



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Bureau of Environmental Health
Community Sanitation Program
180 Beaman St., W. Boylston, MA 01583

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor

MARYLOU SUDDERS
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EILEEN M. SULLIVAN
Acting Commissioner

Tel: 617-624-5757
www.mass.gov/dph

January 16, 2015

Donald J. Levesque, Superintendent
Bay State Correctional Center
28 Clark Street
Norfolk, MA 02056

Re: Facility Inspection - Bay State Correctional Center, Norfolk

Dear Superintendent Levesque:

In accordance with M.G.L. c. 111, §§ 5, 20, and 21, as well as Massachusetts Department of Public Health (Department) Regulations 105 CMR 451.000: Minimum Health and Sanitation Standards and Inspection Procedures for Correctional Facilities; 105 CMR 480.000: Storage and Disposal of Infectious or Physically Dangerous Medical or Biological Waste (State Sanitary Code, Chapter VIII); 105 CMR 590.000: Minimum Sanitation Standards for Food Establishments (State Sanitary Code Chapter X); the 1999 Food Code; 105 CMR 520.000 Labeling; and 105 CMR 205.000 Minimum Standards Governing Medical Records and the Conduct of Physical Examinations in Correctional Facilities; I conducted an inspection of Bay State Correctional Center on January 12, 2015 accompanied by Crystal Butters, EHSO and Kerry Wagner, Community Sanitation Program. Violations noted during the inspection are listed below including 36 repeat violations:

HEALTH AND SAFETY VIOLATIONS

(* indicates conditions documented on previous inspection reports)

GATE HOUSE

Waiting Area

No Violations Noted

Vending Area

No Violations Noted

Women's Bathroom

105 CMR 451.123

Maintenance: Baseboard loose

105 CMR 451.130

Plumbing: Plumbing not maintained in good repair, first sink leaking

Men's Bathroom

105 CMR 451.123

Maintenance: Ceiling water stained

Locker Room/Role Call

No Violations Noted

Chemical Closet

No Violations Noted

Visitor Processing

105 CMR 451.353*

Interior Maintenance: Ceiling tiles dirty

Command Post

Under Construction

Mail Room

Unable to Inspect – Locked

Control

105 CMR 451.350

Structural Maintenance: Ceiling leaking

105 CMR 451.353

Interior Maintenance: Ceiling tiles water stained

Bathroom (Inside Control)

No Violations Noted

P-Trap

105 CMR 451.110(B)*

Hygiene Supplies at Toilet and Handwash Sink: No waste receptacle at handwash sink

Medical Waste Storage (Outside)

No Violations Noted

PROPERTY

No Violations Noted

VISITOR'S BUILDING

Women's Bathroom

105 CMR 451.126

Hot Water: Hot water temperature recorded at 70°F

Men's Bathroom

No Violations Noted

Vending Area

No Violations Noted

Janitor's Closet

105 CMR 451.353

Interior Maintenance: Mop not stored in an inverted position

Storage Closet

No Violations Noted

Staff Bathroom

105 CMR 451.126

Hot Water: Hot water temperature recorded at 99°F

Strip Area

No Violations Noted

MODULAR UNIT

105 CMR 451.320*

Cell Size: Inadequate floor space in cells

2nd Floor

Closed for Renovations

1st Floor*Common Area*

No Violations Noted

West Side*Vending Area*

No Violations Noted

Slop Sink Room

105 CMR 451.130

Plumbing: Plumbing not maintained in good repair, drain clogged

Supply

No Violations Noted

NEADS Storage

No Violations Noted

Cells

No Violations Noted

Bathroom

105 CMR 451.123*

Maintenance: Soap scum on walls in shower # 1-4

105 CMR 451.123

Maintenance: Soap scum on shower curtain # 1-4

105 CMR 451.123*

Maintenance: Wall paint peeling in shower # 2

105 CMR 451.123

Maintenance: Wall paint peeling in shower # 1, 3, and 4

105 CMR 451.123

Maintenance: Mold in shower # 2

East Side*Barber Shop*

No Violations Noted

Sergeant's Office (Former Laundry Area)

Unable to Inspect – Locked

Property Storage

105 CMR 451.353

Interior Maintenance: Unlabeled chemical bottle

Cells

No Violations Noted

Bathroom

105 CMR 451.123

Maintenance: Wall paint peeling near sink

105 CMR 451.123

Maintenance: Handicapped toilet rail loose

105 CMR 451.123*

Maintenance: Soap scum on walls in shower # 1-4

105 CMR 451.123

Maintenance: Floor paint peeling in shower # 1-4

105 CMR 451.123

Maintenance: Soap scum on shower curtain # 1-4

MAIN 3

South Side

Cells

No Violations Noted

Bathroom

105 CMR 451.123

Maintenance: Soap scum on walls in shower # 1 and 2

105 CMR 451.123

Maintenance: Mold in shower # 1 and 2

105 CMR 451.123

Maintenance: Wall tile damaged in shower # 1

105 CMR 451.123

Maintenance: 4 floor tiles missing in stall # 1

Chemical Closet

No Violations Noted

Central

Cells

No Violations Noted

North Side

Slop Sink

No Violations Noted

Bathroom

105 CMR 451.123*

Maintenance: Floor paint peeling in shower # 2

105 CMR 451.123

Maintenance: Floor paint peeling in shower # 1, 3, and 4

105 CMR 451.123

Maintenance: Caulking damaged in shower # 1, 2, and 3

105 CMR 451.123

Maintenance: Soap scum on walls in shower # 1-4

105 CMR 451.123

Maintenance: Wall paint peeling in toilet stall # 2 and 3

Cells

No Violations Noted

Day Room

No Violations Noted

Mop Closet

No Violations Noted

MAIN 2

South Side

Cells

No Violations Noted

Bathroom

105 CMR 451.123*

Maintenance: Ceiling vent dusty

Chemical Closet

105 CMR 451.130*

Plumbing: No backflow preventer on slop sink

105 CMR 451.353

Interior Maintenance: Unlabeled chemical bottle

Central*Cells*

No Violations Noted

North Side*Slop Sink*

No Violations Noted

Bathroom

Unable to Inspect – In Use

Cells

No Violations Noted

Day Room

No Violations Noted

Mop Closet

No Violations Noted

Vacuum Closet

105 CMR 451.353

Interior Maintenance: Smoke detector not secured to ceiling

CPO Office

Unable to Inspect – Locked

MAIN 1**South Side***Chemical Closet*

No Violations Noted

Bathroom

105 CMR 451.123*

Maintenance: Floor paint peeling in shower # 4 and handicapped shower

105 CMR 451.123

Maintenance: Floor paint peeling in shower # 2 and 3

105 CMR 451.123

Maintenance: Caulking moldy in shower # 1-4

105 CMR 451.123

Maintenance: Soap scum on shower curtain # 1-4

Cells

No Violations Noted

Central*Cells*

No Violations Noted

North Side*Slop Sink*

No Violations Noted

Bathroom

Unable to Inspect – In Use

Cells

No Violations Noted

Day Room

FC 4-602.12(B)

Cleaning of Equipment and Utensils; Frequency: Interior of microwave oven dirty

Janitor's Closet

No Violations Noted

Dog Closet

No Violations Noted

GYM

105 CMR 451.353*

Interior Maintenance: Floor bubbling

Weight Room

105 CMR 451.353

Interior Maintenance: Two weight benches damaged

Janitor's Closet

105 CMR 451.353

Interior Maintenance: Wet mop stored in bucket

Storage

No Violations Noted

Bathroom

105 CMR 451.123*

Maintenance: Ceiling vent dusty

ADMINISTRATION AREA

Basement

B106

Unable to Inspect - Locked

B107

Unable to Inspect – Locked

B102

Unable to Inspect – Locked

B101

No Violations Noted

B103

No Violations Noted

Laundry

No Violations Noted

Computer Lab (B104)

No Violations Noted

Boiler Room

105 CMR 451.130*

Plumbing: Plumbing not maintained in good repair, pipes leaking

<i>DOE Office</i>	No Violations Noted
<i>Maintenance (B110)</i>	No Violations Noted
<i>Garage (B109)</i>	No Violations Noted
<u>1st Floor</u>	
<i>Inner Control</i> 105 CMR 451.353 FC 4-602.12(B)	Interior Maintenance: Chair damaged Cleaning of Equipment and Utensils; Frequency: Interior of microwave oven dirty
<i>H.S.U.</i>	No Violations Noted
<i>Bathroom (in H.S.U.)</i> 105 CMR 451.126	Hot Water: Hot water temperature recorded at 106 ^o F
<i>Superintendent's Area</i> FC 4-904.11(B)*	Protection of Clean Items, Storing: Single use utensils not presented to avoid contamination
<i>Dentist's Office</i>	No Violations Noted
<i>Men's Bathroom</i>	No Violations Noted
<i>Women's Bathroom</i>	No Violations Noted
<i>Office A104</i> FC 4-204.112(A)	Design and Construction, Functionality: No functioning thermometer in refrigerator
<i>Janitor's Closet</i> 105 CMR 451.353*	Interior Maintenance: Standing water left in buckets
<i>Office A106</i>	Unable to Inspect - Locked
<i>DOS Office</i>	Unable to Inspect – Locked
<i>Captain's Office</i>	No Violations Noted
<i>Inmate Bathroom</i>	No Violations Noted
<i>Slop Sink</i>	No Violations Noted

<i>Med Room</i>	No Violations Noted
<i>Sergeant's Office</i>	No Violations Noted
Kitchen	
<i>Serving Line</i>	No Violations Noted
<i>Victory Warmer</i> FC 3-302.11(A)(4)	Preventing Food and Ingredient Contamination: Preventing cross contamination, food not appropriately covered
<i>3-Bay Sink</i>	No Violations Noted
<i>Baker's Table</i>	No Violations Noted
<i>Refrigerator # 1</i> FC 6-501.12(A)	Maintenance and Operation; Cleaning: Facility not cleaned properly, floor dirty under shelves
<i>Refrigerator # 2</i> FC 6-501.12(A)*	Maintenance and Operation; Cleaning: Facility not cleaned properly, floor dirty under shelves
<i>Freezer</i>	No Violations Noted
<i>Office</i> FC 4-204.112(A)	Design and Construction, Functionality: No functioning thermometer in refrigerator
<i>Inmate Bathroom</i>	No Violations Noted
<i>Janitor's Closet</i>	No Violations Noted
<i>Dry Goods</i> FC 6-501.12(A)*	Maintenance and Operation; Cleaning: Facility not cleaned properly, food bins dirty
<i>Vegetable Prep Area</i> FC 4-601.11(B)*	Cleaning of Equipment and Utensils, Objective: Food contact surface dirty, cooking equipment dirty, food left on french fry maker
<i>Diet Refrigerator</i> FC 4-501.11(B)	Maintenance and Operation, Equipment: Equipment components not maintained in a state of good repair, refrigerator gaskets moldy
<i>Cooks Area</i>	No Violations Noted

Dishwasher Area
FC 4-501.114(A)

Maintenance and Operation; Equipment: Chlorine Sanitizer solution tested less than recommended concentration

2nd Floor

Chapel

No Violations Noted

Staff Break Room (A210)
FC 3-501.16(B)

Limitation of Growth of Organisms, Temperature and Time Control: Refrigerator temperature recorded at 54⁰F

Men's Bathroom

No Violations Noted

Women's Bathroom

No Violations Noted

Library

No Violations Noted

Supply Closet
105 CMR 451.353

Interior Maintenance: Wet mop stored in bucket

Deputy's Area

Room # 213
FC 4-204.112(A)

Design and Construction, Functionality: No functioning thermometer in refrigerator

Room # 217
FC 3-501.16(B)

Limitation of Growth of Organisms, Temperature and Time Control: Refrigerator temperature recorded at 47⁰F

Observations and Recommendations

1. The inmate population was 236 at the time of inspection.

This facility does not comply with the Department's Regulations cited above. In accordance with 105 CMR 451.404, please submit a plan of correction within 10 working days of receipt of this notice, indicating the specific corrective steps to be taken, a timetable for such steps, and the date by which correction will be achieved. The plan should be signed by the Superintendent or Administrator and submitted to my attention, at the address listed above.

To review the specific regulatory requirements please visit our website at www.mass.gov/dph/dcs and click on "Correctional Facilities" (available in both PDF and RTF formats).

To review the Food Establishment regulations please visit the Food Protection website at www.mass.gov/dph/fpp and click on "Food Protection Regulations". Then under "Retail" click "105 CMR 590.000 - State Sanitary Code Chapter X – Minimum Sanitation Standards for Food Establishments" and "[1999 Food Code](#)".

To review the Labeling regulations please visit the Food Protection website at www.mass.gov/dph/fpp and click on "Food Protection Regulations". Then under "General Food Regulations" click "105 CMR 520.000: Labeling."

This inspection report is signed and certified under the pains and penalties of perjury.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amy Riordan', is written over a faint, larger signature.

Amy Riordan, MPH
Environmental Analyst, CSP, BEH

cc: Suzanne K. Condon, Associate Commissioner, Director, BEH
Steven Hughes, Director, CSP, BEH
Jay Youmans, Director of Government Affairs
Marylou Sudders, Secretary, Executive Office of Health and Human Services
Carol Higgins O'Brien, Commissioner, DOC
Crystal Butters, EHSO
Betsy Fijol, Administrative Assistant, Norfolk Board of Health
Clerk, Massachusetts House of Representatives
Clerk, Massachusetts Senate
Andrea Cabral, Secretary, EOPS