

## ICL INQUIRY STATEMENT

### SUE ANN JOHNSTON

1. I was employed by the Health and Safety Executive in Glasgow from October 1979 until April 2006. In autumn 1996, I took a promoted post to Principal Inspector. In September 2002, I became Principal Inspector in HM Railway Inspectorate. At this time, HMRI was still with HSE. In April 2006, HMRI left HSE and merged with the Office of Rail Regulation.
2. I started work with the HSE on 1 October 1979 (01/10/1979).
3. I started as a Class 2 Trainee Inspector within Glasgow North General Manufacturing Division. My Principal Inspector was Norman SWAIN, he's now retired.
4. My qualifications are as follows:- A BSc(Hons) in Geography, an MSc in Personnel Management and Industrial Relationships, and a post graduate Diploma in Health and Safety.
5. When I started with HSE, I did a 2 year training period then a further 1 year qualifying year.
6. I have no recollection of ever visiting the ICL site in Maryhill until after the incident, my statement is based on information in the Health and Safety files.
7. From the file, I see the first time I visited the site was on the 11 June 1981 (11/06/1981) [ICL/011418]. I visited the site with the training inspector John IVES. This was a check visit regarding the circular saws, in particular the guards not being used.

8. During this visit I have noted that the LPG (probably 2 tons) had material and equipment being stored next to it. I also noted that there were smaller LPG cylinders also near the tank.

9. I then in turn after my visit sent a letter to ICL Plastics about a number of items including point No. 3 (Storage of LPG) [ICL/ 011097]. I mention about scraps of wood and small LPG cylinders being stored within close proximity of the tank.

10. In my letter I state these should be moved immediately and stored out with the minimum separation distance. I also mention about the separation distance between the main tank and the boundary wall. I also enclosed HSE Guidance Note CS5 (Storage of LPG at Fixed Installations) [ICL/001168-001187].

11. This letter was approved by Monica FINNAN. I mention in the margin that there should be a bring forward with reply (10/81 (10/1981) and a check visit regarding material at LPG Tank 9/81 (09/1981) [ICL/ 11419].

12. The next time I visited the company was on the 10 October 1981 (10/10/1981) [ICL/ 11419]. I visited the site alone.

13. I mention that the combustible materials have been moved from around the tank.

14. I am still showing concerns with regards to the tank. By this, I mean the proximity of the tank to the boundary wall and also the filling of the tank from bulk road tankers

15. I mention raising a form FI86 [ICL/ 11093]. This is an internal request form looking for some help and advice. This was directed towards the FCG (Field Consultancy Group in Edinburgh).

16. I then returned to the factory on 20 January 1982 (20/01/1982) [ICL/ 011420], with Alistair GUNN (FCG) Fire and Explosion. We met with a Mr STOTT Managing Director.

17. This inspection would have been carried out by Alistair GUNN, who would have been looking at all aspects of the tank with a view to compiling a report. Following this visit, I made a note in the file quoting something Mr GUNN said "This was probably one of the worst sittings of an LPG tank that he had ever seen".

18. I mention that the company had changed the way they filled the tank eg. The bulk delivery tankers now parked outside the yard and the driver uses an extra length of hose.

19. If Mr GUNN had thought there was imminent danger of any kind he would have told me at the time of the visit, which in turn would allow me to consider any formal enforcement action

20. Mr GUNN on writing his report became aware that some of the recommendations he was making might impinge on the Fire Brigade accessing the tank, so on the 2 February 1982 (02/02/1982), myself, Alistair GUNN and Mr SIMPKINS (Fire Prevention Officer) attended at the site to discuss matters.

21. Mr GUNN compiled his report [ICL/ 011089] and forwarded it to me. I, in turn, sent a copy to the company and the Fire Brigade.

22. Mr GUNN makes several recommendations in his report. These are all detailed in point 5.

23. The tank couldn't be sited to achieve separation distances in accordance with CS5. Alistair GUNN made other recommendations to achieve safety including the building of a radiation wall, also the fitting of a water drench system.

24. I added in the margin that a check visit should be carried in May 1982 (05/1982) [11422].

25. On going through the notes I can see that the check visit for 5/82 (05/1982) was not carried out until 17 December 1982 (17/12/1982) [11423]. MIKE WILCOCK carried this out. He mentioned that the drench system had been delivered but not yet installed.

26. Mr STOTT sent a letter-dated 20/12/1982 stating that the recommendations had been carried out [11079]. He states that the drench system would be installed over the Christmas period.

27. I next visited the company on the 13 November 1985 (13/11/1985) [ICL/011425- 011426]. I visited with Dr AD SCOTT. Dr SCOTT was a medical doctor so the primary purpose of the visit would be something 'medical', however I mention in the assessment margin that the next check visit should be on May 1986 (05/1986), mentioning LPG storage [ICL/ 11426].

28. I sent out a letter on 18 December 1985 (18/12/1985) and on Page 4 [ICL/ 011451-11454], I mention bulk LPG storage. I'm asking the company if all the recommendations originally made to them, had been carried out.

29. I received a letter dated 14 January 1986 (14/01/1986) [ICL/ 011070] from Mr STOTT, stating that items brought to the firms attention had either received or were receiving attention.

30. The next check visit due in May 86 was not done, according to the health and safety file [ICL/ 011426]

31. The file shows the next visit was on 7 April 1988 (07/04/1988) [ICL/ 011426]. This was made by Alex KEDDIE.

32. Alex mentioned that the water drench system was never fitted. He mentions that the "bund wall" at the LPG tank is now damaged and that a visit with FCG should take place ASAP for enforcement purposes.

33. I never returned to the company and I had no further dealings with the company.

34. About 2 weeks after the incident (May 2004 (05/2004)), I returned to the locus to help out with Health and Safety procedures. It was a rota system. I was just there for 1 day and never returned again.

35. I do not have any relevant notebooks for any of my visits to the site as these have been destroyed.

36. I have no recollection of visiting the site and no impression of health and safety aspects of the company.

37. I can say that we paid a number of visits picking up on mainly the positioning of the tank with regards to the proximity of the building and the boundary wall.

38. As Inspectors we only enforce using prohibition notices if we believe that there is an immediate risk of serious personal injury.

39. Under Health and Safety legislation in the UK, the responsibility for ensuring the Health and Safety of employees lies with the employer.

40. To reiterate I have no recollection of visiting the ICL premises in Maryhill. As a junior inspector, I do remember inspecting bulk LPG tanks at various factory premises in the geographical area I worked in. At this time I had no special awareness of the need to consider underground pipe work in respect of bulk LPG storage tanks, I do recall specifically looking at separation distances of bulk tanks to each other and boundary walls and occupied buildings and the system of work for delivering LPG from the road tanker to

the static bulk tank. The guidance I used was CS 5 The Storage of LPG at fixed installations [ICL/ 001168- 001187] .

I confirm that the contents of this statement are true.

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

Date \_\_\_\_\_