

## ICL Supplementary Inquiry Statement 2

### Mr Alan Tyldesley

1. The transcript of the hearing on 4<sup>th</sup> November shows that Brian Fullam was asked about the history of the guidance on LPG and the way it was produced by HSE then left to the trade association at that time the LPGITA.
2. What did not come out was the impact this had on its availability to HSE inspectors.
3. Internally produced guidance like HSG34 [ICL/01272-01312] was distributed on an individual basis to all relevant inspectors; all should have had at least some knowledge of its contents.
4. Codes of practice from the trade association were priced publications. Incomplete sets were available at each office where specialists were based (Edinburgh in my case), and the fire and explosion specialists knew broadly of the scope of available codes, because they were listed in the cover. If we needed a particular code, such as code 22, covering pipelines, they would have to purchase one locally, or borrow it from another office; not a problem.
5. When agreement was reached between HSE and the LPGITA to withdraw HSG34, supposedly by Jenny Bacon, as Director General at the time, no one thought to negotiate suitable terms for supply of copies of the LPGITA codes to inspectors. This predates computers on every desk, and there were only printed copies. The trade association wanted HSE still to buy the copies, but the cost was evidently excessive, so they were never handed out to the front line general inspectors. F & E Specialists doubtless could still get a copy as necessary, but their attention was steadily being pulled into looking at COMAH sites, and less attention was paid to small scale LPG use.

6. So while the buried pipe was 'out of sight out of mind' to ICL, the codes were 'out of sight, out of mind' to all HSE front line inspectors. It was clear the HSE management had little interest in enforcing anything to do with LPG, when their inspectors could not readily have known what to enforce, except by calling in a specialist. They certainly could not have expected to see code 22 on pipework.
  
7. This situation only improved when all the LPGA codes became available electronically to HSE staff, around 2003-4.

I confirm that the contents of this statement are true to the best of my knowledge and belief.

Witness signature \_\_\_\_\_

Date \_\_\_\_\_