The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health

Bureau of Environmental Health

Community Sanitation Program

180 Beaman Street

West Boylston, MA 01583

Telephone: 508-792-7880, ext. 2322

Facsimile: 508-792-7706

TTY: 508-835-9796

Amy.M.Riordan@state.ma.us

|  |
| --- |
| DEVAL L. PATRICKGOVERNORJOHN W. POLANOWICZSECRETARYCHERYL BARTLETT, RNCOMMISSIONER |

June 18, 2014

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; 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 June 12, 2014 accompanied by Crystal Butters, EHSO/FSO. Violations noted during the inspection are listed below including 30 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*

 No Violations Noted

*Men’s Bathroom*

 No Violations Noted

*Locker Room/Role Call*

 No Violations Noted

*Chemical Closet*

105 CMR 451.353 Interior Maintenance: Wet mop stored in bucket

105 CMR 451.353 Interior Maintenance: Standing water left in bucket

*Visitor Processing*

105 CMR 451.353 Interior Maintenance: Ceiling vents dusty

105 CMR 451.353 Interior Maintenance: Ceiling tiles dirty

*Command Post*

105 CMR 451.353 Interior Maintenance: Ceiling tiles damaged

*Control*

FC 4-602.12(B)\* Cleaning of Equipment and Utensils; Frequency: Interior of microwave oven dirty

*Bathroom (Inside Control)*

 No Violations Noted

*P-Trap*

105 CMR 451.110(A) Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sink

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**

105 CMR 451.350 Structural Maintenance: Ceiling damaged

**VISITOR’S BUILDING**

*Janitor’s Closet*

 No Violations Noted

*Storage Closet*

 No Violations Noted

*Staff Bathroom*

 No Violations Noted

*Strip Area*

 No Violations Noted

*Vending Area*

FC 4-904.11(B) Protection of Clean Items, Storing: Single use utensils not presented to avoid contamination

FC 4-601.11(c) Cleaning of Equipment and Utensils, Objective: Vending machine drawer dirty

*Men’s Bathroom*

 No Violations Noted

*Women’s Bathroom*

105 CMR 451.126 Hot Water: Hot water temperature recorded at 700F

**MODULAR UNIT**

105 CMR 451.320\* Cell Size: Inadequate floor space in cells

**2nd Floor**

*Common Area*

105 CMR 451.353\* Interior Maintenance: Standing water left under water cooler

**West Side**

*Staff Bathroom (Left)*

 No Violations Noted

*Staff Bathroom (Right)*

 No Violations Noted

*Slop Sink*

105 CMR 451.353\* Interior Maintenance: Unfinished wall

*Supplies*

 No Violations Noted

*Laundry*

 No Violations Noted – Not in Use

*Cells*

105 CMR 451.353 Interior Maintenance: Ceiling paint peeling in cell # M 213

105 CMR 451.353 Interior Maintenance: Ceiling water stained in cell # M 214

*Bathroom*

105 CMR 451.123\* Maintenance: Soap scum on walls in shower # 1-4

105 CMR 451.123\* Maintenance: Showers generally dirty in shower # 1-4

105 CMR 451.123 Maintenance: Wall paint peeling in shower # 1

105 CMR 451.123 Maintenance: Ripped shower curtain in shower # 1-4

**East Side**

*Laundry*

105 CMR 451.353 Interior Maintenance: Hole in wall

*Storage*

 No Violations Noted

*Cells*

105 CMR 451.350 Structural Maintenance: Wall not secure in cell # M 213

105 CMR 451.353 Interior Maintenance: Ceiling paint peeling in cell # M 220

*Electrical Room*

FC 4-501.11(A) Maintenance and Operation, Equipment: Equipment not maintained in a state of good repair, toaster oven handle broken

*Bathroom*

 Unable to Inspect – In Use

**1st Floor**

*Common Area*

105 CMR 451.353\* Interior Maintenance: Standing water left under water cooler

**West Side**

*Vending Area*

 No Violations Noted

*Slop Sink Room*

 No Violations Noted

*Supply*

 No Violations Noted

*Laundry (Used for Storage)*

105 CMR 451.353 Interior Maintenance: Wet mop stored in bucket

*Cells*

 No Violations Noted

*Bathroom*

105 CMR 451.123 Maintenance: Soap scum on walls in shower # 1-4

105 CMR 451.123 Maintenance: Shower curtains ripped in shower # 1-4

105 CMR 451.123 Maintenance: Wall paint peeling in cell # 2

**1st Floor**

**East Side**

*Barber Shop*

 No Violations Noted

*Sergeant’s Office (Former Laundry Area)*

 Not Inspected - Under Construction

*Property 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: Baseboard paint peeling in handicapped shower

**MAIN 3**

**South Side**

*Cells*

 No Violations Noted

*Bathroom*

 Unable to Inspect – In Use

*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 451.130 Hot Water: Shower water temperature 930F

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, shower # 4 out-of-order

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, 1 toilet out-of-order

*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

**Central**

*Cells*

105 CMR 451.102\* Pillows and Linens: Blanket damaged in cell # 224

**North Side**

*Slop Sink*

 No Violations Noted

*Bathroom*

105 CMR 451.130 Plumbing: Plumbing not maintained in good repair, 1st sink not working

105 CMR 451.123 Maintenance: Soap scum on walls in shower # 1-4

*Cells*

 No Violations Noted

**Day Room**

No Violations Noted

*Mop Closet*

105 CMR 451.353\* Interior Maintenance: Missing light shields

*CPO Office*

 Unable to Inspect – Locked

**MAIN 1**

**South Side**

*Chemical Closet*

 No Violations Noted

*Bathroom*

105 CMR 451.123 Maintenance: Ceiling vent dusty

105 CMR 451.123 Maintenance: Floor paint peeling in shower # 4 and handicapped shower

*Cells*

 No Violations Noted

**Central**

*Cells*

 No Violations Noted

**North Side**

*Slop Sink*

 No Violations Noted

*Bathroom*

 No Violations Noted

*Cells*

 No Violations Noted

**Day Room**

 No Violations Noted

*Janitor’s Closet*

105 CMR 451.353\* Interior Maintenance: Light shield missing

**GYM**

105 CMR 451.353\* Interior Maintenance: Floor bubbling

*Weight Room*

105 CMR 451.353 Interior Maintenance: One weight bench damaged

*Janitor’s Closet*

 Unable to Inspect – Locked

*Storage*

 Unable to Inspect – Locked

*Bathroom*

105 CMR 451.123 Maintenance: Ceiling vent dusty

**ADMINISTRATION AREA**

**Basement**

*B106*

 No Violations Noted

*B107*

 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

*DOE Office*

 No Violations Noted

*Maintenance (B110)*

 No Violations Noted

*Garage (B109)*

105 CMR 451.353 Interior Maintenance: Mold on pipe insulation

*Mechanical Room*

 No Violations Noted

**1st Floor**

*Inner Control*

 No Violations Noted

*H.S.U.*

 No Violations Noted

*Bathroom (in H.S.U.)*

 No Violations Noted

*Superintendent’s Area*

FC 4-904.11(B) Protection of Clean Items, Storing: Single use utensils not presented to avoid contamination

*Dentist’s Office*

 No Violations Noted

*Men’s Bathroom*

 No Violations Noted

*Women’s Bathroom*

 No Violations Noted

*Office A104*

FC 4-204.112(A) Design and Construction, Functionality: No functioning thermometer in refrigerator

*Janitor’s Closet*

105 CMR 451.353\* Interior Maintenance: Wet mop stored in bucket

*Office A106*

 No Violations Noted

*DOS Office*

 No Violations Noted

*Inmate Bathroom*

 No Violations Noted

*Slop Sink*

 No Violations Noted

*Sergeant’s Office*

FC 4-601.11(B)\* Cleaning of Equipment and Utensils, Objective: Food contact surface dirty, top upper portion of coffee maker dirty

FC 3-701.11(A)\* Contaminated Food, Disposition: Unsafe, food not properly discarded, moldy coffee left in coffee maker

FC 4-904.11(B) Protection of Clean Items, Storing: Single use utensils not presented to avoid contamination

**Kitchen**

*Serving Line*

 No Violations Noted

*3-Bay Sink*

FC 4-501.114(A)\* Maintenance and Operation; Equipment: Chlorine sanitizer solution tested greater than the recommended concentration

FC 6-201.16(A) Design, Construction, and Installation; Cleanability: Wall covering not easily cleanable, wall paint peeling under sink

*Baker’s Table*

FC 6-501.114(A)\* Maintenance and Operations; Maintaining Premises: Nonfunctional equipment not repaired or removed from premises, oven broken

*Refrigerator # 1*

FC 3-305.11(A)(2)\* Preventing Contamination from Premises: Food exposed to dust, fans in cooler dusty

*Refrigerator # 2*

FC 6-501.12(A)\* Maintenance and Operation; Cleaning: Facility not cleaned properly, floor dirty under shelves

*Freezer*

 No Violations Noted

*Inmate Bathroom*

 No Violations Noted

*Janitor’s Closet*

 No Violations Noted

*Dry Goods*

FC 3-304.12(A) Preventing Contamination from Utensils: Service utensils handle stored below the food and container line, scoop laying in coffee

FC 6-501.12(A) Maintenance and Operation; Cleaning: Facility not cleaned properly, food bins dirty

*Vegetable Prep Area*

FC 4-601.11(B) Cleaning of Equipment and Utensils, Objective: Food contact surface dirty, cooking equipment dirty, food left on french fry maker

105 CMR 451.331 Radiators and Heating Pipes: Pipes not properly insulated, insulation damaged

FC 4-501.114(A) Maintenance and Operation; Equipment: Chlorine Sanitizer solution tested less than recommended concentration

*Cooks Area*

 No Violations Noted

*Dishwasher Area*

FC 6-501.12(A)\* Maintenance and Operation; Cleaning: Facility not cleaned properly, wall moldy behind dishwasher

**2nd Floor**

*Chapel*

 No Violations Noted

*Staff Break Room (A210)*

 No Violations Noted

*Men’s Bathroom*

 No Violations Noted

*Women’s Bathroom*

 No Violations Noted

**Library**

 No Violations Noted

*Supply Closet*

 No Violations Noted

**Deputy’s Area**

 No Violations Noted

**Observations and Recommendations**

1. The inmate population was 259 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](http://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](http://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](http://www.cfsan.fda.gov/~dms/fc99-toc.html)”.

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

 Sincerely,

 Amy Riordan, MPH

 Environmental Analyst, CSP, BEH

cc: Suzanne K. Condon, Associate Commissioner, Director, BEH

 Steven Hughes, Director, CSP, BEH

 John W. Polanowicz, Secretary, Executive Office of Health and Human Services

 Luis S. Spencer, Commissioner, DOC

 Crystal Butters, EHSO/FSO

Betsy Fijol, Administrative Assistant, Norfolk Board of Health

 Clerk, Massachusetts House of Representatives

 Clerk, Massachusetts Senate

 Andrea Cabral, Secretary, EOPS