

14 May 2008

Dear Lord Gill,

I am writing to you as a former employee of ICL who worked in the fabrication department. I was employed at the Grovepark Mills from 1990 to 2004 and left their employment due to circumstances relating to health and safety matters three weeks before the disaster on 11 May. I think it is important that you know my story because it raises very important issues that the Public Inquiry needs to consider. Here I present an edited version of my experiences which I gave to the University Research Team in January 2006.

I had been concerned about the health of my son who was also employed at ICL. I believed that my son had become ill as a result of the working conditions in the plant. He took pneumonia and then returned to work and had constant ill-health. I asked in the work about the materials and the substances that they were using and there seemed to be a link. Every time he came back to work he took not well again. To try to find out about my son's condition, I started looking on the Internet and discovered some bits and pieces myself, mostly data sheets by manufacturers. And then when I started reading it, it became very frightening because a lot of the problems that Laurence my son has had and still has, you could see came from these chemicals. Some of the effects described were the effects that Laurence was experiencing. At the same time, these manufacturers' data sheets were saying that we should be wearing certain types of masks, certain types of gloves, impervious overalls, all these sort of things.

We never got anything like that. The way it worked in the coating shop was that you got a pair of overalls and a pair of boots. This was just a plain pair of cotton overalls. We didn't get any protective clothing whatsoever. If I went to work I used to go to ASDA and buy a pair of cheap denims because they would be ruined after a couple of weeks. They did supply a pair of steel toe-capped boots. Then they provided a sort of latex glove, but when you went near any of the chemicals the fingers used to fall off. They used to actually dissolve so they were more a hindrance than anything else.

I did try to raise my concerns with managers and asked them for information on the chemicals that we were using. This would be about the end of 2001. I got absolutely no response even though I repeatedly asked for this information. Eventually, I was told to go upstairs and see the Managing Director, Stewart McColl. I remember clearly him saying that health and safety was not my concern and that the place was as safe as it had ever been. He said that I should not concern myself with things that didn't concern me.

I was still concerned so I still tried to find things out from the internet. The more I read the more concerned I got and the more it fitted into Laurence's illness. Because I was getting nowhere I contacted the Health and Safety Executive. This was somewhere around the middle of 2002. To start with I phoned them up hoping to get some advice but I never really got any. I don't know how many times I actually did phone them. Laurence (my son) was phoning them as well. So between the two of us there might have been a dozen,

perhaps two dozen phone calls. We just wouldn't let go and eventually we did, in my opinion, shame them into coming in.

It wasn't a case of me phoning up and saying "I have found a problem" and then them saying "We'll have a look at this and see what we can do for you". This went on for months. I had to keep contacting them and then there was that day in the summer of 2003, all of a sudden when actions were taken inside the plant. They built a fumes cabinet in a rush just before the HSE visit. Two Inspectors walked in that day and that was how I found out the Health and Safety had come in.

One of them asked me my name and I told them. I was in the cabinet at the time and the Inspector said to me, "You're the one who phoned. Is it better for you now?" She was referring to the fumes cabinet. She told me who she was and gave me her card and said to me that if there's any more problems in future just to give her a ring. The MD and acting manager (Stewart McColl and Ian Mavers) were there at the time. I was gobsmacked that I had been identified. I had absolutely nothing to say at that point in time. I was just shocked. Stewart McColl's reaction was to give a smirk but did not say anything.

The HSE tried to persuade me and my son not to remain anonymous and to allow them to give his name to management. After some pressure, and because he was suffering serious health problems, my son decided to allow the HSE to use his name. Confidentiality was one of the problems I had had when trying to get them to come in. They said it would be a lot easier for them if they had a name that they could give to the company. He actually gave them permission to use his name. This can be seen in one of the attached letters. Management decided that he was me.

McColl's general attitude towards me then totally changed. I had worked there for 13 years and never once had been warned about my work, never once questioned about anything that I had done. More often than not the only question I would be asked was "I wonder if you could help us, or do you know about this, or do you know about that"? Then all of a sudden it was a case of anything they could find wrong with my work they would. They started nit-picking and it could be the silliest of wee things. You would get a sheet of material through from Stockline and it would have a chip, nothing to do with me, but I would get the blame because it was chipped. I would say "Wait a minute, I've not done anything to that yet". "You must have cut it" they would say and I would reply "It's a sheet of material, I haven't touched it".

It was just silly things. I ended up arguing one day with Nicky Downie who ended up a manager, perhaps the Workshop Manager. He decided that he was going to have a go at me about my work and I just wasn't for that. I mean, I had worked in there for 13 years and I had worked in other places as well. I had 20 years experience. If I had done something wrong and somebody was saying like "You made a mistake there, you did this, you did that" then fair enough, I'll stand and I'll take the medicine. But I had done nothing wrong and I wasn't having it. It was total nit-picking. I couldn't get my holidays when I wanted, it didn't matter when it was, it always clashed with somebody else's. They put a chart up on the wall, so I checked it, for when nobody was off and said I would take those weeks and then he changed the chart just because I put in for my holidays. Things like that. I firmly believe that had I not been seen to be raising health and safety issues these things would not have happened to me.

After the visit of the HSE there was no consultation between the HSE and workers at the plant. My concerns were still very strong so I decided to raise them with my Member of Parliament, Ann McKechin. The only way I found out about later HSE visits was when I actually started speaking to Ann McKechin and she started sending letters to them and received responses. Anne McKechin's first letter to the HSE is dated 13 August 2003 (see attached letters).

The company would never call a meeting with the workforce and say 'We had a visit from the HSE four months ago, and they've asked us to do x, y and z, and we have done this now'. They would never do anything like that. They would never consult the workers regarding any working practice. The only time they consulted the workforce was if they got a new job and they didn't know how to do it and they would try and nip your brains about how to do the job. That's the only time. That's the only way they would consult the workforce.

Even after the visit of the HSE there were never any real changes. The working practices did not change, the only changes even in the coating shop where the fumes were worst were cosmetic. It might have looked different. Chemicals, paints or solvents could be lying all over the place and that wasn't a problem, but if there was an Irn Bru or water bottle on your bench then the Managing Director would go absolutely bananas. This was a major health and safety issue.

We never received any communications from the company or the HSE before or after their visits. I tried after the visit of the HSE, and even after I left the place to get information. Within maybe a week of the disaster, I was still phoning the Health and Safety trying to get them to tell me if it was safe for me, if these chemicals were doing me any harm. And not once did anybody from the HSE respond and tell me if the chemicals were a problem. Even after I left the place I tried to contact the HSE Inspector and I tried phoning maybe within the three weeks of my leaving up to the disaster, three or four times. The Inspector was either at meetings or she was out but she never ever returned my calls.

After the disaster I felt it was important that the public knew that what had happened in my opinion had not been an accident. General conditions and health and safety practice inside the plant had been so poor. I was contacted and interviewed by the Sunday Herald and appeared on the Frontline Scotland. I also spoke on the disaster, sharing a platform with the Rt. Hon. Jane Kennedy a UK Minister for Work and Employment in July 2004.

Subsequently, I tried to get details of the HSE's correspondence with the company relating to my circumstances. This request under the Freedom of Information Act was rejected on the grounds that all the information had been passed to the police.

My main purpose in writing to you is that I believe the families of the people who died and the injured should know these facts. To me the most important thing is that we need to work together to learn from this disaster and make sure that it never happens again. I firmly believe that when people go to their work they deserve to be fully protected unlike the workers at ICL.

I would like to help in any way that I can with the inquiry and would be willing to come and give evidence if that is helpful. I have included with this letter the correspondence between my MP Ann McKechin and the Health and Safety Executive. This is important

because it shows that both her and I were raising concerns about health and safety practices at ICL months before the disaster occurred.

Yours sincerely,

Laurence Connelly Snr.

4 June 2004

Mr Laurence Connolly Snr &
Mr Laurence Connolly Jnr

Dear Mr Connolly and Laurence,

Stockline Plastics

I appreciate that the last few weeks have been a very difficult time for you both but I am grateful for your assistance at the time of the explosion.

Over the last couple of weeks I have been working along with my colleague Patricia Ferguson MSP and the Scottish Trades Union Council (STUC) on how best we can assist families and workers in the weeks and months ahead as the investigation progresses. Although there was no active trade union representation at the factory, the STUC is keen to assist in whatever way may be appropriate and share their considerable experience of industrial accidents and health and safety concerns.

We have jointly agreed that the STUC should hold a meeting involving families directly affected to look at opportunities for the trade union movement to provide practical assistance and support to you in the coming months. Both Patricia and I will also be in attendance.

The meeting will be held on **Wednesday, 16th June at 8pm in the STUC offices at 333 Woodlands Road, Glasgow** (next to the Hogshead Bar) and I am writing to invite both of you to attend. Although you were not working in the factory at the time, your recent experiences with the company and HSE are obviously relevant to the current inquiry and I know that you expressed deep concern for your fellow colleagues in the factory, many of whom you have known for a considerable number of years.

I do hope that you will be able to attend and if you wish to discuss the matter further, please do not hesitate to contact me at my constituency office.

Yours sincerely,

Ann McKeekin M.P.



Health & Safety Executive

Head of Operations : Mr S J North

5/1/04
CONNOLLY 1

Ann McKechin MP
154/156 Raeberry Street
GLASGOW
G20 6EA

Your reference: CONN001
Our reference: IMB/LF/13

23 December 2003

Dear Madam

ICL PLASTICS

Thank you for your letter of 11 December 2003.

Whilst there was contact with the firm in the interim, you are correct in your understanding that between February 2000 and June 2003 no site visit was made.

Yours faithfully

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I M Bowie
HM Principal Inspector of Health and Safety

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375 West George St, Glasgow G2 4LW
☎ 0141 275 3000 ☎ 0141 275 3100

Reducing risks - protecting people

Our Ref: CONN001/030394
11 December 2003

Mr Laurence Connolly

Dear Mr Connolly,

I am enclosing copies of correspondence between myself and the Health and Safety Executive in relation to ICL Plastics, for your information. You will see from the correspondence that I have set out to get information from the Health and Safety Executive about their inspections of the ICL Plastics.

However, I would be grateful if you could let me know of any progress that you might have made in relation to medical evidence, as I feel this is necessary if I am to take the case any further at this stage.

Yours sincerely,

Ann McKechin MP

Our Ref: CONN001/030394
11 December 2003

Mr I M Bowie
HM Principal Inspector of Health and Safety
Health & Safety Executive
375 West George Street
Glasgow
G2 4LW

Dear Mr Bowie,

ICL Plastics

I have received your letter dated 8 December 2003. I understand from this letter that from February 2000 (when an Improvement Notice was served) until June 2003, your inspectors paid no site visits to ICL Plastics.

Yours sincerely,

Ann McKechin MP



Health & Safety Executive

Head of Operations : Mr S J North

10/12/03

1

Ann McKechin MP
154/156 Raeberry Street
GLASGOW
G20 6EA

Your reference: CONN001

Our reference: IMB/LF/13

8 December 2003

Dear Madam

CONCERN OF CONSTITUENT EMPLOYED BY ICL PLASTICS

I refer to your further letter on this matter dated 25 November 2003.


The last inspection visit before the visits in 2003 was in February 2000.

In 2003 two visits were paid. One visit was paid in June (as mentioned in my letter of 23 August) when the visiting inspectors followed up concerns similar to those raised by your constituent with a further visit being paid in the August.

Since the August visit we have been in contact (telephone/letter) with the site and with the clinician investigating the ill health concern that I outlined in my earlier letter. It is the conclusion of the clinician that methyl methacrylate is unlikely to have been the cause of the ill health problems experienced.

The Improvement Notice served (and the reasons for its service I explained in my letter of 24 September) was to ensure that the site COSHH assessment covered all substances and not just solvent. The assessment prepared had to be a written assessment and was assessed without an inspector visiting the site.

Yours faithfully


Ian Bowie
HM Principal Inspector of Health and Safety

375 West George St, Glasgow G2 4LW
☎ 0141 275 3000 📠 0141 275 3100

Reducing risks - protecting people

Our Ref: CONN001/030394
25 November 2003

Mr Laurence Connolly

Dear Mr Connolly,

I write just to let you know that I have continued to press the Health & Safety Executive with regard to their inspections of ICL Plastics. When I receive a further reply from the Health & Safety Executive, I will be in contact with you again. Also I would be grateful if you could keep me up to date on any progress with regard to the medical evidence that you were hoping to obtain.

Yours sincerely,

Ann McKechnin MP

Our Ref: CONN001/030394
25 November 2003

Mr I M Bowie
HM Principal Inspector of Health and Safety
Health & Safety Executive
375 West George Street
Glasgow
G2 4LW

Dear Mr Bowie,

I received your letter of 4th November 2003 which regard to the matters I raised in relation to ICL Plastics. I would seek one matter of further clarification with regard to the information in your letter. You note that the last routine inspection of the ICL plant was in February 2000 and that the next site visit was not until August 2003 to follow up the concerns of an employee. You also note that at the time of the February 2000 visit an Improvement Notice was served along with two Prohibition Notices, and you note that the Improvement notice was complied with.

I would just like to clarify by what means the Health and Safety Executive was able to reach the conclusion that the Improvement Notice had been complied with. Did the Health & Safety Executive rely upon self certification from ICL Plastics that they had met with the terms of the Improvement notice.

Yours sincerely,

Ann McKechin MP



Health & Safety Executive

Head of Operations : Mr S J North

5/11/03
1

Ann McKechnin MP
154/156 Raeberry Street
GLASGOW
G20 6EA

Your reference: CONN001
Our reference: IMB/CH/13

04 November 2003

Dear Madam

CONCERN OF CONSTITUENT EMPLOYED BY ICL PLASTICS

I refer to your letter of 23rd October 2003 seeking further clarification of matters raised in your earlier letters and in replies from this office.

I am surprised by the comment raised in the last paragraph of your letter which would suggest that in replying I have not fully addressed your concerns. I can assure you that no information has been withheld.

My letter of 23rd August confirmed the date of the last routine inspection visit, February 2000, and outlined our most recent involvement over a concern raised by an employee.

My letter of 24th September addressed the three points specifically raised in your letter of 12th September.

Specifically addressing the four points raised in your current letter:

- 1 The last routine inspection visit was February 2000. Whilst there was contact with the firm in the interim, the next site visit was not until August 2003 to follow up the concerns of an employee.
- 2 At the time of the February 2000 visit the Improvement Notice referred to in my earlier letter was served along with two Prohibition Notices prohibiting the use of two saws until they were guarded. The Improvement Notice was complied with.

In August 2003, the visiting inspectors confirmed the adequacy of the control measures in place to prevent exposure of employees to hazardous substances. No Improvement Notices were issued.

375 West George St, Glasgow G2 4LW
☎ 0141 275 3000 ☎ 0141 275 3100

Reducing risks - protecting people

- 3 There are no outstanding Notices.
- 4 As confirmed in my earlier letter the appropriate control measures are in place to satisfactorily control the exposure of employees to hazardous substances. The control measures were seen to be in place and being used at the time of the August 2003 visit. The employer nevertheless has a duty to ensure on a day to day basis that legislation is complied with and the necessary control measures used.

Should you wish to discuss further these matters please do not hesitate to either contact me by telephone or I would be pleased to meet with you.

Yours faithfully

I M Bowie

HM Principal Inspector of Health and Safety

Our Ref: CONN001/030394
23 October 2003

Mr I M Bowie
HM Principal Inspector of Health and Safety
Health & Safety Executive
375 West George Street
Glasgow
G2 4LW

Dear Mr Bowie,

I received your letter of 24th September 2003. However, I am seeking further clarification of the matters that I raised in my letter of 13th August 2003 and the 12th September 2003 in relation to ICL Plastics Limited. I would be grateful if you could clarify the following points.

- ✓ 1. On what occasions have Health and Safety Executive Inspectors held inspections of the ICL Plastics Ltd site since February 2000?
2. What were the results of these inspections were Improvement Notices served, and if so what was found to be lacking in the Health and Safety arrangements at the site? When were any problems identified by the inspectors, satisfactorily dealt with by ICL Plastics?
- ✓ 3. Are there any outstanding Improvement Notices in relation to ICL Plastics.
4. According to the records of the inspections carried out by the Health and Safety Executive, have the correct precautions been taken at ICL Plastics when employees have been involved in processes with Tetrahydrofuran, Methyl ethyl ketone peroxide, 2-(NN-Diethylamino)ethyl methacrylate, and Dichloromethane. In particular is the Health and Safety Executive confident that its inspection of the ICL Plastics site has ensured that the correct protective equipment including gloves and RPE have been used in the handling of these chemicals on a regular and routine basis.

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I would be grateful for a full response to these enquiries as so far I have found that your letters of 24th September and 23rd August have failed to fully address my concerns.

I await your response and trust that you will address my concerns fully and that I will not be required to take the matter up with the appropriate Minister.

Yours sincerely,

Ann McKechin MP



Health & Safety Executive

Head of Operations : Mr S J North

Ann McKechin MP
Constituency Office
154/156 Raeberry Street
GLASGOW
G20 6EA

Your reference: CONN001/030394

Our reference: IMB/CH/13

24 September 2003

Dear Madam

CONCERN OF CONSTITUENT EMPLOYED BY ICL PLASTICS LTD

Thank you for your letter of 12 September 2003 seeking classification with regard to three points arising from my letter of 23 August 2003.

- 1 The inspector who issued the Improvement Notice was aware of the work done by ICL Plastics Ltd with regard to exposure to solvent, but the Notice was issued to ensure that exposure to other substances hazardous to health, for example wood dust, and the steps needed to meet the requirement for the regulations were addressed. The Notice was issued to ensure the necessary software was in place, and was complied with by the company.
- 2 There was contact with the site during 2001 but no further site visits were made until 2003.
- 3 I am reluctant to comment on what one person thought another person said to a third party. I correct a possible misunderstanding, that you appear to have with regard to disposable paper dust masks. These are Respiratory Protective Equipment (RPE). RPE comes in many different forms and includes: paper disposable half and full face masks (with single or double cartridges) and air fed equipment. The choice of what RPE should be selected depends on the nature of the contaminant in air (dust, vapour or gas) and the likely concentration.

375 West George St, Glasgow G2 4LW
☎ 0141 275 3000 📠 0141 275 3100

230903McKechin

Reducing risks - protecting people

A disposable paper dust mask would be suitable for work activities giving rise to small quantities of dust.

Yours faithfully

I M Bowie

HM Principal Inspector of Health and Safety

12 September 2003
Your Ref: IMB/LF/13

I M Bowie
HM Principal Inspector of Health and Safety
Health and Safety Executive
375 West George Street
Glasgow
G2 4LW

Dear Mr Bowie

Thank you for your letter of 23 August. There are a few points on which I seek clarification as follows:-

1. I refer to the first paragraph of the second page of your letter. Can you let me know why the COSHH assessment was not satisfied, what improvements were requested, and whether or not the Improvement Notice was met?
2. Did the Health and Safety Executive conduct any follow-up inspections between 2000 and 2003?
3. My constituent tells me that a Manager at ICL claimed he had been advised by Annette Leppla of the Health and Safety Executive that ordinary dust masks (non RPE) and latex gloves in use at the time in question offered sufficient protection for employees. Are you able to confirm whether or not Ms Leppla gave this advice?

Yours sincerely

Ann McKechnin MP

Our Ref: CONN001/030394
26 August 2003

Mr Laurence Connolly

Dear Mr Connolly

Further to my letter of 13 August I now enclose a copy of the reply I have received from the Health and Safety Executive.

Before proceeding further with your enquiry it would be helpful to know the following:-

1. Are you the 'son' referred to in the third paragraph of the second page, who has been in contact with the Health and Safety Executive, or is your case separate?
2. Were you issued with a standard dust mask or one of the RPE masks referred to in the letter 'which is fitted with an appropriate cartridge for exposure to organic vapour'?
3. Would you have any objection to your name being used in correspondence with the Health and Safety Executive?

You can contact my constituency office with the information or any other comments you wish to make on Tel: 0141 946 1300 or in writing to the address below.

I look forward to hearing from you .

Yours sincerely

Ann McKechin MP



Health & Safety Executive

26/8

FMU 13
Head of Operations - Mr S.J North

Ann McKechnin MP
Constituency Office
154/156 Raeberry Street
GLASGOW
G20 6EA

Your Ref: CONN001/030394
Our Ref: IMB/LF/13
Date: 23 August 2003

Dear Madam

**Concern of Constituent, Employed by ICL Plastics Limited, Grovepark Mills,
Hopehill Road, Glasgow G20 7NF**

Thank you for your letter of 13 August 2003 bringing to the attention of the Health and Safety Executive, your constituent's concerns that a number of chemicals are used at ICL Plastics Limited without proper use of protective clothing and practices.

I reply to your letter as inspectors from my team have been visiting the premises concerned. In reply I hope to address the specific concerns of your constituent and put you in the picture with regard to our involvement and make you aware of the general package of control measures required.

This company manufacture a variety of vacuum moulded products including guttering pipes etc. The raw material is sheet plastic which is cut, moulded and finished on the premises. Solvents are used in the finishing process.

The exposure of employees and others to substances hazardous to health in the workplace is controlled by a package of regulations known as the Control of Substances Hazardous to Health Regulations (COSHH).

The general control strategy for any substance is an assessment with regard to the substances being used - what is the health hazard, how much is being used, how volatile or dusty and of course the routes of attack be it inhalation, ingestion, or on or through the skin. The control strategy should consider: substitution/elimination, containment, local extraction ventilation, appropriate respiratory protective equipment (RPE) and other personal protective equipment (PPE) that is gloves, overalls, visor etc.

375 West George Street, Glasgow G2 4LW
Tel: 0141 275 3000 Fax: 0141 275 3099

200803McKechnin

Reducing risks - protecting people

The last routine inspection of the site was in February 2000 and at that time the COSHH assessment was found not to be sufficient and an Improvement Notice was served.

Recently an inspector has been following up concerns, similar to those raised by your constituent. This resulted in an unannounced visit to the site on 2 June 2003 by two inspectors when it was confirmed the expected control measures were in place.

One of the inspectors has had several telephone conversations with a father and son who are employed at the site. The son is certainly experiencing ill health but at this time it is not known if the ill health is work place related.

The son gave permission to raise his concern directly with the company. The company made available chemical data sheets to the Clinician who is investigating the ill health concern and we will liaise with the Clinician and the site to follow up any specific concern.

At this time the control measures in place are satisfactory for the process. They are confirmed as being: a ventilated booth, the wearing of respiratory protective equipment and the required PPE which includes as appropriate impervious gloves to eliminate the skin contact route. The RPE being worn is not simply a dust mask, it is a mask which is fitted with an appropriate cartridge for exposure to organic vapour.

Addressing the specific points raised in your letter:

- 1 The precautions outlined should ensure satisfactory control with regard to the chemicals used.
- 2 Without knowing the identity of your constituent it is difficult to comment on the advice given. My colleagues' advice to the father and son is on record, and no mention has been made of simply relying on gloves and a mask as the only control required for exposure to these substances.

Thank you for bringing this matter to my attention.

Yours faithfully

I M Bowie
HM Principal Inspector of Health and Safety

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Our Ref: CONN001/030394
13 August 2003

Health & Safety Executive
Area Office (Scotland West)
Pegasus House
375 West George Street
Glasgow
G2

Dear Sir/Madam,

I have recently been contacted by a constituent who is employed at ICL Plastics Limited, Grovepark Mills, Hopehill Road, Glasgow, G20 7NF. The constituent is concerned that a number of chemicals are used at ICL Plastics without proper use of protective clothing and practices. My constituent in particular mentioned the chemicals Tetrahydrofuran, Methyl ethyl ketone peroxide, 2 -- (N,N-Diethylamino)ethyl methacrylate and Dichloromethane

I understand that my constituent has previously contacted the Health and Safety Executive on this matter and was informed that the only protective equipment that was needed was a dust mask and latex gloves. However my constituent believes that this is not the required protective equipment that is required when dealing with these chemicals from the information that he has received.

I would be grateful if you could let me know what the required protective arrangements are for dealing with the chemicals I have mentioned, and also if you have carried out any inspections at ICL Plastics in relation to this matter in the last few years.

Yours sincerely,

Ann McKechin MP

Our Ref: CONN001/030394
13 August 2003

Mr Laurence Connolly

Dear Mr Connolly,

Further to your visit to my surgery on Saturday 9th August. I have now written to the Health and Safety Executive on the matters that you raised with me. When I receive further information, I will be in contact with you again.

Yours sincerely,

Ann McKeekin MP