

July 13, 2023 - Question from town hall

1. From Azusena Aguillar at DDS: Has every water outlet been tested?
 - a. No, because testing all fixtures is not industry standard. Representative sampling is used to evaluate the building's water system.
2. You stated that an email address is in the chat. There is nothing in the chat as it is disabled. Can you add the email address please?
 - a. SDMissionValleyBuilding@dgs.ca.gov
 - b. commsquestions@cdph.ca.gov
3. Please post the link to the DGS website, the one I have no longer works. Thank you.
 - a. <https://www.dgs.ca.gov/FMD/Resources/Page-Content/Resources-List-Folder/Legionella-Action-Plan>
4. From Adriana Urena at DDS: Would the bacteria cause any other symptoms or long-term illness?
 - a. Most healthy people exposed to *Legionella* do not get sick. Some people may have milder symptoms if exposed to the bacteria, and when some people (usually those [at higher risk for disease](#)) do become infected and get Legionnaires' Disease, it primarily causes cough, fever, and shortness of breath. As with other forms of pneumonia there can be other symptoms present as well, so it is important to consult with a healthcare provider if you are experiencing symptoms. Most people with Legionnaires' Disease do fully recover with antibiotic treatment. We don't usually associate Legionella or Legionnaires' Disease with long term symptoms."
5. What locations did you find Legionnaires, recently?
 - a. The most recent sampling results (7/6) are not available yet. Reports from all other sampling events have been posted to the Legionella Action Page, and when we have those results we will share updates.
6. If final results haven't been produced, and there is still the presence of LD in some sampled areas, why are people still allowed in the building?
 - a. Megan Canright: "So I want to be clear, the final results are available for both the May and the June rounds of sampling, those rounds of sampling, and the vast majority of the samples collected as part of those sampling events were non-detect, Legionella was

July 13, 2023 - Question from town hall

not identified in those samples and the majority of samples. The areas where *Legionella* was detected have been addressed with the recommendations that were implemented, so cleaning and disinfection or replacement of fixtures, etc. We consider those positive areas that were identified to be addressed with a control measure. There are the sample results from the July round of sampling that are still pending. It does take the laboratory about 2 weeks or more to provide us with final sample results and so we do have to wait for those sample results in order for us to be able to evaluate the data and make recommendations, that is the industry practice that is very common and that is how these investigations are commonly performed. At this point, again, based on the May and June sampling events which are final, and given that those areas that had positivity have been addressed with the corrective actions, we consider the building able to be occupied. That is in line with industry guidance from the Centers for Disease Control, from the American Industrial Hygiene Association and from an organization called ASHRAE."

7. Can you address suite 108. Any sampling conducted there?
 - a. Suite 108 has been covered through representative sampling. The fixtures have been replaced in this suite along with others per the recommendations from FACS.

8. How do the lab results at Mission Valley compare to other buildings?
 - a. Results vary from building to building. It is not uncommon to find *Legionella* bacteria in office buildings. In a study in office buildings in the U.S., researchers found *Legionella* present in 35% of office building taps tested. Decreased occupancy and water usage during and after the COVID-19 pandemic may be contributing to increased *Legionella* detections during sampling of this office building. However, it is rare to have infections or Legionnaires' disease, even if the building is found to have detections of the *Legionella* bacteria. For inquiries regarding other buildings owned by DGS, please work with your department to contact the building management with your inquiry.

9. What about Suite 107? Was that a broken pipe or LD?

July 13, 2023 - Question from town hall

- a. The water intrusion that occurred, which affected suite 107 is not related to Legionella bacteria. The leak has been repaired.
10. Also, is there an increased risk of exposure with the flooding of suite 108.
- a. No, the water intrusion that occurred does not increase risk of exposure to Legionella bacteria. Work to remove the moisture was done while sealing off the affected areas to prevent potential contamination of other areas. Again, the risk of Legionella infection is usually when water with Legionella is aerosolized and people inhale the infected water.
11. Why is the building open to some suites and closed to others?
- a. The building is open to the public and all tenants. The only areas that may be temporarily closed right now are areas affected by the water intrusion which is being remediated and will be reopened soon if those areas have not already.
12. Mr. Jemahl Amen mentioned weekly testing, but the last presenter referenced testing monthly. Which is the correct testing schedule?
- a. Jemahl mentioned the testing is monthly and that is consistent with FACS sampling schedule.
13. When an issue occurs in the building can the building manager notify the different departments versus waiting for an email from Sacramento?
- a. Building management works with affected departments based on the issue. Depending on the issue, guidance from Sacramento may be necessary.
14. I think we would like to know the areas that still show the presence of Legionella bacteria.
- a. Reports that show positive results are available on the Legionella Action Plan webpage. The most recent testing (7/6) results are not available yet, but will be shared once we have them and expert interpretation is available.
15. Where do we find the Legionella action page?
- a. <https://www.dgs.ca.gov/FMD/Resources/Page-Content/Resources-List-Folder/Legionella-Action-Plan>

July 13, 2023 - Question from town hall

16. Can a person who is infected with LD spread it to others like co-workers or young babies at home?
 - a. Sarah Rutschmann: "Legionnaires' Disease is not transmissible person to person. I think there is perhaps one documented case in the literature in all of time, so we can't say that it has never happened, but Legionnaire's Disease or Legionella bacteria is transmitted by individual people inhaling contaminated aerosols and is not considered to be transmissible person to person."

17. If there was a flood in a suite that has been vacant, is there a possibility of contracting the disease?
 - a. No, the water intrusion that occurred does not increase risk of exposure to Legionella bacteria. Work to remove the moisture was done while sealing off the affected areas to prevent potential contamination of other areas.

18. Will those areas that tested positive be retested? If so, how frequently?
 - a. The areas that are positive are re-sampled in the following sampling events to ensure that the remediation has been effective.

19. A suite was recently flooded with water. What are the risks associated with a Legionella exposure as the suite is still being remediated and has a humid atmosphere.
 - a. The work that was done utilized dehumidifiers as well as sealing affected areas to prevent contamination of other areas. There is no risk of Legionella from the work being performed to remediate the water intrusion.

20. Why the delay in posting results, they should be ready in a week?
 - a. Lab results are generally returned 2 weeks after sampling. FACS will then write a report that provides recommendations. This report must be made ADA compliant before posting to the Legionella Action Plan webpage.

21. Is today's presentation available?
 - a. Yes, today's presentation is being recorded and has been posted on the DGS website.

July 13, 2023 - Question from town hall

22. From Christine Poole at DDS: There was a San Diego County resident who worked as a plumber who passed away from Legionnaire's. Was this individual in our building or did he do any work around our building?

- a. Sarah Rutschmann: "I wanted to start by saying, from a public health standpoint, we really don't share information about individual patients; these data are protected by law. What I can say is that we are closely monitoring this situation, with all potential reports being investigated both at the local health department level and also at CDPH for any links to the building. Thus far there have been several other reports that have been closely investigated and none of those have returned potential links to this building. We still only have one instance of which we are aware of a confirmed case-patient having a direct link to this building.

23. Is the building opening to all suites soon?

- a. The building is open to public and all tenants. Affected areas from the recent water intrusion may be temporarily closed while remediation is completed.

24. You may not typically associate legionella with long term symptoms, but I happen to personally know the employee who contracted it at the Metro site, and they are expected by their doctors to have permanent health problems as a result. Do you plan to acknowledge this in any of these briefings?

- a. We cannot comment on the medical situation of individual people. We can describe the usual course of Legionnaire's Disease, which does not usually cause chronic illness.

25. From Amber Hopkins @ DSS: why do the second-floor ladies employee RR have filters on them, but the downstairs do not?

- a. All faucets have filters attached and have been replaced. On the majority of the fixtures the filter is located under the sink.

26. It's very concerning that low amounts of Legionella were present in fountains on the collection of June 6, 2023, as we are drinking out of those faucets.

- a. Megan Canright: "We did collect samples from several locations, drinking fountains were one of those locations in the June 6th round of sampling. Again, we are collecting from select drinking fountains but when recommendations are made, they there are extended to

July 13, 2023 - Question from town hall

all representative fixtures. The recommendations we made in response to those samples were to perform cleaning and disinfection of the drinking fountains. That was implemented, the cleaning and disinfection of the drinking fountains was performed. I also want to mention that drinking water is not a primary route of exposure for Legionella. The bacteria exposure occurs from inhalation of aerosols that are created when water that has bacteria is inhaled. So drinking water is not considered a significant risk factor with respect to exposure. That said, we still provide recommendations and address all areas where there is positivity. Because there were some samples that were positive for drinking fountains, all the drinking fountains were cleaned and disinfected as part of our recommendation."

27. What results would close the building again?

- a. Sarah Rutschmann: "I just want to bring back this idea from my slides, which is that, building closures are really, really not common for Legionella contamination. This is not something we see done routinely. As such, there aren't really clear criteria for what would constitute the need for that. Such a recommendation would depend on a number of different factors, including the assessment of whether there's ongoing risk at the building, if there's substantial risk for additional cases, or if the risk cannot be mitigated. This building, when it was closed, was done so electively by DGS out of an abundance of caution and pending consultation with public health."

28. What about the recent flooding of our building and the ramifications of that?

- a. The recent water intrusion is not related to Legionella bacteria. There is no risk of Legionella bacteria to tenants as the work was done to prevent potential contamination of other areas.

29. There was a water break in Suite 108 and the suite was flooded on July 5th. The remediation from the flooding is ongoing and the suite is hot and humid due to drying equipment. If the water is contaminated with legionella bacteria, what is the risk of legionella growth and/or exposure in the suite where the water flooded? Can legionella grow in carpets/walls impacted by contaminated water?

July 13, 2023 - Question from town hall

- a. There is no risk of growth or exposure to Legionella bacteria relating to the water intrusion in suite 108.
30. Is there a follow up investigation into where the person with Legionnaires disease acquired the infection (i.e., state building or other place)?
- a. Sarah Rutschmann: "For cases reported to public health, local health departments attempt to follow-up with the patients, which includes a series of questions to understand maybe where a person would have been exposed. In the overwhelming majority of cases, we are not able to hone in on exactly where a patient was exposed. The reason for that is because Legionella are all over the place in the environment and naturally occurring. Often people would have had many different potential exposure locations during their exposure periods. This is part of our routine follow-up for all cases that are reported. We're rarely able to definitively confirm where someone was infected."
31. From Valerie MichelottiMD @ DDS: what is the DPH recommendation for people at increased risk?
- a. Kristanna Rivera: "Those circumstances are very individual, and our recommendation would be to consult with the health care provider and then work with your department through HR and management as far as any actions that need to be taken based on your individual circumstances."
32. There was a San Diego County resident who worked as a plumber who passed away from Legionnaire's. Was this individual in our building or did he do any work around our building?
- a. This was answered live from a previous question (#22)
33. Why do the second-floor ladies employee restroom have filters on them, but the downstairs do not?
- a. All faucets have filters attached and have been replaced. Most of the filters are located under the sink.
34. What is the DPH recommendation for people at increased risk?
- a. Live answered, see #31.
35. If an area is addressed, does it automatically mean that the measures taken were successful? We returned to the office after specific areas (2nd

July 13, 2023 - Question from town hall

floor women's restroom) were treated but no further testing was performed to verify that the measures taken actually worked.

- a. Megan Canright: "When a sample is identified as having positivity, having positive Legionella detection, the recommendations that we make are extended to all fixtures, so even if the fixture itself is not tested it has been subject to the same control measures based on the representation of the sample results. For the bathroom fixtures, those are the automated fixtures, because some of those fixtures were positive, all the fixtures have been either cleaned/disinfected or replaced. In addition, for those specific bathroom fixtures, there is an in-line filter that is present underneath the sink that filters both the hot and cold water going into the fixture. Anything after that filter has been replaced. So, at this point, and the only way Legionella can get into the water system is the incoming water system, we consider those fixtures to be remediated. That said, we are performing follow-up sampling and did perform some follow-up sampling in the July round to validate that those control measures were effective. Again, because the filter is in place, all water that comes into that fixture and those fixtures that represented by the automatic fixture type have been replaced and that in-line filter provides filtration through the point of use to that fixture."
- b. Clarification: when remediation/recommendations have been implemented, representative Legionella testing is performed on similar fixtures to validate that the recommendations/remediation were effective in reducing Legionella concentration. When that representative validation testing demonstrates that remediation is effective, all similar fixtures that were subject to those recommendations are considered remediated. Furthermore, in-line filtration, point-of-use filtration, or both are in place at all fixtures within the building. These filters are in place to prevent potential occupant exposure until the building can be deemed remediated. If a fixture has been replaced, that fixture is considered remediated. Legionella can be present, typically in low levels, in many water systems, including the public water supply. The only way for Legionella to enter building potable water systems is through the public water supply. Once in the building potable water system, they can grow when the right conditions are present. Legionella requires water to survive and would not be present in a new, newly installed fixture. Thus, replaced fixtures are considered remediated.

July 13, 2023 - Question from town hall

36. When does DGS expect to have the Water Management Plan complete and fully implemented?

- a. DGS is working on establishing a contract with FACS to develop the Water Management Plan. This is a top priority contract.

37. Would a face mask protect you against legionella while using water/bathroom facilities etc.?

- a. Dr. Duc Vugia: "In general, mask use has not been recommended at all for protection against Legionella. The issue to address is really to prevent having Legionella in the water system or to have a good water management plan. This building, as you've heard already from Megan and others, has remediation efforts that have been ongoing (testing, flushing, etc.). By now, there should be no need for mask use of any kind anywhere in the building." Please see the response to question #49 below. Respirators (e.g., N95 masks) can reduce inhalation of aerosols and could be used by persons who are concerned.

38. What are the acceptable/safe level of positive findings?

- a. Megan Canright: "So there is no known dose response for exposure to Legionella and subsequent illness. The guidance that we have, and this is industry guidance from the Centers for Disease Control, the American Industrial Hygiene Association, and the American Society of Heating Refrigerating and Air Conditioning Engineers. These organizations have published guidance on how to interpret samples that are based on risk, and it's based on risk of the growth of the organism because, again, Legionella is a naturally occurring bacteria. We expect there to be Legionella at some level in most water systems. What we're trying to control is the growth of the organism in the water. The interpretation criteria, they are not health-based interpretation criteria. They are based on whether there is risk of the organism growing in the water. That guidance is multi-faceted. We not only look at the concentration of the bacteria in the samples, but we look at the change in concentration over time. What the sample results look like from period to period? As we're sampling forward in time, we also look at the extent of the positivity, how many of the samples were positive and how many were non-detect? Finally, we look at the types of Legionella that were identified, in terms of the species or kind of Legionella. In terms of the concentration, whenever we find

July 13, 2023 - Question from town hall

detectable concentrations, we want to investigate further. Just because the sample is detectable, it doesn't mean it is necessarily actionable. We look at all detections as something to investigate further. We want to know why there could be potentially results that indicate growth could be occurring. Again, the vast majority of the sample results from the post-remediation, May and June sampling, were non-detect. Those areas that were positive, again, were localized areas where we think there could be local contamination. They do not represent systemic contamination of the hot and cold water system. That is where concentration comes into play. In terms of the change in concentration over time, we are seeing again consistent non-detects for the vast majority of the sample results which indicates a low positivity. The extent of samples that are positive are low. Finally, the types of Legionella that are identified, and Dr. Nguyen may have mentioned this previously, but Legionella Pneumophila serogroup one is the organism that is primarily associated with illness in Legionnaire's Disease. We have not identified Legionella Pneumophila serogroup one in any of the samples collected.

39. Why didn't DGS install a continuous secondary disinfection system to inject disinfection into the hot water system as recommended by Garratt Callahan in the May report?
- a. DGS did not install a continuous secondary disinfection system as the levels of disinfectant shown in samples from the point of entry are sufficient, and within industry standards, and flushing fixtures to move water throughout the building water system is the best way to move this disinfectant throughout the building water system.
40. From Adriana Urena @ DDS: what are the acceptable/safe level of positive findings?
- a. This question was previously answered live. We rely on industry best practice and guidance from CDC, AIHA, and ASHRAE to interpret Legionella samples. This guidance is based on risk of growth of the bacteria in building water systems. Samples are interpreted, not just on concentration, but also on extent of positivity, change in results over time, and types of Legionella identified. FACS has made recommendations to address positive samples in accordance with that guidance. Those recommendations have been implemented. As an added measure of precaution, filtration is also in place at

July 13, 2023 - Question from town hall

fixtures that are represented by positive results.

41. Are CDPH staff in suites 104 and 211 returning to the building?

- a. Dr. Rita Nguyen: "I wanted to clarify that CDPH staff, just like the rest of the other occupants of the building, have received the same message that the risk related to Legionella infection remains low for individuals, and thus the building is open. When subsequent testing shows that the Legionella growth in the building's water system is well-controlled, per CDC guidelines, we'll send out a follow-up message to that effect with the expectation that requests for telework related to Legionella concerns won't be needed at that point. We'll coordinate with DGS to make sure all building occupants receive the message."

42. Do you know the serotype of legionella for the patient from the Mission Valley building?

- a. Dr. Duc Vugia: "Due to patient confidentiality, I cannot disclose exactly what test was done. I can tell you in general that in testing of patients by doctors, there is what is called a urinary antigen test, which tests the urine for only one type of Legionella, Legionella Pneumophila serogroup one. It is most likely that all cases that identify the Legionnaire's disease that are reported to the county or the state, have the Legionella Pneumophila serogroup one. I'll take the opportunity to say also that in the testing to date in this building (and Megan can confirm this), they have not identified Legionella Pneumophila serogroup one in the tested water. "

43. Is there a plan for changing filters?

- a. DGS plans to replace the filters within the 6-month lifespan of the filter.

44. Have breakroom faucets been sampled as we do have employees filling their Brita's for water consumption., and there is the possibility of accidental inhalation while drinking.

- a. Representative breakroom sinks are included in the sampling plan each sampling round. All breakroom fixtures are also fitted with in-line filters under the sink. All breakroom fixtures were replaced by 7/6/2023.

July 13, 2023 - Question from town hall

45. The breakroom faucets on the 3rd floor were recently replaced or fixed on 06/29...does that mean there was a recent positive test to warrant changing those fixtures?
- a. FACS recommended all faucets were replaced in the building as a preventative measure.
46. Please explain why the CDC's website states that "There are no acceptable levels of Legionella in buildings" and why you state that the low levels found in recent testing are ok.
- a. Megan Canright: "I want to reiterate, when we are collecting samples and interpreting sample results, we are relying on the CDC as guidance to interpret the risk associated with those samples. Anytime there is a detection, we look at that detection in the context of all of the sample results. We have made recommendations to address areas that have been positive. It's not that those positive areas have been left unattended. There have been recommendations that have been implemented to address those positive results. DGS has implemented those recommendations. The guidance documents that CDC publish and other organizations publish, those interpretation criteria are not based on what's acceptable for health or not. The only tools that we have available are interpretation for evaluating whether Legionella is amplifying or growing within the building. The majority of the samples that we have collected have indicated that Legionella is not growing within the systemic system. There are a couple areas that have been positive, and those areas, local areas have been addressed with recommendations."
 - b. Clarification: Corrective actions as recommended by FACS have been implemented for all fixtures and locations with positive Legionella results. Those corrective actions were also implemented at similar fixtures that were not tested. Additionally, filtration is in place at all fixtures and will remain in place to prevent potential exposure to Legionella until the building is considered fully remediated. Filtration is an appropriate interim control measure that provides immediate control where there is potential for exposure.
47. N95 actually IS recommended for ALL aerosols. I strongly disagree with the recommendation that there's no need to mask.
- a. Dr. Duc Vugia: "This is true only in the setting that if there are aerosols that may contain bacteria or viruses, as with COVID-19 . In

July 13, 2023 - Question from town hall

this general setting, it's down to the individual's level of comfort. Some people prefer to use their N95 when they are in a setting where the risk of COVID transmission may still be there. In this particular situation, I would say again that the risk of exposure to Legionella has been minimized given all the remediation efforts. There is no need for a mask, but if anyone feels that they would feel safer wearing an N95 mask in a setting like in the bathroom facility or anywhere, that is an individual option that they may exercise. But there is minimal risk given everything that has been done."

48. Can you explain why there is no risk associated with the recent flood event?
- a. Legionella bacteria requires water to grow. The area affected by the water intrusion has been remediated. Dehumidifiers were used to draw water from the building materials and the affected area sealed off to prevent potential contamination of other areas during that process. Again, the risk of Legionella infection is usually when water with Legionella is aerosolized, and people inhale the infected water.
49. When are you expecting the July results?
- a. The final report for July testing has been received and is in ADA-remediation prior to posting on the webpage.
50. FACS recommended replacement. Were the all the fixtures replaced per the recommendation?
- a. Yes, all fixtures that were identified under representative sampling have been replaced as of 7/6/23.
51. Respectfully, Bryan Landis's reply, is nonresponsive. FACS recommended replacement of all fixtures. Were all fixtures replaced?
- a. All fixtures in the building have been replaced as of 7/6/23.
52. For DGS specifically, can notification be sent out to tenants from the Building Manager? My concern is that the gaps in notification are addressed should there be any future incidents.
- a. Due to the sensitivity of this situation, DGS leadership provides communication to all tenants to ensure the same information is

July 13, 2023 - Question from town hall

being provided.

53. Thank you for the education provided, however, based on the communication when this all started (4/11/2023) and the updates, you have to understand the hesitancy of staff trusting the information provided. As regards to the closure of the building is taken into consideration, there was one (1) office who were told to be in the office. This is an example of trusting your evaluation of the building. Thank you.
- a. Dr. Rita Nguyen: "We just want to reiterate, that in an abundance of caution, DGS closed the building while public health made an assessment. When we made the full assessment, our recommendation was that the risk was low and thus the building did not need to be closed."
54. How often are filters changed?
- a. The filters have a maximum life of 6 months. DGS plans to replace the filters within that 6-month lifespan.
55. The second-floor men's Restroom faucets were changed from low profile to long/goose neck - are there plans to change out the other restroom faucets as well?
- a. The remaining faucets have been replaced with low-profile faucets and the in-line filters provide exposure control from Legionella bacteria.
56. Flushing the toilet would be a risk for inhaling aerosolized Legionella.
- a. Toilets are considered low risk fixtures. Please see answer provided to question #63.
57. Do you anticipate continued positive results in the future?
- a. Megan Canright: "It's not possible to anticipate or guess whether the positive results could be present in the future. What we do know is that the industry guidance points us to implementing control measures and we evaluate the efficacy of those control measures that are implemented with sampling. As I mentioned, these recommendations that we've made, DGS has implemented them. We have been performing monthly sampling and are in the process of performing continued sampling until we can determine that the building is well controlled, that those filters can come off and we can return to normal use. That is in alignment with the industry

July 13, 2023 - Question from town hall

standard of care and what is done for most building when Legionella is detected. So, while I can't anticipate if there will be positive results in future sets of samples, I can tell you that we use those samples to validate the control measures that were implemented are effective. Additionally, we are in the process of working with DGS to implement longer term water management practices, and we do know that when those longer-term water management practices are implemented, that the risk of Legionella amplification in the building significantly decreases. "

58. Have any other state buildings had legionella detected in levels comparable to ours?

- a. Results vary from building to building. It is not uncommon to find Legionella bacteria in office buildings. For inquiries regarding other buildings owned by DGS, please work with your department to contact the building management with your inquiry.

59. Was testing done on toilet commodes in the bathrooms?

- a. Megan Canright: "Toilets are indicated in industry guidance as low risk fixtures. There are a couple reasons for this. One is that they are fed by cold water, which is typically at lower risk for Legionella growth, Legionella likes, as Sara mentioned, a warmer temperature to grow. And additionally, there is a negative pressure, the water is flushed down the toilet with a negative pressure, so the release of aerosol is less likely from a toilet. Given that, we focused our testing on fixtures according to that guidance and in accordance with industry best practice on fixtures that have a moderate to high risk."

60. From the last reports, have the chlorine levels been adjusted to be therapeutic? Also, has the hot water temperature (storage tank and point-of-use) been adjusted to meet industry and AIHA recommendations?

- a. The disinfectant comes in from the municipal water supply, DGS does not have control over the levels which have consistently shown to be within water quality standards. DGS is following recommendations from FACS and in cases of hot water temperatures that are below recommended levels, building management is investigating causes for the lower temperatures.

July 13, 2023 - Question from town hall

61. It should be work comp. My doctor refused to see me because of that. Also, the DGS website link isn't working.
- a. Consultation with a physician regarding personal health history and whether you are at higher risk of Legionnaire's disease is not a workers compensation covered action. If you have questions about your personal risk level, it is recommended you consult with your personal physician. If your personal physician is unable to provide a consultation, please reach out to your department HR Office to see what other medical options might be available.
 - b. <https://www.dgs.ca.gov/FMD/Resources/Page-Content/Resources-List-Folder/Legionella-Action-Plan>
62. Does DGS disclose this legionella situation to new or potential new tenants?
- a. Yes, as well as contractors working in areas that may be affected.
63. Respectfully, when we asked our HR department to telework out of an abundance of caution, we were told to contact EAP and go to work.
- a. DGS does not have control over decisions made by specific departments. The building is open to both the public and all tenants and is considered to be low risk due to the remediation efforts that are ongoing as well what has been completed in the past.
64. So if a personal MD concurs that you are in a high-risk category for infection, do we bring a doctor's note to continue with the Legionella telework?
- a. Kristanna Rivera: "Any recommendations from your personal physician should be documented and provided to your department so that they can work through any accommodation that is needed related to that information from your physician."
65. If legionella was not disclosed to a tenant, is it possible to break a lease?
- a. The presence of Legionella bacteria has been disclosed to all tenants. Communications provided can be found on the Legionella Action Plan webpage. If you would like to discuss further, please email SDMissionValleyBuilding@dgs.ca.gov. As to breaking a lease, a state agency's occupancy in a state office building is not pursuant to a lease and is instead governed by statute. Live, Dr. Rita Nguyen: "I can't speak to lease policy, but I do just want to reiterate the study when they looked at a number of residential and

July 13, 2023 - Question from town hall

office buildings, one study showed that over a third of buildings actually were positive for Legionella in the water. It's actually fairly common that Legionella can be detected."

66. According to your data, the incoming chlorine levels are adequate. The POU chlorine levels are below therapeutic levels. What about the temperature for hot water?
- DGS is following recommendations from FACS and in cases of hot water temperatures that are below recommended levels, building management is investigating causes for the lower temperatures.
67. How is it possible in good conscience to open the building prior to the receipt of the July labs?
- The building is open and considered low risk because of the remediation efforts previously done. This includes hyperchlorination, replacement of fixtures, installation of in-line filters and POU filters, and continued flushing of fixtures.
68. If the commodes are low risk due to the temperature of the water (and negative pressure, supposedly) then the cold water lines and the drinking fountains would be expected to all be negative for legionella.
- Toilets are considered low risk because of the combination of cold water feed and negative pressure when flushing. See answer to # 59.
69. What do you mean by normal use...does this mean water is not safe?
- Normal use means the flushing of the building water system will happen normally as building occupants use the fixtures. Currently additional flushing is performed daily to increase the movement of water, and disinfectant, throughout the building's water system.
70. Do you have to remove the filters even the when the levels are controlled?
- Once the building's water system is considered well-controlled, the in-line and POU filters will be removed. Filters reduce water flow and moving water/disinfectant throughout the building's water system by flushing fixtures is critical to maintaining a well-controlled water system.
71. The website link does not work.

July 13, 2023 - Question from town hall

- a. <https://www.dgs.ca.gov/FMD/Resources/Page-Content/Resources-List-Folder/Legionella-Action-Plan>