

State of California

Department of Industrial Relations
Division of Occupational Safety and Health
San Bernardino District Office
464 West 4th Street, Suite 332
San Bernardino, CA 92401
Phone: (909) 383-4321 Fax: (909) 383-6789

Inspection #: 1479497
Inspection Dates: 06/17/2020 - 02/26/2021
Issuance Date: 02/26/2021
CSHO ID: X4225
Optional Report #:



Citation and Notification of Penalty

Company Name: California Department of Corrections & Rehabilitation - Chuckawalla Valley State Prison

Establishment DBA:

and its successors

Inspection Site: 19025 Wiley's Well Road Bldg #5
Blythe, CA 92225

Citation 1 Item 1 Type of Violation: **Regulatory**

T8CCR 5199 Aerosol Transmissible Diseases.

(j) Recordkeeping.

(2) Training records.

(A) Training records shall include the following information:

1. The date(s) of the training session(s);
2. The contents or a summary of the training session(s);
3. The names and qualifications of persons conducting the training or who are designated to respond to interactive questions; and
4. The names and job titles of all persons attending the training sessions.

Prior to and during the course of the inspection, including, but not limited to, on June 17, 2020, the employer failed to maintain training records for employees with occupational exposure to aerosol transmissible diseases, including COVID-19, that contained the following information:

- 1. The contents or a summary of the training sessions;**
- 2. The names and qualifications of persons conducting the training or who are designated to respond to interactive questions.**

Date By Which Violation Must be Abated:

March 24, 2021

Proposed Penalty:

\$425.00

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Establishment DBA:

and its successors

Inspection Site: 19025 Wiley's Well Road Bldg #5
Blythe, CA 92225

Citation 1 Item 2 Type of Violation: **Regulatory**

T8CCR 5199 Aerosol Transmissible Diseases.

(j) Recordkeeping.

(3) Records of implementation of ATD Plan and/or Biosafety Plan.

(B) Records of exposure incidents shall be retained and made available as employee exposure records in accordance with Section 3204. These records shall include:

1. The date of the exposure incident;
2. The names, and any other employee identifiers used in the workplace, of employees who were included in the exposure evaluation;
3. The disease or pathogen to which employees may have been exposed;
4. The name and job title of the person performing the evaluation;
5. The identity of any local health officer and/or PLHCP consulted;
6. The date of the evaluation; and
7. The date of contact and contact information for any other employer who either notified the employer or was notified by the employer regarding potential employee exposure.

Prior to and during the course of the inspection, including, but not limited to, on June 17, 2020, the employer's records of exposure incidents involving occupational exposure to pathogens such as SARS-CoV-2, the virus that causes COVID-19, lacked these required elements:

- 1. The date of the exposure incident;**
- 2. The names, and any other employee identifiers used in the workplace, of employees who were included in the exposure evaluation;**
- 3. The disease or pathogen to which employees may have been exposed;**
- 4. The name and job title of the person performing the evaluation;**
- 5. The identity of any local health officer and/or PLHCP consulted;**
- 6. The date of the evaluation; or**
- 7. The date of contact and contact information for any other employer who either notified the employer or was notified by the employer regarding potential employee exposure.**

Date By Which Violation Must be Abated:	March 24, 2021
Proposed Penalty:	\$425.00

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Citation and Notification of Penalty

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Establishment DBA: and its successors

Inspection Site: 19025 Wiley's Well Road Bldg #5
Blythe, CA 92225

Citation 1 Item 3 Type of Violation: **General**

T8CCR 5199 Aerosol Transmissible Diseases.

(g) Respiratory Protection.

(5) Medical evaluation: The employer shall provide a medical evaluation, in accordance with Section 5144(e) of these orders, to determine the employee's ability to use a respirator before the employee is fit tested or required to use the respirator. For employees who use respirators solely for compliance with subsections (g)(3)(A) and (g)(3)(B), the alternate questionnaire in Appendix B may be used.

Reference T8CCR 5144 Respiratory Protection.

Prior to and during the course of the inspection, including but not limited to, on June 17, 2020, the employer failed to provide medical evaluations to determine employees' ability to use respirators before employees were fit tested or required to use respirators in the workplace.

Date By Which Violation Must be Abated: March 24, 2021
Proposed Penalty: \$850.00

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**Citation and Notification of Penalty**

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Establishment DBA:

and its successors

Inspection Site: 19025 Wiley's Well Road Bldg #5
Blythe, CA 92225

Citation 2 Item 1 Type of Violation: **Serious**

T8CCR 5199 Aerosol Transmissible Diseases.

(d) Aerosol Transmissible Diseases Exposure Control Plan.

(1) The employer shall establish, implement, and maintain an effective, written ATD Exposure Control Plan (Plan) which is specific to the work place or operation(s), and which contains all of the elements in subsection (d)(2).

(2) The Plan shall contain all of the following elements:

(A) The name(s) or title(s) of the person(s) responsible for administering the Plan. This person shall be knowledgeable in infection control principles and practices as they apply to the facility, service or operation.

(B) A list of all job classifications in which employees have occupational exposure.

(C) A list of all high hazard procedures performed in the facility, service or operation, and the job classifications and operations in which employees are exposed to those procedures.

(D) A list of all assignments or tasks requiring personal or respiratory protection.

(E) The methods of implementation of subsections (e), (g), (h), (i) and (j) as they apply to that facility, service or work operation. Specific control measures shall be listed for each operation or work area in which occupational exposure occurs. These measures shall include applicable engineering and work practice controls, cleaning and decontamination procedures, and personal protective equipment and respiratory protection. In establishments where the Plan pertains to laboratory operations, it also shall contain the methods of implementation for subsection (f), unless those operations are included in a Biosafety Plan.

(F) A description of the source control measures to be implemented in the facility, service or operation, and the method of informing people entering the work setting of the source control measures.

(G) The procedures the employer will use to identify, temporarily isolate, and refer or transfer AirID cases or suspected cases to All rooms, areas or facilities. These procedures shall include the methods the employer will use to limit employee exposure to these persons during periods when they are not in airborne infection isolation rooms or areas. These procedures shall also include the methods the

employer will use to document medical decisions not to transfer patients in need of All in accordance with subsection (e)(5)(B).

(H) The procedures the employer will use to provide medical services, including recommended vaccinations and follow-up, as required in subsection (h). This shall include the procedures the employer will use to document the lack of availability of a recommended vaccine.

(I) The procedures for employees and supervisors to follow in the event of an exposure incident, including how the employer will determine which employees had a significant exposure, in accordance with subsections (h)(6) through (h)(9).

(J) The procedures the employer will use to evaluate each exposure incident, to determine the cause, and to revise existing procedures to prevent future incidents.

(K) The procedures the employer will use to communicate with its employees and other employers regarding the suspected or confirmed infectious disease status of persons to whom employees are exposed in the course of their duties, in accordance with subsection (h).

(L) The procedures the employer will use to communicate with other employers regarding exposure incidents, including procedures for providing or receiving notification to and from health care providers about the disease status of referred or transferred patients, in accordance with subsection (h).

(M) The procedures the employer will use to ensure that there is an adequate supply of personal protective equipment and other equipment necessary to minimize employee exposure to ATPs, in normal operations and in foreseeable emergencies.

(N) The procedures the employer will use to provide initial and annual training in accordance with subsection (i) to employees in job categories identified in subsection (d)(2)(B).

(O) The procedures the employer will use for recordkeeping, in accordance with subsection (j).

(P) An effective procedure for obtaining the active involvement of employees in reviewing and updating the exposure control plan with respect to the procedures performed in their respective work areas or departments in accordance with subsection (d)(3).

(Q) Surge procedures. Employers of employees who are designated to provide services in surge conditions, and employers of employees who are designated to provide services to persons who have been contaminated as the result of a release of a biological agent as described in subsection (a)(1)(B), shall include procedures for these activities in the plan. The plan shall include work practices, decontamination facilities, and appropriate personal protective equipment and respiratory protection for such events. The procedures shall include how respiratory and personal protective equipment will be stockpiled, accessed or procured, and how the facility or operation will interact with the local and regional emergency plan.

Prior to and during the course of the inspection, including, but not limited to June 17, 2020, the employer failed to establish, implement, and maintain an effective ATD Exposure Control Plan in that:

Instance 1 (5199, subd. (d)(2)(D))

The employer's list of all assignments or tasks requiring personal or respiratory protection was not complete.

Instance 2 (5199, subd. (d)(2)(G))

The employer failed to establish procedures it will use to identify, temporarily isolate, or refer or transfer Aird cases or suspected cases to All rooms, areas or facilities. The employer's ATD Exposure Control Plan lacked methods to limit employee exposure to those patients during periods when they were not in All rooms or areas, and it lacked methods the employer would use to document medical decisions not to transfer patients in need of All in accordance with subsection (e)(5)(B). The plan also lacked procedures to ensure that onsite rooms or areas designated for the purpose of airborne infection isolation met the requirements of subsection (e)(5)(D).

Instance 3 (5199, subd. (d)(2)(I), (J))

The employer failed to establish and implement effective procedures in its ATD Exposure Control Plan for the investigation of exposure incidents, including incidents involving pathogens such as SARS-CoV-2, the virus that causes COVID-19. The program did not include procedures for determining which employees had significant exposures to such pathogens; for employee notification; to evaluate each incident, determine its cause, and revise existing procedures to prevent or mitigate future incidents; or for medical follow-up to be given to those involved in such exposure incidents.

Instance 4 (5199, subd. (d)(2)(P))

The employer's ATD Exposure Control Plan lacked effective procedures for the active involvement of employees in reviewing and updating the plan with respect to the procedures performed in their respective work areas or departments. The plan also lacked procedures for employees to review the employer's determination that the use of powered air purifying respirators (PAPRs) for certain high hazard procedures would interfere with the successful completion of the required task or tasks (Ref. 5199(g)(3)(B)).

Date By Which Violation Must be Abated:

March 10, 2021

Proposed Penalty:

\$19125.00

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Citation 3 Item 1 Type of Violation: **Serious**

T8CCR 5199 Aerosol Transmissible Diseases.

(e) Engineering and Work Practice Controls, and Personal Protective Equipment.

(1) General. Employers shall use feasible engineering and work practice controls to minimize employee exposures to ATPs. Where engineering and work practice controls do not provide sufficient protection (e.g., when an employee enters an All room or area) the employer shall provide, and ensure that employees use, personal protective equipment, and shall provide respiratory protection in accordance with subsection (g) to control exposures to AirIPs.

Prior to and during the course of the inspection, including, but not limited to, on June 17, 2020, the employer failed to minimize employee exposure to ATPs, like SARS CoV-2, the virus that causes COVID-19, by not using feasible engineering and work practice controls, which should have included, among others, testing employees for COVID-19 during the month of May 2020 to allow for earlier contact tracing, employee self-isolation, quarantine, and medical care.

Date By Which Violation Must be Abated:

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Proposed Penalty:

\$19125.00

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Citation 4 Item 1 Type of Violation: **Serious**

T8CCR 5199 Aerosol Transmissible Diseases.

(g) Respiratory Protection.

(6) Fit testing.

(A) The employer shall perform either quantitative or qualitative fit tests in accordance with the procedures outlined in Appendix A of Section 5144, Respiratory Protection, of these orders. The fit test shall be performed on the same size, make, model and style of respirator as the employee will use. When quantitative fit testing is performed, the employer shall not permit an employee to wear a filtering facepiece respirator or other half-facepiece respirator, unless a minimum fit factor of one hundred (100) is obtained. When fit testing single use respirators, a new respirator shall be used for each employee.

(B) The employer shall ensure that each employee who is assigned to use a filtering facepiece or other tight-fitting respirator passes a fit test:

1. At the time of initial fitting;
2. When a different size, make, model or style of respirator is used; and
3. At least annually thereafter.

Reference T8CCR 5144 Respiratory Protection.

Prior to and during the course of the inspection, including but not limited to, on June 17, 2020, the employer failed to perform fit tests for employees using respirators with the same make, model, style, and size of the respirator to be used.

Date By Which Violation Must be Abated:

March 10, 2021

Proposed Penalty:

\$19125.00

Robert Delgado / Robert Salgado
Compliance Officer / Senior Safety Engineer