

Date: **Date**
 To: **(PI Name/Department)**
 From: EH&RS/EH&S
 Re: FDNY Laboratory Inspection – Notice of Violation (NOV)

FDNY CORRECTIVE MEASURES NOTIFICATION FORM - CUMC

On **(date)** the NYC Fire Department (FDNY) conducted a laboratory inspection of (Bldg, room) and issued a Notice of Violation (NOV) for the item(s) listed below. Failure to correct the violation(s) by the due date noted below may result in a summons and a subsequent mandatory court hearing and fine. Once all violations have been corrected, please sign and date this Corrective Measures Notification Form in the space provided for below and send it to EH&RS/EH&S via any of the following methods and EH&RS/EH&S will formally respond to the NOV:

- **Hand deliver** –to EHRS/EH&S @ 601 West 168th Street; Suite #63 (basket on reception desk).
- **E-mail** – to novcumc@columbia.edu (attach as PDF).
- **Facsimile** – to EH&RS/EH&S at 212.795.3867.

For assistance, contact **(LSO name, phone and e-mail)**

NOV Number	Date Due	Safety and Compliance Issue
10912398L	4/30/07	Location: P&S 15 - 1509 Finding: FDNY flammable liquid limit (30 gallons) for a Type 1 laboratory was exceeded. Corrective Measure: Ensure flammable liquids in excess of 30 gallons are removed from the laboratory.
10912379X	4/30/07	Location: P&S 15 - 1509 Finding: Flammable liquids stored in a standard (non-explosion proof) refrigerator. Specifically, a bottle of acetone was observed in the refrigerator. Corrective Measure: 1. Remove flammable chemicals from non-explosion proof refrigerator. 2. Ensure that if flammable chemicals must be refrigerated, then an explosion-proof or flammable-proof refrigerator/cold room are utilized.

The corrective measure(s) have been completed and any required documentation is attached.

Signature

P.I. Print Name

Date

Corrective measure(s) confirmed by EH&RS/EH&S.

Signature

LSO Print Name

Date

EH&RS/EH&S - CUMC June 2007

Reviewed by EMS Research Work Group 4/17/07, 5/10/07 and 6/5/07; Legal Counsel; EVP Research, VP Research Operations and Sr. Associate Dean Health Affairs (CUMC) April, May and June 2007,

PROCESS FOR FDNY NOV HANDLING

Approved by: EMS Steering Committee 6/13/07; IHSC 6/14/07

1. FDNY issues a Notice of Violation (NOV) to Columbia University for violations found in a [permitted] laboratory and delivers it to EH&RS/EH&S.
2. EH&RS/EH&S delivers a copy of the NOV along with a Corrective Measures Notification Form to the Principal Investigator (PI) or Department designee within 24 hours of receiving it. Notification includes itemized violations and required corrective measure(s). Upon request, EH&RS/EH&S e-mails Corrective Measure Notification Form to the PI or designee.
3. PI or designee signs and returns the Corrective Measures Notification Form (via hand-delivery, facsimile, or e-mail) to EH&RS/EH&S by Date Due noted on Form.
4. EH&RS/EH&S visits laboratory within two weeks of NOV issuance to assist with implementation of corrective measure(s) and verifies that violation(s) have been corrected.
5. Upon receipt of the Corrective Measures Notification Form and verification of corrections, EH&RS/EH&S completes and notarizes the FDNY Certificate of Correction and returns it to the FDNY. EH&RS/EH&S notifies PI or designee of completed certification via e-mail, including the NOV Number.
6. If upon an ensuing FDNY audit a violation of the same rule is identified, FDNY issues a summons for a repeat violation necessitating a visit to the Environmental Control Board (ECB). An EH&RS/EH&S representative and a Department representative (i.e., Departmental safety liaison, Administrator, Laboratory Manager) will attend the mandatory ECB hearing. (General Counsel agreed to attend the first few ECB hearings.)
7. The University will pay any fine resulting from the ECB decision unless there are recurrent violations in the same laboratory. If there are recurrent violation(s), EH&RS/EH&S may refer all relevant documentation concerning the NOV(s) to the Executive Vice President for Research (EVP) for his/her review. If the EVP determines that the PI has been grossly negligent or in willful violation of FDNY rules, the University will take appropriate action, which may include holding the PI responsible for any fine relating to such NOV. In all other cases, the University will pay the fine.
8. This proposed process, including review of the data collection on issued NOV(s) and VOs, will be reviewed by EH&RS/EH&S on a quarterly basis for effectiveness.