



February 6, 2024

*Via Electronic Mail*

Ms. Katy Wingert, Senior Attorney  
U.S. Dept of Health and Human Services  
Office of General Counsel  
Email: [dme7@cdc.gov](mailto:dme7@cdc.gov)

**Re: North Carolina State University – NIOSH and CDC Statement Regarding  
Decision to Close Health Hazard Evaluation**

Dear Ms. Wingert:

I am writing on behalf of North Carolina State University (“NC State”) in connection with recent requests for information from a media outlet seeking information regarding the National Institute for Occupational Safety & Health’s (“NIOSH”) decision to close out a health hazard evaluation (“HHE”) for Poe Hall at NC State. In response to a statement provided by NC State, the media outlet stated the following:

Thank you for sending this. We appreciate it. I have letter from NIOSH and an official statement from the CDC both saying that it was NC State, particularly its General Counsel that withdrew the request for the HHE. What is NC State’s response to this?

NC State has not received the referenced letter from NIOSH and has had no contact with the Centers for Disease Control and Prevention (“CDC”), but any reference to NC State, and in particular its Office of General Counsel, requesting that NIOSH withdraw the HHE is not accurate.

Following prior consultation with NIOSH, on January 18, 2024, Leslie Mize, Associate General Counsel at NC State, and I spoke with Dr. Dallas Shi and Karl Feldman of NIOSH concerning the HHE for Poe Hall. NC State did not withdraw the request for the HHE or ask that any HHE be closed. During this phone call, NC State informed NIOSH that Poe Hall remained closed and only open to properly trained personnel with appropriate personal protective equipment for essential activities (*i.e.*, sampling, repairs, maintenance). NC State explained to NIOSH that it has retained an environmental consultant to conduct an environmental investigation of Poe Hall in consultation with the Environmental Protection Agency (“EPA”) and will prepare a report of its findings and recommendations, which will be made available to the public.

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In response, NIOSH informed NC State that it preferred to close HHEs rather than pausing them. NC State responded to NIOSH that it would be comfortable working with whatever direction NIOSH wanted to pursue. NIOSH decided to close the evaluation with the option to reopen after more data was collected. At no time has NC State requested that NIOSH close any HHE, and I am reaching out to respectfully request a retraction of any statement to the contrary.

As we discussed previously, NC State will continue to seek agency guidance as NC State gathers more information about the building. Please let me know when you would be available to further discuss this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Todd S. Roessler". The signature is fluid and cursive, with the first name "Todd" and last name "Roessler" clearly distinguishable.

Todd S. Roessler

cc: Leslie Mize, NC State