

ICL INQUIRY STATEMENT

BRYAN COUSLAND

1. I started working for the HSE as a Trainee Inspector in April 1991 (04/1991) in Glasgow.
2. The probationary period for a Trainee Inspector, referred to as a 2T, was 2 years and I spent the 2 years working in Glasgow.
3. There used to be a further year as a type of probationary period where you were not a fully qualified Inspector, referred to as 2Q and I also worked that year in Glasgow. I have a Bsc Honours degree and PhD in Micro-Biology and a Diploma in Occupational Safety and Health, a Diploma in Environmental Waste Management.
4. I cannot recall visiting ICL in Grovepark Street from memory, however referring to the HSE files, I can confirm that the file entries are mine and that I visited the premises.
5. The only occasion I visited was on the 18 February 1993 (18/02/1993) [ICL/ 11428]. It was joint visit with Mr John BEAN who was Field Training Manager.
6. According to the file it was a Preventative Inspection at established premises.
7. At this time I was coming to the end of my 2 year training period and I think I would have picked a premises to carry out a routine inspection. By a routine inspection I mean that we were not there in relation to a complaint or any other matter. This inspection was part of my training and was to show that I could carry out an inspection in the correct

manner. John Bean was evaluating my inspection and the outputs would be closely supervised by him and John Ives.

8. I would have made notes relating to the visit in my official notebook, however there is no requirement for Health and Safety Inspectors to keep their notebooks in Scotland and my notebook for this period has been destroyed.
9. Prior to attending the ICL premises I would have looked at the files relating to previous visits and any problems with the premises.
10. On checking the files, Alistair MCNABB had previously visited the premises. Alistair MCNABB had previously made recommendations regarding procedures on COSHH and noise assessments [ICL/11428].
11. On visiting the premises I was able to see there was evidence that the company were attempting to comply with these recommendations.
12. During the course of the visit I have made reference to Management appearing to be unclear on what action had been taken with regard to the LPG tanks.
13. I do not actually recall what "action" is meant or what this comment is referring to.
14. I do not recall who I spoke to during the visit or where the LPG tanks were situated in the premises.
15. By looking at the previous entry made by Alistair MCNABB, I would have been under the impression that all issues relating to the LPG tanks had been addressed [ICL/11428].

16. I can only assume that I have asked a question relating to the LPG tanks, but I do not recall what the question was or what answer I received.
17. I would like to clarify that if I had any serious concerns regarding the LPG tanks or answers received to any questions I had asked I would have written these up in my reports and letter.
18. My report on the visit and letter to ICL and the employees at ICL [ICL/11064-11065] would have been written up and checked by both John BEAN and Mr John IVES, Principal Inspector, prior to being submitted and sent. In letters sent out to Mr STODD, Managing Director at ICL Plastics Limited I highlighted the following matters for his attention that I noted during the visit.
 1. Control of Substances Hazardous to Health Regulations
 2. Noise
 3. Airlines
 4. Machinery safeguarding including guards to be fitted to 2 pillar drills
 5. Fork lift truck operation
19. This is not to say that there were other Health and Safety issues I did not see during this visit.
20. This letter should be seen in context, that we expect that the Duty Holder will manage safety across all areas of Health and Safety. Our method of inspection is to sample the safety management system of the duty holder by identifying hazards in the workplace and testing the control measures put in place by the duty holder. It is not intended to identify all hazards in a workplace but I think it is reasonable to expect the more serious hazards to be identified on a sample basis. The inspector forms a picture of the duty holder's attitude to safety through assessing the control of risks from the hazards identified on the day of the inspection and the duty holder's response to issues raised from

previous inspections. This information allows the inspector to form a judgement regarding the duty holder's overall approach to health and safety and guides the inspector on the appropriate level of enforcement to be taken on any issues identified. However, the onus is clearly on the duty holder to control the risks that arise due to their work activities.

21. The "letters" in the margin relating to the entry in the file dated 18/2/93 (18/02/1993) "B/F", "4/93" and "FU" means brought forward to April 1993 for follow up visit. I did not carry out a follow up visit according to the file and I do not recall making a follow up visit [ICL/11428].
22. I was made aware on the date that I gave a statement to the police that a letter had been received from ICL addressed to me. I do not recall it. I would have been aware of this letter at the time [ICL/11062-11063].
23. The letter relates to the points I make, requiring attention during my visit to the premises.
24. During my inspection I did complete a FI 83 inspection rating form [ICL/11470]. This determines when the premises would have next been visited. The overall rating I gave was 33. I do not recall when the premises would have been due for their next visit as we have moved to a new system.
25. I have not visited the premises of ICL, Grovepark Street, Glasgow, since my inspection as stated in this statement, nor have I had any further dealings with the company.
26. In 1996 I moved to the Chemical Hazardous Installations Division at HSE, Belford House, 59 Belford Road, Edinburgh.

27. I left HSE in 1999 to work in the Royal Bank of Scotland as a Health and Safety Managing Consultant in Glasgow.
28. In 2001, I left the RBOS and went to work for BP in Grangemouth as a Health and Safety Advisor.
29. In November 2002, I joined the Offshore Safety Division of the HSE in Aberdeen. In January 2007, I joined bp Exploration and Production as a Health and Safety Team Leader where I am working at present.
30. I have been asked about the FI 83 form I completed regarding my visit to the ICL Plastics premises. I can confirm that the handwriting and figures written by me and I have dated the form 5/3/93 (05/03/1993).
31. I do not believe I would have picked up the problems with the pipe work even if I had gone back to the factory. From what I can remember, it was the siting of the tanks that was the matter of concern. I do not recall the specific guidance on LPG installations that applied at that time, although I'm sure there would have been some guidance. I do not remember if there was any guidance relating to the risks associated with LPG pipework.
32. John Ives was my direct boss. My recollection is that we were a very busy industry group. Our remit was very wide. We covered onshore major hazards in the West of Scotland for the chemical industries including small to large companies such as Roche, the leather industry, the rubber industry, the plastics industry, the Ministry of Defence, fire service and the transportation of dangerous goods by road as well as ship building, ship repair and docks. There were three inspectors including myself in John Ives' group covering these industries.

I confirm that the contents of this statement are true

Witness signature _____

Date _____