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March 1, 2022

Derek Winter DL

Senior Coroner for the City of Sunderland

Regarding: regulation 28

Acting on behalf and with the authority of the President of the Management Board of POM-EKO, a limited liability company with its registered office in Szczecinek (Poland) further to the request in the letter of Mr. Derek Winter - Senior Coroner for the city of Sunderland of January 10, 2022 in the matter of actions taken to prevent accidents while using the modular steel pontoons made by POM-EKO limited liability company in Szczecinek, I explain the following:

1. The production modular steel pontoons in POM-EKO was launched in 2010 in cooperation with companies operating in the European Union, which have been professionally used and rented by companies for many years. Therefore, these companies have extensive experience in their construction process, technology and use. Until now, our company has made 1,600 pontoons that have been sold in the European Union.
2. When orders were carried out, the pontoons were always delivered with factory-made binding elements, such as forks and half rings. Although the clients of our pontoons are proof-of-the-art companies in this industry, familiar with the regulations and procedures as far as handling of these products is concerned, the principles of safe use were discussed at each trade meeting: such as the use of factory clamping elements, the use of original protective barriers that are twisted to the flanges on the rim of the pontoon as well as not making any unauthorized modifications, in particular welding and cutting off non-original parts. As a result, on our part, we did not allow to any design changes to the product to be made on their (the clients) own.
3. Despite the fact that, as we mentioned, our clients are professional companies in the pontoon industry, we decided to remind them in writing about the special safety rules while working on pontoons, in particular about the prohibition of using non-original fasteners for coupling, any modifications, avoiding hot works, and in case of their necessity about procedural obligations in European countries, including the territory of Great Britain, and included in the provisions of the Health and Safety. We have also decided to provide an extract from the Health and Safety Executive's leaflet for safety in welding, gas cutting and similar processes and for hot work on small tanks and drums with every pontoon we sell for the UK market.

4. In hermetically sealed tanks, such as steel pontoons, which are used in the sea water environment and at different ambient temperatures, water condensation is released outside, which causes rapid corrosion, therefore their inside must be protected with an effective anti-corrosion coating. The above requirement is discussed by clients when placing orders. As a result, their inside may contain traces of volatile organic compounds (VOCs) derived from the anti-corrosion coating. As well as under the conditions of high humidity, even the residual organic substances inside closed tanks can generate substances such as methane. Hence the need to always comply with the safety procedures described in the HSE, if it is necessary to conduct hot work. In such cases, the pontoon should be aired through the holes for screw plugs on its sides, e.g. with steam or inert gases, e.g. carbon dioxide CO₂ or nitrogen N₂. Such procedure is aimed at displacing even trace amounts of volatile organic compounds from the inside of the pontoon from the anti-corrosion coating or organic residues. However, it is safest to avoid hot work, and if necessary, outsource it to a professional company that will do it safely in compliance with the applicable procedures. It is known that pontoons should be tight, therefore in the final production process they are tested for tightness. For this purpose, air is forced inside at a pressure higher than atmospheric pressure and after several minutes it is let in through the holes for screw plugs, which additionally blows the inside of the pontoon. Moreover, in the process of manufacturing pontoons in our company, in order to remove even trace amounts of volatile organic compounds (VOC), we extended the interval between the anti-corrosion coating inside the pontoon and its closure with a primer to several days, which ensures virtually complete removal of volatile compounds.
5. At the same time, we would like to point out that the provisions of the HSE impose specific obligations on employers, who are legally obliged to assess risks in the workplace and to take all reasonable precautions to ensure the safety of employees and other individuals who may be exposed to risks while performing works. Any hot work should be supervised by an experienced manager or supervisor who has knowledge of how to perform it, the related risks and precautions that should be taken before starting the work.
6. The actions taken by our company to increase the safety while using our products and the absolute compliance of users with health and safety regulations will prevent similar accidents in the future.

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Attorney at Law Lech Cieślak

Attached: Power of Attorney