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5 March 2012

Mr John Dooley

ADDRESS  
WITHHELD

Dear Mr Dooley

**Re: Formal Complaint about HSE (Re Emerson House, Eccles)**

Thank you for your letter of 19 February, which was passed to me on 27 February.

I have spoken to the Inspector concerned and to the HSL staff who took the measurements at the premises in question. I can confirm that the measurements taken by HSL staff on behalf of the HSE Inspector were in compliance with our standard operating procedures (accredited to the ISO 9001 standard) using calibrated instruments. All the measurements taken by HSL staff confirmed that sufficient fresh air was entering the space, and furthermore that this was acceptable within the workplace regulations (ref: Regulation 6, Paragraph 38 of the Approved Code of Practice (ACoP) – Workplace Regulations). We did not test the building in the context of CIBSE guidance, as the building concerned does not fall within their scope, as it is not a new building.

Therefore, given that our measurements were taken appropriately and were compared against the requirements of the appropriate regulations, we will not be taking any further action on this matter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Andrew Curran', with a long horizontal line extending to the right.

**Dr Andrew Curran**  
**Director, Science and Resources**

10 April 2012

Mr John Dooley

ADDRESS  
WITHHELD

Dear Mr Dooley

**Re: Formal Complaint about HSE (Re Emerson House, Eccles)**

Further to your e-mail to Geoffrey Podger of the 24<sup>th</sup> of March and previous correspondence to Mr Podger and with Dr Andrew Curran, I have been asked to consider the facts surrounding your complaint, above.

I have discussed the matter once again with the HSE Inspector concerned, with Dr Curran and with HSL's ventilation experts. I must now conclude that the once-through ventilation arrangement at Emerson House is providing an adequate number of air changes per hour for the occupancy levels in place at the time of both the inspection and HSL measurements.

In view of HSE's and HSL's consistent conclusions that ventilation arrangements are adequate, risk to the workforce is acceptable and that significant specialist resources have already been expended on investigating this issue, I must now call this matter to a close.

I realise that you feel strongly on this issue and that our conclusions may not agree with your own. However, in the interests of proportionate use of finite public resources, this will be the final correspondence from HSE and HSL on this matter.

Yours faithfully



Eddie Morland  
Chief Executive

cc Geoffrey Podger