

Exhibit 21

Elaine, M. White, Principal

*Elaine M. White*

Sincerely,

I am scheduling a parent meeting for Wednesday, November 13, 1996 at 7 p.m. in room 116. We will share information regarding the renovation with you and answer any questions you might have. If you need to speak with me prior to that time, feel free to call me at 396-6241.

As you know Fairmount-Harford High School is undergoing major renovations. Several problems and issues have arisen as a result of this project.

Dear Parents:

November 8, 1996

Fairmount-Harford High School  
2555 Harford Road  
Baltimore, Maryland 21218

Page 12

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Respondent's Exhibit 1

Fairmount-Harford High School  
2555 Harford Road  
Baltimore, Maryland 21218

November 13, 1996

Dear Parents:

As you know Fairmount-Harford High School is

undergoing major renovations. Several problems and issues

have arisen as a result of this project.

Morgan Headstart will have a meeting on Friday,

November 15, 1996 at 10:00 a.m. Information regarding the

renovation will be shared with you and all questions will

be answer at this time.

Sincerely,

Elaine, M. White, Principal

Division of Labor and Industry  
Maryland Occupational Safety and Health (MOSH)

Complaint Number

1. Employer's Name  
Baltimore City Public School System

2. Employer's Mailing Address  
2555 Harford Rd

3. Employer's Site Location (if different from mailing address)

4. Management Official in Charge  
Mrs. White, Principal

5. Employer's Telephone Number  
396-6271

6. Type of Business  
Baltimore City School

7. Hazard Description  
Describe each hazard to which you believe employees are exposed. Indicate the approximate number of employees exposed to or threatened by each hazard. Use additional pages if necessary.

See Attachment

8. Hazard Location  
Identify the specific building, room, or worksite where each alleged hazard is located.

Farmwood - Harford High School

2555 Harford Rd

Baltimore, MD 21218

9. This condition has been brought to the attention of (Mark "x" for all that apply):  
 Employer  
 Other government agency (specify)

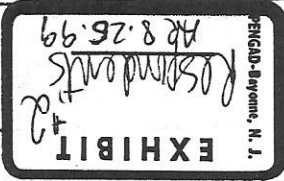
10. The undersigned complainant is (Mark "x" in one box):  
 Current employee  
 Former Employee  
 Employer  
 Authorized representative of employees (indicate the organization and your title)

Other (specify spouse, parent, customer, etc)

11. For current employee or authorized representative of employees only:  
 Do not reveal my name to the Employer.  
 My name may be revealed to the Employer.

I believe that a violation of an occupational safety or health standard exists at the establishment indicated above, and that the violation is a safety or health hazard to employees at that establishment.

Exhibit 12



Respondent's Exhibit 2

AAA-1  
P103-003  
2/2



School has posted outside the front  
 door a sign that, basically, says  
 that the school is being fixed  
 after water, effective Sept. 9, 1996  
 thru Sept. 17, 1996. And, since few  
 been working here at the school has  
 the past 8 years, the school has  
~~been~~ undergone treatment for asbestos  
 at least in other terms. Presently,  
 the possibility is in the process of  
 a major renovation (containing and  
 heating systems, air conditioning,  
 repairing, ducting, etc) which will  
 take about 18 months for completion.  
 Consequently, more asbestos may  
 be discovered in various other areas  
 of the building as the renovation  
 process continues.

Currently, there are approx-  
 imately 400 students in the building,  
 55 staff persons, 100 head-start  
 children, and a number of staff.



other staff personnel and adults that attend the External Diploma program in the summer, and about 500 students in school students and staff are expected to this regard on a regular basis

lead - This quantity is about 70 years old, thus, lead is certain to be in a building of this age. On a matter of fact, in various areas of the school, its very apparent that lead paint is present. Again, the name underrated that I mentioned in the previous paragraph are constantly exposed to such like situations of conditions.

Sewage - The removal of raw sewage has been seeping through the water foundations in the school. In fact staff and students have not be to drink from the fountains of the past 4 years. Although in our school in the past few years

other staff personnel and adults that attend the External Diploma program in the evening, and about 500 Salinas School students and staff are expected to this regard on a regular basis

lead - This facility is about 70 years old; thus, lead is certain to be in a building of this age.

As a matter of fact, in various areas of the school, it is very apparent that lead paint is present. Again, the name unductal that I mentioned in the previous paragraph are constantly exposed to such like phthalates of cord.

foundations in the school. In fact, has been seeping through the water foundations in the school. In fact, stay and students have not been able to drink from the fountain for at least the past 10 years. Although water the point of view.

Sewage - The smell of raw sewage

EXHIBIT #3  
POLICE-Department, N. I.  
Respondent's  
AR 9.26.99

Exhibit 13

Ma  
33

Joyce K. Tapper  
Administrator, MOSH

Very truly yours,

Your complaint is being assigned for investigation and will be scheduled as promptly as possible. Once the investigation is complete you will be notified of the results and provided with a copy of any citations issued. We look forward to hearing from you again if we may be of further assistance, and thank you for your interest in occupational safety and health.

I refer to your complaint under the Maryland Occupational Safety and Health Act alleging safety and health violations by Baltimore City Board of Education.

Dear Ms. Williams:

Subject: MOSH Complaint 1718

Ms. Diana Williams  
1311 N. Ellwood Avenue  
Baltimore, MD 21213

September 13, 1996

Telephone: 410-333-4100  
Fax: 410-333-8725

Division of Labor and Ind  
John P. O'Connor, Commissi

PARRIS N. GLENDENING, Gover  
EUGENE A. CONTI, JR., Secre

DLTR  
STATE OF MARYLAND  
DEPARTMENT OF LABOR, LICENSING AND REGULATION

Page 4

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Respondent's Exhibit 3



EXHIBIT #4  
RESPONDENT'S  
AR 8.26.99  
PERICAD-Argonne, N. J.

Exh. b. f. 11

cc: Sylvia Butler, Chairperson, Parent Policy Committee  
Dr. Patricia L. Morris, Dean, School of Education & Urban Studies  
Morgan State University  
Carlethea Johnson, Coordinator, Baltimore City Head Start  
Elaine White, Principal, Fairmount-Harford High School

Teresa Pearson  
Center Director

Sincerely,

Thank you for your cooperation as we withstand this inconvenience to ensure a safe environment for our children.  
I apologize for the inconvenience as I know school just began. However these renovations began unexpectedly with no advance notice. I am working continuously to resolve this issue as soon as possible. You will receive advance notice of when to return by telephone call or a letter.  
As you know, the Fairmount-Harford High School is under renovations. Because of this, the Center will be closed effective September 18, 1996 until the ceiling area is repaired to satisfy the Health Department requirement for licensing.

Dear Parents:

- Pre-School: Ages 3-5
- Health Services
- Social Services
- Handicapped Services
- Parenting Skills
- Field Trips

September 18, 1996

FILE COPY



MORGAN STATE UNIVERSITY HEAD START PROGRAM  
 2555 Harford Road  
 Baltimore, Maryland 21218  
 (410) 243-7877  
 (410) 243-4119 (FAX)  
 TERESA ANDREWS PEARSON, Director

Respondent's Exhibit 4

II-1

Exhibit 11

Exhibit D-1

110

COMMENTS

INSURANCE

QUARANTIN

ACC. INFO.

PATIENT

EXHIBIT #5 Respondent's AR 8.26.99 PENNSYLVANIA, N.J.

Respondent's

ACCOUNT NUMBER 087531-5263 SERVICE WFT M-0 3 CODE TIME		BIRTH DATE 09051959 SEX F RACE S STATUS A PATIENT CLASS 1150		FATHER'S NAME (LAST, FIRST) WILLIAMS, DIANA R FATHER'S FIRST AND MIDDLE NAME WILLIAMS, DIANA R MOTHER'S FIRST AND MIDDLE NAME WILLIAMS, DIANA R		BIRTH PLACE 37Y LOCAL CHURCH BALTIMORE, MD CITY CODE 38		NAME OF SPOUSE / NEAREST RELATIVE - ADDRESS WILLIAMS, DIANA R 1311 N ELLWOOD AVE BALTIMORE, MD 21213		NAME OF SPOUSE / NEAREST RELATIVE - ADDRESS PORTER, JIMMY OTHER HOME PHONE 418-276-7551 BUSINESS PHONE 418-284-1328		DR ATTENDING PHYSICIAN 08948 DR CODE EMERGENCY, SERVICE SYSTEM DEF COMPLAINT DIZZINESS, INHALED FUMES AT WORK		ACCIDENT PLACE DIZZINESS, INHALED FUMES AT WORK ACCIDENT DATE 091996 TYPE 1196		NATURE ACCIDENT METHOD OF APPRAVAL COMMERCIAL AMBO FATALITY PATIENT		NAME OF QUARANTIN - ADDRESS WILLIAMS, DIANA R 1311 N ELLWOOD AVE BALTIMORE, MD 21213		HOME PHONE - QUARANTIN 418-276-7551 RELATIONSHIP OF QUARANTIN R PATIENT BUSINESS PHONE - QUARANTIN 418-396-6637 QUARANTIN OCCUPATION QUARANTIN EMPLOYER - ADDRESS BALTIMORE CITY SCHOOLS 200 E NORTH AVENUE BALTIMORE, MD 21202		BLUE CROSS OF MARYL P SUB SS# 21788630 410 581 3552 EXT EFF DATE 010196 SUBSCRIBER WILLIAMS, DIANA BALTO. CITY SCHOOLS BLUE SHIELD SUB ID NO 217788630		BLUE CROSS *** CO81	
--	--	---	--	--	--	--	--	---	--	---	--	--	--	---	--	---	--	---	--	--	--	--	--	------------------------	--











NURSING TRIAGE ASSESSMENT SHEET

DATE: 09/13/96  
 WILLIAMS, DIANA R  
 C9/C5/59 RCI  
 217-78-8637  
 H-410 276-7551  
 M-CHEM, SERVICE STS  
 217-78-8637

E  NU  ORR  
 PWD Comp/ETA  ED to See  PNO  
 Name: Williams, Diana  
 Age: 37 DOB: 9/5/59 M(F) Time: 1135  
 Arrival Mode:  Ambulance  Walk-in  W/C  
 Arrived When:  See  Family  Police  Other  
 Source of Info:  Self  Family  Police  Other  
 Chief Complaint: Right hand  
 Allergies:  Penicillin  Sulfa  Eggs  Shellfish  Latex  
 APT/Conditions:  HTN  DM  S/S Abuse  Other Abuse  
 Current Medications:  None

Mental Status:  Conscious  Lethargic  Confused  Oriented X  See Neuro Status  
 Cardiovascular:  Tachycardic  Bradycardic  Normal  
 Respiratory:  Normal  Abnormal  Non-communicative  
 Neurological:  Normal  Abnormal  
 GI/Gastrointestinal:  Normal  Abnormal  
 GU/Genitourinary:  Normal  Abnormal  
 Pain:  None  Mild  Moderate  Severe

Triage Assessment (cont):  
 PULSES: R L  Normal  Delayed  N/A  
 FEET:  Warm  Cool  Edema  None  Mild  Moderate  Severe  
 EDMA: R L  None  Mild  Moderate  Severe  
 FEET:  Warm  Cool  Edema  None  Mild  Moderate  Severe  
 BREATH SOUNDS:  Normal  Crackles  Wheezes  Decreased L/R  N/A  
 RESPONDS:  Normal  Lethargic  Abnormal  
 BOWEL SOUNDS:  Normal  Absent  Hyperactive  
 BOWEL MOVEMENT:  Normal  Abnormal  
 ABDOMEN:  Non-tender  Tender  Guarding  Rigid

Triage Re-Evaluation:  Waiting Room  Treatment Area  X-Ray  
 Nursing Actions:  Wheel Chair  Stretcher  LMO Elevated  Cold Pack  
 Triage Re-Evaluation:  UA: Macro  UA: Micro  PMS  Pregnancy  
 Triage Re-Evaluation:  C-Collar  Soling Sling  Urine CA  Urine CG  
 Triage Re-Evaluation:  Pressure Dsg  Accu CA  Back Board & C-Collar  
 Triage Re-Evaluation:  Toxicology  Other Labs  X-Ray Ordered  
 Comments: \_\_\_\_\_  
 Nurse's Signature: \_\_\_\_\_  
 Time: \_\_\_\_\_

WILLIAMS, DIANA

37 yr

Female Black

Room: D/C

Loc: 21

ID: 001087531

Vent. rate 63 BPM

PR interval 172 ms

QRS duration 82 ms

QT/QTc 386/395 ms

P-R-T axes 41 17 17

19-SEP-1996 12:02

THE UNION MEMORIAL HOSPITAL-ED

NORMAL SINUS RHYTHM

NORMAL ECG

NO PREVIOUS ECGS AVAILABLE

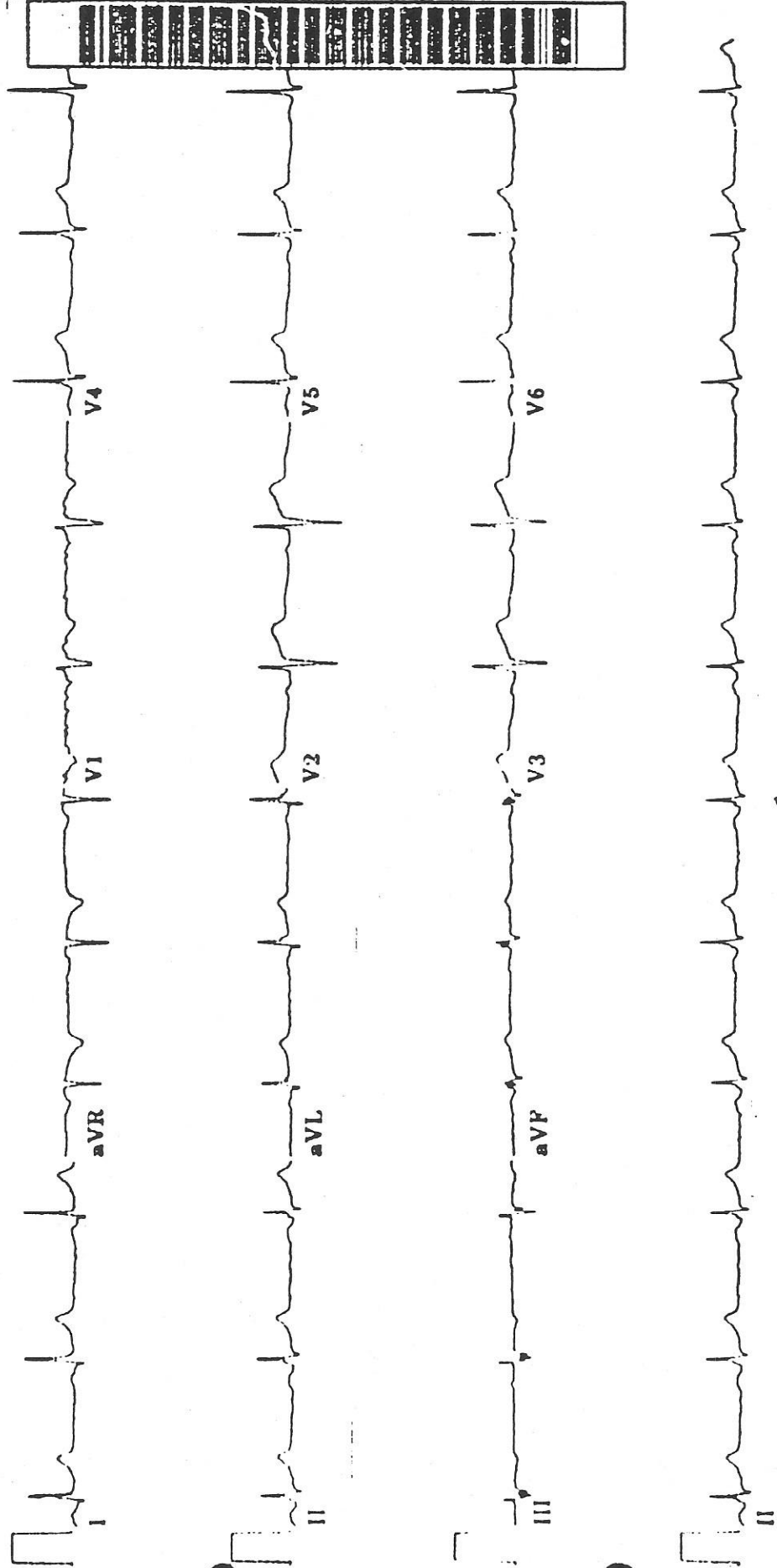
ROUTINE RECORD

Technician: AMY FRIEND

Referred by:

Confirmed by: MARC MUGMON, M.D.

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4

### Diagnosis

Your treatment included:

- Blood tests
- Culture of:
- Examination
- IV Fluids
- Medication/Prescription:
- Observation
- Pregnancy test
- Sutures
- Tetanus shot
- Urinalysis
- Wrap/Splint/Sling/Cast
- X-rays
- Other

*Myocardial infarction*

Signature of Patient

I have received and understand these instructions.

Every effort has been made to provide you with appropriate care. If a review of your tests and/or x rays indicates that you should receive additional treatment, we will attempt to contact you. Please be sure we have your phone number.

If your condition worsens or fails to improve as expected and other medical care is unavailable, call or return to the emergency department (554-2626)

1098 55 101

5

### Instructions Given

You have received the following printed instructions:

- Abdominal pain
- Head injury
- Asprin/Anti-inflammatory agents
- Back/Neck injury
- Burns
- Cast/Splint
- Clear liquid-diet
- Culture results
- Fever control
- Wound/Laceration/Bite
- Vomiting/diarrhea
- Urinary tract infection
- Tetanus immunization
- Taking Temperature
- Sprain or Bruise
- Pregnancy test
- Additional instructions:

*Yellow up*

*DR. HSIAO 532-4804*

2

### Follow-up

- We advise that you be re-examined in \_\_\_\_\_ days by your physician, Dr. \_\_\_\_\_ in Union Memorial Clinic. Call 554-2000 to make an appointment at \_\_\_\_\_
- You have an appointment in \_\_\_\_\_ Clinic on \_\_\_\_\_ at \_\_\_\_\_
- Sutures to be removed in \_\_\_\_\_ days.

1

### Return to Work/School

Date can return to work/school: *9/20/96*

Restrictions/limitations:  None

Signature

*[Handwritten Signature]*

THE UNION MEMORIAL HOSPITAL BALTIMORE, MARYLAND 21218	
EMERGENCY MEDICINE	09/19/96
WILLIAMS, DIANA R	09/19/96
09/CS/59 801 217-78-8637	
410 276-7551 W-410 396-6637	
H-0/EMER SERVICE SYS	







U.S. Department of Labor  
Occupational Safety and Health Administration

1 Oct 24, 1996 2:57pm

Inspection Nr. 127378982  
Opt. Case Number K58230137

Inspection Nr. 127378982

Establishment Name Fairmount Harford High School  
Legal Entity Public School  
Type of Business Public School

Additional Citation Mailing Addresses

Baltimore Teacher's Union  
2510 W. Northern Pkwy  
Baltimore, MD  
Mail Citation? Y

Organized Employee Groups

Donald Weigman  
2705 Chippewa Court  
Finksburg, MD 21048  
Walkaround? N

Authorized Employee Representatives

Name Joseph Leonard  
Albert Ames  
Mike Eiam  
Mrs. White  
Meir Goldman

Assistant Principal Safety, Balto City  
Principal Safety, Balto City  
Principal Safety, Balto City

Function I O C I O C I O C I M C  
Walk Around? N Y Y N N

Employer Representatives Contacted

Other Persons Contacted

Lorraine Owens  
Teacher - 7148 N Alter Street  
Baltimore, MD

Jessie Edwards, Jr.  
Teacher - 1527 Sheffield Rd  
Baltimore, MD

John Barbar  
Teacher - 20 Cedar Heights Ct. Apt F  
Baltimore, MD

Diana Williams  
Teacher - 1311 N Ellwood Ave  
Balto, MD

Dorothy E. Grayson(410)281-9264  
Councillor - 3421 Kerry Road  
Baltimore, MD 21207

Johnnie W. Williams(410)522-4571  
Lead Custodial Supervisor - 3211 Clifffmont Avenue  
Baltimore, MD 21213

Katherine Harris  
Teacher - 1615 Ingram Rd  
Baltimore, MD

Mary Felton  
Teacher - 3507 Springdale Ave  
Baltimore, MD

Jeanie Foster  
Councillor - 4407 Darleth Rd  
Perry Hall, MD 21236

Entry	Opening Conference	Kararound	09/26/96	11:45	09/26/96	12:00	12:30	09/26/96	14:30	14:30	14:30
First Closing Conference											
Second Closing Conference											
Exit											
Case Closed											

Penalty Reduction Factors

Thu Oct 24, 1996 2:57pm  
Inspection Nr. 127378982

JJ-5

Size	0	Good Faith	0	History	10
Followup Inspection?		Reason			



NARRATIVE

MAYOR & CITY COUNCIL OF BALTIMORE  
201 E Baltimore Street, Suite 200  
Baltimore Md. 21202

Fairmount Harford High School  
2555 Harford Road  
Baltimore, Md. 21218

K5823-013-97  
Open: 9/26/96  
Close: 10/23/96

**BACKGROUND:** IH Inspectors A. Kaspar and Adam Vallean conducted an inspection at the site of the Fairmount Harford High School in response to a complaint of occupational exposure to asbestos and lead paint during building renovations and drinking fountains contaminated with raw sewage.

**OPENING CONFERENCE:** On 9/26/96, an opening conference was conducted at the site of the Fairmount High School by this inspector and Adam Vallean, CIH. Those present at the conference were Joseph Leonard, assist. principal, Jack Elam and Albert Ames with Baltimore City, Div. of Safety and Mr. Donald Weigman the Union representative for the Baltimore Teacher's Union. The purpose, scope and inspection procedures were explained. A copy of the complaint was supplied and discussed. According to Mr. Leonard the school had the asbestos removed back in Sept. 1991 by Marcor Environmental (Elkridge Md.) During the current renovations, which were begun Aug 1, 1996 and are to continue until Sept. 1998, a "pocket" of asbestos containing material was discovered in the basement area behind the walls. The general contractor on site is G. E. Tignall, he notified the City of the condition and Marcor Environmental was again summons to abate the condition.

Mr. Weigman stated that the concern of the majority of the teachers was the dust generated by the renovation process. He said that when the required notice (sign on the schools exterior wall) of asbestos abatement went up, it alarmed many of the teachers. Jack Elam stated that he had come to the school and held informational meetings with the principle, teachers and other staffs in an attempt to allay their fears and concerns. Mr. Weigman agreed and stated that the majority of the concerns expressed to him by the teachers were that the dust may contain asbestos or lead. He too has tried to inform the teachers. At the time of the inspection, renovation work was being done in the 2nd floor bathroom. A containment area had been constructed around the area and the contractor was asked to ventilate the dust outside in an effort to keep the nuisance dust down to a minimum within the school.

A walkaround was conducted to view these areas. Those who participated in the walkaround were Jack Elam, Albert Ames, Adam Vallean and this inspector, Adrienne Kaspar. **WALKAROUND:** A walkaround was conducted on 9/26/96 to view the items of the complaint. In response to the accusations of raw sewage contaminating the drinking fountains, Mr. Leonard stated that all the water fountains in the school were being replaced with bottled water stations. He showed these inspectors areas where the water fountains have been removed. If the fountains are still in the halls, they are not connected to the water system. Mr. Leonard explained that some of the fountains had brownish water back up in them when the rainwater on the roof caused a slight backflush situation. According to Mr. Leonard, the water was never from sewage. But this condition has been corrected by disconnecting and removing all the fountains.

In the hallways, it was noticed that the drop ceilings had been removed exposing an area where green and cream paint was chipped and peeling. On the upper floors, hallways and classrooms were checked. One room (315) had considerable amounts of peeling paint on the ceiling and a hole in the ceiling. Jack Elam of Baltimore City, Div. of Safety Dept. stated this was an example of the necessity for the renovations. Since the entire school building was scheduled for repainting, a survey for lead based paints in the school was conducted. (See case file for results.) All of the paints were found to contain lead in different concentrations. The cream colored paint had the lowest concentration at 0.11% and was reported by the analytical laboratory (SSM Laboratories) as non-lead based (NLP) according to their criteria, but the OSHA lead standard considers any level above the detection level as lead containing paint. Since these results indicate the potential for exposures, the City will have work done in accord with the lead standard.

In the basement area, a small "pocket" of asbestos was discovered and removed by MARCOR Environmental. During the abatement process, air monitoring was conducted over several days by I.H. Services, Inc of



Baltimore Md.(see sampling results-case file) These results were negative for over exposures. The work /as completed in this area at the time of this inspection.

At the conclusion of the walkaround, this inspector requested all the sampling information that the City Safety Dept had conducted. Jack Elam readily agreed to supply this paperwork. This inspector informed the school officials that this information will have to be reviewed and if in order a closing will be conducted.

A phone conference was conducted on 10/8/96 with the Principal, Ms. White to discuss the results of the walkaround since she was not present on 9/26/96. She stated that several of the teachers were very concerned about the renovations. This inspector requested a meeting with these teachers to convey the information received from City Safety Dept and to address their concerns. Ms. White agreed to notify her staff so anyone who wished could attend. This was scheduled for 10/10/96.

**EMPLOYEE INTERVIEWS:** On 10/10/96 a meeting with the teaching and counselling staff was conducted. The teachers' were concerned about the water fountains, the asbestos in the air from the removal and the dusty conditions of the renovation process.

This inspector stated that according to the renovation schedule, the fountains were all being temporarily replaced with bottled water until the new pipelines out from the street could be installed. The remaining original fountains had the water turned off so they could not be used and were scheduled for removal as soon as the renovation process got to them. The school officials were aware of the odor from the existing fountains and had the water disconnected to alleviate the problems until the fountains could be removed. Many of the fountains on the first floor hallway were already removed.

The teachers saw the notice of asbestos abatement posted on the outside of the school and became very concerned. With the HVAC system on, they were afraid the asbestos could be transferred throughout the school. This inspector explained that the asbestos abatement was conducted within the guidelines of the standard and shared the air sampling results with the teachers. They were satisfied with the results. The dust from the renovations was an issue that concerned many of the teachers since several had allergies and breathing problems. The teachers explained to this inspector that the workers would begin at about 3:00 p.m. so that the majority of the work was done on "off" hours when the staff and students were out of the school. The teachers were still concerned that the dust may not settle sufficiently overnight. This inspector said that the City Safety Dept. would be contacted to verify how this would be resolved for the teachers.

The Baltimore City Safety Dept was contacted on several occasions to monitor the work progress at the laboratory (SSM) to do some wipe sampling to check the dust produced at the worksite. Since all of the paint in the school is considered lead containing by OSHA definition, the City has decided to contact a lead removal contractor and have surveillance by the MDE for the paint renovation process at the school. Any other renovations that do not involve exposure to lead dust will be done by the existing contractor on site.

**CLOSING CONFERENCE:** On 10/23/96 a closing conference was conducted at the site of the Fairmount Harford High School. Those present were: Susan Schuder, Meir Goldman, Albert Ames, and Jack Elam,(City Safety Dept); Ms. Elaine White, Principal; Donald Weigman, BTU Rep.; and this inspector. The items of the complaint were again reviewed and Mr. Weigman was asked if he had received any further comments from the teachers. He had not heard anything new, but wanted to be sure that all the complaints were addressed satisfactorily. It was restated: that the water pipes were to be replaced and new drinking fountains would be installed; that the asbestos was now removed and the removal was air monitored with results below the PEL; that since the paint was lead containing, the contractor G.E.Tignall would hire a certified lead remover and the painting and refinishing operation would be conducted according to the Lead Standard and monitored by MDE. Mr. Weigman was satisfied with these results and will communicate the information to the Union members. Since no violations were noted during inspection, this inspector informed the City Safety Dept. and Ms. White, Principal, that citations will not be recommended. This case will be filed as in compliance. At the conclusion of the conference, this inspector left the site.

CSHO Signature		Accompanied By	
<i>Admiral B. Rogers</i>			
Date	10/24/96		

*10-29-96*



**MOSH VIOLATION  
PENALTY ADJUSTMENT WORKSHEET**

INSPECTION I.D. 127378982		
1. INSP. NO. K5823	2. RPT. NO. 013	3. FNR. 97

**1. HISTORY ADJUSTMENT:**

A. Initial inspection/no previous employer history/previous inspections in compliance or only OTS violations cited. .... 10%	
B. Previous inspection not in compliance/serious hazards/cited more than 36 months from this inspection. (issuance to closing). .... 5%	
C. All other scenarios of noncompliant activity. .... 0%	

16%

**2. SIZE ADJUSTMENT:**

1-25 employees. .... 60%	
26-100 employees. .... 40%	
101-250 employees. .... 20%	
251 or more employees. .... 0%	

0%

**3. GOOD FAITH CALCULATIONS:**

A. Safety and Health Program and Training Program. Does the employer have a formal safety and health program and training program that:

1. Is in writing? .....  a. A copy is attached.  b. The program was reviewed on-site.
2. Provides for management commitment and employee involvement? .....
3. Provides for worksite analysis and hazard identification? .....
4. Provides for hazard prevention and control? .....
5. Provides appropriate employee training and instructions relative to the hazards of the work being performed? .....
6. Has deficiencies that are only incidental? .....

B. Employers Injury and Illness Experience. Has the employer experienced any injuries or illnesses that appear to be related to the violations cited? .....

C. Supervision, Employer Concern and Knowledge. Did the employer demonstrate an appropriate level of supervision, concern and knowledge about safety and health requirements? .....

D. Knowledge of Violations. Are there indications that the employer knew of the violations cited and failed to take corrective action? .....

E. Abatement. Did the employer abate or mitigate most of the alleged violations during the inspection? .....

Add numerical ratings circled for items A through E and enter as GOOD FAITH TOTAL. .... 0

**GOOD FAITH ADJUSTMENT**

0-5. .... 25%	
6-10. .... 15%	
11-20. .... 5%	
21-40. .... 0%	

Total Penalty Adjustment Discount is found by adding the percentages for history, size and good faith. Enter that value here and then.....

Subtract the above sum from 100% and enter as ADJF%.....

*Public Sector*



U-9

Blank

STATE OF MARYLAND  
 DEPARTMENT OF LICENSING AND REGULATION  
 DIVISION OF LABOR AND INDUSTRY  
 OCCUPATIONAL SAFETY AND HEALTH

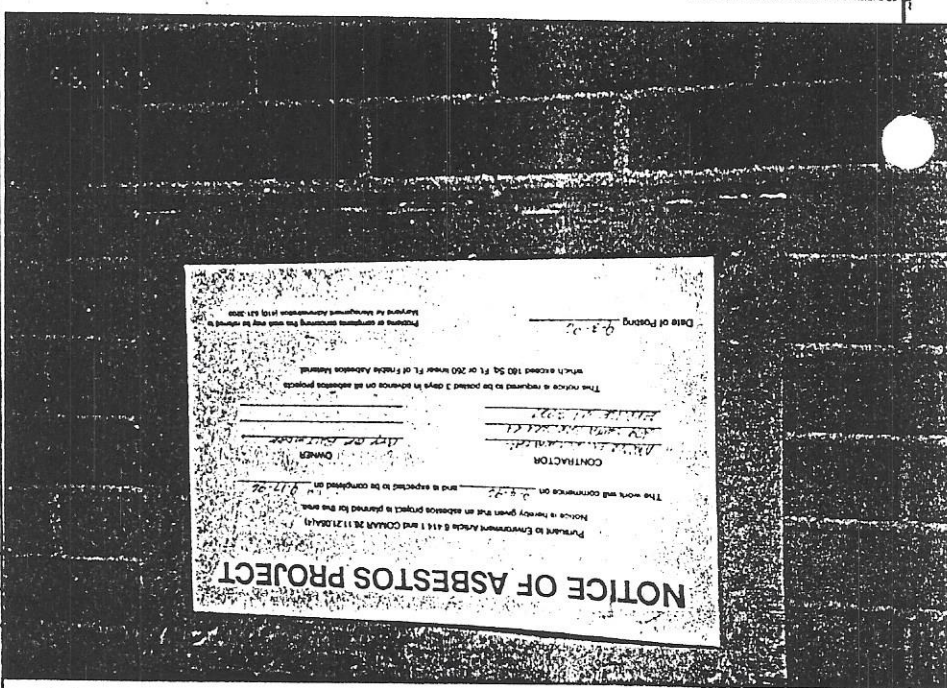
PHOTO MOUNTING WORKSHEET

1. INSPECTOR NUMBER	127378982	2. OSHIID	K 5823	3. REPORT NO.	013-97	4. DATE	10/22/56
5. EMPLOYER	Morgan & City Council of Parks Fairmount Mount Pleasant High School						
PAGE		1 OF 4					

1. PHOTO ID NO.	1
2. DATE/TIME	9/26/56

3. LOCATION (PHOTO & PHOTOGRAPHER)  
 Elevator wall - front of Bldg

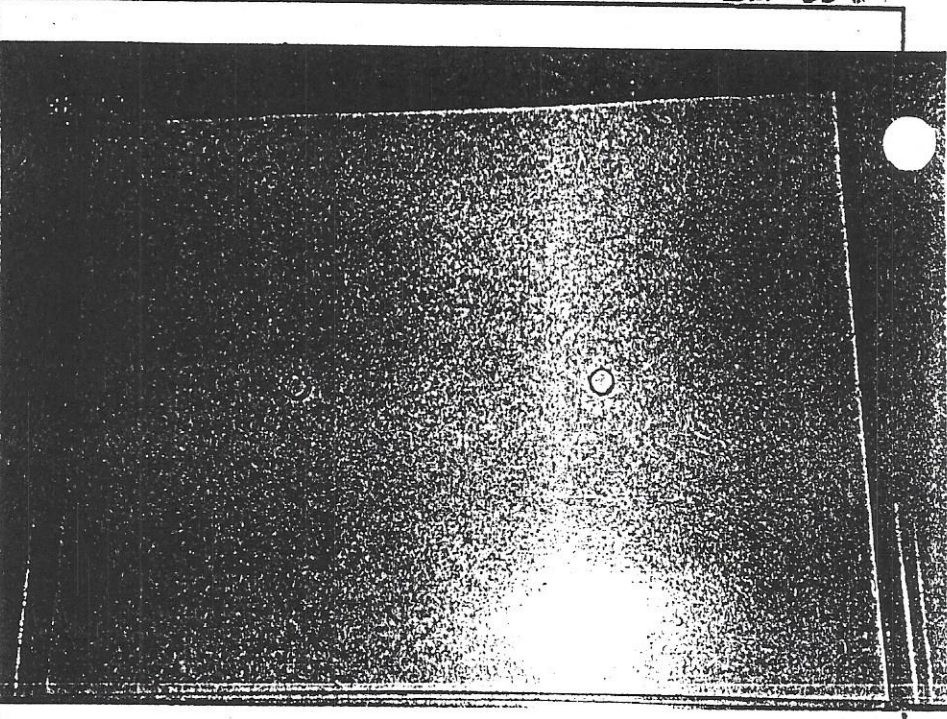
4. DESCRIPTION  
 Notice of Asbestos  
 removed that alarmed  
 teachers & staff.



1. PHOTO ID NO.	2
2. DATE/TIME	9/18/56

3. LOCATION (PHOTO & PHOTOGRAPHER)  
 Corridor - first floor

4. DESCRIPTION  
 Shows where water  
 pipes have been cut &  
 bonded off - This is where  
 a vital water fountain was  
 located. They are being  
 replaced w/ filtered water  
 systems.



5. <input type="checkbox"/> CONFIDENTIAL MATERIAL	CONT.
---	-------

U-10



STATE OF MARYLAND  
 DEPARTMENT OF LICENSING AND REGULATION  
 DIVISION OF LABOR AND INDUSTRY  
 OCCUPATIONAL SAFETY AND HEALTH

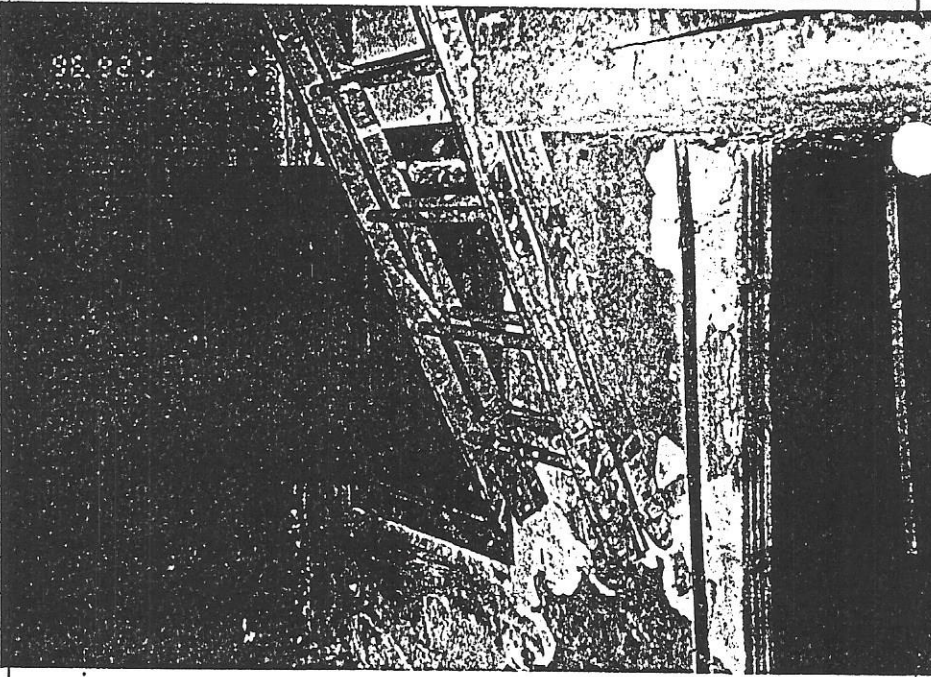
PHOTO MOUNTING WORKSHEET

1. INSPECTOR NUMBER 127378782	2. OSH ID K5823	3. REPORT NO. 013-97	4. DATE 10/22/96	5. EMPLOYER Fountainford High School Mayor & City Council of Baltimore
PAGE 2 OF 4				

1. PHOTO ID NO. 3	2. DATE/TIME 9/26/96	3. LOCATION (PHOTO & PHOTOGRAPHER)
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*Basement Area*

4. DESCRIPTION  
*This is where asbestos was found. Marcor did the removal during the process.*

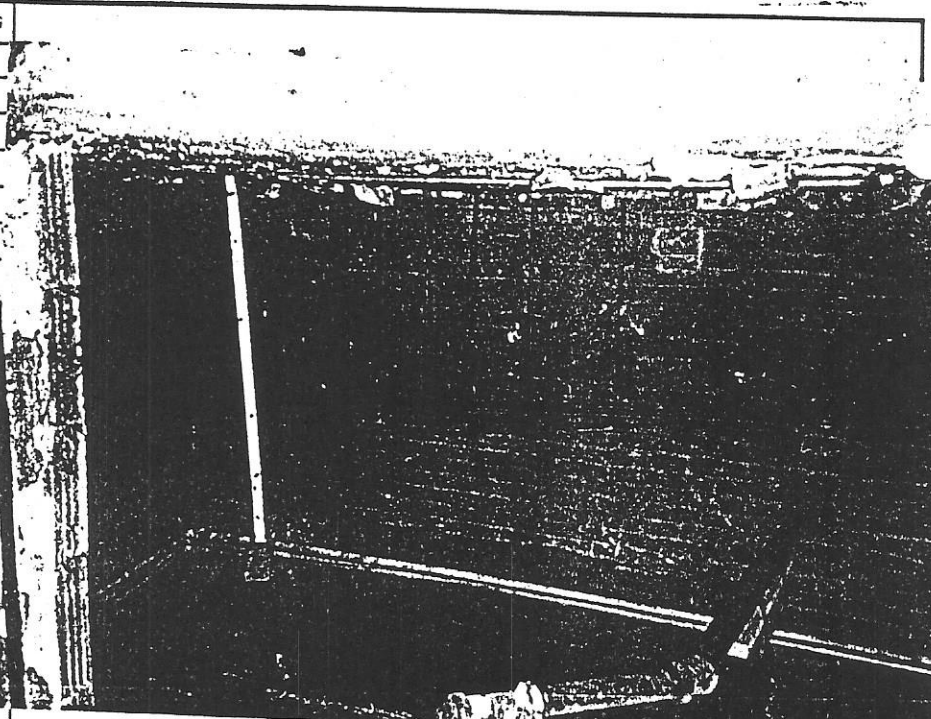


5.  CONFIDENTIAL MATERIAL CONT.

1. PHOTO ID NO. 4	2. DATE/TIME 9/26/96	3. LOCATION (PHOTO & PHOTOGRAPHER)
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*Basement Area*

DESCRIPTION  
*Shows where asbestos was removed by Marcor*



5.  CONFIDENTIAL MATERIAL CONT.



PHOTO MOUNTING WORKSHEET

STATE OF MARYLAND  
 DEPARTMENT OF LICENSING AND REGULATION  
 DIVISION OF LABOR AND INDUSTRY  
 OCCUPATIONAL SAFETY AND HEALTH

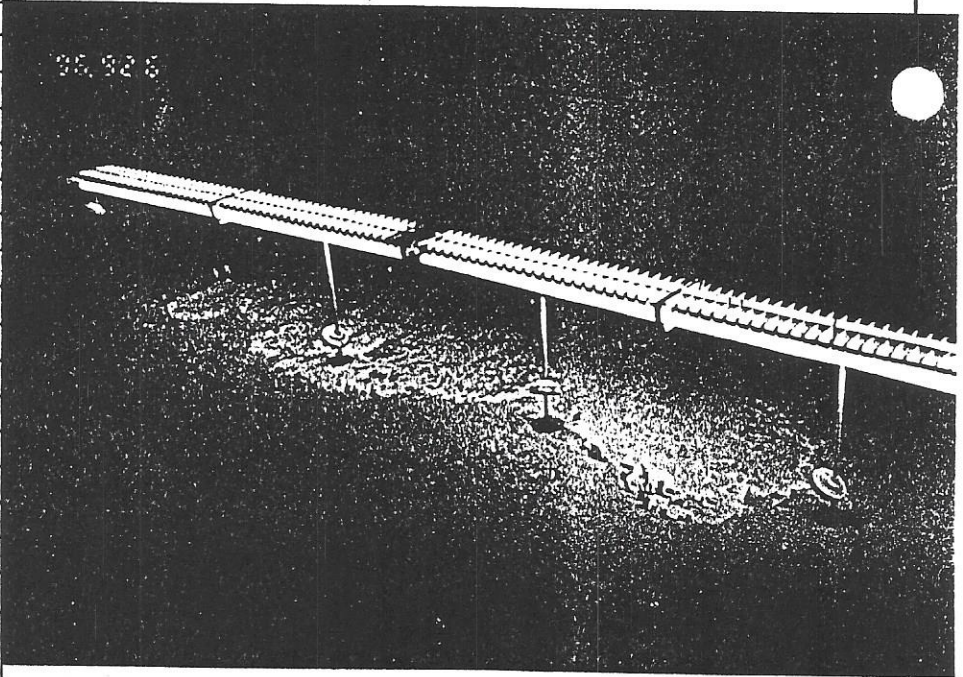
4-12

INSPECTOR NUMBER 127378982	2. OSH ID K5823	3. REPORT NO. 013-97	4. DATE 10/22/96	5. EMPLOYER Mayor & City Council of Baltimore Fremont Mount View High School
-------------------------------	--------------------	-------------------------	---------------------	--

1. PHOTO ID NO. 5	2. DATE/TIME 9/26/96
----------------------	-------------------------

3. LOCATION (PHOTO & PHOTOGRAPHER)  
Rm 315

4. DESCRIPTION Flaking ceiling paint.
--

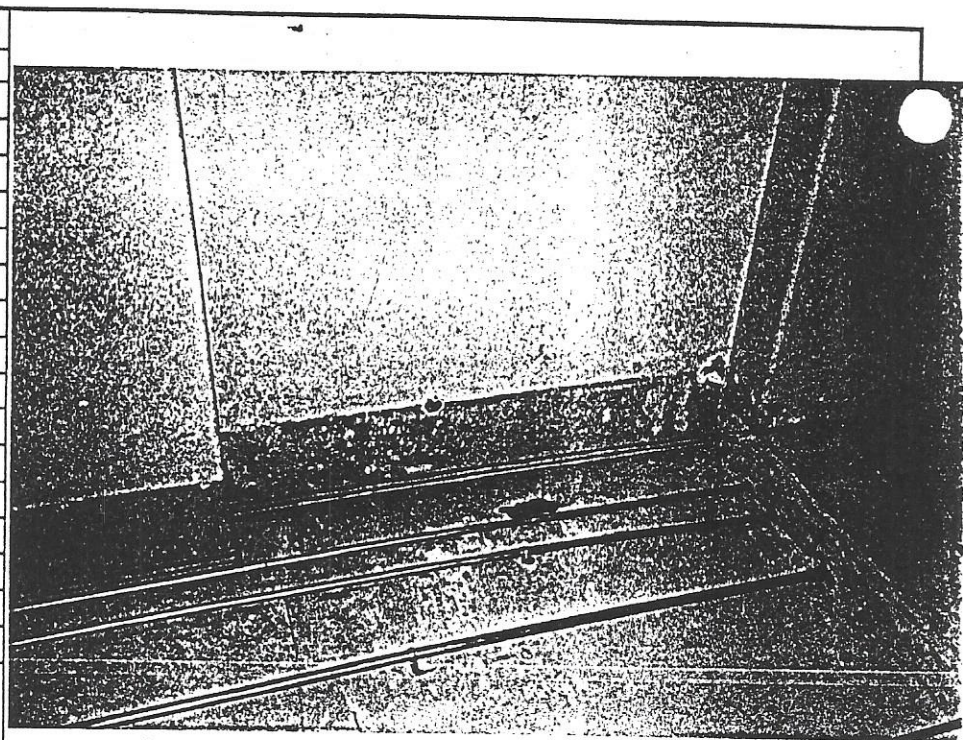


5. CONFIDENTIAL MATERIAL	CONT.
--------------------------	-------

1. PHOTO ID NO. 6	2. DATE/TIME 9/26/96
----------------------	-------------------------

3. LOCATION (PHOTO & PHOTOGRAPHER)

4. DESCRIPTION 1st Floor hallway
-------------------------------------



4. DESCRIPTION Keep ceiling area Amended - Shown flaking paint that was sampled for lead
--

5. CONFIDENTIAL MATERIAL	CONT.
--------------------------	-------



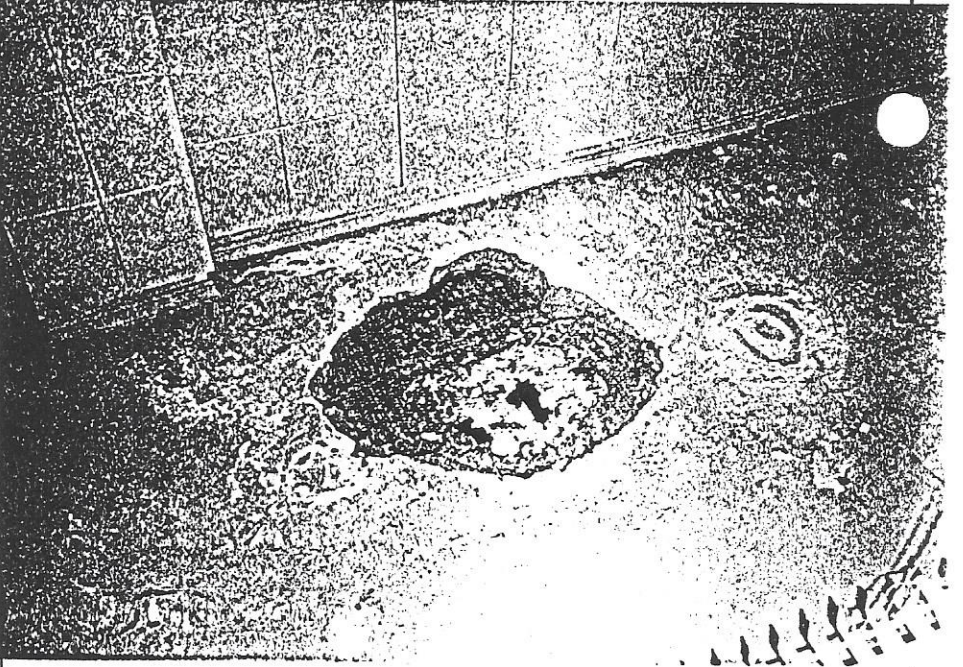
STATE OF MARYLAND  
 DEPARTMENT OF LICENSING AND REGULATION  
 DIVISION OF LABOR AND INDUSTRY  
 OCCUPATIONAL SAFETY AND HEALTH

PHOTO MOUNTING WORKSHEET

INSPECTOR NUMBER 127378982	2. OSH ID K5823	3. REPORT NO. 013-97	4. DATE 10/22/96
EMPLOYER Towsonville High School		PAGE 4 OF 4	

1. PHOTO ID NO. 7	2. DATE/TIME 9/26/96
3. LOCATION (PHOTO & PHOTOGRAPHER)	

4. DESCRIPTION Rm 315
4. DESCRIPTION Shows hole in ceiling of room 315.



5. <input type="checkbox"/> CONFIDENTIAL MATERIAL	CONT.
4. DESCRIPTION	
3. LOCATION (PHOTO & PHOTOGRAPHER)	
1. PHOTO ID NO.	2. DATE/TIME
5. <input type="checkbox"/> CONFIDENTIAL MATERIAL	CONT.

5. <input type="checkbox"/> CONFIDENTIAL MATERIAL	CONT.
4. DESCRIPTION	
3. LOCATION (PHOTO & PHOTOGRAPHER)	
1. PHOTO ID NO.	2. DATE/TIME
5. <input type="checkbox"/> CONFIDENTIAL MATERIAL	CONT.

HERE

PHOTO

MOUNT

11-13

608 Admiral Drive, Suite 413 • Annapolis, MD 21401 • TEL. (410) 573-4916 • FAX (410) 573-1711

Printed on recycled paper.

Company Accred. #:	MDE #381
Operators:	Shannon Cavaliere, MDE #154
XRF Device:	Scitec MAP4
XRF Serial Number:	M41279
Inspection Date:	Fairmount-Harford Institute 2555 Harford Road Baltimore, MD 21202 October 16, 1996 (4:30 PM to 8:00 PM)

Lead Inspection Report

October 17, 1996



page 72

11-14



0000-0-9000

### Results/Conclusion

This table serves as a guide to the average levels of lead based paint for selected components that were tested throughout the survey. The information is organized by component or component groupings in increasing order of lead-based paint concentration and includes only those readings from the survey that were positive or inconclusive. There were areas throughout the building that may have been inconsistent with the average data for each component type or component grouping; never the less, it is important to note the following trends:

Detected LBP Average Levels (in mg/cm<sup>2</sup>)

Component	Average Level (mg/cm <sup>2</sup> )
wood baseboards	0.8
wood window sills	0.9
stone baseboards	1.0
wood chair rails	1.1
wood door cases	2.4
plaster walls	2.3
wood/metal staircase doors	10.0
metal staircase newel posts/inside walls	14.4
plaster ceiling	15.5
metal doors	1.2
wood door casing	15.5

Interior

Exterior

573-111

If you need further interpretation or have questions about this report, please contact our offices at (410) 573-4916.

Submitted By:

ARC ENVIRONMENTAL, INC.

*[Signature]*  
 R. Shannon Cavaliere, President

10-17-96

# Calibration Check Test Results

Address/Unit No. Fairmount - Harford, Insh-tute  
2555 Harford Road, Baltimore, MD 21202  
 Device Setec MAP4  
 Date 10-16-96 XRF send No. MU1279  
 Contractor Arc Environmental, Inc.  
 Inspector R. Sheppard  
 Inspector Signature [Signature]

Calibration Check Tolerances Used  $> 0.4 \text{ mg/cm}^3$  or  $< 0.2 \text{ mg/cm}^3$

	First Average	Second Reading	Third Reading	
Difference Between First Average and 1.02 mg/cm <sup>3</sup>	1.03	0.9	1.7	0.01

	Second Average	Third Reading	Fourth Reading	
Difference Between Second Average and 1.02 mg/cm <sup>3</sup>	1.03	1.1	1.0	0.01

	Third Average	Fourth Reading	Fifth Reading	
Difference Between Third Average and 1.02 mg/cm <sup>3</sup>	1.03	1.1	1.0	0.01

	Fourth Average	Fifth Reading	Sixth Reading	
Difference Between Fourth Average and 1.02 mg/cm <sup>3</sup>	1.03	1.1	1.0	0.01

\* If the difference of the Calibration Check Average from the red NIST SRM 1.02 mg/cm<sup>3</sup> is greater than the specified Calibration Check Tolerance for the device, consult the manufacturer's recommendations to bring the instrument back into control. Repeat all testing, including reference checks, the last successful Calibration Check test.



# Single-Family Housing LBP Testing Data Sheet

Address/Unit No. Fairmount / Halford Institute (cont'd) Date 10-16-96

Room Equivalent Interior

XRF Serial No. M41410 Inspector Signature A. Shannon Cavaliere

Component	Test Locations	XRF Reading	Correction Value	Result	Classification (pos, neg, inc)	Laboratory Result	UNIT? (mg/cm <sup>2</sup> )	Find Classification
Door Case	2nd Floor - Rm. 315 A	1.8	N/A	1.9	Pos		mg/cm <sup>2</sup>	
	2nd Floor - Rm. 220	2.2						
	1st Flr Rm. 127	1.8						
Chair Rail	2nd Floor - Rm. 316	0.8		1.2	Pos		mg/cm <sup>2</sup>	
	2nd Floor near Auditorium	1.7						
	2nd Floor near Rm. 205	1.2						
Chair Rail	1st Floor - Rm. 101-2	0.9		0.6	Neg		mg/cm <sup>2</sup>	
	1st Floor - access from Rm. 118	0.1						
	3rd Flr. - near room 334	0.9						
Radiator	2nd Floor between Rms. 316 & 338	0.2		0.2	Neg		mg/cm <sup>2</sup>	
	2nd Floor near room 238	0.3						
	1st Floor - access from Rm. 110	0.2						
Radiator	2nd Floor Cafeteria	0.2		0.2	Neg		mg/cm <sup>2</sup>	
	2nd Floor - access from Rm. 228	0.3						
	1st Flr. - access from Rm. 172	0.2						
Window Sill	2nd Floor Cafeteria	0.7		0.8	Inc		mg/cm <sup>2</sup>	
	2nd Floor - Rm. 205	0.9						
	1st Floor - Rm. 127	0.6						
Window Sill	2nd Floor - Rm. 238	0.8	✓	0.9	Pos		mg/cm <sup>2</sup>	
	3rd Floor - Hall - SE corner	0.9						
	1st Flr. - Rm. 100-1	0.9						

Notes:

Single-Family Housing LBP Testing Data Sheet

Address/Unit No. Fairmount/Hartford Institute (cont'd) Date 10-16-96

Room Equivalent Exterior Inspector Signature A. Shannon Cavaliere

Component	Test Locations	XRF Reading	Correction Value	Result	Classification (Pos, Neg, Inc.)	Laboratory Result	UNIT?	Find Classification
Staircase Handrail	3rd Floor - inside; center stairs	0.2	N/A	0.3	Neg		mg/cm <sup>2</sup>	✓
	2nd Floor - west stairwell	0.3						
	1st Flr. - Stairway 4	0.3						
Staircase Newel Post	3rd Floor - center stairs	10.4		10.5	Pos		mg/cm <sup>2</sup>	✓
	2nd Floor - west stairwell	9.9						
	1st Flr. - Stairway 4	10.7						
Staircase Brick Wall	3rd Floor - outside edge	0.4		0.4	Neg		mg/cm <sup>2</sup>	✓
	2nd Floor - west stairwell	0.4						
	1st Flr. - Stairway 4	0.3						
Staircase Inside wall (metal)	3rd Floor - center stairs	8.6		10.3	Pos		mg/cm <sup>2</sup>	✓
	2nd Floor - west stairwell	10.1						
	1st Floor - Stairway 4	12.3						
Baseboard (wood)	2nd Flr. - Rm. 258	0.8		0.8	Inc.		mg/cm <sup>2</sup>	✓
	3rd Flr. - Cafeteria	0.3						
	1st Flr. - Rm. 122	1.3						
Baseboard (stone)	2nd Flr. - near Auditorium	0.9		1.0	Pos		mg/cm <sup>2</sup>	✓
	1st Flr. - near Rm. 108	0.9						
	3rd Flr. - near Rm. 323	1.2						
Pipe	2nd Flr. - across Rm. 228	0.3		0.2	Neg		mg/cm <sup>2</sup>	✓
	1st Flr. - across from Rm. 106	0.1						
	1st Flr. - Rm. 122	0.1						

Notes:

11-1



# Single-Family Housing LBP Testing Data Sheet

Address/Unit No. Fairmount/Harford Institute (cont'd) Date 10-16-96

Room Equivalent Exterior

XRF Serial No. M41410 Inspector Signature A. Shearon Cavaliere

Component	Test Location	XRF Reading	Correction Value	Result	Classification (pos, neg, hc)	Laboratory Result	UNIT?	Find Classification
Door Case	West side - Front	22.6	N/A	<del>18.4</del>	Pos	<del>---</del>	x	
	Northside - Green	24.9						
	SOUTH SIDE - BROWN	7.8						
	SOUTH SIDE - GREEN	16.1						
Door Case	EAST SIDE - GREEN	15.7		12.5	Pos		x	
	NORTH SIDE - GREEN	5.7						
	West side - oak	1.2						
	SOUTH SIDE - GREEN	1.0						
Door	SOUTH SIDE - BROWN	1.4		1.2	Pos		x	
	EAST SIDE - GREEN	0.6						
	NORTH SIDE - GREEN	0.0						
	NORTH SIDE - GREEN	0.4						
Door				0.3	Neg		x	

Notes:

2.0

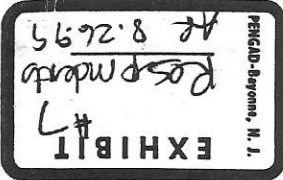


Exhibit 7

Attachments:  
Lead Results  
Asbestos Air Monitoring Results  
Lead Information

*Handwritten notes:*  
City of Safety  
W...  
Monday 30 mg per cubic ft

Maryland OSHA conducted an inspection of the facility and determined that the City had followed appropriate regulatory guidelines.  
Based on wipe sample data for lead dust, the facility surfaces levels did not exceed Maryland Department of Environment guidelines with the exception of the tops of lockers, one classroom window sill and the basement.  
All future construction activities will be conducted in accordance with State and Federal regulations.

Paint samples and wipe samples were collected for lead analysis throughout the facility by outside consultants. Documentation of the sampling results from asbestos removal projects were also reviewed. (See attached).  
The contractor installed addition (plastic) barriers to control the fugitive emission and improved housekeeping in compliance with Division of Safety recommendations.  
A walk-through was conducted and flaking paint, dust, and visible debris were noted. Construction barriers did not appear to be adequately sealed.

Division of Safety was asked by Education to evaluate the extent of apparent fugitive dust and debris resulting from construction activities in the school.

Teacher's Meeting:  
November 7, 1996

Fairmount-Harford Institute School #456  
2555 Harford Road

*Handwritten notes:*  
109  
A. B...  
4-21-97  
5-15-1

Respondent's Exhibit 7



reparationment '0 Exhibit 8



**LEADTEC SERVICES, INC.**

8841 Orchard Tree Lane  
Baltimore, MD 21286  
410-321-7663



This is to certify that

**DIANA R. WILLIAMS**  
has successfully completed

**LEAD HAZARD REDUCTION COURSE  
FOR PROJECT DESIGNERS**

June 13, 1997

Certificate #: 11194

*[Handwritten signature]*

Instructor

EXHIBIT #8  
Per records  
8-26-99  
PENGAD-Avonne, N. J.

Exhibit 8





**LEADTEC SERVICES, INC.**

8841 Orchard Tree Lane  
Baltimore, MD 21286  
410-321-7663



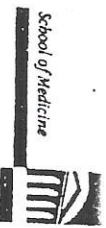
This is to certify that  
**DIANA R. WILLIAMS**  
has successfully completed  
the

**LEAD PAINT VISUAL INSPECTOR COURSE**  
June 18-19, 1997

  
Instructor

Certificate # 11202





School of Medicine  
UNIVERSITY OF MARYLAND  
AT BALTIMORE



Q-3

*University of Maryland*  
*EPA-Sponsored Regional Lead Training Center*  
*Certificate of Lead Abatement Training*

This certifies that: Diana R. Williams  
Has successfully completed the:

**LEAD ABATEMENT TRAINING COURSE for  
SUPERVISOR & CONTRACTORS**

*An Accredited Lead Paint Abatement Training Course  
by the Maryland State Department of the Environment  
in accordance with COMAR 26.16.01*

Course Director: Barbara Sattler  
Barbara Sattler, RN DPH

Date: June 23, 1997  
I.D.# 21189 Exp. Date: 06/06/99





UNIVERSITY OF MARYLAND  
AT BALTIMORE

Q-4



# University of Maryland EPA-Sponsored Regional Lead Training Center Certificate of Lead Abatement Training

This certifies that: Diana R. Williams  
Has successfully completed the:

## LEAD ABATEMENT TRAINING COURSE for RISK ASSESSMENT

An Accredited Lead Paint Abatement Training Course  
by the Maryland State Department of the Environment  
in accordance with COMAR 26.16.01

Course Director: Barbara Sattler  
Barbara Sattler, RN, DrPH

Date: July 11, 1997  
I.D.# 16891 Exp. Date: 07/11/99





# University of Maryland EPA-Sponsored Regional Lead Training Center Certificate of Lead Abatement Training

This certifies that: Diana R. Williams  
Has successfully completed the:

## LEAD ABATEMENT TRAINING COURSE for INSPECTORS

An Accredited Lead Paint Abatement Training Course  
by the Maryland State Department of the Environment  
in accordance with COMAR 26.16.01

Course Director: Barbara Sattler  
Barbara Sattler, RN, DPH

Date: July 14, 1997  
I.D.# 16889 Exp. Date: 07/09/99

THIS IS TO CERTIFY THAT

*Diana Williams*

HAS MET THE LEAD PAINT SERVICES  
ACCREDITATION REQUIREMENTS FOR

*Supervisor - Maintenance And Repainting*

EXPIRATION DATE 05/14/1999

TRAINING PROVIDER Connor Environmental Services & Engineering

ADMINISTRATOR, LEAD PAINT ACCREDITATION  
MARYLAND DEPARTMENT OF THE ENVIRONMENT

5/14/99  
DATE

COURSE DATE 04/24/1997

STATE OF MARYLAND

Certificate # 1936



THIS IS TO CERTIFY THAT

*Diana Williams*

HAS MET THE LEAD PAINT SERVICES  
ACCREDITATION REQUIREMENTS FOR

*Supervisor - Maintenance And Repainting*

EXPIRATION DATE 05/14/1999

TRAINING PROVIDER Connor Environmental Services & Engineering

COURSE DATE 04/24/1997



*Willie*  
ADMINISTRATOR, LEAD PAINT ACCREDITATION  
MARYLAND DEPARTMENT OF THE ENVIRONMENT

DATE 5/14/97

STATE OF MARYLAND

Certificate # 1936

THIS IS TO CERTIFY THAT

*Diana R. Williams*

HAS MET THE LEAD PAINT SERVICES  
ACCREDITATION REQUIREMENTS FOR

*Residential and Commercial Building Contractor*

EXPIRATION DATE 06/28/1999

RAINING PROVIDER \_\_\_\_\_

*Michelle M. ...*

ADMINISTRATOR, LEAD PAINT ACCREDITATION  
MARYLAND DEPARTMENT OF THE ENVIRONMENT

*6/28/97*  
DATE

COURSE DATE \_\_\_\_/\_\_\_\_/\_\_\_\_

STATE OF MARYLAND

Certificate # 2039



THIS IS TO CERTIFY THAT

*Diana Williams*

HAS MET THE LEAD PAINT SERVICES  
ACCREDITATION REQUIREMENTS FOR



EXPIRATION DATE 07 16 1999

TRAINING PROVIDER

Leadtec Services, Inc.

*[Signature]*

ADMINISTRATOR, LEAD PAINT ACCREDITATION  
MARYLAND DEPARTMENT OF THE ENVIRONMENT

DATE

7/16/97

COURSE DATE 06 18 1997

STATE OF MARYLAND

Certificate # 2047

THIS IS TO CERTIFY THAT

*Diana Williams*

HAS MET THE LEAD PAINT SERVICES  
ACCREDITATION REQUIREMENTS FOR

*Supervisor - Paint Removal And Demolition*

EXPIRATION DATE 07 31 1999

TRAINING PROVIDER University of Maryland

*W. L. M. B.*

ADMINISTRATOR, LEAD PAINT ACCREDITATION  
MARYLAND DEPARTMENT OF THE ENVIRONMENT

DATE 7/31/97

COURSE DATE 06 02 1997

STATE OF MARYLAND

Certificate # 2088



THIS IS TO CERTIFY THAT

*Diana Williams*

HAS MET THE LEAD PAINT SERVICES  
ACCREDITATION REQUIREMENTS FOR

*Inspector Technician*

EXPIRATION DATE 08 20 1999

TRAINING PROVIDER University of Maryland

ADMINISTRATOR, LEAD PAINT ACCREDITATION  
MARYLAND DEPARTMENT OF THE ENVIRONMENT

8/20/97  
DATE

COURSE DATE 07 07 1997

STATE OF MARYLAND

Certificate # 2116