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



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**Tel: 617-624-5757**

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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 700F

*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 990F

*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

*DOE Office*

 No Violations Noted

*Maintenance (B110)*

 No Violations Noted

*Garage (B109)*

 No Violations Noted

**1st Floor**

*Inner Control*

105 CMR 451.353 Interior Maintenance: Chair damaged

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

*H.S.U.*

 No Violations Noted

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

105 CMR 451.126 Hot Water: Hot water temperature recorded at 1060F

*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: Standing water left in buckets

*Office A106*

 Unable to Inspect - Locked

*DOS Office*

 Unable to Inspect – Locked

*Captain’s Office*

 No Violations Noted

*Inmate Bathroom*

 No Violations Noted

*Slop Sink*

 No Violations Noted

*Med Room*

 No Violations Noted

*Sergeant’s Office*

 No Violations Noted

**Kitchen**

*Serving Line*

 No Violations Noted

*Victory Warmer*

FC 3-302.11(A)(4) Preventing Food and Ingredient Contamination: Preventing cross contamination, food not appropriately covered

*3-Bay Sink*

 No Violations Noted

*Baker’s Table*

 No Violations Noted

*Refrigerator # 1*

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

*Refrigerator # 2*

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

*Freezer*

 No Violations Noted

*Office*

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

*Inmate Bathroom*

 No Violations Noted

*Janitor’s Closet*

 No Violations Noted

*Dry Goods*

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

*Diet Refrigerator*

FC 4-501.11(B) Maintenance and Operation, Equipment: Equipment components not maintained in a state of good repair, refrigerator gaskets moldy

*Cooks Area*

 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](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)”.

To review the Labeling 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 “General Food Regulations” click “105 CMR 520.000: Labeling.”

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

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