

STANDARD 1.1

ENVIRONMENTAL HEALTH AND SAFETY

I. POLICY

This detention standard protects detainees, staff, volunteers, and contractors from injury and illness by maintaining high facility standards of cleanliness and sanitation, safe work practices, and control of hazardous substances and equipment. The facility will operate in accordance with all applicable regulations and codes, such as those of the Occupational Safety and Health Administration (OSHA), the National Fire Protection Association (NFPA), the Food and Drug Administration (FDA), the Centers for Disease Control and Prevention (CDC), and the Environmental Protection Agency (EPA).

II. STANDARDS AND PROCEDURES

A. Hazardous Substances

In accordance with OSHA 29 CFR 1910.1200, *Hazard Communication*, each facility utilizing hazardous chemicals shall create a written hazardous communication program that outlines proper chemical labeling, providing Safety Data Sheets (SDS), and training for employees.

The facility will establish a system for storing, issuing, and maintaining inventories of, and accountability for, hazardous materials.

Every area will have a perpetual inventory of the hazardous (flammable, toxic, or caustic) substances used and stored in that area. Inventory records will be maintained for each substance.

1. **Safety Data Sheets (SDSs); Files**

In accordance with OSHA requirements, every area using hazardous substances will maintain a file of the corresponding Safety Data Sheets (SDSs). The SDSs provide vital information on individual hazardous substances, including instructions on safe handling, storage, and disposal, prohibited interactions, etc. Staff and detainees will have ready and continuous access to SDSs for the substances with which they are working while in the work area.

Staff must review SDS files and the Maintenance Supervisor will review the records as necessary.

2. Master Index

The Maintenance Supervisor or facility designee will compile a master index of all hazardous substances in the facility, including their locations, along with a master file of SDSs. Documentation of reviews will be maintained in the SDS master file.

The master index will also include a comprehensive, up-to-date list of emergency phone numbers (fire department, poison control center, etc.).

3. Personal Responsibility

Every individual using a hazardous substance in the facility must be familiar with and follow all prescribed precautions, wear personal protective equipment (PPE) when necessary, and report hazards or spills to the designated authority.

Staff supervising detainees must be familiar with and follow all prescribed precautions, ensuring detainees are provided with and are properly utilizing PPE. Supervisors will promptly report hazards and incidents to the designated authority.

4. General Guidelines

- a. Flammable, caustic, and toxic substances (hazardous substances) will be issued (i.e., drawn from supply points to canisters or dispensed) only under the supervision of the designated officer.
- b. Hazardous substances will be issued in the amount needed as deemed necessary by the facility administrator.
- c. Inventory records for a hazardous substance must be kept current before, during, and after each use.
- d. Any liquid or aerosol labeled “Flammable” or “Combustible” must be stored and used as prescribed on the label, in accordance with the Federal Hazardous Substances Labeling Act, to protect both life and property.
- e. The SDS will govern use of a particular flammable or combustible liquid. Staff will follow SDS directions in disposing of excess flammable or combustible liquids and chemical spills.

5. Toxic and Caustic Substances

- a. All toxic and caustic materials must be stored in secure areas, in their original containers, with the manufacturer’s label intact on each container.
- b. Only authorized staff will draw/dispense these substances, in accordance with the applicable SDS(s).

6. Labeling of Chemicals, Solvents, and Other Hazardous Materials

- a. The facility will require use of properly labeled containers for hazardous materials, including any and all miscellaneous containers into which employees might transfer the material.
- b. Staff and detainees who work with hazardous materials will have appropriate training, including the classification code and safe handling procedures for each material.

B. Emergency Response

The facility will develop written plans and procedures for handling emergency situations reasonably likely to occur. Plans will include procedures for detainees with disabilities to ensure their safety and security during the facility response. All staff will be trained in the emergency plans, which will be reviewed and updated as appropriate on an annual basis.

C. Significant Event Notification Requirements

1. The facility shall immediately notify ICE/ERO of any and all of the following incidents or circumstances:
 - a. Disturbances: Activation of disturbance control team(s); Disturbances (including gang activities, group demonstrations, food boycotts, work strikes, workplace violence, civil disturbances/protests); Escape or escape attempts; Weapons discharge; Full or partial lock down of the detention facility; Bomb threats; Detention facility evacuations;
 - b. Acts of God: Fires; Significant environmental problems that impact the detention facility operations; Adverse weather (e.g., hurricanes, floods, ice/snow storms, heat waves, tornadoes);
 - c. Adverse Findings: Citations or denied licensures related to federal, state and local health, life, safety, and fire codes; Adverse incidents that attract unusual interest or significant publicity;
 - d. Noncompliance: The facility is required to provide a notice per the Public Notification Rule (40 CFR Part 141). This requires a facility to notify its water consumers its water supply violates a national primary drinking water regulation or has a situation that may pose a risk to public health. These consumer notices are required to be provided to persons served (not just billing customers), including detainees.
 1. If potable water is provided by a public water utility, the facility must immediately notify detainees and ICE/ERO if the facility receives a public notification from its water supplier in accordance with the Public Notification Rule.

2. If the facility is its own public water system, it must notify its customers, including detainees and ICE/ERO, when its water violates federal or state drinking water regulations (including monitoring requirements), or when they provide drinking water that may pose a risk to consumer's health.
- e. Accidents/Facility Operation Issues: Transportation (e.g., airlift, bus) accidents resulting in ICE detainee injuries, death, or detention facility property damage; fence damage; power outages; interruption in water service; HVAC system failure impacting detainee living areas; sewage backup; roof leaks in detainee living areas;
 - f. Assaults or Misconduct:
 - i. Detainee-on-Detainee Assault (Any serious physical assault on an ICE detainee by another detainee or inmate);
 - ii. Staff-on-Detainee Assaults (Any incident or allegation of a physical assault on an ICE detainee perpetrated by staff, including the facility investigation); and
 - iii. Staff Misconduct (Any incident or allegation of staff misconduct if that misconduct relates to treatment of ICE detainees, to the security or safety of the facility, or to compliance with detention standards or the provisions of the facility's contract with ICE).

D. Fire Prevention and Control

The facility will comply with standards and regulations issued by the National Fire Protection Association (NFPA), Environmental Protection Agency (EPA) and OSHA, national, state, and local fire safety codes, and the applicable standards of the American Society for Testing and Materials, American National Standards Institute, and Underwriters' Laboratories or Factory Mutual Engineering Corporation. Such topics will include, but are not limited to, fire safety codes; regular fire and safety inspections; a fire prevention, control and evacuation plan and fire drills.

New construction, alterations, and renovations will comply with the latest revision or update of the National Building Code of the Building Officials and Code Administrators International; the Uniform Building Code; or the Standard Building Code, in accordance with 40 USC 619 and local law.

In addition, the construction will comply with the latest edition of the National Fire Protection Association (NFPA) *NFPA 101, Life Safety Code*, and *NFPA 1, Fire Code*.

E. Pests and Vermin

Pests and vermin will be controlled and eliminated. Conditions which provide food, shelter, a medium for breeding, or harborage will be controlled and eliminated. The facility shall immediately notify ICE/ERO in the event of insect or rodent infestation.

F. Certification of Facility Water Supply

Potable water shall be available throughout the facility. If the facility is not on a certified community water source, a state laboratory will test samples of drinking and wastewater to ensure compliance with applicable standards. The facility shall immediately notify ICE/ERO in the event a report or notification is received showing the water supply violates health-based standards that may lead to water-related illnesses.

G. Emergency Electrical Power Generator

Power generators will be tested according to the manufacturer's instructions. Other emergency equipment and systems will undergo quarterly testing, with follow-up repairs or replacement as necessary. Testing documentation will be retained for review.

H. Guidelines for Specific Areas of the Facility:

1. Barber Operations

Sanitation of barber operations is of the utmost concern due to the possible transfer of diseases through direct contact or by the tools, implements, and supplies including the towels, combs, and clippers. Towels must not be reused after use on one person.

- a. The operation will be located in an easily cleanable area with sufficient lighting of at least 50-foot candles.
- b. At least one lavatory/sink with hot and cold running water, or waterless hand sanitizer, will be available.
- c. Barber operations will be provided with all equipment and facilities necessary for maintaining sanitary procedures of hair care, including containers for waste, disinfectants, disposable headrest covers, laundered towels, and haircloths.
- d. All hair care tools which come in contact with detainees will be cleaned and disinfected prior to each use.
- e. No person will be served when infested with head lice but will be reported to the medical authority for appropriate care and treatment.

2. Medical Operations

An established uniform procedure will be provided for the safe handling and disposal of used needles and other potentially sharp objects to prevent both mechanical injury and the percutaneous transmission of infectious disease organisms, especially the hepatitis B virus (HBV) and the human immunodeficiency virus (HIV).

“Sharps” are all disposable or discarded items derived from detainee care that could potentially transmit disease via direct subdermal inoculation. The following procedures will be observed when handling and disposing of needles and other hazardous sharp items:

a. Inventory

A perpetual/running inventory will be kept of those items that pose a security risk, such as sharp instruments, syringes, needles, and scissors. This inventory will be reconciled weekly by an individual designated by the medical facility Health Service Administrator (HSA) or equivalent.

b. Handling

Without removing the needles or replacing the needle covers, staff will place used (disposable) syringes in commercially available, biohazardous-waste sharps containers approved by the National Institute for Occupational Safety and Health.

1) Disposal

The container will be labeled with the words “infectious waste,” or with the universal biohazard symbol, and placed in the proper area for removal and disposal. Sharps will be considered infectious waste and final disposal of the container and contents will be through a commercial contractor that handles disposal of infectious waste in accordance with all local and federal regulations.

The facility will make arrangements for disposal with an approved contractor. The facility is responsible for validating that the contractor’s disposal methods comply with all infectious and hazardous waste disposal laws and regulations.

c. Accidental Needle Sticks

A written exposure-control plan will be followed in the event of a needle stick.

I. General Environmental Health Guidelines

Environmental health conditions will be maintained at a level that meets recognized standards of hygiene. Recognized standards include those from the Occupational Safety and Health Administration (OSHA), the Environmental Protection Agency (EPA), the Food and Drug Administration (FDA), the National Fire Protection Association (including the Life Safety Code (NFPA 101), and the Centers for Disease Control and Prevention (CDC).

The facility, in consultation with the HSA and the Environmental Health and Safety officer or equivalent, shall establish a housekeeping plan to ensure a high level of environmental sanitation. and shall consult with the HSA or equivalent in designing this program.

1. Facility Conditions

The facility shall ensure appropriate temperatures, air and water quality, ventilation, lighting, noise levels, and detainee living space, in accordance with any applicable state and local jail/prison standards.

Under emergency circumstances, and only with ICE/ERO written approval, the facility may utilize emergency capacity/temporary bed space, to include triple bunks, on an as needed basis for an initial period not to exceed 90 days, with incremental 30-day extensions possible only with prior ICE/ERO authorization. Before using emergency capacity, the facility must certify to ICE/ERO that required medical, mental health, and security staffing are available to properly support the additional detainee population. The facility must stay within overall emergency capacity limits and ensure all local fire safety requirements are met.

2. Housekeeping

General: Facility cleanliness and sanitation shall be maintained. All surfaces, fixtures, and equipment shall be kept clean and in good repair.

Suitable and sufficient cleaning equipment and supplies shall be available throughout the facility.

Medical Areas: The medical facility will be kept clean and in working order. The HSA or equivalent, or designee, will make a daily visual inspection of the medical facility noting the condition of floors, walls, windows, horizontal surfaces, equipment, and furnishings.

3. Blood and Body Fluid Clean-up

Spills of blood and body fluids will be cleaned up and the surface decontaminated in such a manner as to minimize the possibility of workers becoming exposed to infectious organisms. A suitable cleanup kit will be maintained for use in cases of spills of blood and body fluids. Cleanup kits may be obtained from commercial sources.

4. Hazardous and Infectious Waste Disposal

Infectious and hazardous waste generated at a medical facility will be stored and disposed of safely and in accordance with all applicable federal and state regulations.

5. Universal Precautions

Staff will routinely take precautions to prevent contact with blood and other bodily fluids in accordance with the facility's policies and procedures, which should comply with CDC Universal Precautions. (See Standard 4.3 "Medical Care.")

6. Garbage and Refuse

Garbage and refuse will be collected, stored, and removed from common areas at least daily and as often as necessary to maintain sanitary conditions and to avoid creating health hazards. Refuse inside and outside of the facility must be handled and disposed of in a sanitary and safe manner that complies with applicable laws and regulations.