

Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Incorporated Village of Rockville Centre)	File No. EB-11-NY-0086
ASR # 1270072)	
Rockville Centre, New York)	NOV No. V201132380009

NOTICE OF VIOLATION

Released: April 12, 2011

By the District Director, New York Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation (“Notice”) issued pursuant to Section 1.89 of the Commission’s Rules¹ to Incorporated Village of Rockville Centre, owner of antenna structure 1270072 in Rockville Centre, New York.
2. On March 31, 2011, an agent of the Commission’s New York Office inspected antenna structure # 1270072 located at 142 Maple Avenue, Rockville Centre, New York, and observed the following violation:

47 C.F.R. § 17.21: “Antenna structures shall be painted and lighted when . . . [t]hey exceed 60.96 meters (200 feet) in height above ground or they require special aeronautical study.” The lighting specifications for antenna structure number 1270072 require that the structure comply with FAA Chapters 4, 8, and 12 in accordance with FAA Circular Number 70/7460-1K. Chapter 8 of FAA Circular Number 70/7460-1K specifies dual lighting with red/medium intensity flashing white systems, stating that this dual lighting system includes red lights (L-864) for nighttime and medium intensity flashing white lights (L-865) for daytime and twilight use. During the inspection, the agent observed that there were no medium intensity flashing white lights during the daytime.

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Incorporated Village of Rockville Centre must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of Incorporated Village of Rockville Centre. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

¹47 C.F.R. § 1.89.

²47 U.S.C. § 403.

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New York Office
201 Varick Street, Suite 1151
New York, NY 10014

4. This Notice shall be sent to Incorporated Village of Rockville Centre at its address of record.
5. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

Daniel W. Noel
District Director
New York District Office
Northeast Region
Enforcement Bureau

³P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴18 U.S.C. § 1001 *et seq.*