

## ICL INQUIRY STATEMENT

IAN MAVERS

### Start of Employment

1. I think it was 1992 when I started with ICL Tech as a Quality Inspector.
2. Prior to that, I had been employed for 10 years as a Senior Quality Inspector for Proctor and Shwartz, a Process Engineering company.

### Title and Duties

3. During my employment with ICL Tech my title changed to Quality Controller. However, this was not changed officially and it was still the same job.
4. My job was to ensure that products were manufactured to customer's specifications. The products that we manufactured were vacuum formed parts such as casings for telephones and flat panels for the nuclear industry.
5. The products had to be produced to the British Standard, namely, BSNENISO 2001 900 Standard. This is a British Standard methods of ensuring products were manufactured to the proper standard.
6. 95% of my job was ensuring that products met those standards. The remaining 5% of my job was basically liaising between the managers of Nick Downie or Peter Ferguson or Colin Brown, who later died, and the guys on the shop floor. I made sure that everyone was singing from the same hymn sheet. I would also be looking at the customers' point of view to ensure a good standard of product.
7. Although directly responsible for the quality in the fabrication department, I was also the overall quality controller for the whole company. This meant that I also dealt with the administration side of any customer complaints on the quality from the other department,

which was the coating shop. The customer's letter of complaint would come to me and I would ensure that it was actioned by either contacting the customer and informing that it was not our fault or taking the best directive action.

8. Another duty I had as Quality Controller was to check on the computer when different instruments, such as ovens, temperature controllers, temperature probes and gauge blocks etc were due to be calibrated. I would then tell Bill Masterton or Peter Ferguson to arrange calibration.
9. Calibration involved a third party checking these instruments. We used a company called Eurotherm. They came into calibrate the controllers. Under ISO standards all instruments have to be calibrated by a third party. Eurotherm would check for example if when our oven displayed a temperature of 100° C, that their machine would show exactly the same temperature. Eurotherm would issue certificates to show that we had passed their tests. The standard regulatory body insist on such tests.

### **Where Worked**

10. I worked in the fabrication building in Hopehill Road, Glasgow. I worked in the production room, which was on the mezzanine floor, which was above the ground floor.
11. The coating shop was separated from the fabrication department by a brick wall. You had to go outside and through the back stairwell to enter the coating shop from the fabrication department.

### **Machinery**

12. In the fabrication department we had two electric ovens. One was a Marr oven and the other was a Barlow oven. The Marr oven was a fan assisted electric oven. It has a maximum temperature of 200°. It was fan assisted and was vented through the top, into the workshop. We

had a Geiss Vacformer which had an extractor unit. We had a small electric oven next to the Marr oven. We also had air welding guns and hand drills. I did not operate the ovens other than if they weren't working I would look for an obvious solution such as a fuse but generally I would contact the electrical contractors, Eurotherm.

13. The other equipment that we had in the fabrication department was:

- A CNC router room with two flat bed two-axis machines, which is a milling machine.
- Four saws.
- A finishing machine, which is a sanding machine.
- Two large router machines, which are milling machines that cut plastic,
- A smaller routing machine.
- Two hot line-bending machines.
- Two standing drilling machines; and
- Two band saw machines.

14. There were 8 stationary air lines and 6 fixed, where you could put a hose if you wanted. We had an air drill and our polisher. The only other thing we had was the DRO machine which was a milling machine, and another small electric oven.

15. All the machinery that we had was powered by electricity. The only item that we had in our department that worked by gas was the overhead heating. I don't know where the gas came in from that supplied the overhead heating. I know that the heating was serviced by Direct Heating.

16. We had 3 heating units in the fabrication shop which were natural gas I think. We also had 2 hot line benders on the mezzanine floor.

17. We had a flamer in the fabrication shop that worked off a propane bottle. It was supplied with a purpose hose. The bottle was kept in a cubicle. It was connected by screw connectors and regulators. It had a male/female coupling at both ends. It would be used about once a week for about an hour. It hadn't been used that day. The flamer had a hose which was about 10-12 feet at least. It would be used just inside the roller shutter door. It was all kept in its own wee box; it was only a couple of years old if it was that.

18. We had a flame polisher as well. It is a wee unit and it's one you put in water and MEK. It has a wee pencil flame. We hadn't flame polished for a couple of weeks.

#### **Whereabouts at time of accident**

19. It must have been about quarter to twelve (1145 hrs). Kenny popped his head round the door to say he was finishing off the screen in the fabrication shop; just to say he was going out and he would get back to it. I was on the phone. I then went down into the fabrication shop to speak to one of the guys about one of the jobs. Stewart had phoned me on my mobile at 10 to 12 (1150 hrs) to ask me to go up to see him about a meeting. I said I would go up as soon as I could. I went back to my office to go to get my day diary. By this time it must have been between 5 to and 12 o'clock (1155 hrs to 1200 hrs).

20. Just about 2 minutes to 12 (1158 hrs), Stewart phoned on the internal phone to ask if I was coming up. I said I would be up right away.

21. I put the phone down and turned to my right. As I turned and walked toward the door I felt a rumble. I didn't hear a blast.

22. I now remember looking over my left shoulder out of the production office window and seeing the far corner partition walls between the fabrication and coating coming through into the fabrication; it was

moving quickly like a blast, it was like a car hitting the wall. The rumble by this time had turned into earthquake like proportion.

### **Smells**

23. I think on the Thursday prior to the tragedy, Stewart asked me what I was working on in the ovens. This was because there was a sickly putrid smell. It was a smell that I had never smelt before. Stewart and Peter went to try and find out what the smell was but I never found out what it was.

24. I remember seeing Kenny de-mossing the roof on the Thursday or the Friday prior to the tragedy. Stewart complained to me first because of the smell and asked what I was using, but it wasn't the fabrication shop. Both me and Alan Donaldson had noticed the smell in our office. It was a rotten egg type smell but not as strong. I asked Kenny if he was using anything on the roof but he said he wasn't using anything. I asked him because of the smell, if it was a pesticide that he was using. Kenny replied that he was just using soapy water. Kenny said that he could also smell something but that he didn't know what it was.

25. I couldn't smell it as strong in the coating shop. It was in my office. It was quite strong and where the saws are it was quite strong. Quite a few of the boys could smell it. I think I could smell it all day. It was very strong when we were finishing. I honestly thought a rat had died. I cannot say that I smelt it on the Tuesday; I don't know.

### **Basement**

26. This area (known as "the dunny") was used by Andy Galloway and Kenny Murray. These 2 guys were sub contracted by the ICL Group to basically carry out any jobs in the factory.

27. I have been in the dunny twice. Kenny and Andy stored stuff there. As far as I'm aware there was paint, thinners etc. It was basically used as a store for Andy and Kenny. It was always kept locked when they were

not within. I was last in the basement about 4 years ago. At that time I went down to see the conveyor that carries the shot for the shot-blasting unit, which is stored in the basement.

28. When I started Kenny told me about tunnels that were in the basement that went to the Broomielaw. He said those tunnels were about four and a half feet high. I walked in one of those tunnels for about 5 minutes. However, it was smelly, damp, dark and claustrophobic so I came out of that tunnel. Kenny later told me that those tunnels had been bricked up.

### **Ground Floor**

29. This floor was used solely by ICL Tech Ltd. You entered it via Hopehill Road. On this floor you had the Coating Shop area, a dispatch area/goods inwards, a shot blast machine, de greasing area, 4 gas ovens (propane gas) and 2 electric ovens and a clean room. Both the electric ovens had manual doors on each oven which swing out from middle to edge. Of the gas ovens, one had a single hydraulic door, the other two had manual weighted single doors and the rotary oven had a single door which opened to the front of the oven.

30. The gas and electric ovens got checked every day by Jim Smith. He had a check list which he went through every day and logged in a book.

31. Of the 3 gas ovens, 2 were automated ignition sequence numbers (1) and (2) and number (3) was manual.

32. With regards to the propane, the gas was fed in from the outside tank which was approximately 3' in diameter by 9' long. I've no idea how often and when it last got filled.

33. The Fabrication Area which was also ICL Tech (ground floor) was accessed from the back yard (security door). As you entered there was a receiving area for stock/materials. You then went through plastic

curtains and on your right hand side you had a chemical cabinet (8' high x 2' deep x 4' wide). It had 2 locking metal doors. Within the cabinet was Iso-propo-alcohol, dichloromethane, monoethelene keytane, tetrohdrofurine, paraffin and meths.

34. Between the main building and Stockline Stores there was the compressor room. This was the main compressor which put air out to the main air receiver which fed the factory with air for lines etc. Also within the compressor room was the main electric switch room. This room was always open.

### **Health and Safety**

35. I have not received any formal Health and Safety training. I have attended a half day course on the use of fire extinguishers.

36. About 2 years prior to the tragedy, Stewart McColl took over responsibility for health and safety. In my opinion he made a significant difference. He ensured that passageways were clear, that everything was tidy and that people were aware of health and safety. He was a very meticulous and clean man. We didn't really have anyone outside for health and safety. We relied on HSE. We would use the HSE website. I would rely on Stewart McColl mainly, he said that all the health and safety was to be done by him. All the safety sheet data would go to him and he would tell us what we needed.

37. The machinery was well maintained. If something went wrong with a machine it would be sorted. The plant and equipment was maintained by the maintenance engineer Jim Smith. The gas heating was serviced by DD Heating. I don't know about other gas equipment.

38. An example of the machinery being well maintained was the oven temperature controllers. The oven temperature controllers display the temperature in an oven together with an on and off control. The controllers we had worked, but Stewart McColl insisted in getting better

ones and that's when we had them all renewed on the ovens at a cost of approximately £2,500.

39. About Christmas 2003, Health and Safety came in regarding Lawrence Connelly's complaint about chemicals. Health and Safety walked through the building and their only comment was that we should have a better cover on the rotary oven. I said I would look into it.

40. I did not have any Health and Safety remit. My only involvement in health and safety was that of a staff member who other members of the workforce might come to with a health and safety problem. I would report it immediately, verbally, to Stewart McColl, Bill Masterton, Peter Ferguson or Nick Downie. Also, as Quality Controller, I did a weekly report. My weekly report would include any concerns I had seen or what had been reported to me. My weekly report would be read out by me at a weekly meeting of the management team. I usually attended most meetings.

41. a) Stewart McColl took total responsibility for health and safety. He announced that at a management meeting. Stewart McColl would action or delegate any health and safety concerns. He would note any points raised in his diary and then he would, the following week, check to see what action had been taken. He was very strong on health and safety and was very efficient.

41 b) I am aware of a Report into the ICL/Stockline Disaster which has been prepared by Strathclyde and Stirling Universities. The Report infers that I had some responsibility for health and safety matters within the factory over and above the general personal responsibility every employee has in the workplace. In this respect the Report is inaccurate. I was never contacted by the authors of the Report during its preparation nor thereafter and as such I wish to point out this inaccuracy insofar as is stated within this paragraph.

42. A couple of months before the tragedy, on several occasions, the solenoid in the propane oven, which was known as 'Gordon's oven', was not working properly. The solenoid controlled the flow of gas when the oven was lit. It regulated the flame as the temperature went up to the desired temperature. The solenoid sits about 2 feet away from the oven door and sits outside the oven. The electrical connection in the solenoid used to stick and this caused the temperature to climb and an alarm would go off on that machine. Someone reported this fault to me.
43. I have been shown by Bill Reilly from the HSE a quality report dated 9<sup>th</sup> January 2004 (09/01/2004) [ICL/013047]. It is from me to Stewart McColl. It refers to a 5<sup>th</sup> January 2004 (05/01/2004) report about the propane fire oven. Jim Smith, Maintenance Man had come to me, there had been a report of a gas leak. I suspected it might have come about because the oven did not self ignite. Jim Smith and I then looked at the controller and it looked okay. We could not smell gas when we went round. Jim Smith as Maintenance Man had carried out leak tests on the gas pipework in the past. I cannot say if he did this time. This oven was not under my control. I have heard that there is rumour that I kicked it to get it going. However that is not the case. At that time I had done my back in and I therefore put my foot on it and moved it with my foot. This caused the flame to go down.
44. This quality report would have been presented at the weekly management meeting with Stewart McColl, Nick Downie, Archie Lindsay, Peter Ferguson, myself and sometimes Monica Flynn. Health and Safety was always part of the agenda.
45. Billy Hamilton of Eurotherm checked out the controllers on this oven. There was also another engineer, Colin. I do not know his surname. Bill Masterton arranged for the solenoid replacement.

46. About February 2004 I saw Jim McGoldrick lighting Gordon's oven with pieces of paper and a naked flame. As I was first aid trained I was not happy with this naked flame because he could have had chemicals on his overalls and therefore he could have set fire to himself. I reported it to Stewart and Bill. I put this into my report. Stewart and Bill tried to get gas engineers in to look at it. Bill had bother finding an industrial gas engineer, but 2 came in. I don't know the companies. Bill introduced me to one of those engineers. In my opinion he looked like a bit of a cowboy. He said that what we had was okay, but I said I wasn't happy with the guy having to light it himself. He informed that we would need to employ a specialist gas engineer to refit the pipe from the propane tank to Gordon's oven. The LPG tank was stored out in the front yard at the main entrance. I didn't deal with that LPG tank. I don't know about the other engineer. I don't know what the outcome of that was. All I know was that Bill wasn't happy with one of the engineer's attitude. He thought he was a bit lax.

47. The insurance would be in maybe 2 or 3 times a year looking round the factory. I don't know the name of the company.

48. I have been shown Risk Assessment 2001 [ICL/012257-012265] by Bill Reilly from HSE. Bill Masterton and me had carried out some risk assessments in 2004. Action always results from these assessments if required. I did not do any risk assessments for gas. I did not get involved in the Coating Department other than first aid.

49. We were due to service the compressors when the main one went down. The engineer came in, he said it was the motor and because it was an old one he would have to source parts. He then serviced both compressors. It was either at the end 2003 or this side of the year. I don't know the name of the company, but I know they were serviced at least once a year. The CNC machine and the Geiss would be serviced every year by Makka and Geiss. The oven controllers were calibrated

every year by Eurotherm down in the West Midlands somewhere. All the certificates are in my office.

50. New controllers were fitted to the ovens to replace the old ones which were not being made anymore and the repairs would almost cost as much as replacing them with new controllers.

51. About 2 months prior to the tragedy I went on a fire marshal's course. This was a half-day course, which consisted of how to use a fire extinguisher and how to make up a fire plan. It was not a good course. I made a fire plan up for the company. We had fire sensors, which would alert our main board of where a fire was. Colin Ford and another would meet up at the main board and the plan was then to direct persons away from the fire. I drew up a fire plan to be displayed on the walls in order detailing how workmates should be directed away from the fire.

#### **Directors' Involvement**

52. Frank Stott resigned as a Director of ICL Tech about 5 years prior to the tragedy. Prior to his retirement, he worked in the fabrication department. At that time I used to see him a couple of times a day. He used to talk to all the workers. He was very hands-on. He had an office on the second floor.

#### **Opinion on Cause**

53. Since this tragedy I have expressed my concerns to Health and Safety about subsidence underneath the factory. I was worried about the subsidence because about 3 or 4 years after I started, pylons were inserted into the ground and the pylons went through the ground far too easy. In my opinion the ground was not strong enough underneath and I think this caused the building to fall down.

54. I also wish to point out that on the Thursday and Friday prior to the explosion the building shook. On the Thursday it was raining heavily,

as it had for many weeks beforehand. That day there was also thunder and lightning. I was in the Production office in the fabrication shop; it would have been about 10.45am when the whole building shook dramatically. I went outside to see Willie Aitken who was working on the same floor in the Production office, which was situated on the mezzanine floor. We both were wondering what on earth had happened. Stewart McColl appeared five minutes later and he also asked what had happened. We noticed two skylight windows were cracked. We just thought it was the thunder that has caused the shaking.

55. On the Friday, the same thing happened again, but this time it was the afternoon and it wasn't thunder and lightning but it was raining. Again the whole building shook. Myself and Peter Ferguson had a walk round the shop to check if there was any damage to the building but we didn't see anything. I think it would be worthwhile to get Met Reports on the weather that day .I was told after the explosion that people living opposite the factory saw flashes of light under the factory on the Saturday before the explosion .This was told to me by Willie Aitken .I understand the police were told of this but I believe it is worth mentioning again.

I confirm that the contents of this statement are true.

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

Date \_\_\_\_\_

## **Ian Mavers**

1. **Paragraphs 23 - 25.** You comment on a "smell" present on the Thursday prior to the explosion. The smell is described as "putrid" and as "a rotten egg" smell. Did you advise anybody about this smell? Did you advise that anything in particular be done about it? Do you know if anything was done?

**I was advised of the smell by other employees. I do not have a good sense of smell. Stewart McColl came down to shop floor with Peter Ferguson. I believe they investigated but I am not sure. Colin Foard was also present I am not aware if anything was done. The smell dispersed within a few hours.**

2. **Paragraph 23** – We understand that references in your statement to "Peter" and "Stewart" are references to Peter Ferguson and Stewart McColl. Can you please confirm this?

**I can confirm**

3. **Paragraph 46** – You mention pipes being refitted. Are you able to provide any more detail about the nature of any refitting work? Do you know if any quotes were ever obtained for this work?

**I was not really involved in depth. Stewart and Bill Masterton were handling along with James Smith (maintenance engineer)**

4. Did you ever use the HSE website for guidance? If yes, how often? Are you aware of the company using the HSE website for guidance?

**I used the HSE website for guidance. I recall the Laurence Connelly Snr asked a question once in relation to chemicals and we went on the website to check the position. Laurence Connelly Snr often asked questions and I would refer to the HSE website. I found the HSE website hard to negotiate at times and it was sometimes contradictory. I preferred to use the Cromer site. This is a site set up for companies. Companies register with them and pay a subscription fee for information on standards and HSE publications. There is also a helpful forum on Cromers.**

**I do not know if others in the company used the HSE website. The only person that I know checked the website was Laurence Connelly Snr.**

5. Did you ever use the HSE website in relation to LPG tanks and pipes?

**No I never used the website for this.**

6. What Health and Safety training (either in-house or external) did ICL provide you with in your time with the company?

**Only training ICL offered me was a course on the use of fire extinguishers carried out by an external source. A half day course carried out at February 2004. I had asked for training as a Health and Safety advisor, but was informed that a Director was to be trained. This was in my early years with the company and I was not put forward for training after that.**

**I was trained as a first aider, but had asked to have other trained and this was carried out, Neil Henderson being one that I tried as I intended not to renew my certification.**

I confirm that the contents of this statement are true.

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

Date \_\_\_\_\_