

Exhibit 171

Appendix B
Air Sampling Results by Marcor
Case # K5823-013-7

Report to Exhibit 171

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4-44



DIVISION OF LEAD POISONING PREVENTION
MARYLAND DEPARTMENT OF THE ENVIRONMENT
 2500 Broening Highway, Baltimore, Maryland 21224 (410)631-3859



1. Put on plastic gloves to protect hands from TSP.
2. Use the spray bottle to wet down all dust and debris with a fine mist of water. This will help control the dust during cleanup.
3. Place large disposable items in plastic bags and tie the bags shut. Bulky items, such as windows or long pieces of wood trim, may be wrapped in 6 mil plastic sheets and securely fastened with duct tape.

BEFORE STARTING, review Lead Paint Hazard Fact Sheet #1: Health and Safety Precautions.

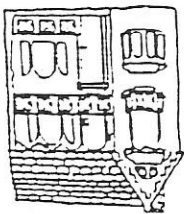
CLEANUP PROCEDURE

- ◆ HEPA Vacuum cleaner (special vacuum cleaner with a "High Efficiency Particulate Air" filter).
- ◆ Cleaning items: disposable lint-free towels, rags, sponges and mops.
- ◆ Buckets
- ◆ Cleaning solution which contains Tri-Sodium Phosphate (TSP): Mix at least one ounce of five percent (5%) TSP to each gallon of water used. Prepare with HOT water. Automatic dishwasher detergent may contain 5% phosphate. If so, this is an acceptable although more expensive alternative.
- ◆ Heavy-duty plastic bags: use single 6 mil bags or double 4 mil bags.
- ◆ Garden mister or spray bottle with water
- ◆ Plastic work gloves

CLEANUP MATERIALS

A careful and complete cleaning of the work area is necessary to prevent exposure to lead for people, especially young children, who will use the area in the future. Lead dust that remains on surfaces can get onto toys, food, hands, or even a pet dog or cat. From there, lead dust can easily find its way into a child's mouth.

LEAD PAINT HAZARD
FACT SHEET #5
Cleanup of Lead-Bearing Dust



JANUARY 1995



MARYLAND DEPARTMENT OF THE ENVIRONMENT
DIVISION OF LEAD POISONING PREVENTION
 2500 Broening Highway, Baltimore, Maryland 21224 (410) 631-3859



Disposal of liquid waste presents special problems. When possible, avoid using abatement methods which generate liquid waste. Liquid waste is best managed as indicated on page 2 of this fact sheet. Do not pour liquid waste on the ground or into storm drains. For more information regarding liquid waste disposal, call the MDE Hazardous and Solid Waste Management Administration at (410) 631-3343.

- Put lead-containing debris into heavy duty 6 mil plastic bags.
- Provide short-term storage in a secure place until waste and debris can be transported safely.
- Provide for protection from children, animals, the weather and other sources of disturbance.
- Remove all lead waste from the abatement site within 48 hours following cleanup.
- Transport lead-containing solid waste materials and debris to a municipal or lined landfill, as required by Code of Maryland Regulations (COMAR) 26.04.07.19.
- Transport windows, trim and other bulky items in a covered vehicle.
- DO NOT BURN DEBRIS. Lead fumes will contaminate the air; lead in ash can also contaminate the environment.

Waste material and debris generated by a single residential structure, such as a house or apartment, may be classified as household waste and therefore will be exempt from the disposal requirements listed on a next page. Please contact the Maryland Department of the Environment (MDE), Hazardous and Solid Waste Management Administration at (410) 631-3343 if you have questions about this household waste exemption. In order to comply with the state and federal regulations, and to prevent lead contamination, all property owners and contractors conducting abatements of households must adhere to the following requirements:

DISPOSAL PROCEDURES FOR HOUSEHOLDS CONDUCTING LEAD ABATEMENTS

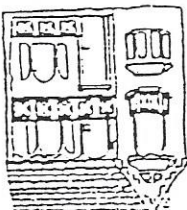
- Old woodwork, plaster, windows, doors, and other painted components removed from the building.
- Plastic sheets and tape used to cover floors and other surfaces during lead paint removal.
- Rags, sponges, mop heads, HEPA filters, and other items used for cleanup.
- Disposable work clothes.
- Sludge from paint removers used in the job.
- Liquid waste, such as wash water used to decontaminate wood after solvents or caustic paint strippers have been used.

ANYTHING which contains lead may become a hazard if it is not carefully managed. This is particularly true of wastes and debris generated by a lead abatement project. Such lead hazards include:

JANUARY 1995

Disposal of Hazardous Material and Debris

LEAD PAINT HAZARD
FACT SHEET #6





MARYLAND DEPARTMENT OF THE ENVIRONMENT
DIVISION OF LEAD POISONING PREVENTION
 2500 Broening Highway, Baltimore, Maryland 21224 (410) 631-3859



House dust is a major source of lead exposure for young children. It is normal for babies and young children to put everything, including dirty toys or fingers, in their mouths. Removing lead paint by any method will create lead dust. Many children have been lead poisoned after paint removal projects where cleanup has been inadequate and large amounts of lead dust have remained in the home environment.

The purpose of testing house dust for lead is to make sure that the home is safe for the family to return following the careful abatement of lead paint.

WHY MEASURE LEAD IN HOUSE DUST?

1. A visual inspection following completion of all abatement work but before repainting begins will determine if all surfaces requiring abatement have been adequately abated.
 2. A final inspection is done following the final cleanup and disposal of all debris. Dust samples are collected. Because the test for lead levels in dust is crucially important, more detailed information follows.
- Two inspections are specifically required for abatement projects under Maryland regulations (COMAR 26.02.07). The property owner or contractor must contact the designated enforcement agency when the project is ready for each of these inspections. To ensure quick response, call the enforcement agency before beginning a large project.

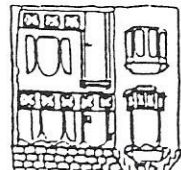
- Required records of the project are maintained.
- Workers have received required health and safety training.
- Safe work practices are being followed.
- Abatement methods are appropriate for the project.
- Dust and debris are contained within the work areas (see Lead Paint Hazard Fact Sheet #4).
- Cleanup is thorough and complete (see Lead Paint Hazard Fact Sheet #5).
- Regulations for disposal of hazardous lead waste are followed (see Lead Paint Hazard Fact Sheet #6).
- Lead dust levels following the final cleanup are below the State standards (COMAR 26.02.07 listed on page 2 of this fact sheet).

Inspections are appropriate at any time during the course of an abatement project to assure that all work is conducted properly and that no problems develop. The inspector may specifically check to see that:

INSPECTION PROCEDURES

LEAD PAINT HAZARD
FACT SHEET #7
Inspections for Lead Paint Abatement

JANUARY 1995



This is the Seventh in a Series of Eight Fact Sheets providing guidance consistent with Maryland Lead Paint Abatement Regulations (COMAR 26.02.07) and Departmental Policies.

If tested lead dust levels meet this standard, an abatement project will be approved for reoccupancy. Once back in the home, residents should be encouraged to use a high phosphate solution to clean floors, window sills and other surfaces on a routine basis. A satisfactory high phosphate solution can be produced by mixing one tablespoon of electric dishwasher detergent with one gallon of hot water. Protect hands by wearing rubber gloves. Use a wet mop on the floor and a damp cloth on other surfaces.

Micrograms of Lead Per Square Foot of Surface Area

Floors
Window Sills
Window Wells

Below 200
Below 500
Below 800

SURFACE

Following an abatement project, lead dust levels must meet the environmental standards which are specified by COMAR 26.02.07:

ACCEPTABLE LEVELS

Samples must be taken from each work area or room involved in the project. Samples are taken from the floors next to abated surfaces and from windows sills and window wells. These three samples will usually provide a good representation of the lead dust levels in each room.

WHERE TO SAMPLE

When lead paint abatement project is ready for an inspection, notify the Lead Poisoning Prevention Program of the Maryland Department of the Environment (MDE) at (410) 631-3859. Following notification, an inspection may be conducted by a representative of MDE, a delegated local agency, or a laboratory approved by MDE.

WHO WILL DO THE INSPECTION?

Maryland Regulations require testing of dust levels following the final cleanup of an abatement project, but before the residents are permitted to return. As part of a lead abatement project, all abated surfaces and floors must be finished to provide smooth and easily cleanable surfaces; fresh paint or other appropriate coverings will enable the residents to keep lead dust levels low. If the abated surfaces appear "dirty" or "dusty," the cleanup procedure must be repeated before testing can be done (see Lead Paint Hazard Fact Sheet #5). If the lead levels of the initial dust samples test high, further cleaning is required, followed by repeated testing until the levels are acceptable. To save time, pay close attention to cleaning before calling for a clearance inspection.

REQUIRED CONDITIONS FOR TESTING LEAD DUST LEVELS



MARYLAND DEPARTMENT OF THE ENVIRONMENT
DIVISION OF LEAD POISONING PREVENTION
 2500 Broening Highway, Baltimore, Maryland 21224 (410) 631-3859



A list of some manufacturers is included with this fact sheet. Liquid encapsulants come in many varieties. Some are reinforced by embedding a woven mat into the initial layer before it dries and then applying a second coat on top. They can be water-based or solvent-based. Some require mixing two ingredients together. Some products dry to a soft, pliable surface, while others dry hard. Some are vapor barriers, while others are permeable to moisture. Each product may exhibit certain advantages or disadvantages under various conditions.

Encapsulant coatings are special liquid coatings which are applied with a brush, roller, or sprayer. Use of these materials is always an alternative abatement procedure under Maryland regulations. While these coatings often provide for the effective, long-term encapsulation of lead paint, failure may result from inappropriate application of the product, inadequate surface preparation, or poor condition of the underlying paint or substrate.

II. ENCAPSULANT COATINGS

COMAR 26.02.07.03B(3) provides a list of materials, such as gypsum board, fiberglass mat, paneling, and metal, which are approved for appropriate surfaces. These are generally rigid materials which are permanently attached using screws, nails, and adhesive. "Lead Paint Hazard Fact Sheet #3" explains which materials may be used over various surfaces such as woodwork, walls and ceilings, or floors. Use of these materials entails an evaluation of the structure to be abated to assure adequacy of the treatment, appropriate surface preparation, and total covering and sealing of the surface to assure that lead-bearing dust and debris cannot escape.

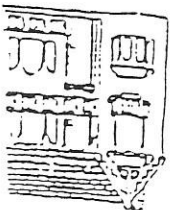
I. MATERIALS SPECIFIED IN MARYLAND REGULATIONS

METHODS OF ENCAPSULATION

Encapsulation is a method of abatement in which lead paint is covered and completely sealed by a durable, long-lasting material which will not readily tear, chip, or peel. A list of allowed encapsulation materials is included in Maryland's lead paint abatement regulations COMAR 26.02.07. If you wish to use a type of material that is not specifically listed in those regulations, you must obtain written permission from the Maryland Department of the Environment (MDE) to perform an alternative abatement procedure.

WHAT IS ENCAPSULATION?

JANUARY 1995



LEAD PAINT HAZARD
FACT SHEET #8
Encapsulation of Lead Paint
 B-10

3. Restrict Entry To Work Area
All residents, including pets, must find other housing. Residents must stay out of the building until cleanup and any required inspections have been completed (see Lead Paint Hazard Fact Sheet #7). Exceptions may be made if the abatement is limited to an isolated work area. For guidance, contact the MDE Lead Poisoning Prevention Division at (410) 631-3859.

Post warning signs immediately outside all entrances and exits to the work area.
Only workers or individuals directly involved in the project may enter the work area.
Pregnant women and young children are not to be involved in any paint removal activity and must stay out of the work area until cleanup has been completed.

4. Pick The Safest Method

Select the most appropriate methods for your project (see Lead Hazard Fact Sheet #3).

5. Wear Appropriate Clothing

Disposable coveralls minimize contamination of clothing by lead dust and to help prevent the spread of lead dust outside of the work area. Gloves and other special clothing may be required for protection from other work site hazards. Non-disposable coveralls may be used; however they must be cleaned at a commercial laundry which accepts lead-contaminated clothing.

6. Use Required Safety Equipment

A respirator with HEPA cartridges is required when using an electric heat gun, HEPA sander, or other methods which produce high levels of lead fumes or dust. A respirator is also recommended during the demolition phase of abatement or at other times when airborne lead levels can be expected to be higher. Check with Maryland Occupational Safety and Health (MOSH) or the MDE Lead Poisoning Prevention Division to be sure that you select the right respirator and filters. The respirator must be tested to assure proper fit. A paper dust mask will not protect you from lead dust. You may also need further safety equipment, special clothing, or additional respiratory protection to protect yourself from caustic strippers, fumes, or other hazards that are identified at a particular job site.

7. Do Not Smoke Or Eat In The Work Area

Lead dust can easily get on your food or cigarettes. Store any eating or smoking materials away from the work area. Leave the work area and wash your hands and face before eating or smoking.

8. Contain Lead Dust And Debris Within The Work Area

Keep lead dust and debris in the work area. See Lead Paint Hazard Fact Sheet #4 for detailed information. Wear disposable shoe covers, and remove them when you leave the work area.

Keopendont Exhibit

EXHIBIT #20
Respondent to
PENGID-Sayone, M. J.
AR 8.26.99

DLTR
STATE OF MARYLAND

DEPARTMENT OF LABOR LICENSING AND REGULATION

PARRIS N. GLENDENING, Govern
EUGENE A. CONTI, JR., Secre
Division of Labor and Indu
John P. O'Connor, Commissi

Ms. Diana Williams
1311 North Ellwood Avenue
Baltimore MD 21213

Subject: MOSH Complaint 1718
Case No. K5823-013-97

Dear Ms. Williams:

I refer to your complaint alleging violations of the Maryland Occupational Safety and Health (MOSH) Act at Fairmount Harford High School. In response to your complaint, this agency conducted an investigation to verify the conditions you described. That investigation, conducted by a MOSH industrial hygienist, included a visual inspection of your worksite and interviews with management and employees, as well as a review of relevant records maintained by the employer. No violations of MOSH standards were identified. With respect to the specific allegations set out in your complaint, the MOSH inspector reported the following information:

1. *Asbestos.* According to Mr. Leonard [assistant principal] 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 summoned to abate the condition... During the abatement process, air monitoring was conducted over several days by I.H. Services, Inc of Baltimore Md. These results were negative for over exposures. The work was completed in this area at the time of this inspection.
2. *Lead.* 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.... [The City has decided to contact a lead removal contractor and have surveillance by the MDE (Maryland Department of the Environment) 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.
3. *Drinking fountains.* 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.... [A]ll the water fountains in the school were being replaced with bottled water stations.... If the fountains are still in the halls, they are not connected to the water system. [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.

We thank you for your interest in occupational safety and health, and look forward to hearing from you again if we may be of assistance in the future.

Very truly yours,

Joseph K. Capra
Exhibit 20

Exhibit 21

The construction contractor has hired a certified lead abatement contractor, per Baltimore City Public Schools, who will submit a protocol for a variance as required by law to the Maryland Department of the Environment. The construction will proceed under that variance, and the occupants are being separated from the construction by distance and containment. The

The Fairmount-Harford facility houses the Morgan State University Headstart Program in the east wing of the first floor. The Headstart Program is inspected annually by the Maryland State Department of Human Resources. The most recent inspection was conducted in October 1996, and according to Ms. Teresa Pierson, center director, the facility passed inspection as lead-free.

Currently, all occupied areas identified in the report have been cleaned to HUD standards and are in satisfactory condition. Several currently occupied classrooms have suspected peeling from the ceiling. The environmental contractor is scheduled to abate those rooms on November 16 and 17, 1996, with clearance samples to be analyzed prior to reoccupancy. The construction contractor's area, which is located in the basement, is not open to the building occupants. This area is currently under abatement and will be completed by November 21, 1996.

At that time, the contractors impacted surfaces which, during our investigation, were found to contain lead-based paint. Forty-five lead dust samples were collected by Spotts, Stevens, and McCoy, an independent environmental contractor, on October 10 and 11, 1996. The attached document identifies six of those samples to be above Housing and Urban Development (HUD) recommended safe levels. Three of the samples are from areas in the occupied space, and three are from areas in the basement, utilized only by the contractor for staging purposes. Students and faculty are not exposed to the area used by the contractor to stage their work. Because the environmental contractor identified three samples in the occupied spaces above the recommended levels by HUD, the Department of Facilities contracted with a certified lead abatement contractor to improve the conditions using lead

in phases to allow the facility to be occupied. The major mechanical and electrical work was initiated in July 1996.

You requested information about the construction project at Fairmount-Harford High School. With the assistance of the Department of Facilities, I am forwarding this account of the project and the remediation protocols to prevent a recurrence of this type for building occupants. The Fairmount-Harford High School renovation, a multi-systemic project, is being conducted in phases to allow the facility to be occupied. The major mechanical and electrical work was initiated in July 1996.


RECEIVED

DATE: November 14, 1996

EXHIBIT #21
Respondents
Per 8.26.99
PENGAD-Bayonne, N. J.

Council President Lawrence Bell
Baltimore City Council
100 North Holliday Street

TO

 <p>MEMO BALTIMORE CITY OF</p>	<p>NAME & TITLE Walter G. Amprey, Superintendent</p>	<p>AGENCY Baltimore City Public Schools</p>	<p>ADDRESS 200 East North Avenue - Room #405 - 21202</p>	<p>SUBJECT FAIRMOUNT-HARFORD HIGH SCHOOL NO. 456</p>
	<p>Handwritten signature: <i>Walter G. Amprey</i></p>			

cc. ps
1/15
PS

Respondent to Exhibit 21

Council President Lawrence Bell
Fairmount-Hartford High School No. 456
November 14, 1996
Page 2

Department of Facilities will continue to monitor the facility to prevent any future incidents that might impact on the health of building occupants during the renovation.

The Baltimore City Public Schools, in conjunction with the Department of Personnel, Office of Safety, is offering blood tests for all occupants. A collection of blood samples has been scheduled with the Johns Hopkins Bayview Asthma and Allergy Clinic. Clinical staff will collect and analyze the results and will assist in any treatment required for faculty and staff. The Department of Facilities is coordinating with the Baltimore City Health Department to assist in identifying any at-risk students.

Should additional information be required, please contact me on 396-8803.

WGA:WCG:eg

Attachment

C: Honorable Kurt L. Schmoke
Board of School Commissioners
Dr. Jeanette H. Evans
Mr. Anthony A. Fears
Mr. Wilbur C. Giles
✓ Mr. Jack M. Elam

456Bell

Exhibit 41

Secondly, I am requesting a meeting with the facilities manager and the contractor along with the BTU building representative, and AFT's Occupational Safety

should be closed during the renovation. Teachers Protocol (see attachment) should be put in place or the school precautions, such as those that appear in the United Federation of would not be exposed to toxic and noxious hazards during the process? First, were adequate methods put in place to guarantee that staff and students suggest the following: Occupational Safety and Health Coordinator and I have been advised to request and The test results which we received from MOSH were examined by AFT's

members of this union be furnished to us. about the school and the composite results of any blood lead testing performed on Monitoring Information" I am requesting any additional air monitoring information Under the Maryland Occupational Safety and Health "Access to Medical and was tested be given his/her individual results without further delay. support and protect our members, I am requesting that each teacher who Nov. 19th, teachers are still waiting for individual results. In an effort to results are not going to be shared with them immediately. As of today, Thursday, November 14, 1996. These teachers are now concerned that their paraprofessionals took advantage of the testing which took place at the school site on have their blood tested and have received the results. Other teachers and may already know, a few of the teachers have gone to their personal physicians to Fairmount-Hartford High about the renovation and the resulting lead problem. As you There are a number of concerns being expressed to this Union by the teachers of

Dear Dr. Amprey:

Dr. Walter Amprey, Superintendent
200 E. North Avenue
Baltimore, Maryland 21202

Nov 20 07 11 PM '96

November 19, 1996

RECEIVED
SUPERVISOR'S OFFICE
BALTIMORE CITY
PUBLIC SCHOOLS

53

AFT 340 AFL-CIO
Seton Business Park
5800 Metro Drive, 2nd Floor
Baltimore, MD 21215-3209
Phone: (410) 358-6600
FAX: (410) 358-2894



The Baltimore Teachers Union

Respondent's Exhibit 22

EXHIBIT #22
Respondent's
AR 8-26-99
PENICOLA-BRYSON, M. J.

and Health Coordinator to get detailed information about the nature of the renovation, the potential harmful exposure to staff and students, methods to prevent exposure and methods that will be used to test the environment and air for toxic/noxious exposure. This meeting should be held within the next week. Again, if the contractor cannot demonstrate that he can control lead dust exposure or any other toxic exposure, the work should not be conducted during school hours or the school should be closed until an acceptable clearance level is obtained.

Since there is documented lead dust exposure, I have been advised that the following things should be in place if the school continues to be in session during the work day:

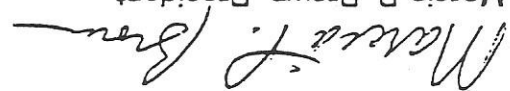
- the area of work should be totally contained to prevent paint dust and debris from migrating to areas outside the work area
- warning signs should be at each local entrance to the work area
- any forced air system must be shut-down and isolated with a six-mil polyethylene sheet taped around the perimeter to prevent lead dust migrating to student/staff areas

- two layers of six-mil polyethylene must cover the floor and be wrapped up the walls approximately six inches and taped on all sides.
- all entrances to the work area must be sealed with two layers of six-mil polyethylene. The first layer should be taped across the top and left side; the second sheet should be taped across the top and right side forming a curtained access through the door opening.
- a changing/mini decontamination area should be constructed adjacent and contiguous to the work area using two layers of six-mil polyethylene in the same manner as the work area.
- all windows and transoms should be tightly closed.
- all loose paint debris should be collected frequently and a wet wipe performed to eliminate all loose paint in the work area at the end of every work day.
- final clean-up of the area should consist of vacuuming with a high efficiency particular air vacuum, wet wipe/mop and a final vacuuming.
- there should be clearance testing before any barriers are removed; the clearance testing should consist of wipe sample in accordance with HUD clearance levels.

I have also been advised that a thorough lead inspection and lead abatement plan must be put in place immediately. This Union is requesting a copy of the abatement plan so that we can verify that a thorough cleaning of all surfaces is being conducted to demonstrate that the concentration of the lead has fallen to an acceptable level. I believe that our concerns may be similar to the concerns of others but I am concerned that many of the efforts identified in this letter may not have been addressed.

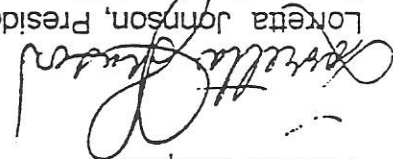
I would appreciate an immediate response so that those persons on the staff can be reassured that all efforts are being taken by the school system to provide for the safety of all the individuals who are now assigned to the Fairmount-Hatford High building.

Sincerely,



Marcia P. Brown, President

Teacher Chapter



Loretta Johnson, President

Paraprofessional Chapter

cc. BTU Building Representative

Ms. Elaine White, Principal

Mr. Willbur C. Giles, Director of Facilities

Mr. John Conti

Exhibit 45

EXHIBIT
#23
Respondents
RE 8-26-99
PERICLO-BEYONNE, N. J.

Dust samples were collected by Stephen Epps on October 10 & 11, 1996 in accordance with protocols established by the U.S. Department of Housing and Urban Development (HUD). "Guidelines for the Evaluation and Control of Lead Based Paint in Housing", June, 1995 (Appendix 13.1). 45 dust samples were collected throughout the School (see Attachment 1, for exact locations of each sample). Dust samples were analyzed by Metropolitan Environmental Testing Services, Inc. (ELPAT # 21506) on October 15, 1996 in accordance with EPA method SW-846, 7420.

Dust Sampling and Analysis

METHODS AND RESULTS

SSM/Spotts, Stevens & McCoy, Inc. was retained by the Baltimore City Department of Personnel, Division of Safety to conduct lead dust sampling/analysis and on-site XRF analysis of the Harford Fairmount Institute #456. The purpose of the inspection was to determine current and potential risk of lead exposure related to ongoing renovation activities at the School.

Dear Ms. Schuder:

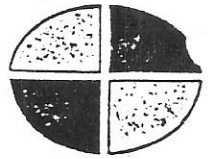
RE: REPORT
Harford Fairmount Inst. #456,
Lead Dust Sampling & Analysis and
On Site XRF Analysis

Ms. Susan Schuder
Chief of Safety
Baltimore Department of Personnel
Division of Safety
201 E. Baltimore Street, 2nd Floor
Baltimore, MD 21202

October 23, 1996

Report sent to Exhibit 23

SSM
SPOTTS, STEVENS AND MCCOY, INC.
ENGINEERS • PLANNERS • SCIENTISTS



Ms. Susan Schuder

October 23, 1996

Six (6) out of the 45 samples analyzed contained "elevated" levels of lead. In this case, "elevated" indicates levels in excess of HUD lead dust clearance standards for post-abatement reoccupancy (100 ug/ft² for floors; 500 ug/ft² for window sills; and 800 ug/ft² for window wells). The following dust samples contained elevated levels of lead (see Attachment 1 for all analysis results):

Sample Location	Lead Level
Top of Locker 321, 2nd floor (sample F12)	1,836 ug/ft ²
Wood Window Sill, room 310 (sample F14)	664 ug/ft ²
Top of Locker 2199, 1st floor (sample F22)	1,093 ug/ft ²
Cement Floor near loading dock, basement (sample F43)	1,295 ug/ft ²
Cement Floor near east wing, basement (sample F44)	1,598 ug/ft ²
Cement Floor near west wing, basement (sample F45)	31,325 ug/ft ²

On-Site XRF Analysis

XRF analysis was performed by Arc Environmental, Inc. on October 16, 1996 in accordance with protocols established by HUD, "Guidelines for the Evaluation and Control of Lead Based Paint in Housing", June, 1995 (Chapter 7). Arc tested representative interior and exterior component types throughout the School. At least three (3) readings were taken for each type of component (i.e. wood baseboards, wood doors, metal doors, etc.). The purpose of this testing routine was to establish an inventory of surfaces throughout the School which contain lead levels in excess of Maryland's definition of lead-based paint (> 0.7 mg/cm²). The following is an inventory of building component types at the School which contain lead-based paint (See Attachment 2 for exact testing levels and locations):

Component Type	Lead Level (Average)
Interior	
Wood Baseboards	0.8 mg/cm ²
Wood Window Sills	0.9 mg/cm ²
Stone Baseboards	1.0 mg/cm ²
Wood Chair Rails	1.1 mg/cm ²
Wood Door Casings	2.4 mg/cm ²
Plaster Walls	2.3 mg/cm ²

There are no standards for the tops of the lockers, however, these levels may provide an indication of lead dust concentrations which may result from renovation activities.



Ms. Susan Schuder

3

October 23, 1996

Component Type	Lead Level (Average)
Wood/Metal Staircase Doors	10.0 mg/cm ²
Metal Staircase Newel Posts	10.4 mg/cm ²
Metal Staircase Support Walls	14.4 mg/cm ²
Plaster Ceilings	15.5 mg/cm ²
Exterior	
Metal Doors	1.2 mg/cm ²
Wood Door Casings	15.5 mg/cm ²

CONCLUSIONS AND RECOMMENDATIONS

The results of our dust analysis indicate that current lead dust levels, throughout the School, for the most part are below post abatement clearance standards for reoccupancy established by HUD and MDE. However, elevated lead dust levels were identified on top of the lockers on the 1st and 2nd floors, on one (1) third floor window sill, and in the basement. The elevated lead dust levels on the lockers and in the basement may be a result of prior renovation activities which impacted lead painted surfaces. Our XRF analysis confirmed that building components throughout the School contain lead-based paint (> 0.7 mg/cm²).

SSM recommends the following course of action:

- (1) ensure that all future renovation activities that impact lead-based paint are done in compliance with Maryland's "Procedures for Abating Lead Containing Substances from Buildings" (COMAR 26.02.07);
- (2) ensure that Contractor(s) adhere to OSHA's Lead in Construction Standard (29 CFR 1926.62) where workers may be occupationally exposed to lead;
- (3) ensure that the Contractor(s) are MDE licensed Lead Abatement Contractors and that in accordance with "Accreditation and Training for Lead Paint Abatement Services" (COMAR 26.16.01);
- (4) if the City decides to continue renovations while the School is occupied, an "Alternate Procedure Request" for lead abatement in an occupied dwelling should be submitted for approval to MDE's Lead Compliance Division;



Ms. Susan Schuder

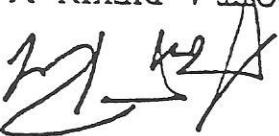
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October 23, 1996

(5) as soon as possible (prior to commencement of renovations), an accredited Maryland Lead Abatement Contractor should clean the entire school (including the basement) in accordance the Basic Cleaning Methods outlined in HUD's, "Guidelines for the Evaluation and Control of Lead Based Paint in Housing", June, 1995 (Chapter 14); and (6) immediately after the School has been cleaned, dust clearance sampling and analysis should be performed to ensure that lead dust levels are below acceptable HUD/MDE reoccupancy standards (100 ug/ft² for floors; 500 ug/ft² for window sills; and 800 ug/ft² for window wells);

If you will need assistance with developing and/or implementing any of the above listed recommendations or if you need further interpretation of this report, please do not hesitate to contact me anytime.

Respectfully Submitted,


SCOTT A. RIFKIN, M.A.
Project Manager

/SAR

Attachments

² We are recommending that the basement be cleaned as well as areas currently accessible to children because there is concern that lead dust could be tracked into areas accessible to children and employees via foot traffic and movement of equipment.

³ HUD's, "Guidelines for the Evaluation and Control of Lead Based Paint in Housing", June, 1995 (Chapter 15) should be used as a reference for developing an appropriate sampling protocol. With this in mind, we recommend that two (2) dust samples be taken from at least four (4) rooms on each floor of the School: one (1) interior window sill or window trough, alternating between rooms and one (1) floor; and (2) for common areas, one (1) for every 2,000 ft² (i.e. hallways, cafeteria, etc..).

FIELD SAMPLING FORM FOR LEAD
(Single-Surface Sampling)

Name of risk assessor STEPHEN B LAPP
 Name of property owner BALTIMORE CITY
 Property address 2555 HOLFORD ROAD Apt. no. _____

Sample number	Room (record name of room used by the owner or resident)	Surface type (circle the type)	Is surface smooth and cleanable?	Dimensions ¹ of sample area (inches x inches)	Area (ft ²)	Result of lab analysis (µg/ft ²)
F-1	OUTSIDE ROOM 339 3RD FLOOR EAST WING WHICH PASSEYWAY	Tile Floor	YES	12 x 12	1 FT ²	< 12.5
F-2	BLANK	—	—	— x —	—	< 12.5
F-3	OUTSIDE ROOM 323 3RD FLOOR NORTH WING HALL PASSEYWAY	Tile Floor	YES	12 x 12	1 FT ²	< 12.5
F-4	OUTSIDE ROOM 301 3RD FLOOR NORTH WING HALL PASSEYWAY	Tile Floor	YES	12 x 12	1 FT ²	< 12.5
F-5	TOP OF LOCKER #17 3RD FLOOR 4TH FLOOR TO ROOM 302 WEST HALL PASSEYWAY	METAL TOP	YES	12 x 12	1 FT ²	99.3
F-6	ROOM #212 2ND FLOOR	WOOD Floor	YES	12 x 12	1 FT ²	45.05
F-7	ROOM #212 2ND FLOOR	WOOD WINDOW SILL	YES	12 x 12	1 FT ²	< 12.5
F-8	ROOM #212 2ND FLOOR	METAL WINDOW	YES	1/2" x 39"	— x —	123.32

HUD standards: 100 µg/ft² (floors), 500 µg/ft² (interior window sills), 800 µg/ft² (window troughs)

Total number of samples on this page _____

Page 1 of 46

Date of sample collection 1/1/11 Date shipped to lab 1/1/11

Shipped by _____ Received by _____
 (signature) (signature)

Reference

Field Sampling Form for Dust
(Single-Surface Sampling)

Name of risk assessor STEPHAN B EPS
 Name of property owner BOSTON CITY
 Property address 2555 HARVARD ROAD Apt. no. _____

Sample number	Room (record name of room used by the owner or resident)	Surface type (circle the type)	Is surface smooth and cleanable?	Dimensions ¹ of sample area (inches x inches)	Area (ft ²)	Result of lab analysis (µg/ft ²)
F-9	ROOM # 205 2ND FLOOR	WOOD FLOOR	YES	12 x 12	1 FT ²	12.5
F-10	ROOM # 205 2ND FLOOR	WOOD WINDOW SILL	YES	12 x 12	1 FT ²	14.55
F-11	ROOM # 205 2ND FLOOR	METAL WINDOW SILL	YES	1 1/2 x 39"	1 FT ²	36.68
F-12	TOP OF COCKER 321, 2ND FLOOR 4TH ROOM 205 WEST HALL PASSAGE WAY	METAL TOP	YES	12 x 12	1 FT ²	1,836.00*
F-13	ROOM # 310 3RD FLOOR	WOOD FLOOR	YES	12 x 12	1 FT ²	12.5
F-14	ROOM # 310 3RD FLOOR	WOOD WINDOW SILL	YES	12 x 12 2 1/2" x 74"	1 FT²	664.35*
F-15	ROOM # 310 3RD FLOOR	METAL WINDOW SILL	YES	1 1/2" x 39"		74.58
				x		
				x		

HUD standards: 100 µg/ft² (floors), 500 µg/ft² (interior window sills), 800 µg/ft² (window troughs)

Total number of samples on this page _____
 Page 2 of 6

Date of sample collection ___/___/___ Date shipped to lab ___/___/___

Shipped by _____ (signature) Received by _____

Name of risk assessor STEPHEN B EPS
 Name of property owner BALTIMORE CITY
 Property address 2555 HENRIE RD Apt. no. _____
ROAD

Sample number	Room (record name of room used by the owner or resident)	Surface type (circle the type)	Is surface smooth and cleanable?	Dimensions ¹ of sample area (inches x inches)	Area (ft ²)	Result of lab analysis (µg/ft ²)
F-16	ROOM # 303 3RD FLOOR	WOOD FLOOR	YES	12 x 12	1 FT ²	<12.5
F-17	ROOM # 303 3RD FLOOR	WOOD WINDOW SILL	YES	12 x 12	1 FT ²	23.9
F-18	ROOM # 303 3RD FLOOR	METAL WINDOW WALL	YES	1 1/2" x 39"		30.5
F-19	OUTSIDE ROOM 201 2ND FLOOR WEST WING PASSAGE WY	TILE FLOOR	YES	12 x 12	1 FT ²	<12.5
F-20	OUTSIDE ROOM 222 2ND FLOOR WEST WING PASSAGE WY	TILE FLOOR	YES	12 x 12	1 FT ²	14.95
F-21	OUTSIDE ROOM 237 2ND FLOOR WEST WING PASSAGE WY	TILE FLOOR	YES	12 x 12	1 FT ²	<12.5
F-22	TOP OF LOCKER #2199 1ST FLOOR NEAR ROOM 138 EAST WING PASSAGE WY	METAL TOP	YES	12 x 12	1 FT ²	1,093.75 *
				___ x ___		
				___ x ___		
				___ x ___		

HUD standards: 100 µg/ft² (floors), 500 µg/ft² (interior window sills), 800 µg/ft² (window troughs)

Total number of samples on this page _____
 Page 3 of 6

Date of sample collection ___/___/___ Date shipped to lab ___/___/___
 Shipped by _____ Received by _____

(signature) _____ (signature)

Field Sampling Form for Dust
(Single-Surface Sampling)

Name of risk assessor STEPHAN B EPPS
 Name of property owner BATTIMORE CITY
 Property address 2555 Hawthorne Rd Apt. no. _____

Sample number	Room (record name of room used by the owner or resident)	Surface type (circle the type)	Is surface smooth and cleanable?	Dimensions ¹ of sample area (inches x inches)	Area (ft ²)	Result of lab analysis (µg/ft ²)
F-23	OUTSIDE ROOM 136 1ST FLOOR EAST WING ATLE PASADENA CITY	TILE FLOOR	YES	12 x 12	1 FT ²	< 12.5
F-24	OUTSIDE ROOM 114 1ST FLOOR NORTH WING ATLE PASADENA CITY	TILE FLOOR 1	YES	12 x 12	1 FT ²	< 12.5
F-25	OUTSIDE ROOM 142 1ST FLOOR WEST WING ATLE PASADENA CITY	TICK FLOOR	YES	12 x 12	1 FT ²	13.25
F-26	ROOM # 122 1ST FLOOR	WOOD FLOOR	YES	12 x 12	1 FT ²	35.7
F-27	ROOM # 122 1ST FLOOR	WOOD WINDOW SILL	YES	12 x 12	1 FT ²	13.5
F-28	ROOM # 122 1ST FLOOR	METAL WINDOW WELL	YES	1 1/2 x 39"		126.65
F-29	ROOM # 135 1ST FLOOR	WOOD FLOOR	YES	12 x 12	1 FT ²	14.85
F-30	ROOM # 135 1ST FLOOR	WOOD WINDOW SILL	YES	12 x 12	1 FT ²	< 12.5
F-31	ROOM # 135 1ST FLOOR	METAL WINDOW WELL	YES	1 1/2 x 39"		126.65 57.85

HUD standards: 100 µg/ft² (floors), 500 µg/ft² (interior window sills), 800 µg/ft² (window troughs)

Total number of samples on this page _____
 Page 4 of 6

Date of sample collection 1/1/11 Date shipped to lab 1/1/11
 Shipped by _____ Received by _____

(signature)

Name of risk assessor STEPHEN B EPPOS
 Name of property owner PHITMOCK CITY
 Property address 2555 HOWARD Apt. no. _____
POAS

Sample number	Room (record name of room used by the owner or resident)	Surface type (circle the type)	Is surface smooth and cleanable?	Dimensions ¹ of sample area (inches x inches)	Area (ft ²)	Result of lab analysis (µg/ft ²)
F-32	ROOM #137 1ST FLOOR	WOOD FLOOR	YES	12 x 12	1 FT ²	< 12.5
F-33	ROOM #137 1ST FLOOR	WOOD WINDOW SILL	YES	12 x 12	1 FT ²	< 12.5
F-34	ROOM #137 1ST FLOOR	METAL WINDOW WELL	YES	12" x 39"	1 FT²	29.78
F-35	ROOM #139 1ST FLOOR	WOOD FLOOR	YES	12 x 12	1 FT ²	16.75
F-36	ROOM #139 1ST FLOOR	WOOD WINDOW SILL	YES	12 x 12	1 FT ²	42.5
F-37	ROOM #139 1ST FLOOR	METAL WINDOW WELL	YES	12" x 39"		25.48
F-38	ROOM #115 1ST FLOOR	CERAMIC FLOOR	YES	12 x 12	1 FT ²	53.7
F-39	ROOM #115 1ST FLOOR	CERAMIC TILE WINDOW SILL	YES	12 x 12	1 FT ²	< 12.5
				___ x ___		
				___ x ___		

HUD standards: 100 µg/ft² (floors), 500 µg/ft² (interior window sills), 800 µg/ft² (window troughs)

Total number of samples on this page _____
 Page 5 of 6

Date of sample collection 1/1/11 Date shipped to lab 1/1/11

Shipped by: _____ Received by: _____
 (signature) Reference

Field Sampling Form for Dust
(Single-Surface Sampling)

Name of risk assessor STEPHEN B APPS
 Name of property owner BATTIMORE CITY
 Property address 2555 HARBOR ROAD. Apt. no. _____

Sample number	Room (record name of room used by the owner or resident)	Surface type (circle the type)	Is surface smooth and cleanable?	Dimensions ¹ of sample area (inches x inches)	Area (ft ²)	Result of lab analysis (µg/ft ²)
F-40	ROOM #100 1ST FLOOR	FLOOR TILE	YES	12 x 12	1 FT ²	212.5
F-41	ROOM #100 1ST FLOOR	WOOD WINDOW SILL	YES	12 x 12	1 FT ²	17
F-42	ROOM #100 1ST FLOOR	WEST WINDOW WELL	YES	1 1/2" x 39"		45.29
F-43	BATTIMORE FC WEST CORRIDOR DOCK NORTH WING	CERAMIC FLOOR	YES	12 x 12	1 FT ²	* 1,295.5
F-44	BATTIMORE FC EAST WING	CERAMIC FLOOR	YES	12 x 12	1 FT ²	* 1,598.25
F-45	BATTIMORE FC WEST WING	CERAMIC FLOOR	YES	12 x 12	1 FT ²	* 31,325.00
				X		
				X		
				X		
				X		

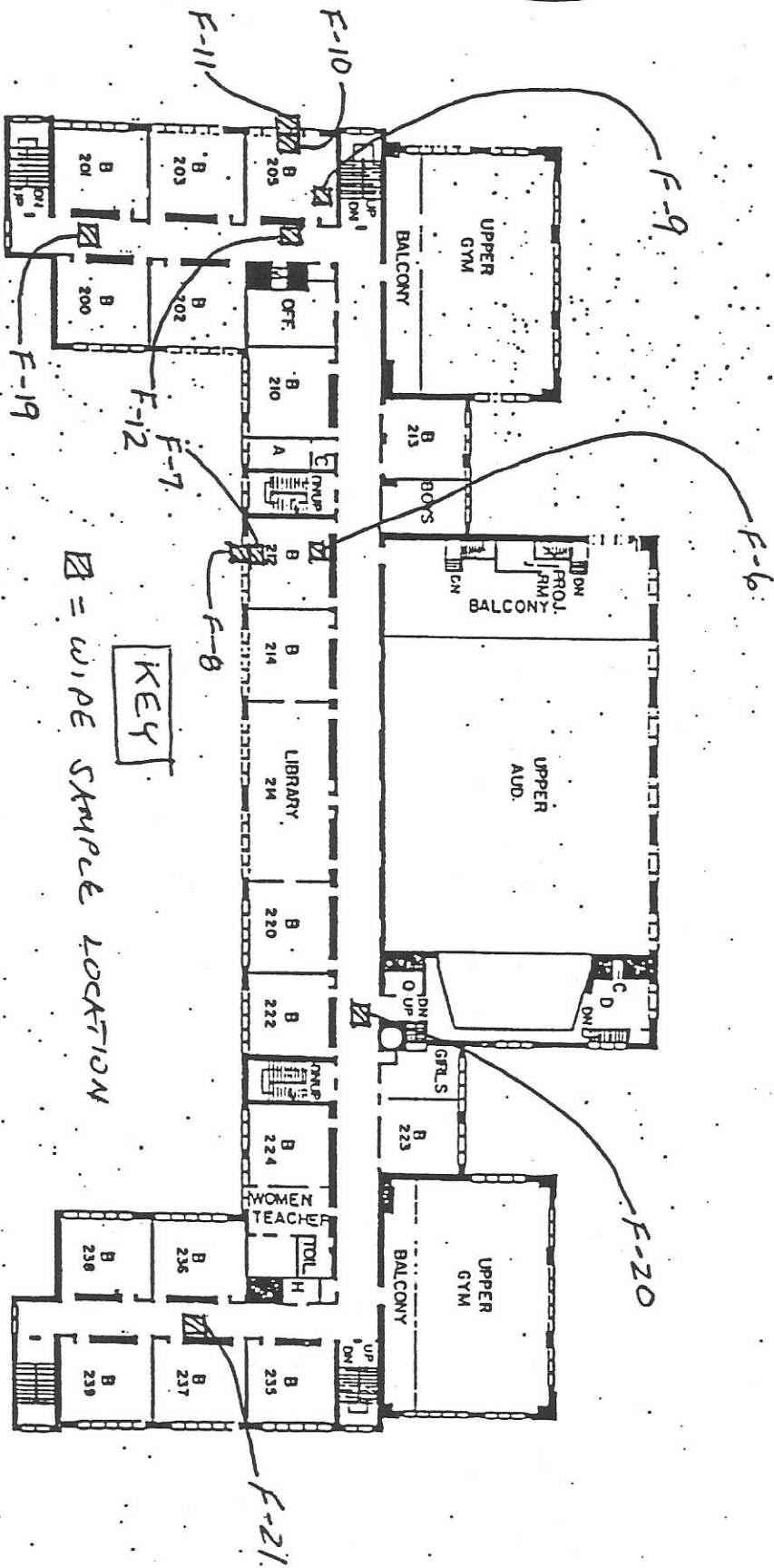
HUD standards: 100 µg/ft² (floors), 500 µg/ft² (interior window sills), 800 µg/ft² (window troughs)

Total number of samples on this page _____
 Page 6 of 6

Date of sample collection 1/1/11 Date shipped to lab 1/1/11

Shipped by _____ (signature)
 Received by _____ (signature)

LEAD DUST SAMPLE LOCATIONS



SECOND FLOOR PLAN ELEV. 158.5



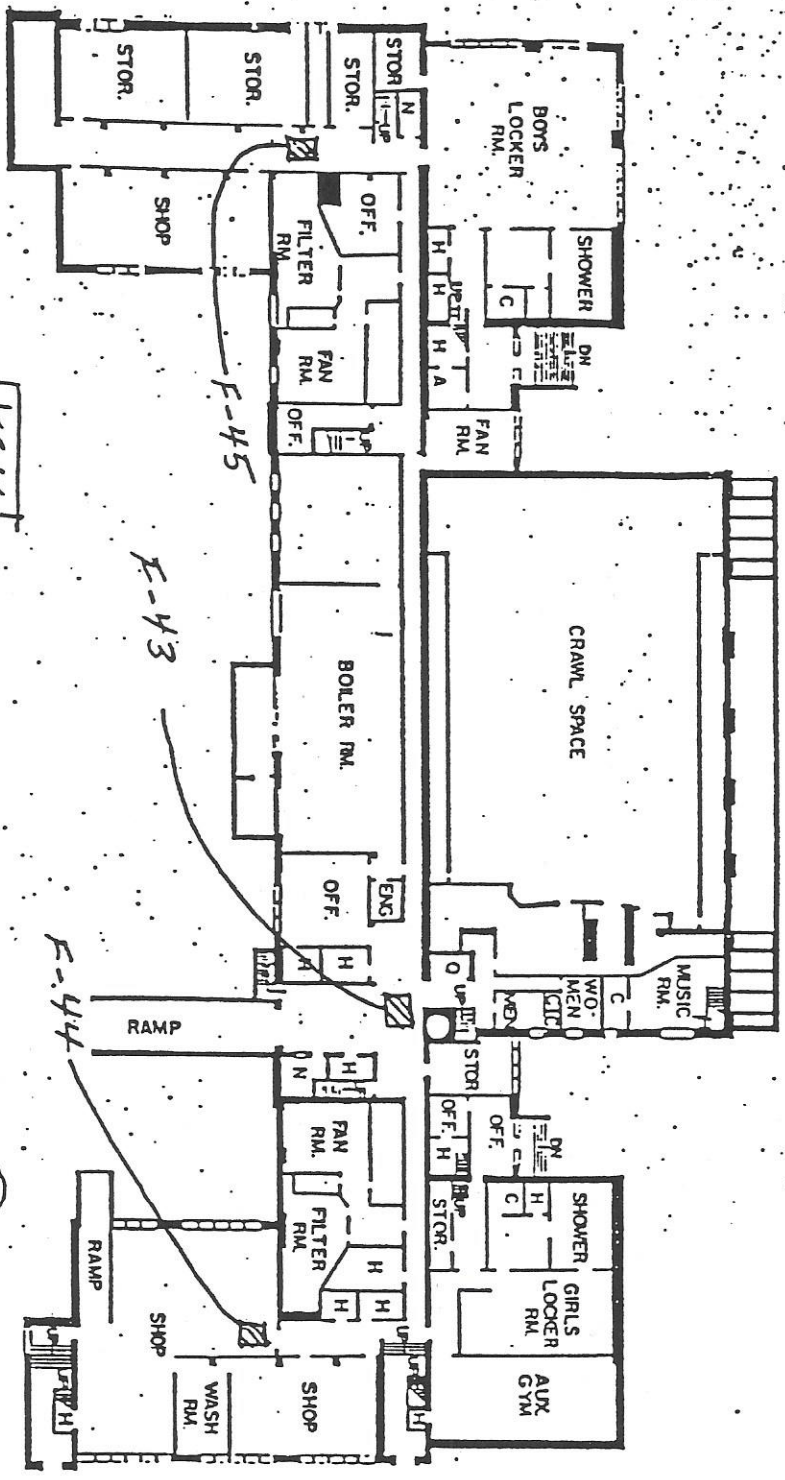
BALTIMORE CITY
 PUBLIC SCHOOLS
 Division of Instructional Services

CURTIS LANTZ, J.L. HERGENROTTER
 J.A. PARVAC, J.C. MALDONADO

333 MARLBOROUGH
 SCHEMATIC PLAN
 AS APPROVED

#456
 11/1/71

LEAD DIST. SAMPLE LOCATIONS



KEY
 [Hatched Box] = WIRE
 [Stippled Box] = SAMPLE LOCATIONS

BASEMENT FLOOR PLAN ELEV. 13.5



- A OFFICE
- B CLASSROOM
- C TOILET ROOM
- D LOUNGE
- E WORK ROOM
- F LOBBY
- G MUSIC ROOM
- H STORAGE
- J RECEIVING
- K LOCKER ROOM
- L INCINERATOR RM
- M JANITOR
- N MECH-ELF RM
- P CONFEREN
- O ELEVATOR

WAPRO-
 EXHIBIT
 INST.
 # 451

CATIMORE CITY
 PUBLIC SCHOOLS
 1233 BALDWIN
 BALTIMORE, MD 21202
 DE WALTER AN
 AS PRINCIPAL

DATE: 1/21/72
 BY: AL WENZEL
 1233 BALDWIN
 BALTIMORE, MD 21202
 414-9444

Lead Dust Wipe Sampling Results
 Hartford Fairmount Institute # 456
 October 10 and 11, 1996

Location/Surface	Results (ug/ft ²)	Location/Surface	Results (ug/ft ²)
Outside Room 359-floor	<12.5	Outside Room 114-floor	<12.5
Blank	<12.5	Outside Room 101-2-floor	13.25
Outside Room 325-floor	<12.5	Room 122-floor	33.7
Outside Room 301-floor	<12.5	Room 122-window sill	13.5
Top of locker #17, 3rd floor, adj. to room 302	99.3	Room 122-window well	126.65
Room 212-floor	45.05	Room 135-floor	14.85
Room 212-window sill	<12.5	Room 135-window sill	<12.5
Room 212-window well	123.52	Room 135-window well	57.85
Room 205-floor	<12.5	Room 137-floor	<12.5
Room 205-window sill	14.55	Room 137-window sill	<12.5
Room 205-window well	36.68	Room 137-window well	29.78
Top of locker #321, 2nd floor, near room 205	1836.0	Room 139-floor	16.75
Room 310-floor	12.5	Room 139-window sill	<12.5
Room 310-window sill	664.35	Room 139-window well	25.48
Room 310-window well	74.58	Room 115-floor	53.7
Room 303-floor	<12.5	Room 115-window sill	<12.5
Room 303-window sill	23.9	Room 100-floor	<12.5
Room 303-window well	30.5	Room 100-window sill	17.0
Outside Room 201-floor	<12.5	Room 110-window well	45.29
Outside Room 222-floor	14.95	Basement, near loading dock-floor	1295.5
Outside Room 257-floor	<12.5	Basement, east wing-floor	1598.25
Top of locker #2199, 1st floor, near room 138	1093.75	Basement, west wing-floor	31325.0
Outside Room 136-floor	<12.5		

* ug/ft² - microgram per square foot
 Samples collected by Sports, Stevens, and McCoy
 HUD clearance guidelines: floor-100 ug/ft²; window sills-500 ug/ft²; window wells-800 ug/ft²