
BioMax Environmental
Environmental Consulting and Industrial Hygiene Services

January 15, 2008

Mr. Lane Webb
Wilson, Elser, Moskowitz, Edelman & Dicker LLP
655 West Broadway, Suite 900
San Diego, CA 92101

Ceiling Tile Inspection and Management Procedure Addendum
Department of General Services Board of Equalization Building
450 N. Street
Sacramento, California

Dear Mr. Webb,

As per your request, BioMax Environmental, LLC (BioMax) is pleased to provide you with this addendum pertaining to the procedures required during the building wide inspection and removal/replacement of stained ceiling tiles identified within 450 N. Street, Sacramento, California (subject building) as currently occupied by the Board of Equalization (BOE). This addendum supplements our previously provided report entitled **Ceiling Tile Inspection and Management Procedure, dated December 17th, 2007.**

BioMax understands that these supplemental addendum procedures have been requested by your offices at the direction of the Department of General Services (DGS), in support of the forthcoming efforts centered on the identification, removal, and replacement of previously stained and/or damaged acoustic ceiling tiles to be performed by DGS's selected mitigation contractor.

Hence, in response to specific requests made by DGS following the recent water intrusion events, BioMax proposes the following supplemental procedures for consideration and appropriate implementation at the direction and approval of the DGS:

1. A mitigation contractor shall be selected and contracted to perform the activities specified in the previously referenced December 17th, 2007 ceiling tile removal procedure document. BioMax currently understands that JLS Environmental Services Inc., has been selected by DGS to perform such activities at this time. The selection and coordination of such third party contractor is intended to preclude existing DGS and/or BOE building Operations and Maintenance (O&M) personnel from performing such activities.
2. Any abandoned ceiling tiles discovered within the ceiling plenum areas as part of this activity shall be recorded on the formal ceiling tile record sheet (CT Record Sheet) wherein its

DGS-MP000047

location and condition are both noted, referenced on a site map, and digitally recorded. Upon such discovery, the site Project CIH (Mr. Polkabila / BioMax) and Hygientech representatives (BOE's environmental consultants) shall also be notified so as to allow for appropriate review and potential physical sampling of such materials, as deemed necessary. Following this review and any subsequent sampling, all identified abandoned ceiling tiles shall be disposed in accordance with the previous referenced protocol.

3. The discovery of any currently wet and stained acoustic ceiling tiles shall also be reported to BioMax and Hygientech representatives for similar appropriate review and potential physical sampling of such materials, as deemed necessary by BioMax and/or Hygientech". Following a similar review and any subsequent sampling, all identified wet ceiling tiles shall be removed and disposed in accordance with the previous referenced protocol.
4. Unless deemed as an emergency action, any replacement procedures/activities performed within occupied areas must be undertaken after normal BOE inhabited hours. Such removal performed by JLS shall be followed by a thorough clean-up procedure using HEPA vacuum equipment and wet-wipe particulate control and removal methods. All proposed procedures including documentation, removal, AND replacement activities noted and referenced above must be performed during a single non-occupied period, wherever feasible.

BioMax believes that the proposed supplemental procedures outlined above provide additional precautionary safeguards during the performance of inspection and removal methods associated with the replacement of stained acoustic ceiling tiles identified within the BOE building. Such additional protective measures have, therefore, been developed to supplement standard industry practices and prudent building maintenance methods during the performance of these specific activities.

If you have any additional questions, comments, or require further assistance regarding this important matter please do not hesitate to contact me directly at (510) 724-3100.

Sincerely,



Michael A. Polkabila, CIH, REA
Vice President, Principal



DGS-MP000048

LIMITATIONS:

Please note that the professional opinions presented in this review are intended for the sole use of the California State Department of General Services (DGS) and their designated beneficiaries. No other party should rely on the information contained herein without the prior written consent of BioMax Environmental and DGS. The professional opinions provided herein are based on BioMax's review and understanding of current site information and observed site conditions present within the areas inspected at the time these services were performed. Professional recommendations provided as part of this limited scope of work are intended for client consideration only and are not intended as a professional or regulatory mandate. Implementation of any of the above measures or recommendations does not, in any way, warrant the day-to-day health and/or safety of building occupants, residents, site workers, nor regulatory or building code compliance status during normal and changing environmental conditions. As microbial contamination, by nature, may change over time due to additional moisture intrusion, favorable growth conditions, and changing environments, the findings of this report are subject to change in the event that such conditions and/or environments arise. Also, the professional opinions expressed here are subject to revision in the event that new or previously undiscovered information is obtained or uncovered.

The information contained in this and any other applicable communication is for consideration purposes only. It is not intended, nor should it be construed as providing legal advice or warranting any level of safety or regulatory compliance. The sole purpose of such information is to assist with the anticipation, identification, evaluation and control of elevated and/or unnecessary health of physical hazards. Any action taken based on this information, including but not limited to opinions, suggestions and recommendations, whether implied or expressed, is the sole responsibility of the individual taking the action. The management of acceptable health and safety is criteria dependent and situation specific in nature, therefore requiring extensive knowledge and prudent value assessments so as to be properly determined and maintained.

These services were performed by BioMax in accordance with generally accepted professional industrial hygiene principals, practices, and standards of care. Under the existing Industrial Hygiene Definition and Registration Act, all reports, opinions or official documents prepared by a Certified Industrial Hygienist (CIH) constitutes an expression of professional opinion regarding those facts or findings which are subject of a certification and does not constitute a warranty or guarantee, either expressed or implied.

DGS-MP000049