

Subj: What Next?
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Just to bring us all up to date...

I spoke to Chief Mullen and he said that they are going over our draft report, section by section, to see if they understand and agree with what we are telling them. He figured they would need about a week, then we could plan the next moves, which would include any final adjustments prior to official delivery of that document. In the meantime they will call if they need clarifications.

The only question right off the top was about replacing the training staff. I explained the part about giving them an option for a public execution. He understands, but there seemed to be some high level organizational concern.

I am anticipating that we will be able to do any final finishing by e-mail and conference call. If there is anything that needs to be amended or updated, we should send it now. I know that Brian has some revisions to the staffing figures. Let's forward them to Chief Mullen.

Kevin and I are moving ahead with the direct investigation phase. We are planning to go to Charleston next Friday to Monday to do some interviews of the firefighters. (I hope they will have finished their review of the draft by then.)

In the meantime, we should all continue with anything that was planned regarding direct implementation assistance.

As for the OSHA action and reaction, it was all very predictable. We shouldn't be surprised by the Mayor's reaction, in spite of our advice to the contrary. The good news is that he keeps on announcing that they will implement whatever we recommend and the records of those statements will not go away.

We have to be careful about staying on target, especially if anyone asks for our opinions on the OSHA violations. If the Mayor asks for my comments he will get them — but he definitely won't like them. They will be making a big mistake if they ask for an opinion in writing, because they will have a discoverable document that they do not want to have discovered. My recommendations would start with suspending Rusty and Garvin for failure to comply with the protective clothing regulations while failing to enforce them. (Pete...could you put a positive spin on that news?)

When our report on the investigation comes out, they will wish the OSHA guys would come back and throw another nerf ball at them. Let's not blow it by firing prematurely.

If folks are getting anxious waiting for our investigative findings, just whisper that it will be worth the wait. OK?

Thanks

JGR

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