NOLAN
Age:	55
Address:	Railroad Avenue Southfields, New York 10975
Status on vessel:	Passenger
Injury:	Drowned
Name:	FRANK JACKSON, SR
Age:	38
Address:	RD 5, Brolay Road Middletown, New York 10940
Status on vessel:	Passenger
Injury:	Drowned
Name:	NICHOLAS SANTOPIETRO
Age:	61
Address:	Wright Street Greenwood Lake, New York 10925
Status on vessel:	Passenger
Injury:	Drowned
Name:	THOMAS SMYTHE
Age:	45
Address:	Wilson Street Greenwood Lake, New York 10925
Status on vessel:	Passenger
Injury:	Drowned
Name:	RANIER GSEGNET
Age:	39
Address:	Wilson Street Greenwood Lake, New York 10925
Status on vessel:	Passenger
Injury:	Missing, presumed dead
Name:	WILLIAM JORDAN
Age:	48
Address:	#8 Lake Street Ramapo, Hillburn, NY 10931
Status on vessel:	Passenger
Injury:	Missing, presumed dead
Name:	JOHN SULLIVAN
Age:	43
Address:	RD #1, 165A Hamburg, New Jersey 07419
Status on vessel:	Passenger
Injury:	Exposure; nearly drowned; head injury (concussion)

Name: JOHN GORMAN, SR
Age: 39
Address: HR #1, Box 360
Greenwood Lake, New York 10925
Status on vessel: Passenger
Injury: Pneumonia and lacerations

Name: JOHN GORMAN, JR
Age: 8
Address: HR #1, Box 360
Greenwood Lake, New York 10925
Status on vessel: Passenger
Injury: Exposure

4. WEATHER

The weather conditions over southern New Jersey on the morning of 24 October 1982 were characterized by scattered to broken clouds with low, middle and high cloud layers. Small craft warnings were in effect as of 0500 and were being broadcasted for the coastal waters from Manasquan to Cape Henlopen to 20 miles offshore. The warnings were issued late in the evening on 23 October and the morning of 24 October. At the time of the casualty the following weather existed:

Wind Direction:	North to Northeast
Wind Speed:	20 to 25 knots with higher gusts
Sea Conditions:	Easterly swell 2 to 4 feet, White capped waves, Gale warnings (Displayed at USCG Station Manasquan, New Jersey)
Sea Height:	Waves 6 to 8 feet, occasionally higher
Direction of Sea:	East to Northeast
Water Temperature:	53 degrees F
Air Temperature:	50 degrees F
Visibility:	20 miles to unlimited

The weather summary that follows was prepared by the National Transportation Safety Board, Bureau of Technology, Washington, DC.

The 0800 surface weather map, prepared by the National Weather Service, showed a large high pressure area centered over extreme northern New York. There was a low pressure area with the associated frontal system approximately 330 miles east of Savannah, Georgia. The New Jersey coastline was receiving northeasterly winds as a result of the pressure gradient between the two pressure systems.

At 1400 the high was centered over northern New Hampshire and the low approximately 180 miles east-southeast of Charleston, South Carolina.

Conditions over northern New Jersey throughout the period were characterized by scattered to broken clouds with low, middle, and high cloud layers reported.

The following are surface weather observations in the vicinity of the accident at available times closest to the time of the accident:

Manasquan Inlet (marine coastal station) time - 1000, clouds - scattered, visibility - 5 miles, wind - southwest 20 knots, temperature - 52 degrees F. (All indications are - that the wind should have been approximately northeast).

Barnegat (marine coastal station) time - 1100, clouds - partly cloudy, visibility - 6 miles, wind - northeast 18 knots, temperature 52 degrees F.

In a statement to the Coast Guard, the captain of the M/V ITAPE stated that at the time of the accident, weather conditions at the scene were: wind - northeast 25 knots, air temperature - 10 degrees C (50 degrees F), water temperature - 12 degrees C (53.6 degrees F), visibility - 20 miles, seas 6 to 8 feet.

The Coast Guard Operations Coordinating Center, Governors Island, New York in Situation Report No. 1, date/time October 25, 0732 GMT, reported weather conditions at the site as: wind - 20 to 25 knots, seas 4 to 6 feet, visibility - 7 miles, sea temperature 59 degrees F.

The wind over the water, based upon the atmospheric pressure gradient and stability, was computed to have been from the northeast at 24 knots at 0800 and 1400.

Based upon a computed wind speed of 24 knots acting on the surface for an estimated 7 hours, the computed significant wave height was approximately 6 feet. The 1/10 highest waves would have been approximately 8 feet.

The following are the marine weather forecasts, quoted in part, for the coastal waters between Manasquan and Cape Henlopen to 20 miles offshore issued late in the evening on October 23rd and the morning of October 24th:

Issued: 2339, Saturday, October 23, 1982

Winds: North to northeast 10 to 20 knots tonight, northeasterly increasing to 15 to 25 knots during Sunday and continuing into Sunday night.

Weather: Partly cloudy through Sunday, and continuing into Sunday night.

Visibility: More than 5 miles.

Average wave heights: 2 to 4 feet on the ocean increasing to 3 to 6 feet on the ocean Sunday. An easterly swell of 2 to 4 feet reported on the ocean may continue through tonight and increase Sunday. Small craft advisory may be issued early Sunday.

Issued: 0539, Sunday, October 24, 1982

Small craft advisory in effect as of 0500.

Winds: Mostly northeast increasing to 15 to 25 knots as of today.

Weather: Partly cloudy today and tonight.

Visibility: More than 5 miles.

Average wave heights: 2 to 4 feet building to 3 to 6 feet late today or tonight.

The following are the marine weather forecasts, quoted in part for the coastal waters for the area from Watch Hill, Rhode Island to Montauk Point, Long Island, to Manasquan and 20 miles offshore issued in the evening on October 23rd and the morning of October 24th:

Issued: 2139, Saturday, October 23, 1982

North to northeast 8 to 12 knots tonight and 10 to 25 knots with occasional gusts Sunday. Fair weather through Sunday with visibility generally over 5 miles. Average wave heights 1 to 3 feet tonight, 2 to 3 Sunday.

Issued: 0630, Sunday, October 24, 1982

Small craft advisory in effect at 0630. Northerly to northeasterly winds 15 to 25 knots today through Monday. Considerable cloudiness with visibility more than 5 miles. Average wave heights 2 to 4 feet through tonight.

The October 23, 2129 forecast for Watch Hill to Montauk Point to Manasquan called for conditions that were better than encountered at the scene of the accident. The October 24, 0630 forecast was substantially correct except that the sea heights were somewhat greater than forecasted. In this case, both the winds and seas diminished to the north of the accident site and the 0630 forecast was substantially correct for much of the forecast area.

5. At or about 0600 on 24 October 1982, the JOAN LA-RIE III departed Pt. Pleasant, New Jersey for a day of blue sport fishing in the Atlantic Ocean approximately 15 miles east of Pt. Pleasant, New Jersey. Two crewmen and 20 passengers were on board. Captain Charles Housley, the owner/operator, was in control of the vessel. The seas were rough and the vessel pitched and rolled heavily. The vessel was rolling in excess of 15 degrees consistently. All but four or five of the passengers became seasick almost immediately after leaving the inlet. They congregated inside the cabin and dozed. Weather and sea conditions remained constant throughout the morning.

6. The vessel reached the fishing area at about 0800 and anchored. A Danforth anchor was used. The anchor line led through a chock in the bow. The fishing area is known as the slough, and is a popular fishing area with sport fishermen along the northern New Jersey coast. The water depth in this area is about 105 feet. The vessel rolled heavily at anchor. Only five of the passengers fished while the other 15 passengers continued to be seasick or asleep on the two benches in the vessel's cabin. The benches were attached to and ran longitudinally along the bulkhead on either side of the cabin. There were four boys and one woman among the sick. Some passengers lost fishing rods over the side when the vessel took heavy rolls of approximately 30 degrees or more. The vessel's engines were secured while at anchor, but the owner/operator engaged them at least three times before weighing anchor. He went down into the engine spaces at least three times for an undeterminable reason. No one other than the captain was seen to enter the engine spaces. The captain told one seasick passenger in the cabin in response to a question that some salt water spray had collected in the bilges and that he was going to turn on the bilge pump. He was overheard by another passenger fishing on the fantail to say to the crewmember that, "that damn thing broke again."

7. At about 1045 when the fishbox was full of bluefish, the captain weighed anchor and started to return to port. Practically all of the 15 people in the cabin were still seasick or asleep. The captain continued to operate the vessel. The mate was positioned on the port side in an apparent attempt to observe the port side overboard discharge. At about 1100 in position Latitude 40-04.1 North, Longitude 73-51.1 West, while headed in a westerly direction the vessel was hit on the starboard side by an unusually large wave estimated to be about 12 feet high, rolled over to port and capsized. The vessel initially heeled 55-60 degrees and momentarily stayed at that angle of heel. The door to the cabin was 6 feet high and 2 feet 4 inches wide. It was open allowing water to flood the cabin and the engineroom spaces. The vessel then continued over to a 90 degree heel. Most of the 15 passengers asleep in the cabin were not aware that the vessel was in trouble until water rushed into the cabin and drenched them.

8. The vessel rolled over onto its port side and remained there. The passengers on the starboard side cabin bench were thrown on top of the passengers seated on the port side bench along with fishing gear and various other debris. The port bulkhead became the floor, and the starboard bulkhead the ceiling. The engines continued ahead with the starboard propeller out of the water and still turning. One passenger, Thomas Smythe, on the port side of the fantail cockpit was immediately washed over the side. One passenger, John Sullivan, standing near the cabin door with his arm around the ladder leading to the flying bridge, was knocked violently overboard. In the process he tore the ladder from the vessel and carried it with him. The cockpit area was underwater. Someone yelled, "Man Overboard". There were windows on either side in the cabin but the only exit from the cabin was a narrow door leading aft onto the cockpit. No one onboard was wearing a personal flotation device (PFD). Water quickly filled the cabin and the lower engine spaces.

9. Passengers scrambled out of the cabin. One passenger, Mrs. Carol Gorman, began to take PFD's from the storage bin and threw them toward the cabin door. Several passengers knocked out the starboard side window and climbed out onto the bow. Mrs. Gorman was the last person to leave the cabin alive. When she left the cabin it was completely flooded. As the vessel progressively flooded, and the engine spaces filled with seawater, the stern sank and the vessel floated bow-up in the water for another 45 minutes. Some passengers were clinging to the bow, others to the anchor line, and others were floating on top of debris. Others were clinging to PFD's and each other. It was two hours before a small boat from the M/V ITAPE, a 528-foot general cargo freight carrier out of Rio de Janeiro, Brazil arrived and began to rescue the survivors. During that time the owner/operator and the surviving passengers floated in the water and watched the M/V ITAPE steam toward them. Two passengers cut the line that secured the life float and the buoyant apparatus to the vessel and clung to them. The seven person buoyant apparatus was stowed inside the fifteen person lifefloat and was lashed to the lifefloat body. When the securing line was cut loose from the vessel, these devices floated together. While the owner/operator was floating in the water and clinging to a seat cushion, he talked to John Sullivan. They were about 75 yards from the capsized vessel. They could not see the sinking vessel from where they were. He told Sullivan that it would take one and a half hours for the big ship to reach them and that their only chance of survival was to swim back to the vessel and get the life floats. He swam off toward the vessel but never reached it. He drowned enroute. He was not wearing a PFD. Mr Sullivan floated alongside Captain Housley for approximately 30 minutes. He never asked him how or why the vessel had capsized so suddenly. The captain and the mate both drowned. Forty-five minutes after capsizing the vessel sank. The survivors floated for about another hour and fifteen minutes before the Brazilian rescue boat arrived. At about 1210 two Coast Guard helicopters from USCG Air Station Brooklyn arrived, followed by a 41-foot and a 44-foot rescue boat from USCG Station Manasquan, New Jersey.

10. The JOAN LA-RIE III was first observed by the Officer of the Deck, the 2nd Officer, who was on watch on the M/V ITAPE at about 1050 while she was on a course of approximately 270 degrees. The ITAPE was maneuvering on various courses in a southerly direction, at a speed of 17 knots. The vessels were in a crossing situation. The Officer of the Deck had seen the JOAN LA-RIE III go down into the trough of a wave and not come up. When he saw that it had capsized about 10 miles ahead off his port bow, he summoned the master to the bridge. The master immediately ordered a MAYDAY signal to be radioed to the U. S. Coast Guard and changed course to 165 degrees T to intercept the capsized vessel.

11. The rescue operation began at about 1105 when the ITAPE radioed the MAYDAY and changed course to intercept the JOAN LA-RIE III. The MAYDAY was broadcasted on 500 KHZ and was picked up by the U. S. Coast Guard Radio Station Boston, Massachusetts. It was relayed to the U. S. Coast Guard Radio Station at Group Sandy Hook, Fort Hancock, New Jersey. At 1132 the watch officer at Station Manasquan, BMC Robert C. Taylor, USCG Reserve, dispatched a 41-foot rescue boat to the scene. The 41-footer was already out on a training mission. A 44-foot rescue boat was dispatched also. At 1135 the first helicopter departed Air Station Brooklyn.

12. BMC Robert C. Taylor, USCG Reserve, was the Officer of the Day at USCG Station Manasquan on 24 October 1982. When he assumed the watch at 1600 on 23 October small craft warnings were posted. Gale warnings were posted during his watch on 24 October 1982. He had been standing Officer of the Day watches there for the past 15 years. It is a 24-hour watch and he usually stands one per month. Before coming to Station Manasquan, he had stood Officer of the Day watches at USCG Group Sandy Hook for two years. There were three watchstanders in the Station Operation Center and seven reserve petty officers in the duty section. The duty section is required to man a 20-foot, 41-foot and a 44-foot rescue boats. On 24 October there were five men in a boat crew. Two of the men were there for training purposes. The 41-foot rescue boat was sent on a training mission at 1053 with five crewmen. The communication center was monitoring Channel 16 which is 156.8 MHz on the radio. At 1135 the radio watch monitored a MAYDAY broadcasted from Group Sandy Hook and immediately ascertained the latitude and longitude of the tragedy. When the position was plotted, the 41-foot boat was diverted from the training mission to the scene. Station Manasquan was not able to establish radio communications with the M/V ITAPE. The Brazilians spoke mostly Portuguese but some English. The father of a Manasquan police officer who spoke Portuguese went to the Station and assisted in the communications with the ITAPE. Also, there was a Swiss chemical tanker, the CERVIN, that was relaying transmissions from the ITAPE to Group Sandy Hook and Station Manasquan. All of this contributed to a chaotic and confused situation.

At first, the Manasquan watchstanders thought that the 528-foot ITAPE was sinking. All Coast Guard units were ordered to switch to Channel 83, because of the profusion of traffic on Channel 16. At 1148 it was determined that it was a small boat that had capsized, that there were about 10 people visible in the water, and that the ITAPE had launched its rescue boat. At 1220 BMC Taylor called the Pt. Pleasant Police and arranged for ambulances to be on standby at the beach. The Coast Guard 41-footer rescued five people from the water after ensuring that the six people in the ITAPE's small boat were all right. At 1317 the 44-footer was dispatched from Station Manasquan, and the USCGC CAPE STRAIT (WPB-95308) from Group Sandy Hook. The Search and Rescue Mission Coordinator was the operations center watch officer at Commander, Third Coast Guard District (occ), Governors Island, New York. The pilot onboard one of the helicopters from USCG Air Station Brooklyn, New York assumed duties as the on-scene commander.

13. At about 1300 when the ITAPE reached the survivors, a small boat was lowered with a crew of five. Communications between the ITAPE and the lifeboat were maintained by radio-telephone (i.e. walkie-talkie). Six survivors were taken into the lifeboat and one was lashed to the side. He was too heavy for the smaller Brazilians to hoist into the boat. Conversation between the survivors and the boat crew was difficult because of the language barrier. The fully-loaded lifeboat returned to the ITAPE and attempted to put the survivors aboard via a rope ladder. The individual survivors were weak and exhausted, and they were too heavy to be carried up the rope ladder over the shoulders of the Brazilians. Several rungs of the ladder gave way when the survivors tried to climb it. The seas were rough and caused the lifeboat to pound against the side of the ITAPE. One of the helicopters observed this and established communications with the ITAPE by bullhorn. The lifeboat was ordered away from the ship and the survivors were hoisted in a basket to the helicopter. The survivors in the Coast Guard 41-footer were also hoisted to a helicopter. They were all taken to the beach at Pt. Pleasant where ambulances were waiting to take them to local hospitals.

14. At about 1400, the MISS BELMAR, a charter fishing vessel out of Pt. Pleasant, called the Coast Guard Station at Manasquan and informed the Officer of the Day that the distressed vessel was the JOAN LA-RIE III, and that the owner/operator was Captain Housley. MISS BELMAR offered to render assistance. She was fishing on the slough about six miles from the scene. BMC Taylor told her thanks, but if he needed her assistance that he would call her back. The SEA DEVIL, another charter fishing vessel called Station Manasquan at 1434 with more information on Captain Housley.

15. A Coast Guardsman from station Manasquan was sent to Ken's Landing, 30 Broadway, Pt. Pleasant Beach, New Jersey, the pier where the JOAN LA-RIE III ties up to take the license plate numbers from the cars in the parking lot. There were three cars parked there. Pt. Pleasant Beach Police ran a check on

the license numbers and identified some of the passengers onboard the JOAN LA-RIE III. No one knew the exact number of people onboard or their identities.

16. Of the 22 people on the JOAN LA-RIE III, five of those retrieved were dead on arrival at the beach and three were missing. None of the victims were wearing PFD's. They were all hoisted to one the the Coast Guard helicopters and flown to the beach where ambulances and medical personnel were waiting. A search was conducted by the two helicopters, the USCGC CAPE STRAIT, USCGC PT. BATAN (WPB 82340), and the 44-foot rescue boat. All they found were some debris and some PFD's. After sunset, the search was continued using searchlights. The active search was suspended at about 2045. On 8 November 1982 a body, later identified as that of Thomas Smythe, one of the three missing passengers, floated upon the beach at Pt. Pleasant Beach, New Jersey.

17. All of the Coast Guard stations in the New York/New Jersey coastal area maintained a 24-hour live radio watch. Station Manasquan was monitoring Citizens Band Channel 9. No one reported ever hearing any kind of distress signal from the JOAN LA-RIE III.

18. THE JOAN LA-RIE III

In 1967 Charles H. Housley commissioned William I. Hammarstrung of Waretown, New Jersey, a self-employed boat builder and fisherman, to build a boat for him. The boat was named the JOAN LA-RIE III. He had built over 50 boats in excess of 40 feet in length, in his life. The JOAN LA-RIE III was completed and delivered to Captain Housley in 1968. The boat was a cockpit type boat. The cockpit dimensions were 17 feet long and 12 feet wide. Mr. Hammarstrung built the JOAN LA-RIE III with twin screws, twin rudders, twin 6-71 diesel engines, two 180 gallon fuel tanks, an open fly bridge, three watertight compartments, a collision bulkhead 3 feet 9 inches aft of the stem, a bilge system that ran to all compartments, and four freeing ports in the cockpit deck. The freeing ports were 3 inches high and 6 inches wide. There were two in the stern and one each side of the cockpit deck. The cockpit deck was 34 inches below the bulwark. There was one ten inch step up leading into the cabin from the cockpit deck. The doorway leading into the cabin was 6 feet by 2 feet 4 inches. The ceiling of the cabin was 6 feet 6 inches above the cabin deck. The vessel's 37 adult and 4 children's Coast Guard approved PFD's were in good condition and were stowed under the bench seats that ran fore and aft along each side of the bulkheads in the cabin. The stowage areas were clearly marked in black blocked letters at least 1 inch high, as ADULT LIFE PRESERVERS. The only passageway to the engineroom was through the cabin beneath the bridge. Mr. Hammarstrung installed a one inch JABSCO bilge pump, the engines, the exhaust system, the fuel tanks, and a type III marine sanitation device (MSD) (i.e. with a holding tank and discharge valve on the port side, aft of the engines.

FIGURE 1 - M/V JOAN LA-RIE III OPEN FLYING BRIDGE

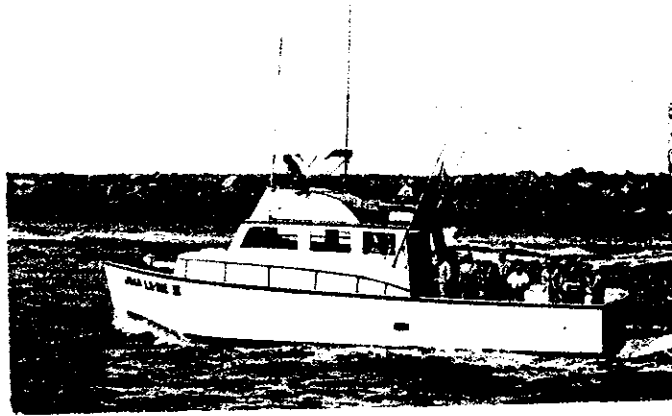
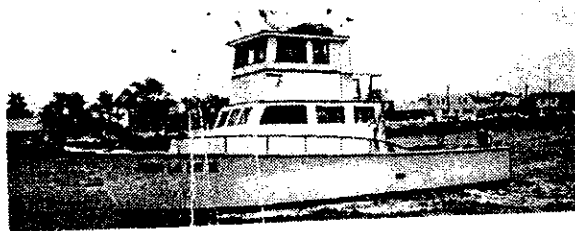


FIGURE 2 - M/V JOAN LA-RIE III AFTER FLYING BRIDGE ALTERATIONS



The bilge pumps operated off the main engines. One had to be in the engine room to operate the bilge pumps. The bilge pump connected to the starboard engine doubled as a fire pump. There was one hand-held portable pump onboard as a backup. The vessel was equipped with a visual indicating flashing light bilge alarm system. The visual alarm was only observable on the flying bridge control panel. The original plans for the design and construction of the boat had been submitted and approved by the Coast Guard Marine Inspection Office, Philadelphia, Pennsylvania. A closed flying bridge superstructure was added in 1976 by the owner. It was made of one quarter inch plywood and total assembly weighed about 100 pounds. On top of this superstructure were added the lifefloat and buoyant apparatus (weighing about 250 pounds) and a radar set and several antennas (weighing about 90 pounds). The work was done by Richard J. Meany, an alternate operator. A drydock inspection was last performed on the vessel on 16 February 1982 at Pt. Pleasant, New Jersey, and the second annual reinspection was completed on 18 February 1982.

19. THE PASSENGERS

The JOAN LA-RIE III had been chartered by the Gaelic Cultural Society for a day of sport fishing. It had been decided at the September 1982 meeting of the Society to charter Captain Housley's boat on 24 October 1982. Mr. John Gorman, Sr. was the sponsor and organizer of the outing. His wife, 38 year old Carol, was the only woman onboard. His 8 year old son, John Gorman, Jr., was one of the five youngsters on board. The others were Kevin Brady, 16 years old; Hugh Porter 16 years old; James Mezzetti, 14 years old, and Frank Johnson, Jr., 15 years old. Not everyone onboard was a member of the Society. Some of the members had brought along friends who were not known to the other members. No one was sure of the exact number of people onboard or their identities. Each person had paid \$28.00 for the trip. Only one or two of the passengers had ever been aboard the JOAN LA-RIE III before. Prior to getting underway, neither the owner/operator nor the mate provided any of the passengers with any safety orientation or emergency procedures. No public announcement was made. The passengers were not told where PFD's were stored, how they should be donned, or made aware of other primary lifesaving devices aboard. They were not made aware of the location or the contents of the "Emergency Check Off List". However, the required safety placecards were posted on a bulkhead in the passenger cabin area, but none of the survivors could remember seeing them.

20. Captain Housley operated the JOAN LA-RIE III seven days a week, night and day, during the sport fishing season. The season runs from April to November. Housley's alternate operator was Richard Meany. Housley normally operated the boat during the nighttime trips. There were ten to twelve other charter fishing boats from Pt. Pleasant fishing on the slough that day. Among others, the M/V BARVIC, skippered by William F. Burdge, was anchored only 50

yards from the JOAN LA-RIE III for over an hour before the JOAN LA-RIE III weighed anchor, and the 55-foot M/V CATHERINE, skippered by William Houck was anchored about 40 yards away. The 114-foot M/V MISS BELMAR, skippered by Robert Nash, was anchored within 700 yards, and the 72 foot M/V SEA DEVIL, skippered by Robert Pennington, was also anchored nearby. They all had their radios on and monitored variously Channels 16, 66, 67, and 83.

21. The 58-foot M/V SUPER SHY-POKE, skippered by Captain George B. Elsey, was anchored about 500 yards from the JOAN LA-RIE III. Elsey says that the SHY-POKE has a freeboard of 7 feet forward and that while anchored he experienced 9-12 foot waves that were shipping solid green water over his bow. At about 1030 as the SHY-POKE was weighing anchor, Captain Housley called the SHY-POKE on Channel 67. Housley reported that half of his passengers were seasick and that he was returning to port. Captain Housley said, among other things, that he had a bilge pump that had been working at the dock but that it was no longer working. Captain William Burdge of the M/V BARVIC, joined in on part of this conversation. The SHY-POKE left the slough about 15 minutes ahead of the JOAN LA-RIE III. Captain Elsey said that he was hit on his starboard side by a wave estimated to be 15 feet, that knocked two aluminum sliding scupper doors from their hinges. At about 1050 after weighing anchor and starting for Pt. Pleasant Beach, Captain Housley received a radio transmission from William F. Burdge on the M/V BARVIC. Burdge asked Housley if he was leaving for home after only half a day of fishing. Housley's response was, "we have enough fish, and we are going home". He also said that the new bilge pump did not pump the crash bulkhead, but he was not having any problem with it at that time. Then Housely said, "I'll see you at the dock."

22. At about 1100 the JOAN LA-RIE III was hit on her starboard side by a large, unexpected, wind-generated wave approximately fourteen feet high. The average waves observed were 2 to 3 feet higher than forecasted. The large wave that first hit the vessel was a wind generated wave in excess of fourteen feet high. This type of wave is unusual and occurs infrequently. It is formed when three or more smaller prevailing waves coalesce and form one very large wave. These waves may only last for 5 to 30 seconds and may stretch 500 yards from one end of the crest to the other. Usually they can be expected to measure from one end of the crest to the other, seven times the distance from the crest of a prevailing wave to the next. When a wave of this type approaches a ship, it has a deep trough in front of it. It will hit unexpectedly because of its sudden generation, short life and dissipation. Captain Housley probably had little or no knowledge of its approach. It most likely reached its point of maximum amplitude at the JOAN LA-RIE III and spilled over into her. The vessel's stability was adversely affected.

23. The vessel was initially inspected by the Coast Guard for certification in 1968 and was not required to undergo a stability test at that or any other time. The following alterations with Coast Guard knowledge were made to the vessel during its life:

- a. Plywood flying bridge replaced original canvas side and open roof.
- b. Two 180 gallon fuel tanks replaced by 200 gallon capacity tanks.
- c. Portable wood fish box of approximately 200 pound capacity added to cockpit stern.

24. The Coast Guard made a stability analysis of the JOAN LA-RIE III after the casualty. Lines were faired from the available profile and arrangement drawings for this and a similar vessel, along with Polaroid pictures taken during the vessel's construction. The vessel's hull form was then modeled from this lines plan using their different techniques to account for the cockpit and two different computer programs to compare the models. The calculation of righting arms using these programs produced only minor differences in righting arm values.

Stillwater righting arm curves were developed considering the following:

- a. Full load
- b. Full load with the effect of flying bridge modification and fuel oil free surface.
- c. Full load with the effect of 1 foot of water in the cockpit.
- d. Full load with the effects of flying bridge modification, fuel free surface, and weight of 1 foot of water in the cockpit.
- e. Full load with the effects of flying bridge modification, fuel oil free surface, weight of 1 foot of water in the cockpit and the full surface effect of this water.

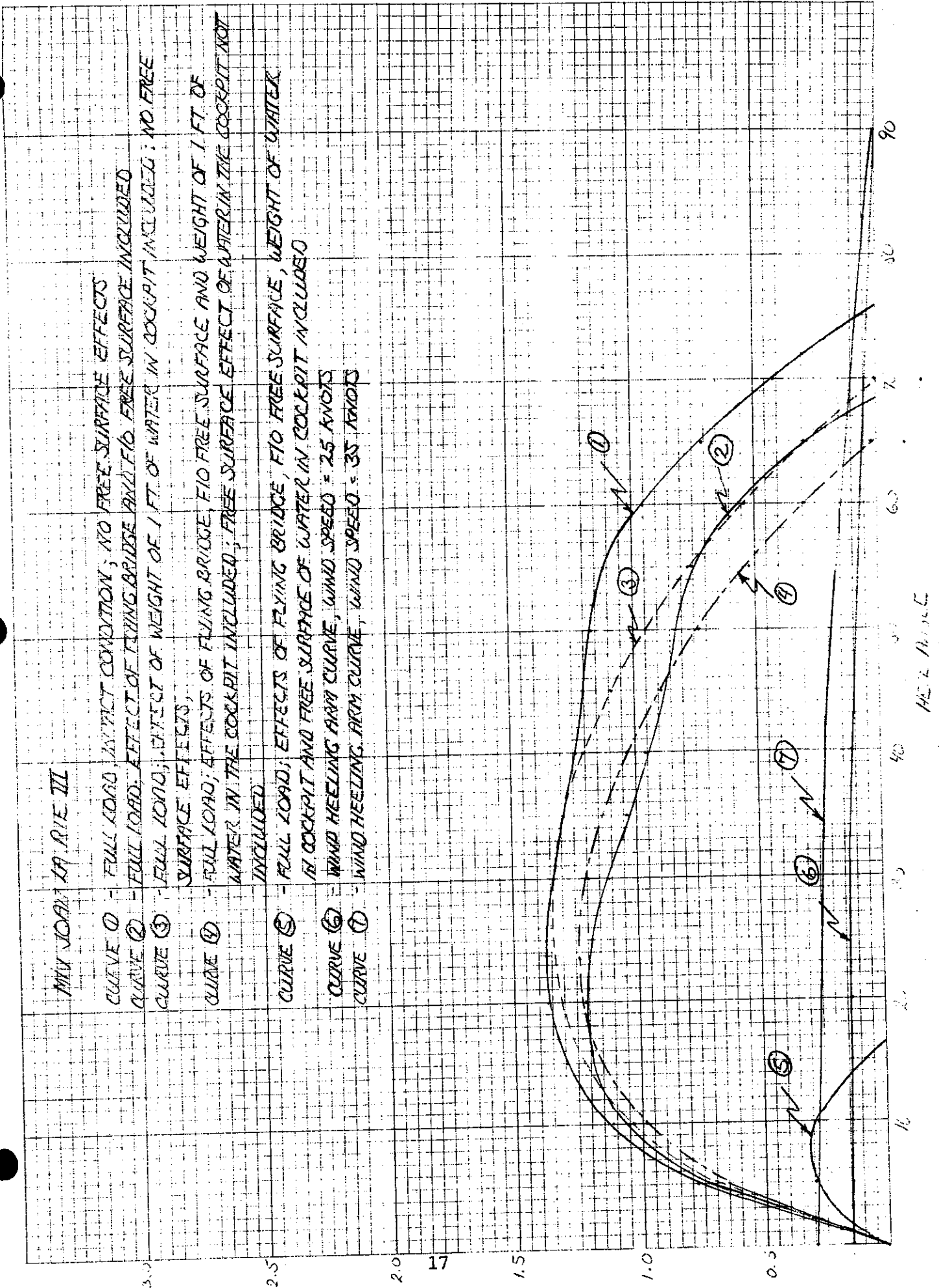
A comparison of the righting arm curves for these loading conditions is tabulated below:

CONDITION	ANGLE OF MAX R.A.	MAX R.A.	AREA TO ANGLE OF MAX R.A.	RANGE OF STABILITY
a.	23.6 DEG	1.37 FT	24.6 FT-DEC	76 DEG
b.	19.9 DEG	1.21 FT	19.9 FT-DEC	68.5 DEG
c.	27.4 DEG	1.35 FT	27.4 FT-DEC	70 DEG
d.	23.9 DEG	1.23 FT	22.3 FT-DEC	65 DEG
e.	4.7 DEG	0.35 FT	0.8 FT-DEC	16 DEG

The calculations show that Conditions a through d far exceed the International Maritime Organization Stability Criteria for Cargo and Passenger Vessels under 100 Meters, with the exception of the requirement for the least angle of maximum righting arm (25 degrees).

25. The analysis showed that of all factors considered, the free surface effect of water in the cockpit had the most detrimental effect on the vessel's stability. It caused a substantial reduction in the available righting energy and the range of stability (see figure 3)

FIGURE (3)



CONCLUSIONS

1. The proximate cause of the capsizing and sinking of the M/V JOAN LA-RIE III cannot be determined from the evidence. The most probable cause was the loss of positive stability as a result of cockpit flooding caused by a large wave breaking over the starboard quarter of the vessel. Contributing to the loss of positive stability was the added flying bridge weight, shifting off center of passengers and cargo, and the continuing wind and wave action.
2. If the passengers onboard the JOAN LA-RIE III had been wearing personal flotation devices (PFD's) when she capsized, their chances of survival would have been measurably increased.
3. The fact that the passengers were not given a safety orientation before getting underway probably contributed to their not knowing where the PFD's were stowed.
4. If there had been 100% primary lifesaving devices onboard the JOAN LA-RIE III, fewer people would have drowned.
5. The timely and humanitarian rescue efforts of the officers and crew of the M/V ITAPE were responsible for preventing further loss of life. If the mate on watch as the OOD onboard the ITAPE had not seen the M/V JOAN LA-RIE III capsize, this casualty might have gone undetected for an indefinite period of time.
6. There were commendatory rescue efforts by U. S. Coast Guard personnel, as well as, U. S. citizens and foreign nationals. These actions have been the subject of separate correspondence.
7. After it was ascertained that the 47-foot M/V JOAN LA-RIE III had capsized, it was difficult to determine who or how many people were onboard. If the OOD at Station Manasquan had been able to obtain a passenger manifest list, it would have helped to coordinate the rescue effort.
8. There is evidence of violation of Title 46 Code of Federal Regulations Part 180.20 in that the lifefloat and buoyant apparatus were secured to the vessel and the lifefloat and buoyant apparatus were not kept apart. This has been referred to Commander, Third Coast Guard District for action.
9. Except as noted above, there is no evidence of actionable misconduct, inattention to duty, negligence, or willful violation of law or regulation on the part of licensed or certificated persons, nor evidence that failure of inspected material or equipment, nor evidence that any personnel of the Coast Guard or any other government agency or any other person contributed to the cause of this casualty.

RECOMMENDATIONS

1. That the Coast Guard amend the regulations for small passenger carrying vessels operating coastwise, not more than 20 miles from a harbor of safe refuge, to be required to carry sufficient buoyant apparatus or lifefloats for not less than 100% of the total persons on board.
2. That in addition to providing instructive placards, vessel operators should be required to make a public announcement at the beginning of each trip to inform all passengers of the location of life preservers, the proper method of donning and adjusting life preservers, the type and location of all lifesaving devices and the location and contents of the "Emergency Checkoff list".
3. That consideration be given to requiring all small passenger carrying vessels operating on partially protected waters more than one mile offshore or on exposed waters to carry an emergency position indicating radio beacon (EPIRB).
4. That the Coast Guard study the feasibility of requiring vessel operators to provide their shore side base of operations with some form of passenger accountability.
5. That the regulations require all small passenger vessels undergo an initial stability test and specify what alterations would require that another stability test be performed.
6. That no further action be taken and that this casualty investigation be closed.

R. C. Pickup

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