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# The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health  
Bureau of Environmental Health  
Community Sanitation Program

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June 5, 2013

Thomas M. Hodgson, Sheriff  
Bristol County Jail, Ash Street Facility  
400 Faunce Corner Road  
Dartmouth, MA 02747

Re: Facility Inspection – Bristol County Jail, Ash Street Facility, New Bedford

Dear Sheriff Hodgson:

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 the Bristol County Jail, Ash Street Facility on May 30, 2013 accompanied by Lieutenant Andrew Mitzan, Environmental Health and Safety Officer. Violations noted during the inspection are listed below:

## **HEALTH AND SAFETY VIOLATIONS**

*(\* indicates conditions documented on previous inspection reports)*

### **MAIN BUILDING**

#### **(4<sup>th</sup> Floor)**

##### **4 Alley**

105 CMR 451.350                      Structural Maintenance: Wall damaged, paint peeling in cell # 57

##### **8 Alley**

105 CMR 451.350                      Structural Maintenance: Wall damaged in cell # 115 and 125

##### **12 Alley**

105 CMR 451.350                      Structural Maintenance: Wall damaged, paint peeling in all cells

##### **16 Alley**

105 CMR 451.350\*                      Structural Maintenance: Wall damaged in cell # 215

## **Plant 4**

### *Bathroom*

105 CMR 451.123\*  
105 CMR 451.123

Maintenance: Soap scum on walls in shower # 1 and 2  
Maintenance: Ceiling damaged, paint peeling in shower area

### *Cells*

105 CMR 451.350\*  
105 CMR 451.350  
105 CMR 451.350

Structural Maintenance: Wall damaged, paint peeling in cell # 4 and 5  
Structural Maintenance: Wall damaged, paint peeling in cell # 3  
Structural Maintenance: Ceiling damaged, paint peeling in cell # 1, 3, 5, and 10

## **(3<sup>rd</sup> Floor)**

### **3 Alley**

105 CMR 451.350  
105 CMR 451.350  
105 CMR 451.350  
105 CMR 451.350

Structural Maintenance: Wall damaged, rusty wall in cell # 33, 37, 44, 45, and 46  
Structural Maintenance: Wall damaged, paint peeling in cell # 34  
Structural Maintenance: Ceiling damaged, paint peeling in cell # 34  
Structural Maintenance: Floor damaged, paint peeling in cell # 48

### **7 Alley**

105 CMR 451.350\*  
105 CMR 451.350  
  
105 CMR 451.350

Structural Maintenance: Ceiling damaged, paint peeling in cell # 100 and 109  
Structural Maintenance: Ceiling damaged, paint peeling in cell # 97, 99, 105, 107, and 109-112  
Structural Maintenance: Wall damaged in cell # 108

### **11 Alley**

No Violations Noted

### **15 Alley**

105 CMR 451.350  
105 CMR 451.350

Structural Maintenance: Wall damaged, paint peeling in cell # 205 and 209  
Structural Maintenance: Wall damaged in cell # 203 and 206

## **Plant 3**

### *Bathroom*

105 CMR 451.123\*  
105 CMR 451.123\*  
105 CMR 451.123  
105 CMR 451.123  
105 CMR 451.123

Maintenance: Soap scum on walls in showers  
Maintenance: Shower curtain missing in shower # 1  
Maintenance: Floor damaged, paint peeling in shower area  
Maintenance: Wall damaged, paint peeling in shower area  
Maintenance: Ceiling damaged, paint peeling in shower area

### *Cells*

105 CMR 451.350

Structural Maintenance: Ceiling damaged, paint peeling, cell # 2, 4, 5, 6, 7, 8, and 10

## **(2<sup>nd</sup> Floor)**

### **Health Services**

#### *Women's Bathroom*

105 CMR 451.126

Hot Water: Hot water temperature recorded at 71°F

#### *Nurse's Station*

FC 4-602.12(B)  
FC 4-903.11(A)(2)

Cleaning of Equipment and Utensils; Frequency: Interior of microwave oven dirty  
Protection of Clean Items, Storing: Single-service items not protected from contamination, utensils left uncovered

*Offices*

105 CMR 451.350

Structural Maintenance: Wall damaged, paint peeling in all offices

*Exam Room*

No Violations Noted

**14 Alley**

105 CMR 451.350\*

Structural Maintenance: Ceiling damaged, paint peeling in cell # 195 and 197

105 CMR 451.350

Structural Maintenance: Ceiling damaged, paint peeling in cell # 196

105 CMR 451.350

Structural Maintenance: Wall damaged in cell # 195

**10 Alley**

105 CMR 451.350

Structural Maintenance: Wall damaged, paint peeling in cell # 144

**6 Alley**

105 CMR 451.350

Structural Maintenance: Wall damaged in cell # 82

105 CMR 451.350

Structural Maintenance: Ceiling damaged, paint peeling in cell # 85, 89, 90, 93, and 94

**2 Alley**

105 CMR 451.350

Structural Maintenance: Wall damaged in cell # 28

105 CMR 451.350\*

Structural Maintenance: Ceiling damaged in cell # 20, 27, and 28

105 CMR 451.350

Structural Maintenance: Ceiling damaged in cell # 17, 18, 29, and 32

**(1<sup>st</sup> Floor)**

**1 Alley**

105 CMR 451.103\*

Mattresses: Mattress damaged in cell # 13

105 CMR 451.103

Mattresses: Mattress damaged in cell # 3, 5, 10, and 11

**5 Alley**

105 CMR 451.350

Structural Maintenance: Wall damaged, paint peeling in cell # 65 and 66

105 CMR 451.350

Structural Maintenance: Ceiling damaged, paint peeling in cell # 76

**9 Alley**

*Bathroom*

105 CMR 451.123\*

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

*Cells*

105 CMR 451.350

Structural Maintenance: Ceiling damaged, paint peeling in cell # 135, 137, and 138

105 CMR 451.350

Structural Maintenance: Wall damaged, paint peeling in cell # 136

*Barbershop*

No Violations Noted

**13 Alley**

*Bathroom*

105 CMR 451.123\*

Maintenance: Wall damaged, paint peeling in shower area

105 CMR 451.123\*

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

105 CMR 451.123

Maintenance: Shower curtain missing in shower # 1

*Cells*

No Violations Noted

*Slop Sink – Maintenance Closet*

No Violations Noted

**KITCHEN**

FC 6-501.14

Maintenance and Operation; Cleaning: Ventilation Systems, exhaust vent dusty near kettles

FC 5-202.12(A)

Plumbing System, Design: Handwashing sink water temperature recorded at 141°F

FC 6-403.11(B)

Location and Placement; Employee Accommodations: No locker room area designated for employees, personal belongings stored near food product

*Cooler # 1*

No Violations Noted

*Mop Closet*

FC 6-501.16

Maintenance and Operation; Cleaning: Wet mop stored in bucket

*Dishwashing Machine Area*

FC 5-205.15(B)

Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, handwash sink out-of-order

FC 5-205.15(B)

Plumbing System, Operations and Maintenance: Plumbing system not maintained in good repair, faucet leaking at 3-bay sink

FC 4-903.11(B)(1)

Protection of Clean Items, Storing: Food trays not stored in the inverted/self-draining position above sink

*Kitchen Office*

No Violations Noted

*Dishwashing Machine Area*

FC 4-501.112(A)(2)\*

Maintenance and Operation, Equipment: Inadequate water temperature in the mechanical warewashing machine

FC 6-202.15(A)(3)\*

Design, Construction, and Installation; Functionality: Outer door not weather and vermin tight

FC 6-201.11

Design, Construction and Installation: Floor not easily cleanable, floor damaged under warewashing machine

*Dry Storage*

FC 6-201.16(A)

Design, Construction, and Installation; Cleanability: Walls not easily cleanable, paint peeling

FC 6-201.16(A)

Design, Construction, and Installation; Cleanability: Ceiling not easily cleanable, paint peeling

FC 6-501.11

Maintenance and Operation; Repairing: Facility not in good repair, roof leaking

FC 3-304.12(A)

Preventing Contamination from Utensils: Cup stored inside cheese product

*Dining Area*

No Violations Noted

*Freezer*

No Violations Noted

*Milk Cooler*

FC 3-305.11(A)(2)\*

Preventing Contamination from Premises: Food exposed to dust, fans in cooler dusty

**DAY ROOM**

105 CMR 451.331\*

Radiators and Heating Pipes: Pipe insulation damaged

105 CMR 451.350

Structural Maintenance: Wall damaged, paint peeling

105 CMR 451.350  
105 CMR 451.353

Structural Maintenance: Wall damaged, holes in wall  
Interior Maintenance: Exposed wires

*Bathrooms*

105 CMR 451.140\*  
105 CMR 451.121(A)\*  
105 CMR 451.119\*  
105 CMR 451.123\*  
105 CMR 451.123\*  
105 CMR 451.110(A)\*  
  
105 CMR 451.110(A)\*  
  
105 CMR 451.123

Adequate Ventilation: Inadequate ventilation in common shower area  
Privacy: No privacy partition in between showers  
Bathing Facilities: Inadequate shower to inmate ratio, 6 showers to 180 inmates  
Maintenance: Wall damaged, paint peeling  
Maintenance: Soap scum on walls in shower area  
Hygiene Supplies at Toilet and Handwash Sink: No soap at handwash sink in shower area  
Hygiene Supplies at Toilet and Handwash Sink: No paper towels at handwash sink in shower area  
Maintenance: Walls dirty

*Mop Closet*

105 CMR 451.350  
105 CMR 451.353  
105 CMR 451.350

Structural Maintenance: Wall damaged, paint peeling  
Interior Maintenance: Exposed wires  
Structural Maintenance: Ceiling damaged, paint peeling

**LAUNDRY ROOM**

105 CMR 451.350\*

Structural Maintenance: Roof leaking

**ADMINISTRATION AREA**

**Intake**

*Inmate Bathroom*

105 CMR 451.123\*

Maintenance: Wall damaged in inmate bathroom # 1

*Female Bathroom*

No Violations Noted

*Holding Cells*

105 CMR 451.350  
105 CMR 451.353

Structural Maintenance: Wall damaged, paint peeling  
Interior Maintenance: Air vent dusty in cell block area

*Vehicle Trap*

No Violations Noted

*Staff Break Room with Lockers*

No Violations Noted

*Roll Call Area*

No Violations Noted

*Officer's Bathroom*

No Violations Noted

*Staff Break Room*

Unable to Inspect – Meeting in Progress

**Observations and Recommendations**

1. The inmate population was 192 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 indicate next to each entry on the inspection report a plan of correction. Said plan of correction must be submitted within ten working days of receiving this report and should detail the specific steps that will be taken and the date of expected compliance. The plan of correction should be 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 "Community Sanitation Regulations" (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".

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

Sincerely,



Nicholas Gale  
Environmental Health Inspector, CSP, BEH

cc: Suzanne K. Condon, Associate Commissioner, Director, BEH  
Steven Hughes, Director, CSP, BEH  
John W. Polanowicz, Secretary, EOHHS  
Luis S. Spencer, Commissioner, DOC  
Steven Sousa, Superintendent  
Andrew Mitzan, EHSO  
Brenda Weis, Health Director, New Bedford Board of Health  
Clerk, Massachusetts House of Representatives  
Clerk, Massachusetts Senate  
Andrea J. Cabral, Secretary, EOPS