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October 2, 2000

Dr. Linda Rosenstock, M.D., M.P.H.
Director, NIOSH
Hubert H. Humphrey Bldg.
200 Independence Ave., SW, Room 715H
Washington, DC 20201

Dear Dr. Rosenstock,

I have only recently been informed that you may not be fully aware of the information contained in the enclosed documents. Thus, I am ethically obligated to bring this information to your attention. I was terminated as a Safety Engineer, before the end of my probationary period on June 16th of this year. The termination is a related but separate issue that is being addressed independently of this letter. I am using this opportunity to advise you of my technical concerns pertaining to the administration of the Fire Fighter Fatality Investigation and Prevention Program in Morgantown, West Virginia.

On February 7th I shared these and similar concerns with Ms. Dawn Castillo during what I believed to be a privileged "mid-year review" session. On February 14th, Ms. Castillo again met with me, whereupon she furnished me with a copy of a memorandum, which she refers to as "Performance Guidance." I cannot fathom that Ms. Castillo wrote this memorandum without the knowledge, advise, and consent of the Director and Deputy Director of the Division of Safety Research, (DSR), Dr. Nancy A. Stout and Mr. Tim Pizatella respectively. Only one illustration of the my technical concerns stemming from the memorandum of February 14th is;

"Other examples are your insistence on gathering exact measurements of the burned area of a fire hose in the xxxxxx investigation in January, as this information is not necessary for describing the chain of events, and the specifics and shape of the turnout gear and clothing, as it is unlikely this information will have implications for recommendations for the prevention of future similar events."

- First, the failure of a fire hose during a fire attack places the crew in a critical predicament. (Failure of a tool.)
- Secondly, during my brief visual inspection, I took note this gear may have been the subject of a recall, due to concerns with a protective layer within the garment; something that warrants further investigation. (Failure of Personal Protective Equipment.)
- Lastly, fire fighters involved during the initial fire attack and subsequent rescue do not report hearing an activated PASS device. A PASS device is indented to assist others locate and rescue a fire fighter in distress. Another issue that warrants further investigation. (Failure of Personal Protective Equipment.)

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The remainder of Ms. Castillo's memorandum can only be taken by those who read it; as direction to minimize the investigations to generic, non-specific issues that frankly have been well documented by the fire service to date. Clearly, this memorandum is misguided, not what Congress intended when these funds were appropriated and does not inspire the caliber of work product that NIOSH is capable delivering.

When Ms. Castillo prepared documentation for Mr. Joseph R. Carter, she discounted the information contained in the event matrix. This matrix specifically documents and organizes considerations such as, but not limited to, other equipment failures and shortages, (i.e. lack of spare air cylinders, inadequate communication equipment). I repeatedly attempted to advise, Ms. Castillo the matrix is a precursor to an event time line, which when collaboratively evaluated, can be used to identify specific contributing factors and buttress definitive recommendations.

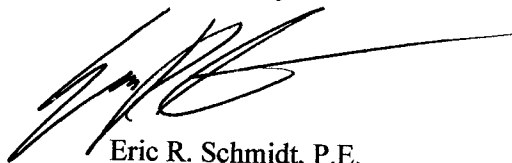
Ms. Castillo never substantiates her position outlined in the February 14th memorandum. Nor did she ever afford me the chance to explain any of these issues during any form of a mutual information exchange in a professional setting. Continued defense by CDC/NIOSH of this memorandum and subsequent documentation prepared by DSR is going to significantly undermine the credibility of CDC/NIOSH within the Fire Service Community.

This is but only one example where the managers of this Program in Morgantown repeatedly instruct staff to omit critical facts because of "*potential liability to the program.*" These managers have shown little, if any regard, for the fact that fire fighters will continue to actually suffer injuries and death in part because NIOSH fails to document critical aspects of these incidents.

I know your time at NIOSH is short, but this situation warrants your attention. In closing, simply put, this is nothing less than a betrayal of public trust, an abuse of process, and wrongful discharge of powers.

Dr. Rosenstock, I truly hope that you seize this opportunity to review this situation by way of a clear and impartial point of view with the goal to ensure that NIOSH provides the most accurate information to the American Fire Service.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eric R. Schmidt', with a long horizontal flourish extending to the right.

Eric R. Schmidt, P.E.

Enclosures