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1 MR. WIGGINS: Well, it is relevant. We  
2 have two issues here. The issue, one, is whether  
3 she was, in fact, giving out unnecessarily  
4 inaccurate information that was causing panic  
5 throughout the community, as alleged by the  
6 school system.

7 The second issue is, assuming she is  
8 correct in her findings, whether or not she was  
9 justified in the methods that she took to  
10 distribute such information, which may have  
11 caused panic throughout the community.

12 I will allow that documentation in as  
13 Respondent's Exhibit Number 8 and we'll  
14 recognize, based upon the documentation,  
15 Ms. Williams' expertise in the area.

16 Next, Ms. Williams?

17 MS. WILLIAMS: As you may not have noted  
18 on there, most of the courses that you take are  
19 like two years and you have to go and get a  
20 refresher course, and here's my documentation  
21 that I am certified and continue to be an expert

1 of the Environment; namely, Title 6, Subtitle 8,  
2 and Title 26 and Title 10.

3 MR. WIGGINS: Okay. I'm going to accept  
4 -- I'm sorry. I'm going to mark for  
5 identification as Respondent's Exhibit Number 10  
6 Title 10 of the 1992 Housing Bill Conference  
7 Agreement; as Respondent's 11, Title 26,  
8 Department of the Environment, Subtitle 16,  
9 dealing with lead covering accreditation and  
10 training for lead paint abatement services; and  
11 as Respondent's Exhibit Number 12, Title 6,  
12 Subtitle 8, of the Environment dealing with  
13 toxic, carcinogenic, and flammable substances.

14 (Whereupon, Respondent's Exhibit Nos.  
15 10-12 marked.)

16 MR. WIGGINS: Now, are you ready to  
17 testify, Ms. Williams? You said you want to talk  
18 about as an expert now.

19 MS. WILLIAMS: Yes, sir.

20 MR. WIGGINS: I'm listening.

21 MS. WILLIAMS: Before I talk, one more

1 in lead abatement.

2 MR. WIGGINS: We will mark as  
3 Respondent's Exhibit Number 9 documentation from  
4 various State and private training programs to  
5 show that she has maintained her certifications  
6 in those areas.

7 (Whereupon, Respondent's Exhibit No. 9  
8 marked.)

9 MR. WIGGINS: Is it your intent to move  
10 that into evidence, Ms. Williams?

11 MS. WILLIAMS: Yes, sir.

12 MR. WIGGINS: Do you have an objection,  
13 Ms. Haskins? And I'll give you a chance to go  
14 through them.

15 MS. HASKINS: No, no objection.

16 MR. WIGGINS: Okay. We will allow it in  
17 as Respondent's Exhibit Number 9.

18 Next, Ms. Williams?

19 MS. WILLIAMS: As an expert speaking,  
20 anything that I say can be substantiated in the  
21 Federal laws outlined by the Maryland Department

1 thing.

2 MR. WIGGINS: Yes.

3 MS. WILLIAMS: This is one of the  
4 training service's instructions, whose owner is  
5 one of the Commissioners on lead poisoning.

6 MR. WIGGINS: A Commissioner where?

7 MS. WILLIAMS: He's on of the Governor's  
8 Commission on Lead Poisoning, Mr. Jim Keck, the  
9 owner of the place of instruction that I took  
10 most of my classes. So anything I talk about in  
11 terms of health can be substantiated in the  
12 document.

13 MR. WIGGINS: We will mark as  
14 Respondent's Exhibit 13 Leadtec Services, Inc.  
15 Visual Inspector Course, 1997.

16 (Whereupon, Respondent's Exhibit No. 13  
17 marked.)

18 MR. WIGGINS: You may continue.

19 MS. WILLIAMS: Yes, sir. Okay. To  
20 review the documents that were given to -- some  
21 of the documents, because the documents were

1 quite thick, sir, so I'll just go over some of  
2 the main parts of it.

3 MR. WIGGINS: Okay.

4 MS. WILLIAMS: I have here lead paint  
5 samples from Fairmount-Harford High School dated  
6 September 17th, 1996. Respect, again, the fact  
7 that Federal, State, and local law says a percent  
8 of paint, anything .5 or greater is considered  
9 lead-based paint, and we're looking at --  
10 according to the document, again, here, the first  
11 floor hallway, green, had 2.7.

12 In other words, there are eight samples  
13 here, and five out of the eight samples,  
14 according to the definition of lead-based paint,  
15 in the Morgan Head Start classroom, as well as in  
16 the basement areas, had -- were certainly  
17 lead-based paint surfaces.

18 MR. WIGGINS: And we'll mark for  
19 identification as Respondent's Exhibit 14 Lead in  
20 Paint Sample Results for Fairmount-Harford  
21 Institute dated the 17th of September 1996.

1 (Whereupon, Respondent's Exhibit No. 14  
2 marked.)

3 MR. WIGGINS: Now, which inspection is  
4 this from?

5 MS. WILLIAMS: That was one of the --  
6 that came in the packet that the staff got at the  
7 faculty meeting, as well as it came in the data  
8 from the MOSH administrator. So they had  
9 basically the same data.

10 MR. WIGGINS: Okay. Now, before we go  
11 any further, is it your intent to enter into  
12 evidence under various statutes -- actually, I  
13 will just take notice of the fact that these are  
14 Federal laws for Respondent's Exhibit Number 11,  
15 12, and 10.

16 Now, with regard to the visual  
17 inspector's course, is it your intent to have  
18 this entered into evidence?

19 MS. WILLIAMS: Yes, sir.

20 MR. WIGGINS: Any objections,  
21 Ms. Haskins?

1 MS. HASKINS: I object. What's the  
2 relevancy?

3 MR. WIGGINS: And your relevancy for  
4 this document, ma'am, is?

5 MS. WILLIAMS: Yes, sir. Once I mention  
6 the health effects of lead, as I proceed here to  
7 explain, any statement that I make in regard to  
8 the health effects can be substantiated in the  
9 course outline, the course.

10 MR. WIGGINS: Okay. Well, I'm going to  
11 grant Ms. Haskins's objection. This is merely a  
12 program put on by someone who you took a course  
13 at, and there's no basis for me to recognize that  
14 whatever is in here is totally accurate, but you  
15 can testify to what your concerns were.

16 MS. WILLIAMS: Okay.

17 MR. WIGGINS: Then with regards to  
18 Respondent's Exhibit Number 14, this is part of a  
19 report that's already been discussed during the  
20 CEO's case, and I'm going to allow it into  
21 evidence at this time.

1 MS. HASKINS: Question?

2 MR. WIGGINS: Yes.

3 MS. HASKINS: I have a document number  
4 that has that in it.

5 MR. WIGGINS: Okay.

6 MS. HASKINS: I'm not sure which one it  
7 is because --

8 MR. WIGGINS: No. During the testimony  
9 of Ms. White she said that they gave to staff  
10 members a portion of the inspection report.

11 MS. HASKINS: Oh, okay. Am I going to  
12 get any copies of any of this?

13 MR. WIGGINS: Well, I'm going to give  
14 them all to the court reporter and she will  
15 attach them to the transcript and they will all  
16 come back at the same time.

17 MS. HASKINS: Oh, I just meant to have  
18 something to refer to during Ms. Williams'  
19 testimony.

20 MR. WIGGINS: I will give them to you  
21 when you do your cross-examination of her.

1 MS. HASKINS: Okay.

2 MR. WIGGINS: She hasn't really taken  
3 any information out of the documents yet.

4 You may proceed.

5 MS. WILLIAMS: Yes. The lead dust wipe  
6 samples at Fairmount-Harford High School, October  
7 10th and 11th of 1996. It shows various lead  
8 dust wipe samples taken.

9 Again, as an expert on lead, even  
10 though I can, again, speak unequivocally that  
11 this is not the correct procedure for dust wipe  
12 sampling, I can say that the various samples here  
13 do represent the fact that there was lead dust  
14 levels higher than -- that's established by HUD  
15 guidelines.

16 MR. WIGGINS: Okay. We'll mark for  
17 identification as Respondent's Exhibit 15 a  
18 report with regards to the samplings taken at  
19 Fairmount-Harford Institute.

20 (Whereupon, Respondent's Exhibit No. 15  
21 marked.)

1 says if an individual or owner of a facility  
2 knows that there is lead-based paint in his or  
3 her facility, that prior to individuals doing  
4 work in that facility they must be notified so  
5 that they can do the work sensitive to lead.

6 I want to establish the fact that it  
7 was known that lead-based paint was in the school  
8 prior to the major renovation being undertaken.

9 MR. WIGGINS: But do you have any  
10 evidence that the people who were doing the work  
11 wasn't notified?

12 MS. WILLIAMS: I have what the  
13 contractor told me, sir. He told me, no, that he  
14 did not know -- G.E. Tignall told me over the  
15 telephone that he did not know that there was  
16 lead-based paint in the facility when they were  
17 doing the work, and that's --

18 MR. WIGGINS: But you have no  
19 documentation?

20 MS. WILLIAMS: No. I had him as a  
21 witness, sir, to come over. I couldn't subpoena

1 MR. WIGGINS: Is it your intent to have  
2 that entered into evidence, ma'am?

3 MS. WILLIAMS: Yes, sir.

4 MR. WIGGINS: Objections, Ms. Haskins?

5 MS. HASKINS: No.

6 MR. WIGGINS: Okay. Thank you.

7 MS. WILLIAMS: Okay. In 1993, February  
8 the 11th, 1993, SSM Laboratories did a lead paint  
9 inspection of Fairmount-Harford High School, and  
10 here are the results. It basically shows, again,  
11 that there was lead-based paint in  
12 Fairmount-Harford High School in 1993.

13 MR. WIGGINS: Okay. Now, why are you  
14 taking me all the way back there when you have  
15 documents already establishing that they found  
16 lead paint at the school in 1996?

17 MS. WILLIAMS: Can I answer that?

18 MR. WIGGINS: Please. That's why I'm  
19 asking you the question.

20 MS. WILLIAMS: Yes, sir. The reason  
21 that I need you take you to 1993 is that the law

1 him.

2 MR. WIGGINS: Okay. Next we will mark  
3 for identification as Respondent's Exhibit 16 a  
4 report from SSM Laboratories that was performed  
5 at the Fairmount-Harford Institute.

6 (Whereupon, Respondent's Exhibit No. 16  
7 marked.)

8 MR. WIGGINS: Is it your intent to have  
9 that entered into evidence, Ms. Williams?

10 MS. WILLIAMS: Yes, sir.

11 MR. WIGGINS: Any objections,  
12 Ms. Haskins?

13 MS. HASKINS: No.

14 MR. WIGGINS: Okay. You might want to  
15 use it when you question her.

16 Next, Ms. Williams?

17 MS. WILLIAMS: This is a lead-based  
18 paint hazard fact sheet issued by the Maryland  
19 Department of the Environment, which basically,  
20 again, talks about health effects of lead,  
21 similar to the --

1 MR. WIGGINS: Well, we recognize the  
2 health hazards of lead paint. I'm going to mark  
3 it for identification, but I'm not going to  
4 accept it into evidence.

5 (Whereupon, Respondent's Exhibit No. 17  
6 marked.)

7 MR. WIGGINS: Next, Ms. Williams? And  
8 that will be 17.

9 MS. WILLIAMS: Now I'd like to show a  
10 videotape where, in fact, it shows the parents'  
11 response to being notified that there was some  
12 concerns in regard to the renovation project,  
13 again, relative to lead issues.

14 MR. WIGGINS: I understand there were  
15 concerns by the parents.

16 MS. WILLIAMS: And the fact that they  
17 weren't notified of the concern prior to my -- I  
18 didn't mention the fact, but I went public with  
19 the fact that there was lead in my system -- when  
20 I say public, I mean media -- and parents were  
21 concerned that they were not notified prior to my

1 going public that such hazards existed at the  
2 school.

3 MR. WIGGINS: Okay. Let's see the  
4 video.

5 (Videotape playing.)  
6 (Ms. Holmes entered the hearing.)

7 MS. HASKINS: I have a question.

8 MR. WIGGINS: Yes?

9 MS. HASKINS: I'm not sure I heard the  
10 date of the initial news report we just watched.

11 MR. WIGGINS: I believe the initial  
12 reports were sometime in September of 1996.

13 MS. HASKINS: That we just watched?

14 MR. WIGGINS: Yes. You may respond.

15 MS. WILLIAMS: It was in mid-November of  
16 1996.

17 MS. HASKINS: '96?

18 MS. WILLIAMS: Yes, ma'am.

19 MR. WIGGINS: Now, you're planning on  
20 providing us a tape as an exhibit?

21 MS. WILLIAMS: Yes, sir.

1 MR. WIGGINS: Okay. Put it in the  
2 box.

3 MS. WILLIAMS: I'll just give you that  
4 one tape that has everything on it. Okay.

5 MR. WIGGINS: Okay. We have here some  
6 shorthand writing on it.

7 MS. WILLIAMS: I'm sorry. That's the  
8 tape.

9 (Whereupon, Respondent's Exhibit No. 18  
10 marked.)

11 MR. WIGGINS: And Ms. Williams is  
12 offering it into evidence to establish that the  
13 parents were not aware of the situation prior to  
14 her taking action to make the issue public.

15 Any objections, Ms. Haskins?

16 MS. HASKINS: No.

17 MR. WIGGINS: Okay. Next,  
18 Ms. Williams?

19 MS. WILLIAMS: Okay. Also, in the  
20 report that was given to the staff, as well as in  
21 the documents that were provided to Ms. Tapper at

1 MOSH, its shows that there was asbestos at  
2 Fairmount-Harford High School as well.

3 MR. WIGGINS: Okay. We'll mark for  
4 identification as Respondent's Exhibit 19 an  
5 Appendix B, Air Sampling Results by MARCOR of the  
6 Fairmount-Harford Institute with regards to  
7 asbestos fibers.

8 (Whereupon, Respondent's Exhibit No. 19  
9 marked.)

10 MR. WIGGINS: Is it your intent to move  
11 that into evidence?

12 MS. WILLIAMS: Yes, sir.

13 MR. WIGGINS: Do you have an objection,  
14 Ms. Haskins?

15 MS. HASKINS: I object based on what is  
16 the relevancy of this report to lead at all in  
17 the water, which is the basis of the statement of  
18 charges?

19 MR. WIGGINS: Okay. Well, now, let's be  
20 clear on this. The statement of charges dealt  
21 with lead in the water, but in your direct, when