

SHARP Rees-Stealy Medical Group, Inc.

February 6, 2008

Mr. Ramon J. Hirsig, Executive Director
State of California Board of Equalization
450 N Street
Sacramento, CA 94279

REPORT OF TOXICOLOGIC REVIEW OF MOLD GROWTH AND EXPOSURE ASSESSMENT CONCERNS

Dear Mr. Hirsig:

This report is in reference to the recent materials that you provided for my review on February 4, 2008.

In preparation for this report, I reviewed a letter addressed to you, dated "February 1, 2008 (Emailed February 4, 2008)," from Hygiene Technologies International, Inc. (HygieneTech), signed by Mr. Brian P. Daly, CIH, PE. In addition, I reviewed Hygiene Technologies International's Appendix A, Airborne Total Fungi Results, 10-4, Sacramento, California, from January 29, 2008.

The purpose of this report is to respond to any medical concerns that may have been generated by the findings in the break room and surrounding area on the tenth floor of the Board of Equalization (BOE) building on January 29, 2008, as outlined in those documents.

DISCUSSION: As Mr. Daly details in his letter, and as is shown by the sampling that was undertaken, there was evidence of water intrusion in and near the tenth floor break room, No. 1004, of the Board of Equalization building located at 450 N Street, Sacramento, CA 94279. The initial survey of the area performed by HygieneTech on January 24, 2008, involved air samples for total viable and nonviable fungi analyses being collected at varying tenth floor locations, including within the break room; as well as an additional sample being collected outdoors for comparison purposes. The results revealed that all types of fungi found both outdoors and indoors were at expected levels at that time. Specifically, those found outdoors were noted to be consistent with those found at the site in the past, and all data were found to be within expected ranges; and all of those found in the building interior on the tenth floor were found to

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be at low levels that were within expectations in buildings having typical indoor air quality.

Later, after discovering in the late afternoon of January 28, 2008, that some of the vinyl baseboards had been removed at several locations in and around the break room and that several "drying holes" had been created at lower wall surfaces inside the break room (in a manner that suggested appropriate containment was not put into place), HygieneTech returned to collect additional airborne spore trap samples during the morning of January 29, 2008. At that time, *Stachybotrys* spores were found at a level of approximately 10,700 spores per cubic meter, which was considered above-background level. Later, HygieneTech was informed that DGS or their representative had collected one or more air samples within the break room during the late afternoon hours of that same day, January 29, 2008, with results showing unremarkable data.

I agree with Mr. Daly's assessment that the finding of elevated levels of *Stachybotrys* after some "drying holes" were opened in the wall cavities is most consistent with fungal growth from prior water intrusion and not from the recent water intrusion that was the original driving force behind this particular evaluation. I also agree with Mr. Daly's assessment that opening the wall cavities should have been performed under more careful conditions that would have alleviated any issues of contamination of the surrounding environment. The fact that a sample obtained soon after these wall cavities were opened revealed evidence of increased levels of *Stachybotrys* suggests that appropriate containment was not put into place.

However, since only a single assessment on January 29, 2008, obtained after the destructive testing took place, revealed a moderately elevated count of *Stachybotrys* fungi; and since later that same day, one or more additional air samples were collected showing unremarkable data; it is my opinion that there is no reason to expect that this would lead to any adverse health outcomes. I agree with Mr. Daly's assessment that the most likely explanation for the improved findings on that date is that the temporarily increased level of *Stachybotrys* spores was likely removed and dispersed by the HVAC system. Therefore, the moderate elevation was present for only a short period of time and, in my opinion, this situation would not be of any health consequence.

The area at issue was tested both prior to the opening of the wall cavities and subsequent to obtaining the one elevated sample that was performed after the wall cavities were opened. All of the other

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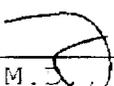
samples were determined to be within normal background levels. Therefore, this is highly suggestive of a temporary, short-term elevation of *Stachybotrys* fungal elements as opposed to any evidence of long-term exposure.

Since the area that was ventilated was small, the level of *Stachybotrys* spores was only moderately elevated, and the time period of elevation was short (based on the normal preceding and subsequent testings), the actual number of spores that would have dispersed in the ventilation system would have been extremely small relative to the large air space that would have been circulated by the HVAC system. Although it is possible that someone who is allergic to *Stachybotrys* and who was in the room at the time of the elevation certainly could have developed some allergic-type symptoms, as stated by Mr. Daly, it is my opinion that the spores that were likely taken up by the ventilation system would have been so limited in number relative to the amount of air circulated, no health consequences would have been expected. I would also note that, although it again is certainly possible that someone could have allergic symptoms in relationship to *Stachybotrys* exposure, the actual likelihood of this has, in fact, not been well documented in the literature. In fact, the more common fungi such as *Alternaria* and *Cladosporium*, which are among the fungi with the highest levels typically recorded in outdoor air, have been much more rigorously associated from a scientific standpoint with allergic-type symptoms.

In summary, although I completely agree with Mr. Daly's assessment that there are some issues with the manner in which the wall cavity was evaluated relative to the consequent lack of appropriate containment, I would not anticipate any substantial health consequences from this situation/exposure.

Please feel to contact me should there be any further questions or concerns.

Signed and dated this 8th day of Feb, 2008, in San Diego County, California.


STEPHEN W. MUNDAY, M.D., M.P.H., M.S. (Toxicology)
Chief of Preventive and Environmental Medicine
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