



May 9, 2023

Nicole Brown and Bruce Miles
District Supervisors
North Carolina Department of Labor
Occupational Safety and Health Division
Compliance Bureau
1101 Mail Service Center
Raleigh, NC 27699-1101

Re: Complaint Number 209784289

Dear Ms. Brown and Mr. Miles:

I am writing in response to your April 18, 2023 letter to Russell Broaddus, Professor and Chair, Department of Pathology & Laboratory Medicine, School of Medicine. The letter was received by the University of North Carolina at Chapel Hill (“UNC-CH”) Department of Environment, Health, and Safety (“EHS”) Tuesday, May 2, 2023, via direct email from Mr. Miles. Your letter described alleged health and/or safety hazards in Room 710 of the Brinkhous-Bullitt Building located at 160 North Medical Dr., Chapel Hill, NC 27514.

The University takes any potential hazard to the well-being of its employees very seriously. UNC-CH EHS, in conjunction with the School of Medicine, will take necessary measures to correct any concerns identified during the investigation of this complaint. The items addressing the concerns are provided below. If the complainant(s) have more questions, they are welcome to contact our office at any time, and we will be glad to discuss these items in greater detail in person.

Hazard Description:

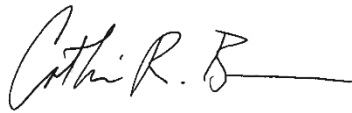
Employees are concerned about their health while being exposed to radiation, gases, and chemical fumes. Employees are working at desks located in areas shared by chemicals and laboratory testing. The room has hazardous chemicals, gases, old laboratory equipment, dirty sinks and countertops, containers for hazardous waste and sharp needles, syringes, blades, and broken glass. There is an adjacent lab which is open, and tests are performed on mice and rodents. There are concerns about the air quality due to the odors in the area. There are signs in this lab warning of the presence of radiation.

UNC-EHS Response:

EHS was made aware of a potential safety concern at this location on April 17, 2023 by referral from the Equal Opportunity and Compliance office. EHS reached out to the complainants and requested a meeting to examine the space. Due to complainants being out of office this meeting was not scheduled until Tuesday, May 2, 2023. EHS performed a site visit the morning of May 2nd and spoke with both complainants. Please see attached incident investigation report which outlines findings and corrective actions. The School of Medicine (SOM) plans on moving occupants to another dedicated office space in another SOM building and the estimated time for occupancy of new space is summer 2023.

If you have additional questions or concerns, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Catherine R. Brennan", with a long horizontal line extending to the right.

Catherine Brennan
Executive Director
Department of Environment, Health and Safety
University of North Carolina at Chapel Hill
Office 919-843-5331
crbrennan@ehs.unc.edu

Cc:

Russell Broaddus, Distinguished Professor and Chair, Dept. of Pathology and Laboratory Medicine, School of Medicine



THE UNIVERSITY
of NORTH CAROLINA
at CHAPEL HILL

ENVIRONMENT,
HEALTH & SAFETY

1120 ESTES DRIVE EXTENSION
CAMPUS BOX 1650
CHAPEL HILL, NC 27599-1650

T 919.962.5507
F 919.962.0227
ehs.unc.edu

INCIDENT REPORT

To: Russell Broaddus (Distinguished Professor and Chair, Department of Pathology and Laboratory Medicine, School of Medicine)

From: Cathy Brennan (Executive Director, Environment, Health & Safety)

Date: May 9, 2023

Distribution: Tiffany Bailey (Director of EO and ADA Coordinator, Equal, Opportunity and Compliance)

Purpose of Investigation:

Gather facts to prevent future occurrences and ensure safe operations.

Type of Incident: Workplace Safety Concern

Department: Pathology and Laboratory Medicine

Building Name: Brinkhous-Bullitt Building

Room Number(s): 710

Date of Incident: April 17, 2023

Brief Description of the Incident: Workplace safety concern related to faculty offices being co-located within an active research laboratory space.

Incident Description:

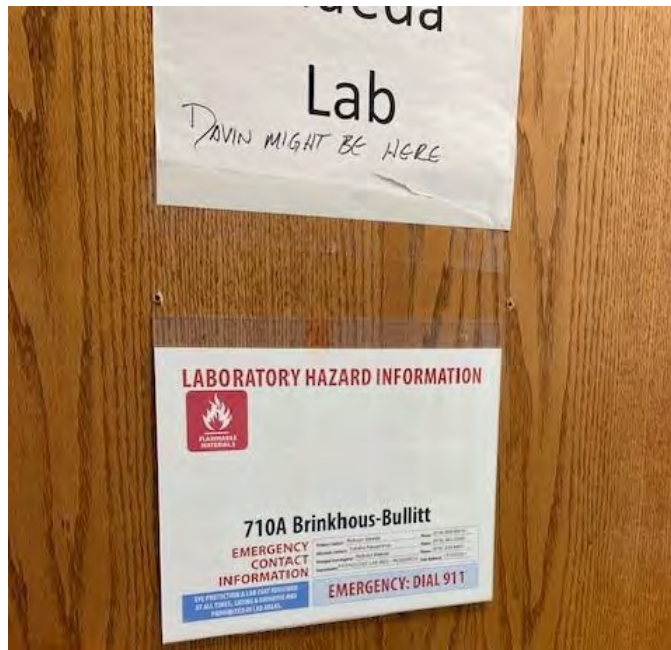
EHS was made aware of a potential workplace safety concern on April 17, 2023 by referral from the Equal Opportunity and Compliance office. EHS reached out to the complainants and requested a meeting to examine the space. Due to complainants being out of office the in-person meeting was not scheduled until Tuesday, May 2, 2023. EHS performed a site visit the morning of May 2nd and spoke with both complainants.

Incident Investigation and Discussion:

Room 710 is located on the 7th floor of the Brinkhous-Bullitt Building and is a 721 square foot room built and utilized as research wet-laboratory space (see attached floor plan). The room contains benches and casework to support this type of research and has a sink and eyewash at the center of room and two doors at opposite ends of the room for entry.

Both entrance doors have lab hazard signage posted outlining hazards contained within the lab space. The room currently houses one active research laboratory on the right side accessible by right door (denoted as 710A) and on the left-hand side the complainant offices.

The lab space on the right side is placarded for flammable materials. Investigation showed that flammable hazardous chemicals are present, small animal rodent surgeries are occurring in space, and fixed animal tissue storage occurs on benchtops and lab shelving. While there is an old posting for radioactive materials on wall within lab, the lab went inactive for radioactive materials in March 2021 and no radioactive materials are currently present.



Picture 1. Lab Entrance Sign posted on door of 710A



Picture 2. Active lab bench in Room 710A



Picture 3. Small animal surgery station in Room 710A



Picture 4. Fixed animal tissue storage in Room 710A

The right- and left-hand sides of room are divided by a bench top and cubicle desk, which are in use on the active lab side and vacant on the office side. There is no floor to ceiling wall separating the active lab side versus the office side. As a result, the air flow within the room is shared between the two sides and odors can migrate throughout both sides of the room.



Picture 5. Bench and cubicle desk separating two sides of room

The other side of the room is the current space assigned to complainants as office space. The space had most recently been a research lab and was vacated and partially cleaned up. A complete lab closeout was not performed as there are some chemicals, used glass waste, and a Sharps container that have been left behind.



Picture 6. Remaining chemicals on shelves



Picture 7. Remaining chemicals below sink



Picture 8. Remaining biohazard waste container and Sharps container



Picture 9. Remaining lab glass waste container

Complainants are employees who previously each had separate office space on the 4th floor of the Brinkhous-Bullitt Building and were moved to Room 710 in February 2023. Employee 1 utilizes a desk that was built as a laboratory benchtop. This type of desk within a lab is common throughout the University and typically houses graduate students. Employee 1 has stated experiencing health concerns related to back pain since being moved to Room 710 and utilizing this new desk area.



Picture 10. Employee 1 desk and microscope set-up

Employee 2 utilizes a microscope and computer to view digital images and the current set up does not have these adjacent to each other. This requires the employee to constantly move their chair back and forth. Additionally, the microscope is located on a fixed bench top which is not moveable so it is causing ergonomic discomfort.



Picture 6. Employee 2 desk and microscope set-up

EHS spoke to the Department regarding the concerns and were informed that this space was temporary and that the complainants would be moved in the future to private office

space in another yet to be identified School of Medicine building. Once identified the estimated move in date would be this summer.

In the meantime, several items can be resolved in the temporary space including completing lab closeout related to former research investigator lab materials. EHS will coordinate with the Department for removal within the next week. The complainants declined to have EHS clean up the space on May 2 as they stated they were waiting for an OSHA inspection.

Additionally, small animal surgeries are occurring in 710A which could cause animal odors to be present in room. Employees should coordinate with the room 710A investigator to be informed when animals will be present, so they do not have to come to the office during that time.

Complainants have also experienced ergonomic issues and an assessment can be done to modify current desk space. Please see ergonomics resources on EHS website: <https://ehs.unc.edu/topics/ergonomics/office-ergonomics/>.

While the lab space should have been cleared before the space was used as an office and not an active lab, the lab materials were properly stored and did not present any hazard. Specific corrective steps are outlined below with responsible party and estimated completion dates.

Recommendations and Corrective Steps:

	Recommendations	Responsible Party	Estimated Completion Date	Completion Date
1	Remove radioactive materials posting from Room 710A.	EHS	05/15/23	
2	Complete lab closeout and remove remaining lab items (sharps container, biohazard bin, glad waste, chemicals) and lab entrance signage from office side of Room 710.	EHS	05/15/23	
3	Coordinate with active lab in 710A regarding when animals will be present to minimize exposure to animal odors.	Room 710/710A occupants	On-going	
4	Complete ergonomics online assessment for office environment (https://ehs.cloudapps.unc.edu/Ergo/).	Employees	05/15/23	
5	Identify dedicated office space in another School of Medicine building and complete office move.	School of Medicine	08/01/23	



Printed On: May 03, 2023

**Brinkhous-Bullitt Bldg (228) -
Floor: 07**

■ Rooms

