

# Solitary Watch

## Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2015/09/10/toxic-traps-environmental-hazards-threaten-two-federal-supermax-prisons/>

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by [Laura Cepero](#) | September 10, 2015

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A [Solitary Watch](#) investigation into the sites of the federal governments two supermax facilities the first open for two decades, the second slated to open soon reveals a number of possible serious environmental hazards. The prisons, ADX Florence in Colorado and AUSP Thomson in Illinois, are built to hold men in extreme solitary confinement. This practice has roused increasing controversy in recent years, due to the psychological and physical damage caused by extreme isolation and sensory deprivation. Yet the impact of underlying environmental hazards on individuals locked down in small cells has never been adequately explored.

With rising concerns over environmental justice and the prison-industrial complex, some advocacy groups are questioning why prisoners are not taken into consideration when the Environmental Protection Agency (EPA) approves environmental permits. The Human Rights Defense Centers (HRDC) [Prison Ecology Project](#) and 92 other organizations, including Solitary Watch, drafted a [letter to the EPAs Office of Environmental Justice](#), arguing that because incarceration fall[s] into a category of poverty discrimination policies which almost exclusively impact poor communities, with a disproportionate impact on poor communities of color, federal prisons should be more thoroughly evaluated before permits are approved.

The Prison Ecology Project, which is designed to map the intersections of mass incarceration and environmental degradation, spurred this investigation into the Federal Bureau of Prisons two supermax facilities, designed to hold people for 23 to 24 hours a day, with no escape from potential environmental toxins and little possibility of safe evacuation.

### Already Rife With Controversy

Thomson Correctional Center has been the subject of controversy since its inception. When the prisons construction by the State of Illinois was first planned, the Savanna Army Depot Activity (SVDA) was slated for its location. However, due to concerns that the facility would be sited too close to the Mississippi River, the construction site was moved 15.4 miles southwest to Thomson. Although construction was completed in November of 2001, [Thomson remained vacant until 2006](#), due to state budget constraints and labor union opposition to closing other state prisons in favor of Thomson.

More controversy surfaced in late 2009, when President Obama issued a [presidential memorandum](#) ordering the Department of Justice (DOJ) and Department of Defense (DOD) to begin arranging for the federal purchase of Thomson as part of a plan to close the Guantanamo Bay Detention Camp and to transfer its detainees to American soil. While citizens of the Village of Thomson [welcomed the decision](#), funding for the transfer of detainees was ultimately [blocked by Congress](#).

Three years later in 2012, Senator Dick Durbin (D-IL) announced that the [BOP would be purchasing the facility](#) in order to address overcrowding in other federal prisons; currently, there are no plans to house Guantanamo detainees there, as doing so is now prohibited by law. [A report issued by the Government Accountability Office \(GAO\)](#) in August of 2014 indicated plans by the BOP to move some of the most dangerous people currently incarcerated in Special Management Units (SMUs) to Administrative United States Penitentiary (AUSP) Thomson AUSP being the new designation for the federal supermax prison. [New minimum security prisoners, who will help service the facility, were expected to arrive](#) at the facility as early as July of 2015.

Widely considered Americas toughest federal prison, ADX Florence officially designated as the United States Penitentiary, Administrative Maximum Facility is located near the high desert town of Florence, Colorado. Nicknamed the Alcatraz of the Rockies, the Federal Correctional Complex, Florence (FCC Florence), which includes ADX Florence, [opened in late 1994](#). The supermax facility is best known for housing men convicted of terrorist activities and organized crime leaders, as well as high-profile individuals, those considered high escape risks, and those with a history of violent acts committed against correctional officers and other prisoners. The approximately 400 men incarcerated at ADX typically spend 23 hours a day in solitary confinement. There have been numerous controversies involving ADX Florence, including reports of [force-feeding](#), [hunger strikes](#), and [abuse of individuals suffering from mental illness](#).

### Environmental (In)justice in Illinois

It is difficult to assess the environmental condition of the Thomson facility because no Environmental Impact Statement (EIS) was ever issued. As required by the [National Environmental Policy Act \(NEPA\)](#), an EIS must be submitted whenever an action by a federal agency significantly [affects] the quality of the human environment. Because Thomson was initially operated by the Illinois Department of Corrections (IDOC), an EIS was not required prior to construction. However, an [Environmental Audit](#) was conducted by the BOP in 2010 during the federal acquisition process. The audit indicated that the environment would only suffer negligible damage should the BOP acquire and renovate the prison; as such, the BOP determined that no EIS was required.

While the environment may not be at risk from the prison, its inhabitants, as well as prison staff, may be at risk from the environment. In fact, the original choice for the facility's location, the Savanna Army Depot, is a Superfund site polluted location requiring long-term cleanup of environmental and health hazards, as per the [Comprehensive Environmental Response, Compensation, and Liability Act \(CERCLA\) of 1980](#). While in operation, parts of SVDA were used for the demolition and burning of obsolete ordinance, as well as for waste disposal (i.e. landfills). [According to the EPA](#), the soil is contaminated with metals, pesticides, explosives, lead-based paint chips, and polycyclic aromatic hydrocarbons (PAHs); the groundwater is contaminated with various pesticides, explosives, solvents, and petroleum-related contaminants; surface water and sediments are contaminated with various explosives, PAHs, and metals. The contaminated areas include the Old Burning Ground (OBG), Open Burn/Open Detonation (OB/OD) area, the 75 mm/155 mm High Explosive (HE) Range Fans, the Grenade Burial Area, and the Sites 15 and 33 disposal areas Munitions and Explosives of Concern/Unexploded Ordnance (MEC/UXO). In 1991, remedial investigation found 73 areas of potential concern, 41 of which required additional investigation. After being selected for Base Realignment and Closure (BRAC), assessments in 1995 found 200 additional areas of concern.

In addition to normal operations, the U.S. Department of Agriculture (USDA) disposed an estimated 800 to 1,000 tons of 4,6-dinitro-*o*-cresol at the site in 1952. The contamination was cleaned up in 2002, according to an [annual report by the Illinois Environmental Protection Agency \(IEPA\)](#). The Army also issued a remedial investigation report for 24 sites in the developed lower post area. Several of these sites are source areas of solvent, fuel, and metals-related contamination that affects local groundwater and has possible discharge points in the Apple River and the Mississippi River. The report also stated that geophysical surveys indicated over a thousand metallic anomalies in a 380-acre area.

Another potential concern for Thomson is the operation of a number of coal plants within a 15-mile radius of the prison. The Archer Daniels Midland Company Coal Plant is about 11.6 miles southwest of the Thomson facility, across the Mississippi River in Clinton, Iowa. According to [Sourcewatch](#), the Clinton Cogeneration Plant, as its also known, emitted approximately 499,781 tons of carbon monoxide in 2008, as well as 5,287 tons of sulfur dioxide (53.99 pounds per megawatt hour) and 5,003 tons of nitrogen oxide in 2002. The Archer Daniels plant sits in the southwest corner of Clintons industrial area, which stretches northeast along the Mississippi River and contains a significant number of Brownfield sites land previously used for industrial or commercial purposes that may have been contaminated with hazardous waste or pollution. The Interstate Power and Light Company Coal Plant, also known as the Milton Kapp Generating Station, approximately 13 miles southwest of the Thomson facility, is also across the river near Clinton. [Sourcewatch](#) lists the plants emissions of over approximately 888,017 tons of carbon monoxide, 2,706 tons of sulfur dioxide, and 525 tons of nitrogen oxide in 2008. This particular plant also has a number of coal ash dumps surrounding it.

Finally, the proximity of two nuclear power plants that are within a 50-mile radius facility may also provide a potential environmental concern. The Quad Cities Generating Station is about 19.7 miles southwest in Cordova, Illinois, and the Exelon-Byron Generating Station is about 42.8 miles to the east in Byron. In fact, some cited the nuclear power plants to a facility that would be housing suspected terrorists as an [argument against transferring GITMO detainees to Thomson](#).

Nuclear power plants near Thomson could be at risk of natural disaster, such as flooding and earthquakes. Flooding could be of concern, being that the Quad Cities plant is less than a mile from the Mississippi River and that the Exelon-Byron plant is a little over 2 miles away from Rock River, a tributary of the Mississippi. In addition, there may also be a [potential earthquake risk](#) for the nuclear power plants. Based on 2008 estimates, the Quad City plant has a 1 in 37,037 chance of earthquake, which is an increase in risk of 93% from the 1989 estimate of 1 in 71,429. Exelon-Byron has a 1 in 172,414 chance of earthquake, up 753% from the 1989 estimate of 1 in 1,470,588.

The type of reactor used at nuclear power plants could also pose potential risks. Some scientists suggest Boiling Water Reactors (BWRs), like the one at the Fukushima Daiichi power plant, [do not protect against the release of radiation during a severe nuclear accident as effectively](#) as Pressurized Water Reactors (PWRs). The Quad Cities power plant also has a BWR. Additionally, the age of the reactor can also pose a risk factor. The Nuclear Regulatory Commission (NRC) has approved [re-licensing of several nuclear power reactors for 60 years](#) of operation, despite the fact that nuclear reactors are designed to operate for 40 years, [prompting objections from environmental groups](#).

As mandated by the NRC, both the [Quad Cities](#) and [Exelon-Byron](#) plants have evacuation plans of a 10-mile radius, which do not reach Thomson. However, in light of the Fukushima nuclear disaster, which had a contamination radius of 100 kilometers (just over 62 miles), the [NRC has made recommendations](#) of expanding evacuation zones to 50 miles. A Freedom of Information Act (FOIA) request has been made by Solitary Watch to the BOP in regards to an evacuation plans for those incarcerated at Thomson. In response, the BOP assigned Solitary Watchs public records request as complex, meaning that the agency may take up to nine months to provide requested documents.

### **Supermax Near a Superfund Site**

Like Thomson, ADX Florence is also located in close proximity to a Superfund site. The community Lincoln Park was [contaminated by the Cotter Uranium Processing Facility](#), a uranium mine approximately 6.3 miles northwest of the prison. Unlike Thomson, however, an EIS was indeed issued for ADX Florence. The EIS for Florence found [no potential risks](#) for Fremont County, but again, such statements consider how the prison would affect the environment, not how the environment would affect the prison, its inhabitants, and its employees. A FOIA request has also been made for the full text of the EIS.

The uranium mine, located less than a mile south of the residential community of Lincoln Park, produced uranium oxide (yellowcake), vanadium, and molybdenum from 1958 to 1979. In 1965, a flood caused the unlined impoundments where tailings and

other wastes were discharged to overflow into Sand Creek, which flows into the Arkansas River. In 1972, the Fremont County Ditch was built to prevent water from Sand Creek from flowing into the Arkansas, which flows southeast towards the city of Florence. During the irrigation season, the ditch regularly overflows into the river, which was the water supply source for the City of Florence when ADX Florence was constructed. Although the BOP expressed concern in 1989 that [the prisons water supply may have to be rerouted](#) in the future due to pollution, a [water quality report](#) shows that the Arkansas still remained a source for the city's water supply as late as 2013.

The [State of Colorado sued the Cotter Corporation](#) in 1983 for damages to natural resources and clean-up of the contamination. The uranium mine and the Lincoln Park residential area was declared a Superfund site the following year. According to the EPA, waste from the mine had seeped into the groundwater and contaminated local wells. Contaminants included molybdenum, uranium, uranium daughter products (radium, radon gas, and polonium), selenium, and sulfate. Between 1980 and 1986, there were [over 70 leaks reported](#) at the Cotter mine. The State of Colorado commissioned an investigation in 1986, which concluded that drainage from the Cotter mine spilled into the Fremont ditch, resulting in elevated levels of molybdenum, arsenic, lead, and other contaminants. By the time that Cotter suspended operations in 1987, the mine had accumulated [approximately 3.5 million tons of radioactive tailings](#), which were stored over 135 acres near Canon City and Florence.

The water pollution in the area may seem alarming, but it does not end there. The Cotter Corporation estimates that more than [19.9 tons of radioactive dust](#) were emitted into the air during each year that the mine was in operation. Being that ADX Florence lies directly in Cotter's secondary wind pattern, the prison and its inhabitants are subject to gusts of radium, uranium, and thorium.

The state lawsuit against Cotter was settled in 1988; the company agreed to clean up the site at its own expense. In 1994, another [lawsuit](#) was settled, with a federal jury awarding \$80,000. In 2014, just as the cleanup was being completed, a broken pipe on the site [leaked 20,000 gallons of uranium-laced waste](#). This was the fourth spill in four years; just six months earlier, [4,000-9,000 gallons](#) of contaminated water was spilled from the now-defunct Cotter mine. [More cleanup is planned in the future](#), but is not expected to begin for another couple of years.

With evidence of contamination, the question of health hazards arises. [According to the EPA](#), while the average daily intake of uranium from food ranges from 0.07 to 1.1 micrograms per day, people who live near uranium facilities may have increased exposure to the chemical agent. [A 2014 assessment conducted by the Agency for Toxic Substances and Disease Registry \(ATSDR\)](#), an agency within the Public Health Service division of the U.S. Department of Health and Human Services, states that when uranium is ingested, a small amount is absorbed into the bones, kidneys, and soft tissue, where it remains for years. In the case of chronic ingestion of uranium-contaminated drinking water, kidney retention of the chemical agent increases rapidly in the first two weeks. After approximately one hundred days of ingestion, the amount present in the kidney is approximately 3 percent of the amount ingested. After 25 years of chronic ingestion, the kidney retention of uranium reaches approximately 6.6 percent of the daily intake. Long-term chronic intake of uranium isotopes in food, water, and/or air can lead to cancer (primarily bone sarcoma), liver damage, kidney disease, and/or gout-like symptoms, such as pain, swelling, inflammation, and deformities of the joints.

According to a [2014 report conducted by Cotter's consultant](#), groundwater uranium levels at the Lincoln Park well were the highest recorded for this location, exceeding the health standard of 30 parts per billion. Additionally, the [ATSDR report](#) concluded that well water in Lincoln Park contained elevated levels of molybdenum and uranium, resulting in a past, present, and future public health concern. The ATSDR report also estimated that if an adult in Lincoln Park drank 2 liters (8.5 cups) of uranium-contaminated water per day for 25 years or longer, the maximum daily ingestion would result in an estimated uranium concentration above the level found to cause harm in humans. It is unclear as to whether or not these levels of contamination are present around the site of ADX Florence, as an EPA assessment was never conducted.

Of course, these environmental hazards are not limited to individuals incarcerated at correctional facilities either. With a planned staff of [850 to 900 at Thomson](#) and a staff of [over 300 at ADX Florence](#), correctional employees are also subject to any potential health hazards at each facility. Additionally, the [families of prisoners, especially children, may be adversely affected](#).

AUSP Thomson and ADX Florence are not the only correctional facilities with public health concerns. In its letter to the EPA, [HRDC cites numerous examples of environmental hazards](#) associated with jails and prisons nationwide, including the [devastation of the Orleans Parish Prison](#) in Louisiana in the aftermath of Hurricane Katrina, [flooding in the Escambia County Jail](#) in Florida, [chemical spills near the South Central Regional Jail](#) in West Virginia, [toxic waste landfills near Rikers Island](#) in New York, [coal ash dumps near the State Correctional Institute-Fayette](#) in Pennsylvania, [valley fever at Avenal State Prison and Pleasant Valley State Prison](#) in California, the construction of [Victorville Federal Correctional Complex on a military Superfund site](#) also in California, among others.

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Accurate information and authentic storytelling can serve as powerful antidotes to ignorance and injustice. We have helped generate public awareness, mainstream media attention, and informed policymaking on what was once an invisible domestic human rights crisis.

Only with your support can we continue this groundbreaking work, shining light into the darkest corners of the U.S. criminal punishment system.

by [Juan Moreno Haines](#)

October 25, 2022

by [Solitary Watch Guest Author](#)

October 13, 2022

by [Vaidya Gullapalli](#)

September 29, 2022

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Wow there's a lot of info in this article but here are two that trouble me.

Read Charles P. Norman: Fighting the Ninja

Charles P. Norman was awarded First Place in memoir in the 2008 Prison Writing Contest.

Prison showers can be scary places. I'm not talking about those old B movie scenes where the big hairy guy with a handmade blade shanks the hapless prisoner for refusing to star in a gang rape, grimaces of pain, blood swirling down the drain, last words of I love you, Mama, before the poor guy curls up and dies on the tiles.

Nowadays the showers are scary not from knives but from germs, leftovers from consensual acts clogging the pipes and floating sudsy sewage out into the hallways, catching those strolling unaware in flip-flops on a slippery stretch, skidding and cartwheeling, splashing onto their backsides into the mire.

I've spent my life in prison, and I'm not germaphobic by any stretch. Hell, I eat chow off those greasy, plastic trays every day, but at least they run them through hot water in some semblance of sanitation.

Disease doesn't care if you're the rapist or the victim.

The Ninja kills all he encounters.

See more at: <http://www.pen.org/nonfiction-memoir/fighting-ninja#sthash.NtYthQxd.dpuf>

NPR reported on Sep. 3rd, 2015

The number of confirmed cases of Legionnaires disease at California's San Quentin prison is holding steady at six, one of three outbreaks of Legionnaires around the country that have sickened dozens and killed 20.

<http://www.npr.org/sections/health-shots/2015/09/03/437212873/legionnaires-calif-prison-outbreak-contained-new-cases-in-illinois>

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