



DEPARTMENT OF THE AIR FORCE
WASHINGTON DC

OFFICE OF THE ASSISTANT SECRETARY

8 September 2023

SAF/MR
1660 Air Force Pentagon
Room 4E1010
Washington, DC 20330-1660

The Honorable Henry J. Kerner
Special Counsel
United States Office of Special Counsel
1730 M Street N.W., Suite 300
Washington, DC 20036-4505

Re: OSC File No. DI- 23-000207

Dear Mr. Kerner:

As agency head, the Secretary of the Air Force delegated to me his authority to review, sign, and submit to you the report required by Title 5, U.S.C. Section 1213(c) and (d). I am responding to your 31 January 2023 correspondence, referring for investigation whistleblower disclosures from [REDACTED] alleging that during his employment with the Oklahoma City-Air Logistics Center (OC-ALC), Tinker AFB, OK, from 4 January through 11 October 2022, OC-ALC officials failed to resolve sewage leaks at the OC-ALC base despite complaints he and other employees submitted. [REDACTED] reported that the leaks and the conditions created by the leaks persist. After a clarification with [REDACTED] the allegations in investigated were:

Allegation 1: Between on or about 4 January 2022 through on or about 11 October 2022, sewage pipelines in Oklahoma City Air Logistics Complex campus buildings 3001 and 9001 regularly leaked liquid sewage waste onto the mechanical floor in violation of DAFI 48-145 paragraph 1.2.1. **Unsubstantiated.**

Allegation 2: Between on or about 4 January 2022 through on or about 11 October 2022, Oklahoma City Air Logistics Complex failed to repair sewage pipelines exposing mechanical workers in buildings 3001 and 9001 to continuous dripping sewage waste in violation of DAFI 91-202, paragraphs, 1.6.26.3. and 1.6.28.4.5. leading to a substantial danger to public health. **Unsubstantiated.**

Allegation 3: Between on or about 4 January 2022 through on or about 11 October 2022, the whistleblower reported leaks and resulting conditions to Oklahoma City Air Logistics Complex leadership [REDACTED] and

██████████ on numerous occasions, but the damaged sewage pipelines were not repaired in violation of DAFI 91-202, paragraph 1.6.28.3 and DAFI 91-204, paragraph 1.7. **Unsubstantiated.**

The appointed Investigating Officer (IO) completed an extensive investigation, during which he interviewed the complainant, eleven witnesses, and obtained documentary evidence.

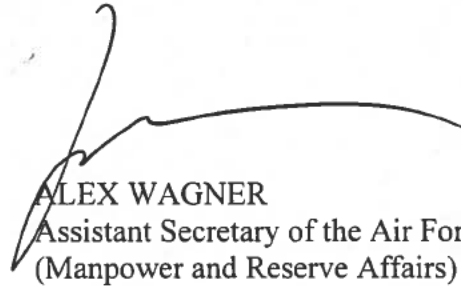
The preponderance of the evidence supports the IO's determination that Allegation 1 was unsubstantiated. The IO determined that there were no reported sewage leaks in Building 3001. However, the IO did determine there was a sewage pipeline leak in building 9001 and raw sewage did spill on one employee in July 2020, which was outside the time frame of the whistleblower's allegation. In response to the July 2020 leak, work orders were submitted, and \$1.2 million dollars was spent repairing the overhead pipelines. Thereafter, in May 2022, the new sewage piping system in building 9001 had a backup issue due to a valve malfunction which resulted in a raw sewage leak. The IO found that all necessary precautions and appropriate remediation actions were taken when the pipe/vent failed in building 9001. Facility managers were trained to ensure safety of all personnel through mitigation and reporting unsafe issues to management. The IO also found there were numerous leaks in the roofs of building 3001 and 9001, which resulted in rainwater leaks in the work areas in both buildings. The IO determined that preventative measures were also in place for both buildings with millions of dollars in fixes either funded or in process to ensure safety.

As for Allegation 2, the IO was reasonable in determining, based on the preponderance of evidence that no violation of rule, law, or regulation had occurred. The IO noted that the preponderance of the evidence clearly showed at one time in May 2022, a sewage line in building 9001 was leaking due to a backup and had to be repaired. Again, this incident only occurred in May 2022. However, many instances of water leaking from ceilings during rainstorms exist in both Building 9001 and 3001, which were being addressed through preventive measures and funding for permanent fixes. The IO found no evidence of reported sewage leaks in Building 3001.

The IO was also reasonable in not substantiating Allegation 3 that the OC-ALC leadership failed to repair the reported sewage pipeline leaks. The IO noted that the whistleblower was correct that the roofs leaked when it rained during his time in Buildings 9001 and 3001. The IO also noted that the whistleblower was correct that a sewage leak occurred in May 2022 in Building 9001. However, the IO found no evidence to suggest any OC-ALC leadership failed to manage these issues to ensure Air Force personnel were safe from injury, illness, or death. The IO determined that the preponderance of evidence indicated that OC-ALC leadership appropriately followed established guidance to ensure hazards were eliminated or mitigated to an acceptable level.

I am enclosing the Report of Investigation for your official use. I understand you will provide the full copy of this Report and Addendum to the President and the House and Senate Armed Services Committees for their review and to ██████████. As directed by the Office of Special Counsel in its Appendix to the 31 January 2023 referral letter, we will also provide a redacted version of the Report in which agency employees are identified by position title vice name with an attached key identifying the employees by name and position. The redacted copies will be published on your webpage.

We appreciate your efforts to bring this matter to our attention. If the Department of the Air Force can be of any further assistance, please contact [REDACTED] Associate General Counsel, Fiscal, Ethics and Administrative Law at [REDACTED] or [REDACTED]



ALEX WAGNER
Assistant Secretary of the Air Force
(Manpower and Reserve Affairs)

REPORT OF INVESTIGATION

PREPARED BY

TODD A. GLEASON

AIR FORCE MATERIEL COMMAND INSPECTOR GENERAL CONCERNING ALLEGATIONS OF CONDUCT THAT CONSTITUTES A SUBSTANTIAL AND SPECIFIC DANGER TO PUBLIC HEALTH

1 JUNE 2023

Controlled by: Department of the Air Force Controlled by: SAF/IG CUI Category: CUI//PRIIG Distribution/Dissemination Control: FEDCON POC: AFMC.IGQ@us.af.mil
--

This is a protected document. It will not be released (in whole or in part), reproduced, or given additional dissemination (in whole or in part) outside Inspector General channels without prior approval of the Inspector General (DAF/IG) or designee

Section II, Tab A – Executive Summary.

We conducted this investigation in response to allegations that Oklahoma City Air Logistics Complex employees have engaged in conduct that constitutes a substantial and specific danger to public health. This was in response to a request for investigation from the Office of Special Counsel via letter to the Secretary of the Air Force, the Honorable Frank Kendall III, dated 31 January 2023.

We found through evidence provided and testimony that a raw sewage leak did occur in building 9001 in July of 2020. Work orders were submitted and \$1.2 million was spent repairing the raw sewage lines overhead. In 2022 the new piping system had back up issues forcing more repairs and other actions to prevent future raw sewage leaks. The last incident of raw sewage leakage in this area occurred in May 2022.

We also found through evidence provided, testimony and through observation that there are numerous leaks in the roofs of building 3001 and 9001. When it rains these leaks affect the work areas in both buildings. Also, condensation off the HVAC pipes sometimes leaks to the production floor when humidity increases in the building. Efforts are underway to mitigate the condensation problems.

The allegations we considered were that: 1) liquid raw sewage waste regularly dripped from the overhead sewage pipes onto the mechanical production floor of buildings 3001 and 9001, 2) that the Oklahoma City Air Logistics Complex failed to repair sewage pipes exposing mechanical workers in buildings 3001 and 9001 to continuous dripping sewage waste, leading to a substantial danger to public health, and 3) Oklahoma City Air Logistics Complex leadership failed to repair the leaking sewage pipes after it was reported on numerous occasions.

All allegations were **NOT SUBSTANTIATED** as evidence and testimony showed leadership and workers collaborated to control the safety concerns in accordance with applicable guidelines. Testimony and evidence obtained showed that raw sewage dripped onto the mechanical production floor of building 9001 in May of 2022 due to a malfunctioning valve; but employees were not exposed to raw sewage leaks on a regular and continuous basis and safety and public health issues were dealt with quickly when the leak occurred. Lack of funding and production concerns did slow some repairs.

We make no further recommendations on these matters.

Section II, Tab B – Background, Scope, and Statutory Authority.

(1) Background

A former employee of the 547th Propulsion Maintenance Squadron (547 PMXS) at Tinker AFB, OK left the job after working less than 11 months. During his interview with the

Office of Special Counsel, he relayed that during his employment with the 547 PMXS, officials failed to resolve sewage waste leaks at the Oklahoma City Air Logistics Complex (OC-ALC), Tinker Air Force Base (TAFB), despite complaints he and other employees submitted.

He reported that the conditions created by the leaks persist. He alleged that a brown, thick liquid substance with a foul odor consistent with human sewage waste regularly leaks into the production area of OC-ALC buildings 9001 and 3001.

On 31 January 2023, Mr. Henry Kerner, U.S. Office of Special Counsel (OSC), Special Counsel, requested via a letter to the Honorable Frank Kendall, III, Secretary of the Air Force, that the Air Force investigate allegations made by [REDACTED] (Section III, Tab D1). He wrote, "Pursuant to my authority under 5 U.S.C. § 1213(c), I have concluded that there is a substantial likelihood that the information provided to OSC discloses a substantial and specific danger to public health." On 3 February 2023, SAF/GCA tasked SAF/IGQ to investigate [REDACTED]' allegations (Section III, Tab D2). On 6 February 2023, SAF/IGQ tasked AFMC/IGQ to complete the investigation (Section III, Tab D3).

On 22 February 2023 the AFMC/IG appointed an Investigating Officer (IO) to investigate on the matters of OC-ALC employees engaging in conduct that constitutes a substantial and specific danger to public health. He also appointed several Subject Matter Experts (SMEs), which included AFMC/SGPM (HQ AFMC Public Health Officer), AFCEC/COSM (Air Force Civil Engineer Center Plumbing Functional Lead), 72 ABW/CEOE (Civil Engineering) and AF/JAOE-FSC (Legal Advisor, environmental law).

During the investigative stage it was made clear that in May of 2022 a sewage leak occurred in building 9001. This leak was repaired and has not been an issue since 22 May 2022. During the repairs to the sewage line, an Air Force Risk Assessment Code ("RAC") 3 was placed on the mishap. This ensured personnel who were affected by the leak were moved to another location, a professional hazardous waste team cleaned the affected work area, and the repairs were accomplished as soon as possible.

During the investigative stage it was also made clear through testimony and observation, that both building 9001 and building 3001 had roof leaks that occurred during rainstorms. It became evident that many instances that the Whistleblower alludes to as sewage droplets were no more than rainwater finding its way to the mechanical floor by any means possible. In many instances it may have traveled over an attic floor or across an air conditioning pipe before hitting the mechanical floor or a worker below. At any rate it was not sewage, and no evidence was found that any other sewage leak occurred during the Whistleblower's time working in building 9001 or building 3001, other than May 2022. A check with the 72 ABW/IG Office (located in building 3001) netted no complaints regarding sewage issues over the past two years, which covers over 640 documented IG contacts. (Complaints to the IG are a different process than filing a hazard report or complaining to a supervisor, but facility issue complaints can be submitted to the IG and the IG database can be indicative of any trends in an area or with an issue).

(2) Scope

This investigation covered the period the Whistleblower worked at OC-ALC, and reported the sewage leaks to OSC, which was from January 2022 until October 2022. The investigation covered what the Whistleblower testified he experienced through his day-to-day work environment. It also covered what occurred based on testimony and workorders obtained as well as IO observations during a rainstorm. The investigation substantially examined the reaction by supervision when a sewage leak did occur in May of 2022 and what led to the sewage leak and what mitigation was taken to ensure the safety of the workers in building 9001 where the leak occurred. Testimony was also solicited and received regarding roof leaks in both buildings 9001 and 3001 when it rained and what was done to ensure work could safely continue to take place. Although the investigation focused on the time the Whistleblower worked in the buildings, evidence was obtained showing the overhead sewage leak, which occurred in 2018, was not fully eliminated until May of 2022.

(3) Statutory Authority

"The Secretary of the Air Force has sole responsibility for the function of The Inspector General of the Air Force (10 U.S.C. § 8014). When directed by the Secretary of the Air Force or the Chief of Staff of the Air Force, The Inspector General of the Air Force (SAF/IG) has the authority to inquire into and report upon the discipline, efficiency, and economy of the Air Force and performs any other duties prescribed by the Secretary or the Chief of Staff. (10 U.S.C. § 9020.) Pursuant to AFI 90-301, *Inspector General Complaints Resolution*, authority to investigate IG complaints within the Air Force flows from SAF/IG to IG offices at all organizational levels."

Section II, Tab C – Findings of Fact, Analysis, Conclusion(s), and Recommendations.

(1) Findings of Fact:

CHRONOLOGY:

DATE	EVENT	SOURCE
28 Feb 19	AF Form 332 (Base Civil Engineering Work Request) submitted to replace leaking pipes on building 9001, bathroom 2W43	Section III, Tab D4
18 Apr 19	Formal assessment to replace leaking pipes completed	Section III, Tab D4
13 Jun 19	Design completed to replace leaking pipes	Section III, Tab D4
18 Jul 19	Solicitation for contract	Section III, Tab D4
16 Jul 20	Construction contract awarded to replace leaking pipes	Section III, Tab D4
27 Jul 20	Tool Crib supervisor sent email notifying building 9001 Facility Manager of emergency work orders: RS011, K4836,	Section III, Tab D4

This is a protected document. It will not be released (in whole or in part), reproduced, or given additional dissemination (in whole or in part) outside Inspector General channels without prior approval of the Inspector General (DAF/IG) or designee

	K4853 and K4894	
6 May 21	Construction complete (\$1.2 million)	Section III, Tab D4
4 Jan 22	Complainant started his job with the 547 PMXS at Tinker AFB OK	Section III, Tab D1 & D2
May 21/May 22	<p>Four work orders turned in related to post V044 sewer line leak in building 9001.</p> <p>Requested removal of venting device and cap-closed suspected vent pipe.</p> <p>Installed hand dryer to eliminate paper products from being flushed</p> <p>Removed paper towel dispensers</p> <p>Replaced missing receptacles for feminine products</p> <p>(Last incident 20 May 22)</p>	Section II, Table 1, page 12
Feb/Sep 22	Complainant reports leaks from over-head pipes in building 9001 to his supervisor. Complainant believes the leakage may be raw sewage waste. Complainant complains to his building 9001 supervisor approximately 20 times during this time frame	Section III, Tab D1 & D2
11 Oct 22	Complainant leaves his position with the 547 PMXS	Section III, Tab D2
Oct 22/Jan 23	Complainant speaks to Office of Special Counsel.	Section III, Tab D1
31 Jan 23	OSC tasks the AF to investigate complainant's allegations of sewage waste leaks in buildings 9001/3001. Alleges it constitutes a <u>substantial</u> and specific danger to public health.	Section III, Tab D1
3 Feb 23	SAF/GCA tasks SAF/IGQ to investigate complainant's allegations of sewage waste leaks in buildings 9001/3001.	Section III, Tab D2
6 Feb 23	SAF/IGQ tasks AFMC/IGQ to investigate complainant's allegations of sewage waste leaks in buildings 9001/3001.	Section III, Tab D3

ALLEGATION 1. Between on or about January 4, 2022, through on or about October 11, 2022, sewage pipes in Oklahoma City Air Logistics Complex campus buildings 9001 and 3001 regularly leaked liquid sewage waste onto the mechanical production floor in violation of DAFI 48-145, paragraph 1.2.1.

STANDARDS.

The following applicable standards were in effect during the time of the alleged violation. Explanations and excerpts of each follow below:

5 U.S.C. § 1213(b) – Whenever the Special Counsel receives information of a type described in subsection (a) of this section, the Special Counsel shall review such information and, within 45 days after receiving the information, determine whether there is a substantial likelihood that the information discloses a violation of any law, rule, or regulation, or gross mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health and safety.

Department of the Air Force Instruction (DAFI) 48-145, *OCCUPATIONAL AND ENVIRONMENTAL HEALTH*, 22 Sep 2022 – Para 1.2.1. Safety Programs require that every employee be provided with a work environment that is free from recognized hazards that pose an unacceptable risk of causing death, injury, or illness. OEH hazards must be anticipated, recognized, evaluated, controlled, and communicated to enhance workforce availability and mission capability. Commanders, federal civilian leaders, and workplace supervisors, at each management level, are required to advocate for and demonstrate a leadership commitment to a strong OEH program and provide all personnel safe and healthy working conditions that prevent illness and injuries. An effective OEH program uses active hazard prevention and controls and provides education and training that will enable personnel to recognize and prevent OEH-related injuries and illnesses. Additionally, an effective program prevents or mitigates environmental hazards from negatively affecting the health of individuals and populations (e.g., service members, DoD federal civilians, beneficiaries, veterans). All personnel have a right and responsibility to actively participate in their organization's OEH program.

The purpose of the DAF OEH program is to protect the health and welfare of our workforce and community environments while enhancing combat and operational capabilities and ensuring adherence to OSHA standards. The program is designed to mitigate OEH-related health risks through the optimum application of aerospace and operational medicine capabilities. It seeks to identify, assess, and eliminate or control OEH hazards associated with day-to-day operations across the full lifecycle of acquisition, sustainment and support for weapon systems, munitions, and other materiel systems.

REVIEW OF FACTS, PERTINENT TESTIMONY, AND DOCUMENTATION.

In the 31 January 2023, letter to the Secretary of the Air Force, OSC stated the Whistleblower relayed that the sewage pipes in the OC-ALC campus buildings 9001 and 3001 leaked liquid sewage waste onto the mechanical production floor. He also stated the OC-ALC failed to repair the sewage pipes exposing 44 Tools and Parts Attendants, as well as numerous other mechanical workers in buildings 9001 and 3001, to continuous dropping sewage waste from the ceiling. He further related that he had complained to various OC-ALC leaders, but the damaged sewage pipes were not repaired.

The Whistleblower spent most of his 10 months (January through August) in building 9001 and that is where a sewage leak occurred in May of 2022.

The Whistleblower testified that he and his co-workers “had heard” about sewage leaking from a sewage line and they reported it to their supervisors. (Section III, Tab C1, page 11,

lines 21-25)

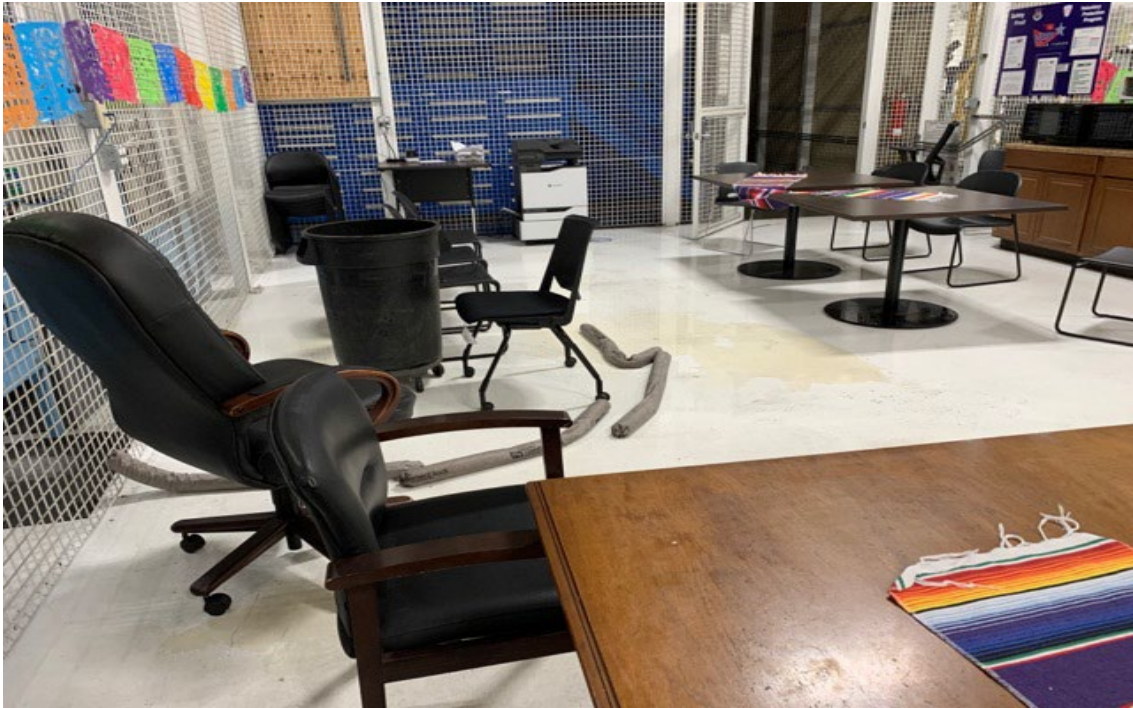
Regarding building 9001 (See picture 1), testimony and evidence was gathered showing an overhead sewage line did burst in May of 2022. The roof on building 9001 also leaks during rain events. During a walk around of building 9001, the IO and SMEs observed leaks from the roof in areas of building 9001 (it was raining at the time).

General Motors constructed building 9001 in 1979 as a vehicle assembly plant. General Motors closed the plant in 2006 and it was later purchased by Oklahoma County and leased to the Air Force. In September 2008 TAFB and Oklahoma County personnel began demolition and renovations on building 9001. \$22 million was spent to upgrade bathrooms and build breakrooms. Renovations also included the removal of over 14,000 tons of overhead steel and an in-ground conveyer system. The building is the second largest building in the Department of Defense at over 3.8 million square feet.



Picture 1. Building 9001

Regarding the sewage leak at posts V43/44 (mezzanine two, breakroom/tool crib, and post V43/44 all reference same area ... personnel interviewed use varied terms to refer to area where the sewage leak occurred), Witness 3 testified that the last time there was a sewage release there was 20 May 2022. (Section III, Tab C4, page 9, lines 18-20) She said it occurred around three weeks after she began working at building 9001. The leak occurred due to a malfunctioning valve. This caused the sewer line to back up and leak onto the breakroom floor on the first floor. She stated the area affected was the MXSG and the tool crib area. Witness 3 provided some photos of the leakage at posts V43/44 in May 2022 (See pictures 2 and 3). (Section III, Tab C4, page 37, lines 8-9)



Picture 2. Building 9001 V43/44 Tool Crib, o/a May 2022



Picture 3. Building 9001 V43/44 Tool Crib, o/a May 2022

Witness 1, the Deputy Director of the 76th Maintenance Support Group (76 MXSG), which is responsible for the facility sustainment support, said in the case of the sewage leak it was sewage leaking from an overhead bathroom from a vent pipe or some open element of drainage that was overflowing. (Section III, Tab C2, page 9, lines 16-19)

He testified he remembered the leak in May of 2022, “With the new piping, there was still

an overflow incident that would indicate something with the design of the new system was still allowing there to be an escape. There was a -- some follow-on work orders created there. And I think ultimately, whatever that vent or whatever that issue was, was capped. And I think the completion of that was in about May of 2022. And we've had some -- to mine and my facility manager's knowledge, we've had no further issues since that happened.” (Section III, Tab C2, page 11, lines 16-22)

Witness 11 is the American Federation of Government Employees Union President for TAFB and remembered being told about the leak by an affected employee, but when he called leadership about it, it was already being worked. He said the employee told him there was leakage from a sewer pipeline. He stated since he was not from that side of the business (he worked in building 3001) he went over and had a conversation with the folks there and he saw the droplets. He said that was the only time he was aware of a sewage leak in 9001. (Section III, Tab C12, page 4, lines 10-20)

Witness 2 testified the sewage leak in building 9001 occurred in the mezzanine two and tool crib area. He stated that the PVC pipe came apart and had to be redone. When the repair of the PVC pipe was completed, a valve stuck and caused the May 2022 leakage onto the floor. (Section III, Tab C3, page 6, lines 13-25; page 7, lines 1-14)

Witness 4 and 5 both worked in building 9001 at the same time as the Whistleblower. Both felt like any droplets from above occurred when it rained.

Referencing the leaking roof, Witness 4, a co-worker of the Whistleblower said she only noticed things dripping from above in building 9001 when it rained. (Section III, Tab C5, page 5, lines 20-25) Witness 5, also a coworker of the Whistleblower also stated he only noticed droplets in building 9001 when it rained. (Section III, Tab C7, page 5, lines 16-24)

When speaking about the droplets in building 3001, the Whistleblower testified he only worked in building 3001 from 1 September 2022 until 11 October 2022. (Section III, Tab C1, page 6, line 25) He explained when he arrived in building 3001, he experienced similar droplets from the ceiling as in building 9001. He described the droplets as having an odor similar to mildew and sewage, saying when it got on you, you could smell it. He also said he tried to avoid any of the droplets on the floor by walking around it because if it got on you it did have a bit of odor to it. (Section III, Tab C1, page 11, lines 21-25 and page 12, lines 1-2)

Building 3001 (See picture 4) was constructed between 1941 and 1942 as the Douglas Assembly building for the Douglas Cargo Aircraft Plant. Building 3001 measures three-fourths of a mile long and is 1,000 feet wide covering over 2.4 million square feet. It's the third largest building in the Department of Defense. The building was originally used to produce C-47 aircraft during World War II. In 1945 the US Army Air Forces annexed the building and plant, and it now serves multiple functions focusing on depot maintenance activity for the E-3, B-1, B-52, and the KC-135 aircraft.



Picture 4. Building 3001

All witnesses the investigation team interviewed stated building 3001's roof leaks when it rains. The investigation team corroborated these statements while performing a walk around of building 3001 during a rainstorm and found several locations where leaking rainwater was coming into the building from above.

Witness 11 testified that building 3001 has condensation leaks and roof leaks when it rains. (Section III, Tab C12, page 5, lines 11-13)

Witness 6 who was the supervisor of 22 of the 44 tool attendants, testified water leaks did occur in building 3001, but normally only is noticed when it was raining. (Section III, Tab C7, page 4, lines 14-25)

Witness 10 who is the current 76th Commodities Maintenance Group (75 CMXG) Commander responsible for the 44 tool attendants testified he has observed leaks in building 3001 when walking around. (Section III, Tab, C11, page 4, lines 19-25)

Witness 9 who is the Civilian Leader for the 547 PMXS stated there are roof leaks in building 3001, but not where his personnel work and mainly occurs in aisles and does not fall on his people or equipment. (Section III, Tab C10, page 7, lines 17-21)

Witness 2 testified that in the past, building 3001 was the bigger problem when it rained, but now it has become building 9001. (Section III, Tab C3, page 5, lines 1-7)

ANALYSIS.

Evidence and testimony clearly show that a sewage leak occurred above post V43/44 area

This is a protected document. It will not be released (in whole or in part), reproduced, or given additional dissemination (in whole or in part) outside Inspector General channels without prior approval of the Inspector General (DAF/IG) or designee

in building 9001 at different times from 2018 until it was fully repaired in May 2022. Evidence and testimony also confirmed that roof leaks and condensation leaks occur on a regular basis in both buildings 9001 and 3001.

The Whistleblower worked in building 9001 during the last incident of sewage leaking over the post V43/44 area in May 2022. No evidence exists showing the Whistleblower ever worked near the post V43/44 area. However, he may have heard about it from co-workers. Further, rainwater or condensation falling could have been interpreted by the Whistleblower as sewage.

DAFI 48-145, para 1.2.1 states, "Safety Programs require that every employee be provided with a work environment that is free from recognized hazards that pose an unacceptable risk of causing death, injury, or illness. OEH hazards must be anticipated, recognized, evaluated, controlled, and communicated to enhance workforce availability and mission capability. Commanders, federal civilian leaders, and workplace supervisors, at each management level, are required to advocate for and demonstrate a leadership commitment to a strong OEH program and provide all personnel safe and healthy working conditions that prevent illness and injuries. (T-0) An effective OEH program uses active hazard prevention and controls and provides education and training that will enable personnel to recognize and prevent OEH-related injuries and illnesses. Additionally, an effective program prevents or mitigates environmental hazards from negatively effecting the health of individuals and populations (e.g., service members, DoD federal civilians, beneficiaries, veterans). All personnel have a right and responsibility to actively participate in their organization's OEH program. (T-0)"

All necessary precautions and appropriate remediation actions were taken when the pipe/vent failed in building 9001. Facility managers were trained to ensure safety of all personnel through mitigation and reporting unsafe issues to management.

Witness 1 provided the following testimony regarding the sewage leaks in building 9001; "I got involved and we closed the restrooms, the RAC (Risk Assessment Code) was submitted, folks were moved. I think that was in the -- I've had my team go back and pull the notes because it's been some time ago. That was -- that was in August/September of 2020. The construction of the new piping wasn't declared complete until May of 2021. So that mitigation to the risk stayed in place until there was a -- was to stay in place until there was a permanent fix, and that was the new piping being -- construction being complete." Witness 1 provided the timeline and monetary amount for this project. (Section III, Tab D4) He further relayed that with the new piping there was another incident that occurred in May of 22, with leakage that was subsequently fixed. (Section III, C2, page 11, lines 1-25). Witness 3 provided the workorders for this project. (See table 1)

Work Order Number	Facility	Work Request Title	Work Location	Open Date	Closed Date
T5482	B9001	HAS LEAK COMING FROM SEWER PIPING, PIG MAT DOWN	Post V44	2 May 2022	20 May 2022
11363806	B9001	1 - 9001 Post V-44 - WT - INT PLUMB - LEAK FLOODING AREA	Post V44	13 May 2022	13 May 2022
11390672	B9001	9001 Post V44 - WT - INT PLUMB - BATHROOM BACKING UP	Post V44	20 May 2022	20 May 2022
11392442	B9001	9001 Post V-44 - WT - INT PLUMB - CAMERA 4 INCH SEWER LINE	Post V44	26 May 2022	26 May 2022

Table 1. Work Orders Building 9001

Witness 1 shared that Risk Assessment Code 3 was implemented during this repair phase and lifted when repairs were completed (See table 2).

Risk Assessment Matrix				PROBABILITY				
				Frequency of Occurrence Over Time				
				A Frequent (Continuously experienced)	B Likely (Will occur frequently)	C Occasional (Will occur several times)	D Seldom (Unlikely, can be expected to occur)	E Rarely (Improbable, but possible to occur)
SEVERITY	Effect of Hazard	Catastrophic (Death, Loss of Asset, Mission Capability or Unit Readiness)	I	EH	EH	H	H	M
		Critical (Severe Injury or Damage, Significantly Degraded Mission Capability or Unit Readiness)	II	EH	H	H	M	L
		Moderate (Minor Injury or Damage, Degraded Mission Capability or Unit Readiness)	III	H	M	M	L	L
		Negligible (Minimal Injury or Damage, Little or No Mission Capability or Unit Readiness)	IV	M	L	L	L	L
				Risk Assessment Levels				
				EH=Extremely High H=High M=Medium L=Low				

Table 2. Risk Assessment Code Matrix

Witness 11 conveyed that anyone can report a hazard, "when anyone logs onto their computer it's one of the big ones [icon] and it's -- yellow/orange, and it stands out. It's normally away from everything else and it has "hazard" on it. So, when you log in and you start looking at the icons, it's going to catch your eye. Because that was one of the things, like, three years ago, I was like, "Hey, we need to make that icon pop. We need people to

know it's there and you can be anonymous." And a lot of people don't trust it's anonymous. But it says you are. You can put your name on it or not." (Section III, Tab C12, page 10, lines 7-12)

Witness 11 also explained that the Air Force Voluntary Protection Program personnel also help during any hazards caused by roof leakages. (Section III, Tab C12, page 13, lines 15-20). An example of rainwater leak mitigation is that tarps are hung on ceilings until more permanent repairs can be made (See picture 5).



Picture 5. Umbrella tarps are used to mitigate rain from leaking onto the mechanical floors in both buildings

Although the sewage leaks and rain and condensation drips did occur, this analysis centers on whether the Oklahoma City Air Logistics Complex violated the provisions of DAFI 48-145, para 1.2.1.

Testimony from Witness 1 demonstrates leadership is took all the concerns brought forth by the Whistleblower seriously. Witness 1's testimony indicates the sewage leaks in building 9001 were a problem when the complainant arrived and were fixed permanently in May 22 through a \$1.2 million project and one subsequent repair (See picture 6). (Section III, Tab C2, Page 7, lines 19-25; Page 8, lines 1-25; page 9, lines 16-25; page 10, lines 1-25; page 11, lines 1-22)



Picture 6. Repaired Sewage Line in Building 9001

Testimony from witness 1 also shows a dedicated budget for fixing the roof issues of building 9001. Currently, \$10 million a year is being spent replacing sections of the building 9001 roof. (Section III, Tab C2, page 20, lines 7-25)

Witness 2 also presented evidence that work orders had been submitted and were approved for the southeast bathrooms in Building 9001 to have new drainpipes installed to ensure no more backups occurred in these bathrooms.

Witness 1 testified over \$1 million per month is spent on work orders put in by Facility Managers and workers in the Oklahoma City Air Logistics Complex. (Work orders for building 9001 (Section III, Tab D6), work orders for building 3001 (Section III, D5) He also shared that the current annual budget for repairs of the OC-ALC buildings is \$60 million.

CONCLUSION/FINDING.

Although evidence clearly showed past maintenance issues in the overhead sanitary lines in building 9001, and current rainwater leakage from the roof and drips from condensation on pipes in buildings 9001 and 3001, no evidence exists showing intentionality or that leadership failed in mitigation efforts to ensure the safety of the workforce. Witness 1 concisely testified to the steps that were put into place and taken when the overhead sanitary pipes leaked. He further explained the issues with roof rainwater leakage were being addressed as fast as possible with the funding available. Witness 11 showed the ways workers could report a hazard and how the Voluntary Protection Program is helping address any safety concerns identified. Witness 2 and 3 testified fixes are in place to repair as reported. The evidence indicates building 9001 and 3001 have resources available to repair and mitigate hazards and dangers if they occur. Preventative measures are also in place for both buildings with millions of dollars in fixes either funded or in process to ensure everyone's safety. One instance is the \$10 million being spent per year replacing portions of the roof on building 9001. Due to the size of the building this is a multi-year project with

the roof being repaired in sections (See picture 7).



Picture 7. View depicting stages of roof repair with old roof on the left and new roof on the right on top of Building 9001.

Witnesses 1, 2 and 3 were very credible in their knowledge of the facility issues in both building 9001 and 3001. They also knew the history of the sewage problem, where it occurred, and the dates those issues were addressed until completion. The Whistleblower's testimony that perceived sewage droplets fell in both buildings regularly was not credible and was not backed up by his supervisors or co-workers' testimony. They all agreed that besides the one sewage issue in building 9001, resolved in May 2022, when the complainant was employed, other incidents of water leaks are due to rainwater or condensation in both buildings.

The allegations that buildings 9001 and 3001 are not in compliance with AFI 48-145, para 1.2.1 is **NOT SUBSTANTIATED**.

RECOMMENDATION.

We make no further recommendations on these matters.

ALLEGATION 2. Between on or about January 4, 2022, through on or about October 11, 2022, Oklahoma City Air Logistics Complex (OC-ALC) failed to repair sewage pipes exposing 44 Tool and Parts Attendants, as well as numerous other mechanical workers in buildings 9001 and 3001, to continuous dripping sewage in violation of DAFI 91-202, paragraphs, 1.6.26.3. and 1.6.28.4.5. leading to a substantial danger to public health.

STANDARDS.

The following applicable standards were in effect during the time of the alleged violation. Explanations and excerpts of each follow below:

This is a protected document. It will not be released (in whole or in part), reproduced, or given additional dissemination (in whole or in part) outside Inspector General channels without prior approval of the Inspector General (DAF/IG) or designee

5 U.S.C. § 1213(b) – Whenever the Special Counsel receives information of a type described in subsection (a) of this section, the Special Counsel shall review such information and, within 45 days after receiving the information, determine whether there is a substantial likelihood that the information discloses a violation of any law, rule, or regulation, or gross mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health and safety.

Department of the Air Force Instruction (DAFI) 91-202, *THE US AIR FORCE MISHAP PREVENTION PROGRAM*, 12 Mar 2020 – 1.6.28.3. Shall not require personnel to work in environments and conditions hazardous to their safety or health without first providing adequate elimination, substitution, engineering controls, administrative controls, and/or PPE.

Department of the Air Force Instruction (DAFI) 91-202, *THE US AIR FORCE MISHAP PREVENTION PROGRAM*, 12 Mar 2020 – 1.6.28.4.5. Taking immediate action to correct any violation of safety rules observed or reported to them.

The purpose of the Air Force Mishap Prevention Program is to minimize the loss of Air Force resources and protect Air Force personnel from death, injuries, or occupational illnesses by managing risks on and off-duty. This program is aligned with and framed using the Air Force Safety Management System as the core structure and applies to all Air Force organizations and personnel. The Air Force Safety Management System is a systematic approach to managing safety and includes the necessary organizational structures, accountabilities, policies, and procedures. The overarching mishap prevention program is system compliant with the tenants of the American National Standards Institute Z-10 and the Federal Aviation Administration, Aviation Safety Management Program, which were used as the foundational sources of the Air Force Mishap Prevention Program. The Occupational Safety and Health Administration's (OSHA) Voluntary Protection Program is recognized as a form of a Safety Management System and is closely aligned with the Air Force Safety Management System. Units employing the Voluntary Protection Program will follow the USAF mishap prevention program guidance contained within this instruction.

REVIEW OF FACTS, PERTINENT TESTIMONY, AND DOCUMENTATION.

The Whistleblower testified to Office of Special Counsel that during his employment with OC-ALC from January 4 through October 11, 2022, officials failed to resolve sewage leaks at the OC-ALC base despite complaints he and other employees submitted. He reported that the leaks and the conditions created by the leaks persist.

ANALYSIS.

Witness 3 testified the last sewage leak in building 9001 was in May of 2022. She stated three weeks after she arrived as the new facility manager a valve in the plumbing that was overhead malfunctioned, and the water would come out of the malfunctioning valve and on to the first floor. She stated this was in the MXSG and the tool crib area and May 2022 was

the last time she has had an issue with overhead plumbing in building 9001. (Section III, Tab C4, page 9, lines 22-25; page 10, lines 1-18)

Witness 1 testified he remembered the leak in May of 2022, “With the new piping, there was still an overflow incident that would indicate something with the design of the new system was still allowing there to be an escape. There was a -- some follow-on work orders created there. And I think ultimately, whatever that vent or whatever that issue was, was capped. And I think the completion of that was in about May of 2022. And we've had some -- to mine and my facility manager's knowledge, we've had no further issues since that happened.” (Section III, Tab C2, page 11, lines 16-22)

These issues were repaired and have not occurred since May 2022. Leaks in the roof, however, persist and the Whistleblower may not have known the difference between rainwater leaking from the roof on to pipes, giving the appearance of a pipe leaking and sewage leaking from a pipe.

Witness 5, the supervisor who oversaw the post BB40 area, remarked during an interview that everyone knew that the roof above the post BB40 area leaked every time it rained. He also noted that after the recent safety inspection the leaks in the post BB40 area were fixed and are no longer a problem. (Section III, Tab C6, page 5, lines 14-18).

Post BB40 was one of the areas where the Whistleblower worked in building 9001 prior to moving to building 3001 to work for his last two months before leaving his job.

When in building 3001, the complainant alludes to similar droplets falling from above the work area. When questioned about what he perceived as leaking from above in building 3001 as well as building 9001 he said, “it had the same type of smell and texture to it whenever it got on you. Kind of like a mildewy sewage smell. It wasn't the most pleasant whenever it got on you and you could smell it. But it was one of those – I always tried to avoid any of the little droplets I seen on the ground. Or if I see, oh hey, there's a drop there. So, if something's leaking from up there, I walked around it. Like, I always tried to avoid getting it on me because it does have a little bit of an odor to it.” (Section III, Tab C1, page 11, lines 21-25; page 12, lines 1-2)

However, there were never any evidence found indicating any sewage leaks in the ceilings or pipes of building 3001. There was much evidence of the rainwater leaks in the roofs around all the areas the Whistleblower was working in buildings 9001 and 3001. Evidence again included interviews of facility managers and a review by the IO and SMEs of work orders submitted.

In addition, the HQ AFMC Public Health Officer assigned as SME for this investigation, stated an infrequent or minor leak from a sewer line in most work centers does not present a “substantial” hazard in terms of overall public health as long as the leak and exposures are readily mitigated. There are also no regulatory exposure standards for sewage and common sense should be applied to incidents. (Section I, Tab C)

CONCLUSION/FINDING.

Evidence clearly shows at one time in May 2022, a sewage line in building 9001 was leaking and had to be cleaned by professional contractors, and the bathrooms temporarily closed until the issues with the overhead sanitary lines were corrected. The last time this occurred was May 2022. However, many instances of water leaking from ceilings during rainstorms exist in both buildings. The Whistleblower's testimony regarding the smell and texture of the droplets falling during rainstorms did not match the testimony of others. Also, no evidence was discovered that showed any other issues of dripping sewage water, in either building, other than in May of 2022. The allegations that the OC-ALC failed to repair sewage pipes exposing 44 Tool and Parts Attendants, as well as numerous other mechanical workers, in buildings 9001 and 3001 to continuous dripping waste in violation of DAFI 91-202, paragraph 1.6.28.4.5 is **NOT SUBSTANTIATED**.

RECOMMENDATION

We make no further recommendations on these matters.

ALLEGATION 3. Between on or about January 4, 2022, through on or about October 11, 2022, the Whistleblower reported leaks and resulting conditions to Oklahoma City Air Logistics Complex (OC-ALC) leadership Witness 7 and Witness 6 on numerous occasions, but the damaged sewage pipes were not repaired in violation of DAFI 91-202, paragraph 1.6.28.3., and DAFI 91-204, paragraph 1.7.

STANDARDS.

The following applicable standards were in effect during the time of the alleged violation. Explanations and excerpts of each follow below:

5 U.S.C. § 1213(b) – Whenever the Special Counsel receives information of a type described in subsection (a) of this section, the Special Counsel shall review such information and, within 45 days after receiving the information, determine whether there is a substantial likelihood that the information discloses a violation of any law, rule, or regulation, or gross mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health and safety.

Department of the Air Force Instruction (DAFI) 91-202, *THE US AIR FORCE MISHAP PREVENTION PROGRAM*, 30 Oct 2020 – Para 1.6.28.3. Shall not require personnel to work in environments and conditions hazardous to their safety or health without first providing adequate elimination, substitution, engineering controls, administrative controls, and/or PPE.

The purpose of the Air Force Mishap Prevention Program is to minimize the loss of Air Force resources and protect Air Force personnel from death, injuries, or occupational illnesses by managing risks on and off-duty. This program is aligned with and framed using

the Air Force Safety Management System as the core structure and applies to all Air Force organizations and personnel. The Air Force Safety Management System is a systematic approach to managing safety and includes the necessary organizational structures, accountabilities, policies, and procedures. The overarching mishap prevention program is system compliant with the tenants of the American National Standards Institute Z-10 and the Federal Aviation Administration, Aviation Safety Management Program, which were used as the foundational sources of the Air Force Mishap Prevention Program. The Occupational Safety and Health Administration's (OSHA) Voluntary Protection Program is recognized as a form of a Safety Management System and is closely aligned with the Air Force Safety Management System. Units employing the Voluntary Protection Program will follow the USAF mishap prevention program guidance contained within this instruction.

Department of the Air Force Instruction (DAFI) 91-204, *SAFETY INVESTIGATIONS AND REPORTS*, 10 Mar 2021 – Para 1.7. In accordance with DoDI 6055.01, DoD Safety and Occupational Health (SOH) Program, all personnel must report identified hazards and supervisors must ensure hazards are eliminated or mitigated to an acceptable level. (T-0) See AFI 91-202, The US Air Force Mishap Prevention Program, and discipline-specific safety manuals for mandatory reporting requirements. Hazard investigations are not privileged and promises of confidentiality are not authorized. Hazard reports are categorized as aviation, ground, space, or weapons.

Safety investigations are conducted, and safety reports are written, to prevent future mishaps. Legal investigations and boards are conducted for all other purposes. Commanders may not use safety reports to determine whether to conduct a legal investigation. (T-1) If initiated, criminal investigations take precedence over safety investigations until criminal activity has been ruled out as possible causes of damage, injury, or death.

REVIEW OF FACTS, PERTINENT TESTIMONY, AND DOCUMENTATION.

The Whistleblower testified in reference to his time in building 9001 between January 2022 thru September 2022, when he worked for Witness 7, he reported the issues of droplets falling from the ceiling at least 4 times, "I personally raised it up to Witness 7 about four times. But others I know had reported it to him as well or at least talked to him about it. I don't know how many they did, obviously. But me personally, I – at least four." (Section III, Tab C1, page 16, lines 21-24) In his statement to OSC, the Whistleblower said he had reported the droplets to Witness 7 at least 20 times. (Section III, Tab D1 and D2)

Witness 7 said about BB40 (building 9001) and his subordinates bringing up droplets leaking from the ceiling, "Yes. They spoke to me. I told them we would have to get with the facility manager and put in a work order request for that. I got with the Facility Manager, and I got with the safety people, and I gave them the work order number. So since then, the leak has been fixed." Witness 7 said this was a water leak that leaked when it rained. (Section III, Tab C8, page 5, lines 16-22)

Witness 7 also said issues were brought to him about AA30 (building 9001). He said,

This is a protected document. It will not be released (in whole or in part), reproduced, or given additional dissemination (in whole or in part) outside Inspector General channels without prior approval of the Inspector General (DAF/IG) or designee

“we're currently trying to resolve that issue right now. Another work order has been put in with the facility manager for that leak to get fixed because they said it was fixed, but when I went down there to check it last week, I think it was last Thursday, it still had some leakage.” He also stated the leakage only occurred when it rained. (Section III, Tab C8, page 6, lines 23-25; page 7, lines 1-4)

Regarding the Whistleblower's allegation against Witness 6 in building 3001, the Whistleblower stated “ To Witness 6 I said something twice. And then after I got told don't let it get on me, you'll be fine, and it kept getting brushed off I just gave up on even trying at that point because I was aggravated.” (Section III, Tab C1, page 17, lines 1-4)

Witness 6 testified that employees have come to her with concerns when it rains, “No one -- none of my employees came to me about any sewage leaks or concerns that it was sewage, but I have had times where they reported that there was rainwater leaking around their work areas. It's usually within a shop and it's -- we get -- my people are support -- or they were support so we would get a hold of the shop supervisors to get a hold of facilities. Because it's technically their areas. Not mine.” (Section III, Tab C7, page 5, lines 19-23)

When Witness 6 was asked if she ever told any of her subordinates to move and not let it hit you, she said, “I mean, if it was water leaking from the ceiling and it was going to damage anything in our area, we would've moved whatever needed to be moved and covered anything that needed to be covered.” (Section III, Tab C7, page 6, lines 7-10)

No evidence was given that any sewage leaks from the ceiling ever occurred in building 3001. Witness 11 testified, “now, over here at 3001, this building being 100 (*sic*) years old, it's got leaks. Condensation leaks here. When it rains, the roof leaks. I mean, the buildings huge. I've never been notified that there was a sewage leak over here.” (Section III, Tab C12, page 5, lines 11-13)

ANALYSIS.

The testimony given by the Whistleblower that his supervisors did not react to his concerns of sewer droplets falling to the mechanical floor could not be corroborated. Witness 6 testified that she did not own the work areas as a supervisor but would notify the shop supervisors who would notify the facility managers. (Section III, Tab C7, page 5, lines 19-23) Witness 6 further stated that no one ever came to her concerning sewage, but rather rainwater falling onto the mechanical floor during rainstorms. (Section III, Tab C7, page 5, lines 9-12) Witness 6 also said that if rainwater was falling on a work area or equipment, personnel would have been moved. (Section III, Tab C7, page 6, lines 7-10)

Witness 7 testified that workers did come to him regarding a leak at the post BB40 area and a work order was put in with the facility manager. Witness 7 also said since the work order and a safety inspection the leak in BB40 has been fixed. (Section III, Tab C8, page 5, lines 10-22). Witness 7 also explained he was told of rainwater leak at post AA30. He said, “Post AA30 has leaks, but we're currently trying to resolve that issue right now. Another work order has been put in with the facility manager for that leak to get fixed because they said it was fixed, but when I went down there to check it last week, I think it was last Thursday, it

still had some leakage.” (Section III, Tab C8, page 6, lines 23-25; page 7, lines 1-2)

Testimony from Witnesses 1, 2 and 3 agree with the Whistleblower that a sewage leak did occur and was finally completely fixed in May of 2022 in building 9001. This was after the overhead pipes had been replaced and a trap shut off. The leak was from an overhead sanitary line that came from the bathrooms located on mezzanine two. (Section III, Tab C3, page 6, line 10). The leaks were eventually completely fixed although not at one time. Witness 2 was aware of a sewer leak in building 9001 as far back as 2018. (Section III, Tab C3, page 7, line 19) Witness 3 testified that necessary precautions were taken to prevent employees from coming into contact with the sewage. (Section III, Tab C2, page 7, lines 7-25, page 8, lines 1-25) (Section I, Tab C)

CONCLUSION/FINDING.

The Whistleblower was correct that the roofs leaked when it rained during his time in building 9001 and 3001. He was also correct that a sewage leak occurred in May of 2022 in building 9001. However, both supervisors (Witness 6 and 7) testified that they knew of the issues and put in work orders when needed and confirmed repairs were made. Witness 2 and 3 testified that the sewage leak was repaired as quickly as possible. Witness 1 testified of the mitigation methods used to keep the employees safe. No evidence suggests anyone failed to manage risks to ensure Air Force personnel were safe from injury, illness, or death. Witness 6 and 7 appropriately followed guidance that was established to ensure hazards were eliminated or mitigated to an acceptable level. The allegation that the Whistleblower reported leaks and resulting conditions to OC-ALC leadership Witness 7 and Witness 6 on numerous occasions, but the damaged sewage pipes were not repaired in violation of DAFI 91-202, paragraph 1.6.28.3 and DAFI 91-204, paragraph 1.7 is **NOT SUBSTANTIATED**.

RECOMMENDATION.

We make no further recommendations on these matters.

TODD A. GLEASON, NH-III, DAF
Command Investigations Officer

Section II, Tab D. Appointing Authority Approval.

I have reviewed the Report of Investigation and I approve the findings.

JOHN R. LAPORE, Colonel, USAF
Inspector General

Section III, Tab C

Index of Witnesses

C1 Complainant	Mr. Micheal T. Williams (Complainant)
C2 Witness 1	[REDACTED] (Deputy Director)
C3 Witness 2	[REDACTED] (Contracting Liaison)
C4 Witness 3	[REDACTED] (Facility Manager building 9001)
C5 Witness 4	[REDACTED] (Co-worker to Williams in building 9001)
C6 Witness 5	[REDACTED] (Co-worker to Williams in building 9001)
C7 Witness 6	[REDACTED] (Williams' supervisor building 3001)
C8 Witness 7	[REDACTED] (Williams' supervisor building 9001)
C9 Witness 8	[REDACTED] (Monitored work orders for Mr. Gill)
C10 Witness 9	[REDACTED] (Williams' Squadron Civilian Leader) Colonel
C11 Witness 10	[REDACTED] (Williams' Group Commander, 76 PMXG) Mr.
C12 Witness 11	[REDACTED] (Union President)