

ICL INQUIRY STATEMENT
WILLIAM CARLIN DELANEY

1. I am presently employed as a Customer Operations Manager at Calor Gas Limited, Grangemouth.

Positions Held in the Gas Industry

2. My first job in the gas industry was with Calor Gas Limited.
3. On 5 September 1990 I started my employment with Calor Gas as Assistant Filling Plant Manager. My duties involved managing the filling plant workers at Grangemouth who filled and maintained the Calor Gas cylinders for distribution to the retail network. These were the cylinders that were used for heating, cooking, caravans, barbeques etc. I held that position for just under a year.
4. I was then promoted to Filling Plant Manager. My duties were the same but now also included the **safety** of the Grangemouth site, the **bulk storage** and **maintenance** of plant and machinery.
5. With regard to **safety** I assisted in the preparation of and had to submit safety reports to the Health and Safety Executive under the CIMAH, (the Control of Incidents and Major Accident Hazards) which was changed, I think about 1999, to COMAH, (the Control of Major Accident Hazards). These regulations were issued by the Government for companies who stored hazardous materials above a threshold. Currently the threshold for LPG to become "Top Tier" is 200 tonnes on their site. At Calor we have approval for 849 tonnes of LPG at Grangemouth. We peak in the winter with a turnover of 500 tonnes of LPG a day. Under these regulations I have to look at the Grangemouth site and look at how the product is stored, moved about on site, consider the consequences of anything going wrong and what safety controls could prevent such risks. The Health and Safety Executive review the document, accepting its content meets the requirements of

the legislation then conduct audits to ensure that we are complying with what we have said.

6. With regard to **bulk storage** we have 4 x 60 tonne LPG storage vessels on site. 60 tonnes is approximately 120,000 litres of LPG. I have to ensure that these storage vessels are maintained and tested to comply with the relevant safety regulations. These vessels are used to fill our mini bulk vehicles, tankers and cylinders with LPG, which is then delivered to our customers.
7. With regard to **maintenance** of equipment I had to ensure that all equipment on site at Grangemouth, such as air compressors, LPG pumps, bottling machinery and scales were working and properly maintained.
8. About 1994 I was promoted to Production and Distribution Manager. That job involved the same responsibilities as above but additionally the distribution of LPG including managing the fleet of vehicles and drivers. The Distribution Manager in Grangemouth then reported to me. The distribution department consisted of office administration, vehicle workshops, bulk delivery vehicles and drivers. I later inherited responsibility for the management of the "Lower Tier" COMAH sites at Aberdeen and Inverness, with the manager in Inverness reporting to me.
9. In 2001 or 2002 I was promoted to my present position of Customer Operations Manager. This included the same duties as above but now also included **customer service** and **customer engineering**.
10. I manage the majority of customer relationships with Calor in Scotland, for both commercial and domestic, but am not responsible for any Sales activity.

11. With regard to **customer service**, we have a call centre in Grangemouth, managed by a team leader, which deals with customer enquiries, accounts, payment collection, tank installation and tank termination.

12. With regard to **customer engineering**, the Filling Plant Manager was also responsible for the local customer engineering administration in the office and three engineers who manage the installation and termination of commercial and domestic customers. The periodic maintenance and inspection of the LPG tanks at customers' premises was handled centrally within Calor. The engineers would vet a proportion of Sales orders paperwork to check that the customer's site appeared suitable for a tank. The engineers monitored and controlled the work of the installation third party contractor via live and post installation audits. The majority of this work was normally done by third party contractors and my engineers managed those contractors.

ICL Plastics Limited

13. My first knowledge of Stockline Plastics, which I know is referred to by other names such as ICL, was when I was at Edinburgh Airport and saw a newsflash about the tragedy.

14. At that time I 'phoned my office for a check to be made to see if they were a customer of Calor and if so, what equipment we had, if any, on their site. I made this call in case we might be of assistance. For example, in a house fire the emergency services could contact us and ask us to remove a tank or cylinders.

15. When I arrived that day in Birmingham I again telephoned my office, who informed that they were not a current Calor bulk customer but had previously had been a bulk customer. I was also informed that Calor possibly supplied cylinders for their forklift trucks through a retailer.

16. I then viewed the computer at either our Head Office in Warwick or on my laptop to confirm this. This revealed that they had been a bulk customer. Also from speaking to my sales colleagues, I established that they received 18 kg LPG cylinders for their forklift trucks from either David Jamiesons or Express Fuels who were Calor dealers at that time. I think our Head Office contacted the Police Control Centre to ascertain if Calor could be of any assistance and they replied that none was required.

Documentation Regarding Bulk Tanks

17. DC Glendinning and another officer later came to my office in Grangemouth when I provided a statement and documentation regarding when the Calor tanks had been on site, who we lost this contract to, where our tanks that had been on site were now located and how much product Stockline had been using as a customer.

18. I obtained the documents from various sources. This included our imaging system that contained microfiche records for Stockline from the late 1980s to 1992 and our electronic imaging, which is when a document is scanned. We also looked through filing cabinets. Our Head Office looked in their paper archive in Warwick.

19. I have been shown [ICL/012766-012768] Calor Bulk Tank 10 Year Test Certificate. I think I gave this document to the police.

20. From this document, it appears that, on 3 June 1991, tank serial no 214031 was tested by the Calor engineer, Brian Kozary. This report has been countersigned by Alex Clezy. I observe that the address is ICL Technical Plastics, Glasgow. This would be where this tank was going to be delivered to. As per the checklist, this tank has passed the various tests as listed, such as a leak test. This certificate is only issued when the tests are passed.

21. I have been shown [ICL/11627-11629] Calor Bulk Tank 10 Year Test Certificate. I think I gave this document to the police.
22. This certificate shows that on 3 June 1991 tank serial no 213648 was tested by the Calor engineer Brian Kozary. The report has again been countersigned by Alex Cleazy. I observe that this tank is to be delivered to ICL Technical Plastics Limited, Glasgow. Again this tank has passed the listed tests.
23. I have been shown [ICL/12759-11761] Check List. I think I gave this checklist to the police.
24. Checklists such as this one were normally stapled to the outside of the customer's folder. From this document, it appears that on 17 June 1991 the above-mentioned tank serial numbers 214031 and 213648 were delivered to ICL Technical Plastics Limited, Grovepark Mills, Hopehill Road, Glasgow. It also details that at that time a 4,000-litre tank was uplifted and that the above-mentioned tanks were 2,000 litre tanks.
25. I have checked the computer and all Stockline paper records and I cannot find any record of the serial number for the above-mentioned 4,000-litre tank. The only serial numbers we have are the above-mentioned tank serial numbers, 214031 and 213648.
26. I have been shown [ICL/11633-11635] Print-out. I think I handed this printout to the police.
27. From this document it appears that on 17 June 1991, Calor installed the above-mentioned tanks, serial numbers 214031 and 213648, at ICL Technical Plastics Limited, Grovepark Mills, Hopehill Road, Glasgow. It does not detail who physically installed these tanks. It could have been done by a Calor engineer or been sub-contracted by Calor to a third party. I do not know who installed these tanks.

28. I am shown [ICL/11636-11638] Computer Screen Print. I recall giving this screen print to the police.

29. This document details the records held by Calor on the history of the above-mentioned tank, serial no 214031. It shows that on 17 June 1991 it was installed at ICL Plastics, Glasgow. It details that on 29 May 1998 it was delivered to Schneider Industries in Airdrie. Schneider would have overhauled the tank prior to it being re-distributed. On 22 September 1999 it was delivered to Stoney Stanton (a Calor filling plant in England) and on 23 December 1999 it was delivered to the Thatch Inn, Cheshire, a Calor bulk customer⁶.

30. I am shown [ICL/11630-11632] Computer Screen Print. I recall giving this screen print to the police.

31. This is another printout from records held by Calor which details the history of the above-mentioned tank, serial no 213648. It shows that on 17 June 1991 it was installed at ICL Plastics, Glasgow. It details that on 29 May 1998 it was delivered to Schneider Industries in Airdrie. Schneider would have overhauled the tank prior to it being re-distributed. On 18 November 1999 it was delivered to Stoney Stanton and on 29 November 1999 it was delivered to Woodland Stapleton, a Calor bulk customer.

32. Generally, if there has been a previous installation the pipework would have been in situ and we would have connected to that pipework. If not the owner, Calor or an independent party acting on behalf of the owner or Calor would have installed the pipework. This information is not yet available to me.

⁶ Scheider are an approved tank manufacturing, overhaul and refurbishing company for Calor.

33. Again, in general terms the engineer would have been qualified and would have checked for gas soundness of the installation and pipework as far as the outside of the customer's building. In a commercial premises, such as ICL Plastics, the customer is responsible for everything from the first stage regulator, including the regulator itself onwards.

Documentation Showing ICL Plastics Limited Changing Suppliers

34. I am shown [ICL/12066-12068] which is a letter dated 27 February 1998 to Miss M Brownlie, ICL Technical Plastics Limited, Grovepark Mills, Hopehill Road, Glasgow from Graham Thomson, Field Sales Manager.

35. I don't recall giving this letter to the police.

36. It is a file copy of a letter from Graham Thomson, a Field Sales Manager at Calor to Miss M Brownlie at ICL Technical Plastics Limited. In this letter we have informed them that we are disappointed that this customer has decided to terminate their bulk supply contract with us despite us offering them a reduction in their gas price.

37. I have been shown [ICL/12072-12075] which is a letter dated 19 March 1998 to Calor Gas Scotland, Falkirk Road, Grangemouth from A D Elliott, J Gas Manager, Johnston Oils Limited.

38. I think I have seen this letter before and may have handed it to the police.

39. I observe that it is a letter dated 19 March 1998 from J Gas to Calor. It is confirming that ICL Plastics Limited are going to transfer their business from Calor to J Gas. Also in this letter J Gas have requested that our tanks be removed by 25 March 1998.

40. I have been shown [ICL/12069-12071] which is a letter dated 19 March 1998 to Mr A D Elliott. Johnston Oils Limited, Standhill, Bathgate from B Summers, Key Accounts Manager, Calor Gas, Grangemouth.

41. I am sure I gave this letter to the police.

42. I observe that in this letter our Key Accounts Manager, Brian Summers has informed Johnston Oils that ICL were still under contract to Calor and must give us 3 months notice and therefore that the Calor tanks could not be removed until 10 May 1998.

43. I have been shown [ICL/12082-12085] which is a letter dated 16 April 1998 to Mr B Summers, Calor Gas Limited, Falkirk Road, Grangemouth from A D Elliott, J Gas Manager, Johnston Oils.

44. I recall giving this letter to the police.

45. I observed that in this letter Johnston Oils have informed Calor that their clients, ICL, want our tanks removed by close of play 16 April 1998.

Uplift of Two Calor Tanks from ICL Plastics Limited

46. I am shown [ICL/12078-12081] which is a Calor Tank Uplift Request Form.

47. I may have seen this form before and could have given it to the police.

48. I observe that it is undated. It is from Calor requesting that Ankor Gas uplift the above-mentioned tanks, serial numbers 214031 and 213648, from ICL, Grovepark Mills, Hopehill Road, Glasgow.

49. I have been shown [ICL/12089- 12092]Screen Print.

50. This is a work order from Calor detailing that on 17 April 1998, as agreed, AnkorGas were to uplift the above-mentioned tanks serial Nos

214031 and 213648. It has been signed by the customer on 20 April 1998, which indicates that the tanks were uplifted on 20 April.

51. I have been shown [ICL/12167-12169] which is a Calor Certificate of Vessel Preparation for LPG Service. I have not seen this certificate before.

52. This document appears to be a certificate detailing that various tanks have been prepared in accordance with a B certificate. I do not know what is contained in a B certificate. I observe that it is noted at the top of this certificate that this vessel has been "prepared, valved and tested for LPG service in accordance with the relevant Calor vessel type code as detailed in the vessel identity drawings manual and Calor specification CAL 501 part II and/or CAL 503 part 1". I note that this certificate includes the above-mentioned tank, serial no 214031. I observe that it was tested on 14 September 1999 by Schneider in Airdrie.

53. I have been shown [ICL/12173-12175] which is a Calor Certificate of Vessel Preparation for LPG Service.

54. I cannot recall seeing this certificate before.

55. I observe from this document it appears that on 5 November 1999 tank serial no 213648 was tested by Schneider in Airdrie and passed the test in accordance with certificate B. I observe that it is noted at the top of this certificate that this vessel has been "prepared, valved and tested for LPG service in accordance with the relevant Calor vessel type code as detailed in the vessel identity drawings manual and Calor specification CAL 501 part II and/or CAL 503 part 1".

56. I have been shown [ICL/12170-12172] which is a Calor Gas Limited Vessel Modification Repair Certificate.

57. I have not seen this before.

58. From this document it appears that on 21 September 1999 bulk tank serial no 214031 underwent various repairs such as the nameplate being refurbished. It also included a hydro test, which is when the tank is filled with water to check for leaks.

59. I have been shown [ICL/12176-12178] which is a Calor Gas Limited Vessel Modification Repair Certificate.

60. I have not seen this certificate before.

61. This document details that on 30 November 1999 bulk tank serial no 213648 was also repaired and refurbished.

Involvement with ICL Plastics Ltd

62. I had no direct involvement with ICL as a customer, although Grangemouth based drivers would have delivered to them until Calor ceased to be their LPG supplier in 1998.

Ownership of Pipes

63. Under the terms and conditions of our contract with the customer, the pipework from the vapour off take pipe leaving the tank outlet valve is, including regulators on Commercial Installations, the customer's responsibility.

Exchange of Tanks

64. If a customer changed from another supplier to Calor, then Calor would fit the replacement tank and use the same customer owned pipework, if the visible parts of that pipework looked satisfactory and on completion of a satisfactory pressure test. A pressure test would be carried out from the tank to the first isolation valve. Again, when fitting a replacement tank, the pipework from the vapour off take pipe at the tank valve onwards would continue to be the customer's responsibility.

Testing of Tanks

65. Our Head Office is responsible for ensuring that tanks are inspected at the correct periods. The three local Calor engineers ensure that any faults reported by the customer or discovered at testing are rectified properly.

ICL Plastics Ltd Quotation Documentation

66. I have been shown [ICL/11027] which is a letter dated 28 May 1969 to ICL Plastics Limited, 188 North Woodside Road, Glasgow from J V Halhead, Contracts Manager, Calor Gas, Westwood Road, Glasgow.

67. I observe that in paragraph 3, Mr Halhead has written "It is noted, should our quotation be acceptable to you, the galvanized iron pipe, pipe fittings etc, required to connect from the two ovens to the bulk Propane supply would be carried out by your own labour force".

68. We could not locate a copy of the original Calor contract with ICL Plastics Limited, which I believe would have been about this time.

69. I have been shown [ICL/11032-11034] which is a Calor Gas Plant & Equipment Hire Proposal Form.

70. I observe that this form is dated 16 August 1969 and the hirer is ICL Plastics Limited. It details the supply of one two-ton liquid lpg capacity tank serial number 260458. I have checked our computer records and cannot find details of any vessel of that number.

71. If any of my engineers required technical advice then this would be not obtained from me but from our advisory engineer, Gary Tomlin in Warwick. It would not be part of my remit because I do not get involved in the technical side at all.

LPG Codes of Practice

72.I have read LPG Codes of Practice regarding installation and maintenance of LPG tanks. Our engineers would work to those codes. Our three engineers would be given the originals of these codes from Calor. They would also work in accordance with Calor maintenance manuals.

73.I confirm that the contents of this statement are true.

Witness signature _____

Date _____