

ICL INQUIRY  
STATEMENT OF CASE  
ON BEHALF OF  
ICL TECH LIMITED AND ICL PLASTICS LIMITED  
**CORE PARTICIPANTS**

ICL Tech Limited and ICL Plastics Limited wish to assist the Inquiry in fulfilling its Terms of Reference. In doing so, they consider the following issues and aspects as pertinent to the Terms of Reference.

1. The history of the LPG installation at the Core Participant's premises, Grovepark Mills, Maryhill, Glasgow with particular focus on the following:-
  - (a) how the pipe came to be laid;
  - (b) the material the pipe was made of;
  - (c) the state of knowledge about corrosion of pipes at the time of its laying;
  - (d) the installation of the LPG tanks and regulator by the LPG suppliers, Calor Gas Plc and Johnston Oils Limited; and
  - (e) The circumstances regarding the raising of the yard and any other relevant structural changes to the premises at Grovepark Mills.
  
2. The Statutory and Regulatory framework (including, Health and Safety legislation, Codes of Practice, and Industry Guidelines) and its evolution, from the date of installation of the LPG installation to the date of the incident, giving particular consideration to the following:-
  - (a) the requirements regarding the installation of LPG installations;
  - (b) the requirements regarding the laying of pipelines and in particular underground pipes;
  - (c) the checks that would be required to be made in respect of LPG installations and associated pipework;

(d) the state of knowledge regarding corrosion and the integrity of pipes and, in particular, underground pipes conveying LPG; and

(e) the prescribed method of testing/ checking the integrity of underground pipes.

3. Against the factual and Regulatory background, consideration should be given to:

(a) the roles of ICL Tech Limited and ICL Plastics Limited, the Health and Safety Executive, Calor Gas Plc and Johnston Oils Limited;

(b) the duties on the employers and owners of the LPG installation, ICL Tech Limited and ICL Plastics Limited;

(c) the duties on Calor Gas Plc and Johnston Oils Limited as suppliers of LPG, who have a particular expertise in this area;

(d) the involvement of the Health and Safety Executive; and

(e) the state of knowledge of all these parties throughout the history of the LPG installation up to the date of the incident.

4. With a view to preventing an accident like this occurring in the future, it is respectfully submitted that the Inquiry should look, not merely at the role of the employer/ owners (ICL Tech Limited and ICL Plastics Limited) in complying with the statutory/ regulatory framework, but also the following:

(a) the role of suppliers of LPG gas in particular Calor Gas Plc and Johnston Oils Limited;

(b) the role of the Health and Safety Executive and consideration as to whether they should have a wider advisory role or merely an enforcement role;

(c) the Regulatory framework and its interpretation from the perspective of duty holders; and

(d) the future for LPG installations with particular reference to what pipelines are made of, who supervises the installation, the maintenance of the

installations and the responsibility of the various agencies regarding installations and their future maintenance.

ICL Tech Limited and ICL Plastics Limited would wish to participate in examination of all the above mentioned topics and respectfully submit that consideration of these matters will contribute to the sum knowledge of the Inquiry, with a view to learning lessons and making relevant recommendations, thereby fulfilling its Terms of Reference.