



FIRE DEPARTMENT
9 METROTECH CENTER BROOKLYN, N.Y. 11201-3857
BUREAU OF FIRE PREVENTION

EAP Industry Notice # 12
4/15/08
Reduced Role for Letter of Objection
And Establishing the
Adjustment Letter

Ref. RCNY 6-02 (j)(2) (iii)

- (j) Submission and Acceptance of Emergency Action Plan
(2) Department Review and Acceptance

(iii) The Department will issue a letter of deficiency for an Emergency Action Plan that the Department determines is incomplete or deficient in any material respect. Such plan shall be amended and resubmitted to the Department within thirty days after the date of the letter of deficiency, unless the letter of deficiency authorizes a greater period of time. An amended Emergency Action Plan filed with the Department after the allowed time shall be treated as a new (original) filing.

The Letter of Objection as described in EAP Industry Notice # 3 has proven to be an amicable way of aiding owners in our mutual pursuit of an Accepted Emergency Action Plan. Fifty percent of all the plans submitted have been accepted. This indicates that many building owners/managers and consulting firms have become attune to the various elements that are required, within a plan, to yield a Letter of Acceptance.

The EAP Unit will continue to utilize the Letter of Objection for plans that haven't been accepted. However, once a plan is accepted the EAP Unit will be utilizing the Letter of Deficiency as outlined in the (j)(2)(iii) of the Rule.

The Letter of Deficiency will be called into play when an amendment is unacceptable or causes an existing part of the plan to be unacceptable.

Adjustment Letter:

The minimum requirements of an acceptable plan have evolved over the last sixteen months. The most recent adjustments were necessary to align the plan with the On-site exam. When a plan is amended it will be evaluated first for what is being changed and the above rules will apply. However, it will also be surveyed to determine if it still meets the minimum requirements of an acceptable plan. If the existing plan falls short, it too must be adjusted. In an effort to be fair and not penalize owners for timely submissions, the unit will issue an Adjustment Letter. The Adjustment Letter will delineate the trouble area(s) with regard to the previously accepted plan and will be exclusive of the amendment process. There will be no fee(s) associated with the correction(s) required by an Adjustment Letter.

FDNY

Emergency Action Plan Unit