(b) (6) Privacy

Bayboro, NC 28515

6-6-2015

U.S. EPA, Environmental Protection Agency
Office of Civil Rights
Plant Rm, Building
1200 Pennsylvania Ave. N.W., Room 2540
Washington, DC 20460

Re: Asbestos / Asbestos is in the interior of the ventilation ducts.

Dear U.S. EPA,

I am reporting a hazardous condition that the Dock 1825 has at Eastern Correctional Inst., 3600, in Troy, NC. Both institutions are housing Federal inmates, Eastern made the latest transition in August of 2014. Before the transition took place I was held at Eastern Correctional Inst., from 06/22/2014 til 08/26/2014.

As mentioned above in the reference, the hazardous is asbestos which is in the ventilation system with the ventilation ducts system. Due to asbestos insulation which is in the interior part of the ducts, maintenance has not been to clean the ducts out of all the dust, dirt and other germs/molds, plus related substances. This has been since the prison was built in 1980, it open in 1983, so it has been 33 years, the ducts have accumulated filth. The reason why maintenance has not been to clean the ducts is because (1) the labor and expense of the cleaning task (2) The cleaning
task would be taking a risk of disturbing the Asbestos further. Even though a law was passed in the mid 70's of the discontinuities of using Asbestos, the DEC/DPS may use ductwork for example, from a building that was torn down that may have been built in the 50's or 60's. Thus if any new places, buildings, or structures are built, it is a strong possibility anything that can be use from these torn down places will be used, including out of date, ductwork.

During my 8 years at Eastern, I notice the ventilation was not good, in fact it was very poor and it kept my Simulator in place. Also during my time at Eastern I worked in the Maintenance department for 3 years. In 2008 I was exposed to the Asbestos in the worst way. This happened when the DEC/DPS wanted to install a water shut off in all the Maintenance chase so as the water to the showers could be controlled by a timer built in. If a drought occurred, how the showers would only operate at a designated time. I helped install the shut off valves and when I cut away the old coil rolls wrapped around the copper water pipes, I was exposed to the fullest degree in the close quarters of the chases. Also being exposed to the ventilation system for 8 years, which I sent a sample out and later was told it had evidence of Asbestos particles in it, the sample was taken from a vent, a piece of the insulation must have come loose and wedged in the vent. I tried to have the person whom informed me to send a lab report from the lab technician, but I never attained this.

Enclosed with this report are Asbestos samples. By the DEC DEC/DPS exposing me to bad health hazardous conditions, I'm allowed to receive any kind of compensation or punitive damages. Also enclosed are grievance complaints I wrote on Eastern 3-18, on 9/26/2011 Note: I did not have copies of grievances or have
Anyway to have copies made so I'm only able to send to the U.S. EPA. The next page is an Verification, plus a Certificate of Service to U.S. EPA and OSHA.

Thank you for your time and efforts in this matter.

Inmate mailing Address

Eastern Correctional Institution
P.O. Box 215
Maxey, NC 28554

Eastern Prison Location
8400 Eastern CT
2821 Hwy. 903 North
Maxey, NC 28554

Sincerely,

(b) (6) Privacy
I, being first duly sworn, depose and say that I am the complainant in the above matter, that I have read the foregoing complaint and the facts stated therein are true of my own knowledge, except as to those matters stated "upon information and belief." I am informed and believe them to be true.

Sworn to and subscribed before me this 10th day of June, 2015.

MARY ANN C. ROBINSON
Notary Public

My commission expires: 2-10-2020

Certificate of Service

This is to certify that the foregoing complaint has been duly served upon the following by placing a copy of same in the United States Mail, postage prepaid, and properly addressed as follows:

OSHA
US Dept of Labor
Occupational Safety and Health Administration
200 Constitution Avenue
Washington, D.C. 20210

U.S. EPA Environmental Protection Agency
Office of Civil Rights
Ariel Rios Building
1200 Pennsylvania Ave. NW Room 2540
Washington, DC 20460

This the 10th day of June, 2015
NORTH CAROLINA DEPARTMENT OF CORRECTION  
DIVISION OF PRISONS  
ADMINISTRATIVE REMEDY PROCEDURE  

1. Inmate Name: [Redacted]  
2. Inmate OPUS No.: [Redacted]  
3. Location: [Redacted]  
4. Date: 6-6-11  

5. Grievance Statement: 

I am writing this to report the ventilation system in my cell. There is dirty air that is coming through the air vent in my cell. I used to work in a tobacco company where I learned that you need to clean your air vents to avoid contaminated air. I request that you please clean the air vents in my cell to avoid contaminated air. I would like to have maintenance clean the ventilation system in my cell to which is very overdue.  

6. What remedy would resolve your grievance?:  

To have Maintenance clean the ventilation system in my cell to which is very overdue.  

7. Inmate Signature: [Redacted]  

OFFICIAL USE  

8. Date received: 1/7/11  
9. Receiving Officer Signature:  

10. This grievance is returned and can only be accepted when your current grievance completes step two.  

11. Date delayed: [Redacted]  
12. Screening Officer Signature:  

13. The grievance is rejected for the following reason(s): (Enter Code)  

A. State or Federal Court Decision  
B. Parole Commission Decision  
C. Appeals disciplinary action  
D. Action not yet taken  
E. Exceeds 1 year time limit  
F. Remedy for another inmate  
G. More than one incident  
H. ARP procedures not followed  
I. Violates Disciplinary C2  

If grievance is rejected, #13, #14, #15, and #16 are completed by the Screening Officer, a photocopy of grievance is forwarded to Superintendent for review, and the original grievance is returned to inmate.  

14. Rejection Justification:  

15. Date rejected: [Redacted]  
16. Screening Officer Signature:  

17. Date accepted: 1/7/11  
18. Screening Officer Signature:  

19. Grievance No.: [Redacted]  

Item #13, 15, or 17 to be completed within 3 calendar days of item #8.  
Distribution: White to point of final disposition; Blue for Unit record; Green to inmate.
NORTH CAROLINA DEPARTMENT OF CORRECTION
DIVISION OF PRISONS
ADMINISTRATIVE REMEDY PROCEDURE

Step One - Unit Response

20. Grievance No.: 3400-11-EC176

21. Inmate Name: ____________________________

22. Inmate No.: ____________________________

23. Grievance Response (Item #25 to be completed within 15 calendar days of date in item #17):

It appears your concern is to have Maintenance clean the ventilation system/air ducts for a cleaner environment. I C/O T. Cannon asked your Unit Manager Mr. Dunn if you have spoken to him concerning your concern on the ventilation system and he stated “no”. An Indoor Air Quality Industrial Hygiene Survey was conducted on May 20, 2011 by Mr. John Hodge, Safety Consultant and Mw. Robyn Hansen, Safety Consultant. The heating ventilation and air conditioning systems of the housing units were checked. The preventive maintenance schedule was reviewed for air handling systems. The air handling systems were in good condition with an established preventive maintenance schedule, which included bi-weekly changing of air filters in the return air duct; checking the motors, belts and controls of the air handler equipment bi-weekly; and changing the filters in the handlers monthly. The preventive maintenance schedule was the same for air handling units serving other administrative and support areas of the institution. The mechanical rooms were clean and dry. No Moisture problems were observed. I hope this clarifies your concern, if not follow up with your Unit Manager, and discuss with him your concerns in order to initiate a work order.

24. Date: ____________________________

25. Superintendent Signature

26. (A)____ Agree with grievance response

27. Date: ____________________________

28. Inmate Signature

29. (B)____ Appeal to Step Two (24-hour limit)

Step Two - Area/Complex/Institution Response

29. Step two response (Item #31 to be completed within 20 calendar days of date in item #27):

Step one response is appropriate, no further action is necessary.

30. Date: ____________________________

31. Administrator Signature

32. (A)____ Agree with grievance response

33. Date: ____________________________

34. Inmate Signature

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This is a reply on the grievance I signed to step 2, containing the ventilation system. In the little time I had from the school break, I read staff's corrected answer quickly, signed it and left to go back to school. Everything listed in staff's reply is probably very true, and the two names mention, I assume are state inspectors that gave the okay approval. As mentioned of the air flow being adequate/sufficient does not change the fact that the ducts are dirty, dusty, and the bottom floor of ducts is consumed/covered with inches of lint, faced with dirt, dust, and other foreign/alien "germs" due to not being cleaned out. Ever.
Administrative Remedy Procedure

Step Three

12. Inmate: 
13. Issue(s): (b)(6) Privacy
14. Inmate Grievance No.: 
15. Date Received: 4/20/2011

GRIEVANCE EXAMINER: 

EXAMINATION OF EVIDENCE AND INTERVIEW OF INMATE

Grievance was filed by inmate on 4/20/2011 for violation of privacy. The nature of the violation is not specified. The examination revealed that the inmate felt that his privacy was violated due to a lack of proper procedures being followed.

The Grievance Examiner reviewed the evidence and the response given by the staff in the DC-410B response. From this review, it is concluded that the inmate has not been materially harmed or that the inmate's grievance is frivolous.

On this basis, this inmate's allegations are not substantiated. Thus, this grievance is dismissed for lack of supporting evidence.

Inmate Grievance Examiner

Date: 

DISTRIBUTION: Originals (DC-410, DC-410A & DC-410B) to location of final action.

cc: [ ] Unit Superintendent
NORTH CAROLINA DEPARTMENT OF CORRECTION
DIVISION OF PRISONS
ADMINISTRATIVE REMEDY PROCEDURE

1. Inmate Name: (b) (6) Privacy
2. Inmate OPUS No.: __________________________
3. Location: Eastern Facility c
4. Date: 5-27-11
5. Grievance Statement: There are vents that have not been cleaned or painted such as in the circle where control panels are located in vents, where vents are cleaned or painted they are painted over again which defeats the purpose. There are intake vents coming off the ventilation ducts that need cleaning or replaced due to obstructing airflow. Air ducts still need cleaning to rid of dust and other harmful products. There are exhaust fans in need of repair or replacement due to exhaust system not operating properly.

6. What remedy would resolve your grievance?: Clean HVAC system, clean all vents, and repair or replace exhaust systems.

7. Inmate Signature: __________________________

8. Date received: __________________________
9. Receiving Officer Signature: __________________________

10. This grievance is returned and can only be accepted when current grievance completes step two.

11. Date delayed: __________________________
12. Screening Officer Signature: __________________________

13. The grievance is rejected for the following reason(s): (Enter Code) A. State or Federal Court Decision D. Action not yet taken G. More than one incident J. Beyond control of DOC B. Parole Commission Decision E. Exceeds 1 year time limit H. ARP procedures not followed C. Appeals disciplinary action F. Remedy for another inmate I. Violates Disciplinary C2

14. Rejection Justification: __________________________

15. Date rejected: __________________________
16. Screening Officer Signature: __________________________
17. Date accepted: __________________________
18. Screening Officer Signature: __________________________

19. Grievance No.

Item #13, 15, or 17 to be completed within 3 calendar days of item #8.
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