



**United States Attorney Jenny A. Durkan
Western District of Washington**

**Owner Of 'Davy Crockett' Barge Pleads Guilty To Clean Water Act
Violations For Oil Spill On Columbia River**

***Owner of Salvage Company was Informed of Oil on Barge and Failed to
Act before Salvage; then Ignored Leaks, failing to Report them to
Authorities***

FOR IMMEDIATE RELEASE

July 12, 2012

BRET A. SIMPSON, the owner of Principle Metals, LLC, pleaded guilty today in U.S. District Court in Tacoma to two criminal violations of the Clean Water Act; failing to report a discharge of oil, and unlawfully discharging oil into the Columbia River near Camas, Washington. The failure to report offense is punishable by up to five years in prison, while the unlawful discharge offense is punishable by up to one year in prison. SIMPSON admits that he was informed about oil left on the 'Davy Crockett' barge while conducting salvage operations. However, SIMPSON failed to have the oil removed before workers started cutting up the metal barge. When the first oil spill occurred in early December 2010, SIMPSON failed to notify authorities and failed to take any affirmative steps to monitor the vessel or protect it from natural forces and further structural damage. Subsequent spills in January 2011 led U.S. Coast Guard investigators to identify the 'Davy Crockett' as the source and initiate a federally funded cleanup effort. Ultimately the U.S. Coast Guard spent eight months and approximately \$20 million working with environmental authorities to clean up the spill and remove the derelict barge from the river. U.S. District Judge Robert J. Bryan scheduled sentencing for October 12, 2012 at 9:30.

According to the plea agreement, SIMPSON was informed that fuel oil storage tanks on the marine motor vessel Davy Crockett contained several thousands of gallons of fuel oil and diesel fuel before the vessel was damaged during scrapping operations. The M/V Davy Crockett is a former U.S. Navy ship that had been converted to a flat deck barge. SIMPSON's company planned to cut the barge apart and sell the metal for scrap. SIMPSON assembled a crew to begin dismantling the M/V Davy Crockett at its place of moorage in the Columbia River in October 2010. He made no arrangements to remove the fuel oil and diesel fuel from the vessel before the scrapping operation began. On December 1, 2010, a member of the scrapping crew cut into a structural beam of the barge, and the ship began breaking apart and leaking oil. Neither SIMPSON nor anyone else with Principle Metals LLC notified authorities about the leak. The scrapping operation was halted.

SIMPSON initially addressed the oil release by ceasing all scrapping operations, procuring a boom to limit the release of oil into the Columbia River, and directing an employee to monitor vessel conditions. The employee monitored vessel conditions for approximately one week following the initial release before being relieved of his employment. SIMPSON took no further steps to monitor the ship, or the boom, and took no steps to protect the barge from further structural damage. On January 19, 2011, an accumulation of debris next to the barge forced it to move, and additional oil was released. The Coast Guard responded to the additional movement of the barge, and issued an administrative order for SIMPSON to remove any remaining visible oil from machinery spaces and deck tubes together with other salvage debris from the vessel. SIMPSON complied and authorities believed the barge no longer posed an environmental danger. However on January 27, 2011, additional oil was released from the vessel and state and federal authorities immediately responded in an effort to limit environmental damage.

Detailed timeline of the clean up and material removed from the water is available here:

<http://www.ecy.wa.gov/programs/spills/incidents/DavyCrockett/DavyCrockett.html>

The case was investigated by the Environmental Protection Agency Criminal Investigation Division (EPA-CID), the U.S. Coast Guard, the U.S. Coast Guard Investigative Service, the Washington State Department of Ecology, and the Oregon Department of Environmental Quality. The case is being prosecuted by Assistant United States Attorney James Oesterle and Special Assistant United States Attorney Lieutenant Commander Marianne Gelakoska of the U.S. Coast Guard. Mr. Oesterle heads the U.S. Attorney's Office working group on environmental crimes.