

Rt Hon Chris Grayling MP
Caxton House
Tothill Street
London
SW1H 9NA

3 February 2012

Dear Chris,

I refer to our previous correspondence in relation to the Sonae Industria (UK) Limited site in Kirkby within my Constituency. As you know, I have expressed my serious concerns on a number of occasions in relation to the complete inability on the part of this company's management to conduct its operations in a healthy and safe environment. I have also called for the Health and Safety Executive to fulfil its function and protect my constituents by taking robust action to address these serious issues.

The attached note sets out a brief summary of the most recent incidents at the site. It provides evidence of the scale of the problem, which is continuous.

In this context, while I am hardly surprised, it gives me no pleasure at all to inform you that there has been yet another incident at the site. This latest incident (a fire) took place on the evening of Thursday 26 January 2012. Although it was not to the scale of the previous fire which took place over several days in June 2011, it was nevertheless another dangerous incident and this time required the presence of 30 fire fighters and 8 fire appliances, again putting lives in danger.

As I say above, I have previously raised my concerns about the clear lack of capacity to manage health and safety matters effectively at the factory and the pattern of events means that it is in all likelihood only a matter of time before another incident occurs, which may lead to further deaths.

I hope you will recall that my previous correspondence with you called for the Health and Safety Executive to take its responsibilities more seriously and to conclude its investigation into a very serious incident in December 2010, which resulted in 2 deaths. Subsequently, there was another incident in August 2011 when another person was killed.

Despite your assurances at the time (presumably given on the advice of people within your Department) that the Health and Safety Executive did indeed take its responsibilities seriously and that it was focusing its efforts on delivering a "timely" outcome to its investigations, the Executive has yet to produce findings or take any robust action in relation to these incidents. I have no doubt that the families of the

people previously killed at the site will be dismayed to hear of yet another incident over a year after the first incident mentioned above and still with no date in sight by when they can expect to achieve clarity as to how their loved ones were killed.

It is simply not good enough for the Health and Safety Executive to continue to promise that a report will be produced eventually (albeit without suggesting what actions are proposed if any), when the factory continues to be operated in such an unsafe manner.

Beyond the longstanding investigation into the December 2010 incident, I am unclear as to what action (if indeed any) the Health and Safety Executive has taken in response to the numerous other incidents at this site. I think it would be useful for both you and me to be provided with that information.

I do understand, however, that the Health and Safety Executive has already expressed a view on the very recent incident, and that this view is along the lines that it was an isolated and controlled incident and therefore no further action is required. I fail to see the logic of this response – the fact is that there is clearly a continuous pattern of such incidents (some obviously more serious than others), and it is the existence of this pattern which the Health and Safety Executive is failing to address.

Viewing incidents in isolation is undoubtedly a flawed approach.

Given the clear dangers which have existed and continue to exist at the plant (as evidenced in the attached note), I would urge you to instruct the Health and Safety Executive to undertake a thorough investigation of this latest incident and to publish their findings into the previous incidents as a matter of urgency. I would also be grateful if you could confirm exactly when we can expect the respective investigations to be concluded.

The Health and Safety Executive must use the extensive powers available to it to put a stop to these events before it is too late for the company's employees and the surrounding neighbourhoods.

Yours faithfully,

George Howarth MP

This note provides brief factual updates on significant incidents at the Sonae factory in Kirkby since February 2007:-

20 February 2007 - Fire

A fire started when oil leaked from pipe work within a room occupied by pumps used to circulate hot oil (referred to as thermal oil) used to power the chipboard press in the adjoining press hall. The fire spread to the main plant control room above the oil pump room and destroyed computers used to control the operation of the plant. Knowsley Council's Environmental Health service contacted the Health and Safety Executive who investigated the cause. The Council is unaware of any formal action as a result of that investigation.

12 November 2007 - Fire

A fire occurred in the main chimney. On investigation, operatives found smoke in the Wet Electrostatic Precipitator where the associated electrostatic system had failed. The act of opening inspection hatches caused an inrush of air which resulted in smouldering material igniting. A secondary fire occurred in a fuel storage building believed to have been caused by sparks from the chimney fire igniting fine dust. The Merseyside Fire and Rescue Service attended and Sonae submitted a fire report, explaining what had happened to the Health and Safety Executive which carried out an investigation. In their final report, I understand that the Health and Safety Executive was essentially satisfied with Sonae's actions during the fire and the measures since put in place to prevent a re-occurrence. The Health and Safety Executive concluded that this incident was a result of human error.

17 October 2009 - Fire

A fire occurred in the large concrete bunkers used for the storage of recycled wood chips. This was a significant fire which took several days to extinguish. The Merseyside Fire and Rescue Service were on site during that time. The cause is believed to have been hot metal fragments falling into the bunker from conveyor belt rollers which had worn severely and overheated. A subsequent joint agency meeting was hosted by the Fire and Rescue Service and attended by the Health and Safety Executive. The local authority is not aware of any formal action as a result of this investigation.

8 July 2010 – Fire

A fire occurred in an external steel storage silo used for the storage of wood chips. It was suggested that the wood may have ignited due to spontaneous combustion following a period of very hot weather which coincided with a plant shutdown, meaning that wood chips were held for longer than is normal in the silo. Again, there was subsequent joint agency liaison between the Merseyside Fire and Rescue Service and the Health and Safety Executive. The local authority is not aware of any subsequent formal action as a result of this investigation.

13 October 2010 - Fire

An electrical fault in one of the factory buildings caused an electrical surge to an externally located electrical transformer which caught fire. The damage was mainly external to the buildings affecting the transformer and the surfaces of the adjacent buildings. Again, there was subsequent liaison with the Health and Safety Executive, but the local authority is not aware of any formal action taken as a result.

7 December 2010 – Incident with 2 Fatalities

Two contractors were killed whilst working on a conveyor machine at the site. It is understood that the Health and Safety Executive's investigation has been concluded, but, more than a year later, no decision has been taken as yet to pursue any action against Sonae.

28 January 2011 – Serious Incident

A member of Sonae's cleaning staff was working in a horizontal duct and fell through it. The weakness in the duct had been caused by erosion which was understood to be a well-known hazard at the site. The employee's fall was arrested by a harness which saved his life. He was left hanging in mid air some 40 feet above the ground. Sonae expressed a view that the incident was positive in that the harness had done its job. The incident was notified to the Health and Safety Executive, but the local authority is again not aware of any formal action taken.

9 June 2011 – Fire

A major fire lasting several days affected the wood storage and processing building at the site. The Health and Safety Executive was informed of the incident and carried out its own investigations. Again, the local authority is not aware of any formal action as a result of this investigation.

6 August 2011 – Fatality

A demolition worker at the site died after allegedly being crushed. The Health and Safety Executive carried out an investigation. Again, the local authority is not aware of any formal action as a result of this investigation.

26 January 2012 – Fire/Explosion

A spark or ember in the conveyor belt taking woodchips from the chip separator to the cut fire silo appears to have caused a fire and "explosions". I understand that a large metal door of the bunker below the silo suffered substantial damage as a result of an explosion which had such force that the hinges at the top of the door were forced away from their concrete housing when the door was blown open – clearly, this was another "near miss" which could have caused serious injury had anyone been working in this area at the time. This latest incident required the presence of 30 fire fighters and 8 fire appliances. I am advised that the Health and Safety Executive has already decided that it does not class this fire as a "reportable incident" and therefore that no formal action will be taken.