



November 13, 2023

Doreen Makaya, District Supervisor  
Bruce Miles, Senior Health Compliance Officer  
N.C. Department of Labor  
Occupational Safety & Health Division  
Compliance Bureau  
1101 Mail Service Center  
Raleigh, NC 27699

**Re: Complaint Number 209804996**

Dear Ms. Makaya and Mr. Miles:

I am writing in response to your October 18, 2023, letter to Dr. Wesley Burkes at UNC Health Care which was initially responded to by UNC Medical Center Environmental Health and Safety. The letter was received by the University of North Carolina at Chapel Hill (“UNC-CH”) Environment, Health, and Safety (“EHS”) on November 7, 2023. Your letter described alleged health and/or safety hazards at 101 Manning Drive, Chapel Hill, NC 27514. The hazard location is listed as Wing E, Ground Floor. The Hazard Description outlined in the complaint is provided below:

1. There is no access to drinking water due to the water fountains being taped off.
2. There is a rodent problem inside the facility.

The University takes very seriously any potential hazard to the well-being of its employees. UNC-CH EHS, in conjunction with UNC-CH Facilities Services, will take necessary measures to correct any concerns identified during the investigation of these complaints. The items addressing the letter are provided below. If the complainants 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.

**UNC Response**

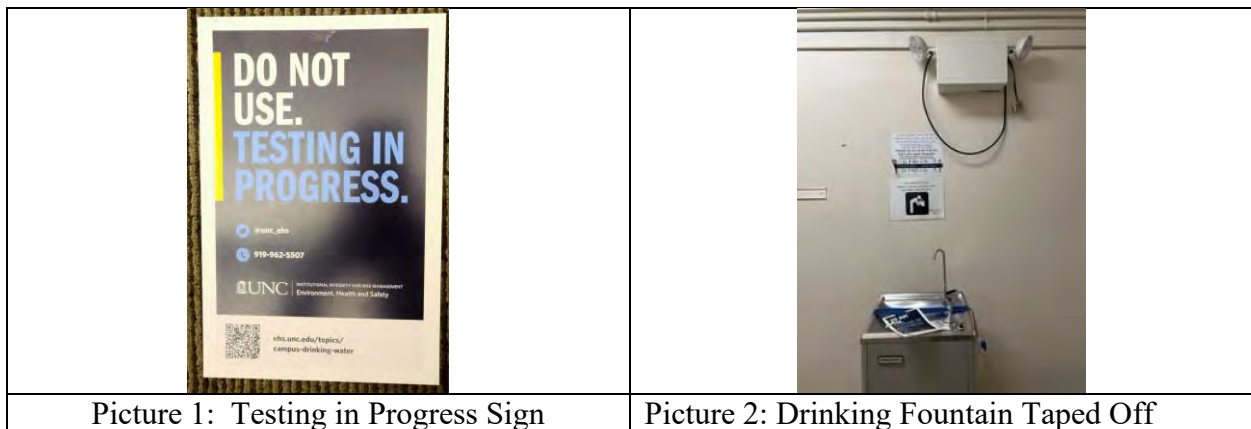
**Building Description:**

The Medical School Wings which include Wings B, C, D and E&F are University owned and maintained by UNC-CH Facilities Services. Wings E&F are considered one building in the University’s Space Planning and Occupancy Tracking System (SPOTS). The Ground Floor of Wings E&F is occupied by UNC Medical Center employees.

**Hazard Description #1: There is no access to drinking water due to the water fountains being taped off.**

The University started a lead water testing program for all campus drinking water fixtures in 2022 which included the Medical School Wings. The testing procedure included providing portable water coolers to a building during the testing process until receiving the laboratory analysis results which is typically seven days. Portable water coolers remained if remediation of the fixtures was required and drinking water access was limited.

Water testing of Wings E&F drinking water fixtures occurred in November 2022. Facilities Services delivered two water coolers to Wing E&F on November 10 and 14, 2022. An additional cooler was provided to the ground floor on December 10, 2022. Water testing for the building was conducted on November 17, 2022. Only one fixture in Wings E&F had detectable lead, which was the drinking fountain on the ground floor near Room 2 (see attachment for building notice). This fountain remained taped off and out of service after testing with a “Do Not Use. Testing in Progress” sign that contained EHS contact information (see Pictures 1 and 2 below). The portable water cooler remained on the ground floor after testing until remediation could be completed as this is the only fountain on this floor. On September 14, 2023, EHS requested Facilities Services remove two of the portable water coolers provided to Wings E&F but to leave the cooler on the ground floor. Hospital EHS notified University EHS on October 3, 2023, that the water cooler on the ground floor had been mistakenly removed. Facilities Services returned the water cooler to the ground floor on the same day. Samples collected on October 4, 2023, cleared the drinking fountain on the ground floor for use. The water cooler remained until the drinking fountain was placed in service on October 17, 2023.



In summary, the portable water cooler on the ground floor was mistakenly removed on September 14, 2023. There was a period from September 14 to October 3, 2023, when there was no drinking water on the ground floor. However, there was a drinking fountain and a bottle filler on the 1<sup>st</sup> floor and additional drinking water sources on floors 2 through 4. This meets the OSHA 1910.141 Sanitation Standard requirement of providing potable water for drinking in places of employment. Also, per the 2018 NC State Plumbing Code, one drinking fountain is required per 100 occupants. There are less than 100 occupants on the ground floor.

**Hazard Description #2: There is a rodent problem inside the facility.**

In response to this complaint, UNC Medical Center’s Pest Control Operator inspected the basement, ground floor, and building exterior for rodent activity on October 26, 2023. No rodent activity was observed but potential routes of entry were identified. Traps were placed in the complaint area and a plan for ongoing monitoring for the next 30 days was developed.

Once University EHS received the complaint on November 7, 2023, the School of Medicine (SOM) Planning Office submitted a work order to UNC-CH Facilities Services on November 8, 2023, to “Please have pest control service check university maintained areas of Wing E and take preventative measures.” On November 8, 2023, University representatives met with Clegg’s, the University pest control contractor, and a UNC Medical Center EHS representative to inspect the ground floor and building exterior. No rodent activity was observed during the inspection. However, the Clegg’s representative placed traps on the ground floor in addition to the traps placed by the UNC Medical Center’s Pest Control Operator on October 26, 2023. The Medical Center EHS representative identified possible entry points noted during their inspection. Work orders were submitted to Facilities Services to address the entry points.

Going forward to ensure continuity in pest control management for Medical School Wings E&F, University SOM and UNC-CH Facilities Services will maintain the exterior of the building and provide pest control for University occupied floors. UNC Medical Center will provide pest control management for the floors they occupy which includes the ground floor of Wing E. Medical Center occupants will report pest control concerns to their Environmental Services department.

**Corrective Actions**

EHS and Facilities Services implemented the safety resources below:

Corrective Action	Responsible Party	Completion Date
Complete work order for pest control service check of Wing E and preventative measures.	Facilities Services Pest Control	November 8, 2023
Complete work order for addressing potential rodent entry points for Wings E&F.	Facilities Services	

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", followed by a 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](mailto:crbrennan@ehs.unc.edu)

Cc:

Dalton Sawyer, Director, Emergency Management/Environmental Health & Safety, UNC Medical Center



To: Occupants of Medical Wings E & F  
 From: Catherine Brennan, Executive Director of Environment, Health and Safety  
 Date: November 22, 2022  
 Re: Drinking Water Testing

Occupants of Medical Wings E & F,

Environment, Health and Safety has performed comprehensive drinking water testing for detectable lead in your building and has found 1 fixture with detectable lead present. Below are the fixtures that were tested as well as the results. The fixture found with detectable lead is in bold below.

Sample Date	Location	Type	1st Sample (ppb)	2nd Sample (ppb)
11/17/2022	Near Room 131	Drinking Fountain	non-detect	non-detect
11/17/2022	Near Room 131	Bottle Filler	non-detect	non-detect
11/17/2022	In Room 214	Sink - Kitchen	non-detect	
<b>11/17/2022</b>	<b>Near Room 2</b>	<b>Drinking Fountain</b>	<b>2.3</b>	<b>1.8</b>
11/17/2022	Near Room 2	Bottle Filler	non-detect	non-detect
11/17/2022	Near Room 204	Drinking Fountain	non-detect	non-detect
11/17/2022	In Room 312	Sink - Kitchen	non-detect	
11/17/2022	Near Room 404	Drinking Fountain Left	non-detect	non-detect
11/17/2022	In Room 402A	Sink - Breakroom	non-detect	
11/17/2022	Near Room 404	Drinking Fountain Right	non-detect	non-detect

*Highlighted gray areas in the 2<sup>nd</sup> Sample column indicate samples that were not collected. This applies primarily to ice makers (not capable of flushing) and sinks. EHS would have collected a 2<sup>nd</sup> sample if the 1<sup>st</sup> sample results were detectable.*

Now that testing is complete, the drinking water fixtures will be placed back in service and signs will be removed. The fixtures that showed detectable lead will be removed from service and further investigation into the cause will occur. Questions can be directed to the Environment, Health and Safety Department at 919-962-5507. Campuswide drinking water updates can also be seen at the [EHS website](#) and on the EHS Twitter account at [@unc\\_ehs](#).

Thank you,  
 Catherine Brennan  
 Executive Director of Environment, Health and Safety  
 UNC-Chapel Hill