



DEPARTMENT OF THE NAVY
COMMANDER IN CHIEF
UNITED STATES PACIFIC FLEET
250 MAHALAPA DRIVE
PEARL HARBOR, HAWAII 96860-3131

WHIPPLY REFER TO:

5830
Ser N00/816
23 Apr 01

MEMORANDUM FOR THE RECORD

From: Commander in Chief, U.S. Pacific Fleet

Subj: COURT OF INQUIRY INTO THE CIRCUMSTANCES SURROUNDING THE COLLISION BETWEEN USS GREENEVILLE (SSN 772) AND JAPANESE M/V EHIME MARU THAT OCCURRED OFF THE COAST OF OAHU, HAWAII ON 9 FEBRUARY 2001

Ref: (a) JAGMAN
(b) JAGINST 5830.1
(c) CINCPACFLT ltr of 17 Feb 01 Ser N00/269 (Original Appointing Order)

Encl: (1) Court of Inquiry Report of 13 Apr 01

1. On 9 February 2001, USS GREENEVILLE (SSN 772) collided with the Japanese Motor Vessel EHIME MARU approximately nine miles south of Oahu, Hawaii. The GREENEVILLE was performing an emergency main ballast tank blow demonstration for 16 embarked civilians at the time. The collision resulted in the loss of nine EHIME MARU crew members and the sinking of the ship itself. Shortly after the GREENEVILLE returned to port, a preliminary investigation was initiated that ultimately led to the convening of a Navy Court of Inquiry on 5 March 2001.

2. Pursuant to references (a) and (b), I have completed my review of the Court of Inquiry's report into the collision between USS GREENEVILLE (SSN 772) and the EHIME MARU. As the Echelon II commander exercising general court-martial jurisdiction over the commands involved in reference (c), I hereby approve and concur with the findings of fact, opinions, and recommendations in enclosure (1), subject to the following.

3. I have determined that the following corrective action is warranted:

Subj: COURT OF INQUIRY INTO THE CIRCUMSTANCES SURROUNDING THE COLLISION BETWEEN USS GREENEVILLE (SSN 772) AND JAPANESE M/V EHIME MARU THAT OCCURRED OFF THE COAST OF OAHU, HAWAII ON 9 FEBRUARY 2001

a. I specifically concur with the Court's recommendation that Commander Scott D. Waddle, U.S. Navy, be ordered to Admiral's Mast. At a hearing held on 23 April 2001, and for the reasons elaborated upon below in paragraphs 5 and 6, I found Commander Waddle committed violations of Article 92, UCMJ (Dereliction in the Performance of Duties) and Article 110, UCMJ (Negligent Hazarding of a Vessel). I issued him a punitive letter of reprimand and forfeited one-half of his pay for two months (with forfeitures suspended for six months).

b. I specifically concur with the Court's recommendation that Lieutenant Commander Gerald K. Pfeifer, U.S. Navy, be admonished by Commanding Officer, USS GREENEVILLE for lack of administrative oversight and execution of the enlisted watchbill. By copy of this memorandum, I forward that recommendation to Commander, Submarine Force, U. S. Pacific Fleet, for further action as he deems appropriate.

c. The Court recommended that Lieutenant (Junior Grade) Michael J. Coen, U.S. Navy, be admonished by Commanding Officer, USS GREENEVILLE for failure to stand an attentive watch as Officer of the Deck on board USS GREENEVILLE on 9 February 2001. That recommendation is modified to reflect that Lieutenant (Junior Grade) Michael J. Coen, U.S. Navy, was ordered to Admiral's Mast before Commander in Chief, U. S. Pacific Fleet for a violation of Article 92, UCMJ (Dereliction of Duty) for failing to ensure safe navigation of the ship and proper supervision of personnel in the Control Room. At Admiral's Mast, I admonished Lieutenant (Junior Grade) Coen to ensure he understands the critical responsibilities of a strong and attentive Officer of the Deck who is relied upon by the Commanding Officer for forceful backup.

d. I specifically concur with the Court's recommendation that the Chief of the Boat, MMCM(SS) Douglas Coffman, U.S. Navy, be admonished by Commanding Officer, USS GREENEVILLE for lack of administrative oversight and execution of the enlisted watchbill. By copy of this memorandum, I forward that recommendation to COMSUBPAC for further action as he deems appropriate.

e. I specifically concur with the Court's recommendation that STS1(SS) Edward McGiboney, U.S. Navy, the ship's Sonar Supervisor, be admonished by Commanding Officer, USS GREENEVILLE for poor execution of the enlisted watchbill by allowing an

Subj: COURT OF INQUIRY INTO THE CIRCUMSTANCES SURROUNDING THE COLLISION BETWEEN USS GREENEVILLE (SSN 772) AND JAPANESE M/V EHIME MARU THAT OCCURRED OFF THE COAST OF OAHU, HAWAII ON 9 FEBRUARY 2001

unqualified watchstander to stand watch in sonar without proper oversight. By copy of this memorandum, I forward this recommendation to COMSUBPAC for further action as he deems appropriate.

f. I specifically concur with the Court's recommendation that Captain Robert L. Brandhuber, U.S. Navy, be admonished for failing to professionally carry out his duties on 9 February, as elaborated upon in paragraphs 10 and 11 below. By copy of this memorandum, I forward that recommendation to COMSUBPAC for further action as he deems appropriate.

g. The Court's recommendation that Lieutenant Commander David Werner, U.S. Navy, be admonished for improper oversight and supervision of COMSUBPAC's Distinguished Visitor Embarkation (DVE) program is disapproved. As the Court noted in Court Opinion 71, Navy guidance on embarkation of civilians is "internally inconsistent and conflicting." In Court Recommendations 14, 15, and 16, the Court suggested that the chain of command review policy and issue new guidance that is internally consistent, clear and more specific. In such a case, it is incumbent upon leadership to provide appropriate direction regarding the proper management and implementation of this extremely valuable Public Affairs program. Furthermore, in Court Opinion 72, the Court indicated it was not unreasonable to put the GREENEVILLE to sea under the particular circumstances of the 9 February embark.

4. I note the Court's recommendation that Fire Control Technician First Class(SS) Patrick Seacrest, U.S. Navy, be taken to Captain's Mast by Commanding Officer, USS GREENEVILLE for violation of Article 92, UCMJ (Dereliction in the Performance of Duties) for failing to maintain a contact evaluation plot and by failing to report a closing sonar contact (EHIME MARU) within 4000 yards of USS GREENEVILLE in accordance with standing orders. By copy of this memorandum I forward this recommendation to COMSUBPAC for further action as he deems appropriate.

5. I specifically concur with the Court's opinion that Commander Waddle's disregard of his own standing orders and guidance provided by Naval Warfare Publications was a cause of the collision. The Commanding Officer's departure from standard operating procedure led to an inadequate target motion analysis solution and an insufficient periscope search prior to

Subj: COURT OF INQUIRY INTO THE CIRCUMSTANCES SURROUNDING THE COLLISION BETWEEN USS GREENEVILLE (SSN 772) AND JAPANESE M/V EHIME MARU THAT OCCURRED OFF THE COAST OF OAHU, HAWAII ON 9 FEBRUARY 2001

surfacing. In addition, his failure to follow his own established guidelines resulted in deficient watchbill assignments with the outcome of an unqualified Sonarman standing watch without proper oversight. It is my belief that on 9 February, operational standards on board USS GREENEVILLE, starting with the Commanding Officer and permeating throughout the crew, were relaxed and casual. Conformance with proper procedure would certainly have enhanced contact management, improved the quality of the periscope and acoustic searches, and could have prevented this tragic accident.

6. I also concur with the Court's opinion that the collision was caused by Commander Waddle's perceived desire to hurry the evolutions in the afternoon to prevent a late arrival at the "Papa Hotel" entrance to Pearl Harbor.

a. The Commanding Officer directed Lieutenant (Junior Grade) Coen, the Officer of the Deck, "to be at periscope depth (P/D) in five minutes", in violation of his own standing order to take at least eight minutes to properly come to P/D. This led to an unsatisfactory target motion analysis leg, ultimately resulting in unreliable sonar data. This sense of urgency played a significant part in the contact management team's failure to develop an accurate sonar picture on the surface without properly identifying that EHIME MARU was on a collision course with USS GREENEVILLE.

b. The haste of operations shortly before the collision affected communications between the Commanding Officer, Officer of the Deck, and watchstanders in the control room. The contact management team never passed valuable information regarding the contact situation on the surface to either the Commanding Officer or the Officer of the Deck. By effectively taking the Conn from the Officer of the Deck, Commander Waddle relegated his chief watchstander to a passive role on the deck. The Fire Control Technician of the Watch, unaware that the Commanding Officer had an inaccurate contact picture, also failed to pass vital information regarding a closing surface contact within 4000 yards of the ship, that might have prevented the collision.

c. In addition, Commander Waddle's order resulted in the Officer of the Deck failing to conduct a standard periscope brief with his watchstanders and led to a curtailed periscope search, by the Commanding Officer and Officer of the Deck, of the surface once the ship came to P/D.

Subj: COURT OF INQUIRY INTO THE CIRCUMSTANCES SURROUNDING THE COLLISION BETWEEN USS GREENEVILLE (SSN 772) AND JAPANESE M/V EHIME MARU THAT OCCURRED OFF THE COAST OF OAHU, HAWAII ON 9 FEBRUARY 2001

7. I specifically do not concur with the Court's Opinion 30. Opinion 30 is modified to read: "On 9 February, GREENEVILLE was fully trained and prepared to perform her assigned mission for that day's evolutions. Her training had been documented and her performance recently observed by the SUBPAC Deputy Chief of Staff for Logistics and Maintenance, the Squadron's Engineer, and the SUBPAC Combat Systems Training Team during EASTPAC in January 2001. USS GREENEVILLE's state of training was satisfactory on 9 February and in accordance with her expected state of readiness at this stage of her pre-deployment training." (FF 22-29, 33)

8. The Court's Recommendation 26 essentially calls for improved and clearer internal communications within the Pacific submarine force with regard to succession to command in the absence of the Commander. In this case, COMSUBPAC staff officers were unaware of the actual succession to command by Captain Kyle. I concur with the basic point of that recommendation and direct COMSUBPAC to ensure command procedures clearly notify the Force whenever there is a COMSUBPAC succession to command under any circumstances.

9. I note the Court's opinion that Captain Brandhuber maintained poor oversight of COMSUBPAC's Distinguished Visitor Embarkation (DVE) program. The Court opined that he failed to ensure that submarines embarking civilians were primarily scheduled to get underway for training purposes and did not provide adequate guidance to his Public Affairs Office regarding proper criteria for scheduling civilian embarks for units that did not otherwise require specific at-sea training. I find, however, the "internally inconsistent and confusing" Navy guidance regarding civilian embarks to be a mitigating factor in this circumstance.

10. I concur that Captain Brandhuber should have counseled Commander Waddle about the propriety of taking his submarine to a classified test depth and flank speed with civilians on board. In addition, I believe he should have questioned the Commanding Officer when he believed that preparations for going to periscope depth were proceeding too quickly. As an embarked, experienced senior officer, Captain Brandhuber was in a position to have played a more forceful role on board GREENEVILLE.

Subj: COURT OF INQUIRY INTO THE CIRCUMSTANCES SURROUNDING THE COLLISION BETWEEN USS GREENEVILLE (SSN 772) AND JAPANESE M/V EHIME MARU THAT OCCURRED OFF THE COAST OF OAHU, HAWAII ON 9 FEBRUARY 2001

11. I do not concur, however, that Captain Brandhuber's failure to enforce his Chief of Staff embarkation memorandum contributed to an informal environment in GREENEVILLE's control room on 9 February, and Court Opinion 91 and Recommendation 24 are thus disapproved. I believe that, although he was in a position to correct abnormal or incorrect operational procedures taking place on board GREENEVILLE, Captain Brandhuber was primarily on board to escort the civilians. I note that he provided inadequate assistance in that regard, as well.

12. I specifically concur with the Court's opinion that USS GREENEVILLE had a properly assigned OPAREA on 9 February for her submarine operations, including the emergency main ballast tank blow, which allowed for safe, convenient, and cost-effective training. I note the Court's Recommendation 21 that COMSUBPAC, in conjunction with the United States Coast Guard, should periodically review the suitability of the Hawaiian OPAREA to ensure maritime safety. As pointed out in Court Finding of Fact 4, "responsibility for collision avoidance rests solely on the submerged submarine." My direction in paragraph 14 below, however, precludes the need for a review as contemplated by Recommendation 21. COMSUBPAC, as the Submarine Operating Authority, will be required to approve all Force training agendas, including those in support of civilian embarks. This approval authority, by its nature, will comprise a review of the appropriateness of operating areas for proposed evolutions.

13. I also specifically concur with the Court's opinion that none of the embarked civilians on board GREENEVILLE on 9 February directly contributed to the collision. The civilians at the controls during the emergency main ballast tank blow demonstration were under the professional supervision of trained watchstanders at the time of this evolution. Guidelines related to civilians operating or controlling any equipment on military units are presently being reviewed by the Services at the direction of the Secretary of Defense, and I have taken interim measures, discussed in paragraph 14, to ensure the safety of civilian embarks in the Pacific Fleet. I am concerned, however, that Commander Waddle inappropriately emphasized the hosting of the civilians on 9 February, foregoing proper and safe submarine operations procedures. I believe that Commander Waddle encouraged an environment on board GREENEVILLE on that day which prioritized the civilian embark over proper standard operating procedures dictated by the Commanding Officer's own standing orders and other published guidance. The Commanding Officer is

Subj: COURT OF INQUIRY INTO THE CIRCUMSTANCES SURROUNDING THE COLLISION BETWEEN USS GREENEVILLE (SSN 772) AND JAPANESE M/V EHIME MARU THAT OCCURRED OFF THE COAST OF OAHU, HAWAII ON 9 FEBRUARY 2001

responsible for setting the conditions upon which his guests observe operations in such a manner as to prevent interference with watchstanders' communications with each other and with their visual access to monitors in the control room.

14. I entirely concur with the Court that the Navy's DVE Program, one which directly enhances the citizenry's understanding of their nation's naval service mission, should be fully supported in the future. I believe, however, that certain changes to this program are necessary.

a. The guidance regarding approval of DVE embarks contained in SECNAV, OPNAV and PACFLT instructions is confusing and contains numerous administrative discrepancies. In this regard, I have directed the Pacific Fleet Deputy Commander to coordinate a review of Pacific Fleet guidance to the Fleet in this area. By separate cover, I have also forwarded my recommendation to the Chief of Naval Operations (CNO) for a thorough review of OPNAVINST 5720.2L to achieve consistent policy direction throughout the Navy, with a further recommendation that CNO initiate a request for a review of SECNAVINST 5720.3D. These instructions are internally inconsistent regarding criteria for nominations of civilian embarks as well as the delegation of approval authority for embarkation of civilian guests for public affairs purposes.

b. I am strongly committed to ensuring we achieve uniform guidelines for safe and effective civilian embarks throughout the Pacific Fleet. By copy of this memorandum, numbered fleet commanders, in coordination with aviation, submarine and surface type commanders are directed to: (1) Personally approve all Force training agendas in support of civilian embarks; (2) Develop guidelines for oversight and supervision of civilian embarks on board PACFLT aircraft, submarines, and surface vessels (For example, the unique features of a submarine embarkation, including the mode of transportation for civilian passengers to and from the vessel, should be considered as an issue of dedicated underway periods for civilian embarks); and (3) Develop criteria for scheduling units to get underway in support of civilian embarks.

c. I further intend to promulgate the above direction by separate correspondence after a thorough review of civilian embark procedures in the Pacific Fleet has been completed.

Subj: COURT OF INQUIRY INTO THE CIRCUMSTANCES SURROUNDING THE COLLISION BETWEEN USS GREENEVILLE (SSN 772) AND JAPANESE M/V EHIME MARU THAT OCCURRED OFF THE COAST OF OAHU, HAWAII ON 9 FEBRUARY 2001

15. It is important to note that we can prevent accidents of this nature in the future by following our well-honed and time-tested operating procedures. As such, I have directed COMSUBPAC to develop a case study to be used for future training by the Pacific submarine force. This study will be briefed to every Commanding Officer in command and each Commander ordered to command within the next 60 days, and this training will remain as a standing requirement to serve as a constant reminder that our mission at sea can be beset with peril and is often unforgiving.

16. The original evidence in enclosure (1) is preserved at the Office of the Fleet Judge Advocate (N00J) at U. S. Pacific Fleet. The official responsible for preserving the evidence is CDR J. E. Fink, JAGC, USN at (808)-474-6794.



THOMAS E. FARGO

Subj: COURT OF INQUIRY INTO THE CIRCUMSTANCES SURROUNDING THE
COLLISION BETWEEN USS GREENEVILLE (SSN 772) AND JAPANESE
M/V EHIME MARU THAT OCCURRED OFF THE COAST OF OAHU,
HAWAII ON 9 FEBRUARY 2001

Copy to:

CNO

USCINCPAC

COMSEVENTHFLT

COMTHIRDFLT

COMNAVSURFPAC

COMNAVAIRPAC

COMSUBPAC

CO, USS GREENEVILLE (SSN 772)

Vice Admiral Nathman, USN

Rear Admiral Sullivan, USN

Rear Admiral Ozawa, JMSDF

Rear Admiral Stone, USN

Commander Waddle, USN

Lieutenant Commander Pfeifer, USN

Lieutenant (Junior Grade) Coen, USN

Captain Brandhuber, USN

Commander Herold, JAGC, USN

Lieutenant Commander Young, JAGC, USN

Lieutenant Commander Stone, JAGC, USN

Lieutenant Commander Filbert, JAGC, USN

Lieutenant Commander Harrison, JAGC, USN

Lieutenant Fulton, JAGC, USNR

Mr. Charles W. Gittins