



State of New York  
Office of Fire Prevention and Control

1220 Washington Avenue, Bldg 7A  
Albany, NY 12226  
Phone#: (518) 474-6746  
Fax#: (518) 474-3240

---

## REPORT OF INSPECTION AND NOTICE OF VIOLATION

Facility: DEC Remediation Site - 152125

You are hereby notified that an inspection of the above named facility by the New York State Office of Fire Prevention and Control disclosed violations of the New York State Uniform Fire Prevention and Building Code. The nature and location of the violations are specified on the accompanying pages.

These violations pose a potential for physical injury or death to the occupants of the building due to fire. As required by Title 19 of the New York Code Rules and Regulations (NYCRR), these violations are expected to be abated within the time frame identified. Failure to remedy the violations by the date specified can expose the custodial agency to potential sanctions or penalties based on the severity of the hazard(s), and/or closure of the building if conditions constitute an imminent threat to public health or safety.

Verification that the corrective action has been taken may be performed through re-inspection of the property.

Any questions relating to this inspection should be directed to the New York State Office of Fire and Prevention and Control - Fire and Life Safety Branch at the location indicated below.

District Supervisor:

---

Tygar, Bradley  
Deputy Chief

**Inspector :** Plume, Roy James Jr



Perry Duryea State Office Building  
250 Veterans Memorial Highway  
Rm 4A8  
Hauppauge, NY 11788  
631-952-3393



State of New York  
Office of Fire Prevention and Control

1220 Washington Avenue, Bldg 7A  
Albany, NY 12226  
Phone#: (518) 474-6746  
Fax#: (518) 474-3240

---

## REPORT OF INSPECTION NOTICE OF VIOLATION

---

Agency:	Department of Environmental Conservation	System ID#:	29697
Region:	DEC Region 1	Building No.:	
Facility:	DEC Remediation Site - 152125	Escort:	
Building:	Active Industrial Uniform	Inspected by:	Plume, Roy James Jr
	63 W Merrick Rd	Inspection Date:	10/27/2020
	Lindenhurst, NY 11757	Date of Reinsp:	11/26/2020
		Reviewed by:	
		Page 1	

Agency Contact: Vandree, Charles  
625 Broadway, 10th Floor  
Albany, NY 12207  
Phone (518) 402-9381  
:

County: Suffolk

---

### ----- Building Information -----

Type of Construction:  
Number of stories:  
Total square feet:  
Building Condition: In Normal use

Agency: Department of Environmental Conservation  
Region: DEC Region 1  
Facility: DEC Remediation Site - 152125  
Building: Active Industrial Uniform

## ----- Violations -----

- 1    **Violation:**                    **General requirements. Portable fire extinguishers shall be selected, installed and maintained in accordance with this section and NFPA 10.**  
Hazard Cls.:                    Minimal  
Code Refer.:                    15F-906.2  
Abate By:                        07/25/2019  
Location:                        Entire building, General  
Description:                    No documentation provided for annual inspection
- 2    **Violation:**                    **Emergency lights did not work when tested**  
Hazard Cls.:                    Minimal  
Code Refer.:                    15F-604.4  
Abate By:                        Abated  
Location:                         
Description:
- 3    **Violation:**                    **An activation test of the emergency lighting equipment shall be completed monthly. The activation test shall ensure the emergency lighting activates automatically upon normal electrical disconnect and stays sufficiently illuminated for not less than 30**  
Hazard Cls.:                    Minimal  
Code Refer.:                    15F-604.6.1  
Abate By:                        07/25/2019  
Location:                        Entire building, General  
Description:                    No documentation provided for monthly activation test
- 4    **Violation:**                    **Power test. For battery-powered emergency lighting, a power test of the emergency lighting equipment shall be completed annually. The power test shall operate the emergency lighting for not less than 90 minutes and shall remain sufficiently illuminated**  
Hazard Cls.:                    Minimal  
Code Refer.:                    15F-604.6.2  
Abate By:                        07/25/2019  
Location:                        Entire building, General  
Description:                    No documentation provided for annual power test

## ----- Recommendations -----

## ADDITIONAL EXPLANATION

Violation#: 1	<p>General requirements. Portable fire extinguishers shall be selected, installed and maintained in accordance with this section and NFPA 10.</p> <p>CHAPTER 9 FIRE PROTECTION SYSTEMS SECTION 906 PORTABLE FIRE EXTINGUISHERS</p> <p>906.2 General requirements. Portable fire extinguishers shall be selected, installed and maintained in accordance with this section and NFPA 10.</p> <p>Exceptions:</p> <ol style="list-style-type: none"><li>1. The distance of travel to reach an extinguisher shall not apply to the spectator seating portions of Group A-5 occupancies.</li><li>2. Thirty-day inspections shall not be required and maintenance shall be allowed to be once every 3 years for dry-chemical or halogenated agent portable fire extinguishers that are supervised by a listed and approved electronic monitoring device, provided that all of the following conditions are met:</li><li>3. In Group I-3, portable fire extinguishers shall be permitted to be located at staff locations.</li></ol> <p>906.2.1 Certification of service personnel for portable fire extinguishers. Service personnel providing or conducting maintenance on portable fire extinguishers shall possess a valid certificate issued by an approved governmental agency, or other approved organization for the type of work performed.</p> <p>Part III Building and Equipment Design Features</p>
---------------	---

Violation#: 3	<p>An activation test of the emergency lighting equipment shall be completed monthly. The activation test shall ensure the emergency lighting activates automatically upon normal electrical disconnect and stays sufficiently illuminated for not less than 30</p> <p>CHAPTER 6 BUILDING SERVICES AND SYSTEMS SECTION 604 EMERGENCY AND STANDBY POWER SYSTEMS</p> <p>604.6 Emergency lighting equipment. Emergency lighting shall be inspected and tested in accordance with Sections 604.6.1 through 604.6.2.1.</p> <p>604.6.1 Activation test. An activation test of the emergency lighting equipment shall be completed monthly. The activation test shall ensure the emergency lighting activates automatically upon normal electrical disconnect and stays sufficiently illuminated for not less than 30 seconds.</p> <p>604.6.1.1 Activation test record. Records of tests shall be maintained. The record shall include the location of the emergency lighting tested, whether the unit passed or failed, the date of the test and the person completing the test.</p> <p>Part III Building and Equipment Design Features</p>
---------------	---

Violation#: 4	<p>Power test. For battery-powered emergency lighting, a power test of the emergency lighting equipment shall be completed annually. The power test shall operate the emergency lighting for not less than 90 minutes and shall remain sufficiently illuminated</p>
---------------	---

CHAPTER 6 BUILDING SERVICES AND SYSTEMS

SECTION 604 EMERGENCY AND STANDBY POWER SYSTEMS

604.6 Emergency lighting equipment. Emergency lighting shall be inspected and tested in accordance with Sections 604.6.1 through 604.6.2.1.

604.6.2 Power test. For battery-powered emergency lighting, a power test of the emergency lighting equipment shall be completed annually. The power test shall operate the emergency lighting for not less than 90 minutes and shall remain sufficiently illuminated for the duration of the test.

604.6.2.1 Power test record. Records of tests shall be maintained. The record shall include the location of the emergency lighting tested, whether the unit passed or failed, the date of the test and the person completing the test.

Part III Building and Equipment Design Features

---

## ADMINISTRATIVE RIGHT OF APPEAL

### GENERAL

Requests for clarification and questions related to this inspection report should be directed first to the inspector identified on the report. Follow up or further inquiry may be made to the district supervisor of the Office of Fire Prevention and Control, Fire and Life Safety Branch responsible for the region in which the building is located.

To formally dispute a violation, a request for review must be presented in writing, with clear explanation of the circumstances to:

Chief of the Fire and Life Safety Branch  
Office of Fire Prevention and Control  
1220 Washington Avenue, Bldg 7A  
Albany, NY 12226  
(518)-474-6746

If there is the desire to challenge that determination a formal appeal may be made to the Deputy State Fire Administrator for Enforcement at the above address. Such appeal must be presented in writing and clearly detail justification for the dispute.

### LEGAL VARIANCE

To pursue relief from strict application of the requirements of the New York State Uniform Fire Prevention and Building Code (Uniform Code), a “variance” may be pursued. The procedures for variances and appeals regarding the Uniform Code are established in [19 NYCRR Part 1205](#). Requests for a variance generally require a hearing before a [Board of Review](#). Some requests for a variance can be resolved through an administrative process when NYS Department of State staff determines it is appropriate. For additional information, or to initiate a variance or appeal process, contact should be made with the appropriate Department of State [regional](#) office. An application for a variance or appeal of a local determination regarding applicable provisions of the New York State Uniform Fire Prevention and Building Code may be found at:

[http://www.dos.ny.gov/dcea/pdf/varianceapp\\_311.pdf](http://www.dos.ny.gov/dcea/pdf/varianceapp_311.pdf)

### COMPLIANCE PLANS

With justification, a time extension to abate a specific violation may be granted. Such extensions are determined “Compliance Plans” because they are only considered if the request demonstrates a detailed, legitimate plan that reasonably assures compliance by the date requested. Compliance plans may be submitted as a written request to the regional Fire and Life Safety Branch Deputy Chief at the address provided on this notice. To be considered, the request must be in writing and must set forth work already accomplished, the work remaining, the reason why an extension of time is necessary, and the date by which all work will be completed. All possible supporting and justifying documentation should accompany the request. Time extensions are not automatic or guaranteed. They are granted solely on the merit of each compliance plan. The compliance plan must be completed and signed by a member of the requesting agency’s management team that is authorized to commit project funding, provide timelines, and commit the agency to the legal specifications of the request.

*Take notice that an application for an extension constitutes a legal obligation to correct the violation by the date granted and that failure to meet the conditions of said compliance plan will result in the assessment of penalties accrued during the extension period.*