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November 19, 2009

Memorandum

TO:

Superintendent of Education

FROM:

Education Suruhanu

SUBJECT:

Benavente Middle School Inspection November 2009

Dear Dr. Bretania Underwood:

Attached to this memorandum are inspection reports identifying discrepancies discovered during an inspection of the Benavente Middle School campus that occurred on November 16, 2009. The agencies that participated in the inspection were the Department of Public Health and Social Services (DPHSS), the Guam Environmental Protection Agency (GEPA), and our office. As a result of the inspection, DPHSS issued a letter grade "C" for the school building totaling thirty six (36) demerits including one six (6) demerit point item. In addition, DPHSS issued a letter grade "A" for the school cafeteria totaling ten (10) demerits including various two (2) and four (4) demerit point items. GEPA also issued an inspection report detailing the discrepancies discovered. However, GEPA does not issues demerit points for such discrepancies.

Title 10 GCA Chapter 21 requires violations to be corrected within a specific time frame. When the demerit score is 20 or less, all violations of two (2) or four (4) demerits must be corrected within a period not to exceed 30 days. See 10 GCA § 21107 (2) (a). However, when the demerit score is more than 20 but not more than 40, all items of two (2) or four (4) demerits must be corrected within a period of time not to exceed fifteen (15) days. See 10 GCA § 21107 (2) (b). Furthermore, when one (1) or more six (6) demerit point items are in violation, regardless of the total demerit score, such item or items must be corrected within a period of time not to exceed ten (10) days. See 10 GCA § 21107 (2) (c).

The school building received a demerit score of 36 therefore, the two (2) and four (4) demerit point items listed in the inspection report must be corrected within fifteen days from the date of the inspection. In addition, the school building inspection report also contains one (1) six (6) demerit point item which must be corrected within 10 days from the date of the inspection. The school cafeteria received a demerit score of ten (10) therefore, the two (2) and four (4) demerit point items listed in the inspection report must be corrected within 30 days from the date of the inspection.

In addition, GEPA also prepared an inspection report noting the various discrepancies and/or violations discovered at the school. Please be advised that the GEPA inspector stated in his report that some of the discrepancies noted in the current inspection report were also reported in the June 2009 inspect report. In other words, some of the violations previously cited by GEPA had not been corrected before the most recent inspection. As such, I strongly recommend that DOE correct such discrepancies immediately in order to ensure that GDOE comes into compliance with the applicable GF^DA regulatory code.

Furthermore, I strongly recommend that GDOE address all the discrepancies identified in the inspection reports and rectify them immediately in order to come into compliance with the various regulatory agency codes, with various provisions of the 14 Points of P.L. 28-45, and/or with any other applicable laws or rules. Because not all the classrooms or school facilities were inspected, GDOE is highly encouraged to asses all other classrooms and school facilities in order to identify any other discrepancies and perform the necessary corrective action.

During the course of the inspection, it was observed that several DOE maintenance workers arrived shortly after the inspection began. It was also observed that such workers were performing various types of work in order to rectify violations/discrepancies that were previously cited in the June 2009 inspection report and they were also addressing violations/discrepancies that were newly discovered during the recent inspection. If it were not for such efforts, the total demerit score may have yielded a suspension of the sanitary permit as a result of the initial findings. Although extensive work was performed at the campus while the inspection took place, much of the work could and should have been performed well in advance of the inspection. DOE must work diligently to timely address and rectify any previously reported violations/discrepancies. DOE must also work to timely address and rectify previously submitted work requests reporting any such problems the school may be experiencing. It should not take an inspection of the campus in order for repairs to be made at the school. Despite any shortcomings DOE may be experiencing, DOE must provide a healthful, safe, and sanitary learning environment to all the students.

I strongly recommend that DOE officials require school administrators and/or their designees to physically tour the school's campus on a regular basis noting and reporting all discrepancies. However, DOE officials must insure that such reports are being addressed accordingly by the appropriate DOE divisions. Failure to address reported problems in a timely manner could result in negative consequences for the school.

Please submit to my office, in writing, the status of GDOE's efforts to rectify each of the discrepancies identified in the inspection reports, including but not limited to the measures taken or to be taken to rectify each discrepancy and the date when such discrepancy was rectified or will be rectified. Please submit such requested information to my office immediately.

If you have questions, please do not hesitate to contact my office.

Respectfully,

Dominic Terlaie

Attachment:

OES Inspection report

cc:

Honorable Speaker, 30th Guam Legislature GEPB Chairman

Office of Attorney General, Patrick Mason, Deputy Attorney General, Civil Litigation & Solicitor Division (via email)

| Schoo Date | School Representative: Beth Perez, Principal Date and Time of Inspection: November 16, 2009 at 9:30 a.m. to 4:30 p.m. | Beth Perction: No | ez, Principal vember 16, 200 | 9 at 9:30 a.m | to 4:3 | | Name of School | Name of School: V.S.A. Benavente |
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| | | | Type of | | . 5 | | | |
| | Location | 14 Point at issue (a-n) | Citation (PH=DPHSS, F=Fire Dept, E=EPA, S=Suruhanu | Date of Citation | s | Description of Finding | Comments | Recommendations |
| | Campus | _ | PH & S | 11/16/09 | 2 | Observed rooftop hallway awning towards gym with overgrown vegetation. Observed backside of new annex building with overgrown vegetation. Observed A building and main office rooftop with rubbish and trash. | P.L. 28-45 § 4 (12) (1) requires schools to provide a healthful, safe, and sanitary learning environment. The Department of Public Health and Social Services School Sanitary Code (the SSC) requires the school site: (1) to be free from potential sources of insect and rodent breeding: (2) to be kept clean and free of rubbish; (3) that all school areas be maintained in a clean, safe, and sanitary condition. | Address and rectify immediately in order to come into compliance with the law. The School must remove rubbish and/or trash from the campus as necessary. School grounds including building roof tops, canopies, and rain gutters should be free from trash and vegetation as necessary. |
| | Campus | - | PH & S | 11/16/09 | 2 | Observed rooms A18, 47 & 48 with dark stained floors. Observed floor in the gym under bleachers with rubbish and trash. | P.L. 28.45 § 4 (12) (1) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires school floors to be of such construction as to be easily cleanable, light in color, and shall be kept clean and in good repair. Floors shall be made from materials approved by the Department. | Address and rectify immediately in order to come into compliance with the law. DOE must respond timely to reports of such discrepancies. DOE must not wait for an inspection before rectifying any discrepancies previously cited and/or previously reported. |
| A | Campus | | РН & S | 11/16/09 | 2 | Observed main hallway awnings and hallway awning towards gym in disrepair. Observed paint peeling on walls and ceiling throughout the school building. Observed wood walls behind bleachers in gym not in good repair. | P.L. 28-45 § 4 (12) (1) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires walls and ceilings to have surfaces of light color, have a flat finish, be kept clean, and in good repair. | Address and rectify immediately in order to come into compliance with the law. Hallway awnings and/or canopies in disrepair must be repaired and/or replaced immediately. DOE must respond timely to reports of such discrepancies. DOE must not wait for an inspection before rectifying any discrepancies previously cited and/or previously reported. |

| | | | | | PUBLIC LAW 28-45: | 5: 14 POINTS COMPLIANCE | | |
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| School Representative: Beth Perez, Principal Date and Time of Inspection: November 16, 2009 at 9:30 a.m. to 4:30 p.m. Westbor Condition: | Beth Per | ez, Principal vember 16, 200 | 9 at 9:30 a.m | to 4:3 | 0 p.m. | Na | ame of School: | Name of School: V.S.A. Benavente |
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| | | S=Suruhanu | | u | | | | |
| Campus | - | PH & S | 11/16/09 | 4 | Observed A & B wing exit doors in P.L. 28-45 § 4 (12) (1) requires disrepair. No self closing door device and no door knobs. Observed SSC requires entrance doors to rooms A18 & A19 with no self outward. The SSC also require | P.L. 28-45 § 4 (12) (1) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires entrance doors to be self-closing and open outward. The SSC also requires doors to be kept clean | | Address and rectify immediately in order to come into compliance with the law. DOE must respond timely to reports of such discrepancies. DOE must not wait for an inspection before rectifying any discrepancies |
| | | | | | | | | |
| | | | | | Observed cracked window near room B29. Observed window in disrepair in front of room B29. Observed A & B wing with bare | P.L. 28-45 § 4 (12) (1) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires windows to be kept clean and in good repair. The SSC requires windows to be cleaned and | he | Address and rectify immediately in order to come into compliance with the law. DOE must respond timely to reports of such discrepancies. DOE must not wait for an inspection before rectifying any discrepancies |
| Campus | _ | PH & S | 11/16/09 | 2 | wood windows and broken or missing window louvers. Observed cracked window in front of room B25. | maintained to prevent entry of vectors. | | previously cited and/or previously reported. |
| Gym | parent. | PH & S | 11/16/09 | 4 | Observed rat droppings in the electrical room. | P.L. 28-45 § 4 (12) (1) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires schools to be free of insects of public health significance and conditions which attract, provide harborage, and promote breeding of vermin. Address and rectify immediately in into compliance with the law. Pest should be confacted to conduct properties of the removal of vectors as necessary harborage, and promote breeding of vermin. | a The ovide | Address and rectify immediately in order to come into compliance with the law. Pest control company should be contacted to conduct proper treatment for the removal of vectors as necessary. |
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| School Representative: Beth Perez, Principal Date and Time of Inspection: November 16, 2009 at 9:30 a.m. to 4:30 p.m. Weather Condition: Sunny and warm | Beth Per ection: No | ez, Principal vember 16, 200 | 9 at 9:30 a.m | to 4: | | PUBLIC LAW 28-45: 14 POINTS COMPLIANCE Name of Scho | Name of School: V.S.A. Benavente |
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| | | | | | Rooms Al through Al0, and Al1 & | P.L. 28-45 § 4 (12)(I) requires schools to provide a | Address and rectify immediately in order to come |
| | | | | | remain closed by the school. Classrooms 57 54 45 46 and 48 | nealthrul, safe, and sanitary learning environment. The SSC requires walls and ceilings to have surfaces of light color have a flat finish he kent clean and in good | |
| | | | | | are closed by DPHSS as a result of | repair. | could indicate that the ceiling structure may be |
| Campus | | PH & S | 11/16/09 | 2 | walls and for water leakage into | | should be conducted to determine the cause of the |
| | | | | | | | discrepancies. DOE must not wait for an inspection |
| | | | | | | | before rectifying any discrepancies previously cited and/or previously reported. |
| | | | | | Observed that A/C units in rooms | P.L. 28-45 § 4 (12) (1) requires schools to provide a | Address and rectify immediately in order to come |
| | | | | | are not working properly. | nealthrul, safe, and sanifary learning environment. P.L. 28-45 § 4 (12)(f) requires schools to provide air | into compliance with the law. In the alternative, provide additional fans or other mechanical devices |
| | | | | | | conditioned or properly ventilated classrooms in which | in order to properly ventilate the classroom. If room |
| | | | | | | The SSC requires school equipment to be maintained. | temperature cannot be improved or conditions |
| | | | | | | kept clean, and in good repair. The SSC requires that | suitable room. A/C unit filters should be cleaned on |
| | | | | | | circulation of needed air within a room by either | a regular and ongoing basis or as necessary. DOE must respond timely to reports of such discrepancies. |
| Campus | f & 1 | PH & S | 11/16/09 | 2 | | windows or mechanical ventilators. The SSC requires | DOE should not wait for an inspection before |
| | | | *************************************** | | | that when mechanical ventilation is provided, it shall be kent clean and in good renair. The teacher indicated | rectifying discrepancies previously cited and/or |
| | | | | | | that such condition has existed for approximately one | room temperatures cannot be maintained. |
| | | | | | | °F inadequate. In the event a classroom temperature measures above 85°F. Public classroom temperature the | |
| | | | | | | closure of such room until such measures can be taken to | 0 |
| | | | | | | be adequately maintained. | |
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| Male and Female restrooms & Gym locker | Campus | Location | School Representative: Beth Perez, Principal Date and Time of Inspection: November 16, 2009 at 9:30 a.m. to 4:30 p.m. Weather Condition: Sunny and warm |
| <u></u> | _ | 14 Point at issue (a-n) | Beth Perction: No |
| PH & S | PH & S | Type of Citation (PH=DPHSS, F=Fire Dept, E=EPA, S=Suruhanu | ez, Principal vember 16, 200 warm |
| 11/16/09 | 11/16/09 | Date of Citation | 9 at 9:30 a.n |
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| Observed most male and female restrooms missing soap, sanitary paper towels, and soap dispensers. Observed clogged drain in the middle sink of the boys locker room. | Observed various rooms with burned out lights: Building B industrial arts room, room 48 fast track, room 25 B building, library, and gym. | Description of Finding | |
| Observed most male and female restrooms missing soap, sanitary healthful, safe, and sanitary learning environment. P.L. paper towels, and soap dispensers. Observed clogged drain in the middle sink of the boys locker room. paper towels to be provided and made available at all times. A heated air hand-drying device is acceptable in place of the single-service paper towel dispenser. Hand pump soap dispensers may be used on a temporary basis only. | P.L. 28-45 § 4 (12) (1) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires that where natural light is not available, artificial light shall be provided to promote comfortable visual environment. The SSC requires school equipmen to be maintained, kept clean, and in good repair. The SSC requires minimum acceptable levels of lighting for classrooms. | Comments | PUBLIC LAW 28-45: 14 POINTS COMPLIANCE Name of |
| Address and rectify immediately in order to come into ompliance with the law. Repair, replace, and/or install soap dispensers and paper towel dispensers immediately in order to come into compliance with the law. A restroom without sanitary supplies could e in present various health concerns for students. DOE must exhaust all efforts to ensure that sanitary supplies are provided and made available in all student restrooms at all times, and that restrooms remain clean and sanitary throughout the entire school day. School personnel including office staff should be required to perform restroom monitoring. A restroom log or monitoring sheet should be created and implemented accordingly. | P.L. 28.45 § 4 (12) (1) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires that where natural light is not available, artificial light shall be provided to promote comfortable visual environment. The SSC requires school equipment to be maintained, kept clean, and in good repair. The SSC requires minimum acceptable levels of lighting for classrooms. Address and rectify immediately in order to come into bulbs or electrical parts of light fixtures as necessary. DOE must respond timely to reports of such discrepancies. DOE should not wait for an inspection before rectifying discrepancies previously cited and/or previously reported. | Recommendations | Name of School: V.S.A. Benavente Middle School |

| Date and Time of Inspection: November 16, 2009 at 9:30 a.m. to 4:30 p.m. Weather Condition: Sunny and warm | n: November 16, 200 v and warm | 9 at 9:30 a.m. t | o 4:30 p.m. | Name of School: V.S.A. Benavente Middle School |
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| School Representative: Beth Perez, Principal Date and Time of Inspection: November 16, 2009 at 9:30 a.m. to 4:30 p.m. Weather Condition: Sunny and warm | Beth Pere ction: Nov nny and w | z, Principal /ember 16, 200 /arm | 9 at 9:30 a.m | ı. to 4:3 | 0 թ.ա. | Name of Sci | Name of School: V.S.A. Benavente Middle School |
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| Location | 14 Point at issue (a-n) | Type of Citation (PH=DPHSS, F=Fire Dept, E=EPA, S=Suruhanu | Date of Citation | * B | Description of Finding | Comments | Recommendations |
| Male Shower Room | ~ & ~ | PH & S | 11/16/09 | 4 | Observed student to shower head ratio for the boys is not met. A total of 10 shower heads were identified, 2 of which were in disrepair. Based on the male population of 57 students for one period, 11 shower heads are required. | P.L. 28-45 § 4 (12) (1) requires schools to provide a healthful, safe, and sanitary learning environment. P.L. 28-45 § 4 (12) (j) requires schools to provide proper sanitation. Where athletic activities or gymnastic activities are conducted, showers shall be provided. The SSC requires locker rooms to be kept clean, well ventilated and the lockers, showerheads, and floors to be kept in good repair. The proper ratio of working shower heads shall be provided based upon the maximum demand of males in any one period. | Address and rectify immediately in order to come into compliance with the law. Repair and/or replace the showerheads in disrepair. DOE must respond timely to reports of such discrepancies. DOE should not wait for an inspection before rectifying discrepancies previously cited and/or previously be reported. |
| Restrooms | - 8 - | PH & S | 11/16/09 | 0 | Observed most restroom entry doors missing self closing devices. Observed most restrooms missing toilet paper dispensers and toilet paper. Observed large hole in A building upstairs (male) restroom. | Observed most restroom entry doors P.L. 28-45 § 4 (12) (1) requires schools to provide a healthful, safe, and sanitary learning environment. P.L. Compliance with the law. Toilet tissue and toilet some dispensers and toilet maintained in a sanitary condition and kept in good enclosed and have a tight-fitting, self-closing door. The SSC requires toilet paper to be available and conveniently located adjacent to each flush toilet. The SSC requires toilet facilities to be kept clean and in good repair. Address and rectify immediately in order to come tissue dispensers must be provided and in good recompliance with the law. Toilet tissue and good recompliance with the law. Toilet tissue and in good restroom without sanitary supplies could prese various health concerns for students. DOE must exhaust all efforts to ensure that sanitary supplies could prese various health concerns for students. DOE must all times, and that restrooms remain clean and sanitary throughout the entire school day. School requires toilet facilities to be kept clean and in good rectify immediately in order to come death toilet. The compliance with the law. Toilet tissue and rectify immediately in order to come toome. Address and rectify immediately in order to come tissue dispenses must be provided and in good rectify immediately in order to come tissue dispenses must be provided and in good rectify immediately in order to come tissue dispenses must be provided and in good rectify immediately in order to come tissue dispenses must be provided and in good rectify immediately in order to come tissue dispenses must be provided and in good rectify immediately in order to come tissue dispenses must be provided and in good rectify in | Address and rectify immediately in order to come into compliance with the law. Toilet tissue and toilet tissue dispensers must be provided and in good repair. A restroom without sanitary supplies could present various health concerns for students. DOE must exhaust all efforts to ensure that sanitary supplies are provided and made available in all student restrooms he at all times, and that restrooms remain clean and sanitary throughout the entire school day. School sepersonnel including office staff should be required to perform restroom monitoring. A restroom log or monitoring sheet should be created and implemented accordingly. |

| School Representative: Beth Perez, Principal Date and Time of Inspection: November 16, 2009 at 9:30 a.m. to 4:30 p.m. Weather Condition: Sunny and warm Type of Citation at issue F=Fire Dept, Citation results S=Suruhanu services of the direction of the directio | Beth Percection: Ne unny and at issue (a-n) | rez, Principal veember 16, 200 warm Type of Citation (PH=DPHSS, F=Fire Dept, E=EPA, S=Suruhanu PH & S | Date of Citation | n. to 4: | Descripti ved the proving area levall from the windown wall. | Comments Comments Comments P.L. 28-45 § 4 (12) (I) requires schools to healthful, safe, and sanitary learning envirous SCC requires schools to be free of insects the health significance and conditions which a harborage, and promote breeding of vermirequires walls and ceilings to have surface color, have a flat finish, be kept clean, and repair. | Middle School Recommendations Provide a proper treatment for the removal of vectors as necessary. Recommendations Recommendations |
|--|---|---|------------------|----------|--|---|---|
| Cafetería | _ | PH & S | 11/16/09 | | Observed the presence of termites in the dining area located at the far right wall from the entrance and along the windows located near the exit door wall. | P.L. 28-45 § 4 (12) (I) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires schools to be free of insects of public health significance and conditions which attract, provide harborage, and promote breeding of vermin. The SSC requires walls and ceilings to have surfaces of light color, have a flat finish, be kept clean, and in good | Address and rectify order to come into co control company sho proper treatment for necessary. |
| Cafeteria | _ | PH & S | 11/16/09 | 2 | Floors in the chill storage (walk in) are not secured to the ground, when stepped on, certain areas of the floor allow water to flow from underneath. | | Address and rectify immediately in order to come into compliance with the law. |
| Cafeteria | _ | PH & S | 11/16/09 | 2 | Air curtains located near the exit doors are in disrepair. Observed air curtains located in the front entrance of the cafeteria have an accumulation of dust throughout the vents. Observed dark stains on the wall in the serving line area caused by water leaking onto ceiling tiles. | P.L. 28-45 § 4 (12)(1) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires all school equipment to be maintained in a sanitary condition and kept in good repair. The SSC requires walls and ceilings to have surfaces of light color, have a flat finish, be kept clean, and in good repair. | Address and rectify immediately in order to come into compliance with the law. |
| Cafeteria | _ | PH & S | 11/16/09 | 2 | Observed several light bulbs burned out in the cafeteria dining area. | P.L. 28-45 § 4 (12) (1) requires schools to provide a healthful, safe, and sanitary learning environment. The SSC requires lights to be repaired and/or replaced to allow adequate lighting. The SSC requires lights to be maintained in good working order. | Address and rectify immediately in order to come into compliance with the law. Repair and/or replacement of light bulbs or electrical parts of light fixtures as necessary. DOE must respond timely to reports of such discrepancies. DOE should not wait for an inspection before rectifying discrepancies previously cited and/or previously reported. |

| 2 | | | | | | PUBLIC LAW 28-45 | PUBLIC LAW 28-45: 14 POINTS COMPLIANCE | |
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| Date Wee | School Kepresentative: Beth Perez, Principal Date and Time of Inspection: November 16, 2009 at 9:30 a.m. to 4:30 p.m. Weather Condition: Summar and warm | Beth Per | ez, Principal vember 16, 200 | 9 at 9:30 a.n | n. to 4: | 30 p.m. | Name of Schoo | Name of School: V.S.A. Benavente |
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| | Location | at issue (a-n) | (PH=DPHSS, F=Fire Dept, E=EPA, S=Suruhanu | Date of Citation | w | Description of Finding | Comments | Recommendations |
| | Waste water disposal system | | E & S | 11/16/09 | N/A | Observed boys locker room shower floor drain clogged. Observed several shower head/gate valve leaks. | P.L. 28.45 § 4 (12) (1) requires schools to provide a healthful, safe, and sanitary learning environment. GEPA requires such discrepancies to repaired immediately. | Address and rectify immediately in order to come into compliance with the law. DOE must respond timely to reports of such discrepancies. DOE should not wait for an inspection before rectifying discrepancies previously cited and/or previously reported. |
| | Waste water disposal system | | EPA | 11/16/09 | N/A | Observed several shower leaks in girls locker room. | P.L. 28-45 § 4 (12) (1) requires schools to provide a healthful, safe, and sanitary learning environment. GEPA requires such discrepancies to be repaired immediately. | Immediate action is required to address and rectify the matter in order to come into compliance with the law. |
| | Solid waste | pane | EPA | 11/16/09 | N/A | Observed Freon tanks behind Room A-15. | Repeat violation. P.L. 28-45 § 4 (12) (1) requires schools to provide a healthful, safe, and sanitary learning into compliance with the law. DOE should not wait environment. GEPA requires the removal and proper disposal of such items immediately. Address and rectify immediately in order to come into compliance with the law. DOE should not wait until an inspection occurs before removing such items especially when DOE was well aware that such items were present on campus through a previous GEPA inspection report. | Address and rectify immediately in order to come into compliance with the law. DOE should not wait until an inspection occurs before removing such items especially when DOE was well aware that such items were present on campus through a previous GEPA inspection report. |
| | Solid waste | | ЕРА | 11/16/09 | N/A | Observed trash scattered trash near the trash bin, baseball field fence, and near the cafeteria. | P.L. 28-45 § 4 (12) (1) requires schools to provide a healthful, safe, and sanitary learning environment. GEPA requires the removal and proper disposal of such items immediately. | Address and rectify immediately in order to come into compliance with the law. DOE should not wait until an inspection occurs before removing such items. |
| | Solid waste | | ΕΡΑ | 11/16/09 | N/A | Observed two used tires located near the trash bins. | Repeat violation. P.L. 28-45 § 4 (12) (1) requires schools to provide a healthful, safe, and sanitary learning into compliance with the law. DOE should not wait environment. GEPA requires the removal and proper disposal of such items immediately. Address and rectify immediately in order to come into compliance with the law. DOE should not wait environment disposal of such items especially when DOE was well aware that such items were present on campus through a previous GEPA inspection report. | Address and rectify immediately in order to come into compliance with the law. DOE should not wait until an inspection occurs before removing such items especially when DOE was well aware that such items were present on campus through a previous GEPA inspection report. |

| Middle School | |
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| Name of School: V.S.A. Benavente | Date and Time of Inspection: November 16, 2009 at 9:30 a.m. to 4:30 p.m. Weather Condition: Sunny and warm |

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| T | | | | | | | | |
| | Solid waste | _ | EPA | 11/16/09 | N/A | near room A7. | P.L. 28-45 § 4 (12) (1) requires schools to provide a healthful, safe, and sanitary learning environment. GEPA requires the removal and proper disposal of such items. | Address and rectify immediately in order to come into compliance with the law. DOE should not wait until an inspection occurs before removing such items. |
| | Solid waste | _ | EPA | 11/16/09 | N/A | Observed broken water heater tank located inside electrical room next to cafeteria. | P.L. 28-45 § 4 (12) (1) requires schools to provide a healthful, safe, and sanitary learning environment. GEPA requires the removal and proper disposal of such items. | Address and rectify immediately in order to come into compliance with the law. DOE should not wait until an inspection occurs before removing such item. |
| | Grease Interceptor | | EPA | 11/16/09 | N/A | Observed that grease trap is near full capacity such that it should be pumped immediately. | Repeat violation. P.L. 28-45 § 4 (12) (1) requires schools to provide a healthful, safe, and sanitary learning environment. GEPA requires the grease trap to be pumped and serviced immediately. GEPA requires submission of receipt from a licensed pumping agency indicating that grease trap was cleaned and serviced. | 4 (12) (1) requires Address and rectify immediately in order to come fe, and sanitary learning into compliance with the law. DOE should contact grease trap to be licensed pumping agency and have grease trap ly. GEPA requires cleaned and serviced as necessary. The service of the law of |
| | On site drainage system | _ | EPA | 11/16/09 | N/A | Observed that the natural grade swale/canal located near gym is clogged and not properly maintained. | P.L. 28-45 § 4 (12) (1) requires schools to provide a healthful, safe, and sanitary learning environment. GEPA requires that natural grade swale/canals be free flowing and properly maintained. | Address and rectify immediately in order to come into compliance with the law. On site drainage system should be properly maintained in order to ensure that rain water drains properly. |