
Federal Communications Commission

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

In the Matter of)	
)	
Richland Towers-LLC)	File No. EB-11-NY-0303
Antenna Structure Registrant)	
ASR # 1060205)	NOV No. V201232380016
West Orange, NJ)	
)	

NOTICE OF VIOLATION

Released: **November 30, 2011**

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

1. This is a Notice of Violation ("Notice") issued pursuant to section 1.89 of the Commission's rules,¹ to Richland Towers-LLC, registrant of antenna structure # 1060205 in West Orange, New Jersey.

2. On October 21, 2011, an agent of the Enforcement Bureau's New York Office inspected antenna structure # 1060205, located at 416 Eagle Rock Avenue, West Orange, New Jersey, and observed the following violation:

47 C.F.R. § 17.23: "Unless otherwise specified by the Commission, each new or altered antenna structure to be registered on or after January 1, 1996, must conform to the FAA's painting and lighting recommendations set forth on the structure's FAA determination of 'no hazard'." The FCC's Antenna Structure Registration ("ASR") database currently indicates that antenna structure # 1060205 requires aviation orange and white paint and red obstruction lighting in accordance with FCC paragraphs 1, 3, 12, and 21. The antenna structure does not conform to these recommendations, but is equipped with dual lighting with red obstruction lighting at night and medium intensity white flashing lights during the day, and therefore is in violation of 47 C.F.R. § 17.23. In order to come into compliance with the Commission's rules, Richland Towers-LLC must: (1) obtain a new FAA "no hazard" determination indicating that the current system is permitted and then submit a modified antenna structure registration to reflect the new "no hazard" determination, (2) submit a modified registration if a new FAA "no hazard" determination already has been obtained or (3) come into compliance with the current ASR by painting the structure in accordance with FCC paragraphs 1, 3, 12, and 21.

¹ 47 C.F.R. § 1.89

Federal Communications Commission

3. Pursuant to section 403 of the Communications Act of 1934, as amended,² and section 1.89 of the Commission's rules, Richland Towers-LLC must submit a written statement concerning this matter within 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 member of Richland Towers-LLC. 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:

Federal Communications Commission
New York Office
201 Varick Street., Suite 1151
New York, NY 10014

4. This Notice shall be sent to Richland Towers-LLC 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

² 47 U.S.C. § 403

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*