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NYSED Office of Facilities Planning Newsletter



Newsletter Highlights

Carl T. Thurnau, P.E.

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Facilities Director, Trans Director, etc.

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Carl Thurnau, PE

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I may be dating myself, but I remember watching the *Ed Sullivan Show* as a child and I was always amazed whenever the “plate spinning” act was a guest. It seemed such a feat to keep so many plates spinning at the same time before one of them hit the floor. How could a person stay so incredibly focused as to not forget the one plate that was starting to wobble and then run to “re-spin” that plate before it dropped. That was a genuine talent!

Today, many of us feel like that guy spinning the plates; we have many roles and responsibilities—all of which must keep spinning and not hit the floor. This is not an easy thing to do, especially since the expectation is that all of these tasks get accomplished within the same amount of time, and all too often, with fewer resources than before. I know there are many individuals working in school districts who serve multiple roles—ranging from school facilities director to director of transportation, member of the school health/safety committee, and business manager. There are still the same number of hours in the day, and yet each of our roles must remain spinning on top of that narrow pole.

So the question is—how can we motivate those around us to accomplish their various jobs? How can we motivate staff to keep the plates spinning? The point to keep in mind that as leaders, we need to model behavior for those whom we lead, which will ultimately accomplish those tasks. According to Michael Fullan’s book *Leading in a Culture of Change* (2001), effective leaders need “...moral purpose...acting with the intention of making a positive difference in the lives of employees, customers, and society as a whole.” This may sound like a lofty ambition, but consider why we do the work we do: we work to ensure safe and healthy environments for students and staff. Fullan also notes that a “...set of seemingly more personal characteristics that all effective leaders possess {he has} labeled the *energy-enthusiasm- hopefulness* constellation.” What this translates to is—if we project optimism and a strong sense of purpose, those around us will be inspired to follow. We need to respect and value the talents and skills of those who work for us. According to Fullan, we should “beware of leaders who are always sure of themselves. Effective leaders listen attentively—you can

almost hear them listening. Ineffective leaders make up their minds prematurely and, by definition, listen less thereafter.” In addition, effective leaders “see the bigger picture; they don’t panic when things go wrong in the early stages of a major change initiative.” Finally, “...your leadership...will be judged as effective or ineffective not by who you are as a leader but by *what leadership you produce in others.*”

Which brings us back to spinning the plates. Trust your staff and yourself to accomplish the work. Engage in knowledge sharing to ensure everyone has a clear understanding of the work that needs to be accomplished. Most importantly don’t lose your moral purpose: strive to make a positive difference to those around you and yourself.



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Carl T. Thurnau

Is there a topic you would like addressed
in the Facilities Planning Newsletter?
Please email suggested topics and com-
ments to: laura.sahr@nysed.gov

New On-Line Fire Inspection Report System

NYSED is on the threshold of rolling-out the new on-line public school fire reporting system. Once the new system is launched, school districts will no longer receive labels and paper copies of Fire Safety Reports will no longer be accepted by NYSED.

Access to the new system will only be available via the secure NYSED business portal at: <http://portal.nysed.gov>.

The following are some critical points to keep in mind as we launch the new system. Unlike the existing system that requires an overnight update, the new system will be live. Some new processes will be included in the new system:

- ✓ School districts and BOCES **must** verify and certify all buildings that exist in the current fire safety system on an annual basis. This includes each building's name, street address (no P.O. Box #), and primary use.
- ✓ Although the superintendent may designate an individual to verify the district's information, the superintendent is the only person permitted to certify that information.
- ✓ An additional step in the verification process for instructional buildings includes confirming which SEDREF institution(s) each building houses. In other words, what school or schools are located in that specific building.
- ✓ Following the completion of the verification and certification process, the annual fire safety report information may be entered into the system. As with the other step the superintendent may designate an individual to perform the data entry with the fire report findings (provided to the school district by the fire inspector), however the superintendent is the only person permitted to certify that information.
- ✓ Certificates of Occupancy will be available for printing by school districts immediately following the completion of the data entry process.
- ✓ Certificates of Occupancy will no longer be mailed by NYSED.

To assist school districts in navigating the on-line process, NYSED will be conducting 2-hour regional workshops at specific BOCES throughout the State.

The audience for these workshops should include superintendents of buildings and grounds, facility managers, and fire inspectors.

The first workshops will take place in early May and the first region to use the new on-line system will be school districts in the following counties:

- ⇒ Clinton
- ⇒ Essex
- ⇒ Hamilton
- ⇒ Warren
- ⇒ Washington.

Details related to the regional workshop dates, times, and locations will be disseminated through BOCES Health/Safety Offices, the NYS School Facilities Association, and posted on the Facilities Planning web site.

A new email address has been established specifically for the submission of questions related to the fire safety system: firesafety@nysed.gov.

Finally—we appreciate your patience as we work together to launch the new on-line system.

NYSDEC Regulatory Revision for Storage Tanks and Tank Operators

The NYS Department of Environmental Conservation (DEC) is scheduled to adopt amended regulations later in 2015 related to petroleum and chemical bulk storage tanks and their operators.

All schools with certain petroleum and chemical bulk storage tanks must comply with these requirements.

Schools only storing heating oil in bulk storage tanks do not need to comply with these requirements.

DEC is updating existing regulations to reflect changes in State and federal laws and regulations. The "Proposed Revisions to Regulations: Bulk Storage of Petroleum and Chemicals; Management of Used Oil" - 6 NYCRR Parts 595-599, 612-614, 370, 374-2 is available at: www.dec.ny.gov/chemical/92526.html.

The following items are part of the revised Petroleum Bulk Storage (PBS) regulations: "6 NYCRR Parts 612-614 are being repealed and replaced with a new Part 613 which regulates the handling and storage of petroleum products pursuant to the amended Environmental Conservation Law (ECL) Article 17, Title 10. The new Part 613 will:

- ✓ consolidate existing state and federal regulations for underground tanks (except for financial responsibility) to simplify compliance by providing the regulated community with one regulation;
- ✓ reflect the requirements of the federal 2005 Energy Policy Act including,
 - requirements for ensuring that operators of certain underground storage tanks (USTs) have been trained,
 - authority to prohibit delivery of petroleum and hazardous substances to tanks that are leaking, may be leaking, or are being operated in significant non-compliance and,
 - requirements for piping and dispenser secondary containment;
- ✓ incorporate additional changes made to the PBS law in 2008 regarding the definition of "petroleum" and of "facility;" and
- ✓ clarify existing regulations."

For more information see:

www.dec.ny.gov/chemical/92526.html.

Additionally, and to be consistent with the federal Used Oil regulation (40 CFR Part 279), "the following definitions are being modified in Subpart 374-2 to be consistent with Part 613 and 40 CFR Part 279: aboveground used oil tank system; accessible underground area; lubricating oil; petroleum refining facility; release; spill; tank system; underground used oil tank; used oil processor/ re-refiner; and used oil tank system."

For more information see:

www.dec.ny.gov/chemical/92526.html



This regulatory change also includes a new program for UST operator training. The requirements pertain specifically to DEC written examinations to authorize individuals as "Class A" and/or "Class B" UST operators.

Examinations will be offered free of charge both on-line and in-person at various locations across the state to be announced. DEC will provide "relevant training materials," however it will not review and/or certify third-party training materials.

NOTE: 613-2.5 Operator training (a) General requirements for all UST systems. Not later than 12 months after the effective date of this Part, every facility must ensure that it has designated Class A, Class B, and Class C Operators who meet the requirements of this Subpart.

"Class A" operators have the overall responsibility for the operations and maintenance of tank systems, including ensuring that all regulatory requirements are met for an UST. A "Class B" operator is an individual charged with the daily responsibilities for operating and maintain the UST. One person may fulfill both the "Class A" and "Class B" responsibilities and would be allowed to take a combination "Class A/B" examination instead of separate examinations.

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NYSDEC Regulatory Revision for Underground Storage Tanks and Tank Operators (cont.)

In addition, a "Class C" operator is an employee with the "primary responsibility for addressing emergencies presented by a spill or release from an UST system."

Every designated Class C Operator must, before assuming their duties, be trained and tested under the direction of an authorized Class A or Class B Operator with respect to how to respond to emergencies and alarms caused by spills and releases."

Class C operators do not need to take the written DEC exam.

According to the DEC, "there is no limitation on the number of facilities for which an individual Class A or Class B Op-

erator can be designated; however, Class A and Class B Operators must fulfill their responsibilities for each assigned facility. Authorized operators may be designated as such at multiple facilities simultaneously or at individual facilities over time."

For more information see:

www.dec.ny.gov/docs/remediation_hudson_pdf/der40.pdf.

For additional information on this topic, please contact: DEC Division of Environmental Remediation

518-402-9543 or derweb@dec.ny.gov



Protecting Vital Records from Spring Floods—Before They're Flooded

The New York State Archives is part of the State Education Department and as such, we have partnered with them on a variety of matters related to disaster recovery. Ideally, schools will safeguard vital records before a disaster, such as flooding, thereby negating the need to subsequently recover them. In reality, Facilities Planning staff have toured too many schools with severe flood damage which has resulted in wet records.

The State Archives can assist you in protecting vital records. This resource provides information on emergency preparedness, developing records disaster plans, gathering equipment and materials to protect records, and identifying your school's priority records

In the event a disaster does impact your school, the Archives can also advise you on responding to a disaster. This resource provides information on all aspects of recovery and salvage including gathering or purchasing equipment and materials for disaster remediation, contacting disaster recovery vendors, salvaging records, destroying damaged records, and applying for disaster assistance.

If first responders advise disposing of your damaged electronic or paper records, assure them that records managers and archivists know how to salvage these materials.

For additional guidance, please see:

- www.archives.nysed.gov/a/directories/dir_programs.shtml
- www.archives.nysed.gov/a/records/mr_pub82.pdf
- www.archives.nysed.gov/a/records/mr_disaster.shtml
- www.archives.gov/preservation/records-emergency/state-tribal-local.html



Public Water System (Disruptions) in New York State

Combine sustained sub-zero temperatures with an aging infrastructure/public water supply systems—and the result equals water main breaks and disrupted water service to schools. According to the NYS Department of Health’s (DOH) Drinking Water Protection Program, “nearly ninety-five percent of all New Yorkers receive water from public water supply systems in New York State. Public water systems in New York range from New York City, the largest engineered water system in the nation serving more than nine million people, to privately-owned water supply companies serving municipalities, to schools with their own water supply, to small stores in rural areas serving customers water from their own wells. In total, there are over 9,500 public water systems in New York State.” www.health.ny.gov/environmental/water/drinking/facts_figures.htm

In addition, a 2008 DOH report on *Drinking Water Infrastructure Needs of New York State* noted that across New York State, “...many of the systems...including New York City, are nearing or have already exceeded 100 years of age and still utilize some of their original drinking water infrastructure. Various water system components have life cycles which can range from 20 years (pumps, filter media, etc.) to 50 years (storage tanks, treatment plants) to over 100 years (transmission and distribution mains). Climate related factors including snow load, ice formation and freeze/thaw cycles can significantly shorten the useful life of certain water system components. While regular rehabilitation and maintenance can extend the useful life of many water system components, eventually, they will all require replacement.” www.health.ny.gov/environmental/water/drinking/docs/infrastructure_needs.pdf

Therefore, short of massive statewide and community-wide capital construction projects, how can school districts that rely on municipal water systems prepare for and/or respond to a water main break impacting their schools? The sudden disruption in water service to a school is not something that anyone looks forward to, however there are specific steps that can be taken to prepare for such an occurrence.

The first step is to ensure that the municipality’s director of public works (or their equivalent) has 24/7 contact information for the superintendent of schools and/or the director of school facilities. You don’t want to learn about the water

main break near your school on the 6:00AM news. If the school does not have access to clean potable water, school should either be canceled and/or delayed. **Always remember that Commissioner’s Regulation 8 NYCRR 155.1(b)(4), 155.7, and the Property Maintenance Code Section 505 of New York State mandate that:**

- (i) Water shall be safe and potable, from an approved source, and shall be dispensed within a facility from sanitary drinking fountains.
- (ii) Toilet rooms shall have an adequate number of proper fixtures.
- (iii) Sinks and lavatories must be provided with 110° water.
- (iv) Sanitary sewers shall be connected to a municipal sewage system or an approved onsite disposal system.

These provisions are cited for health and safety. Students and staff must be able to properly wash their hands after using toilets and kitchen staff must be able to properly wash their hands and implements before preparing food—even if they are serving cold sandwiches on paper plates.



If any of the above provisions cannot be met, the school cannot be occupied. In the event toilets can be flushed, but the tap water is unsafe, schools may opt to purchase bottled water for drinking, cooking, and hand-washing. This water must then be provided “free-of-charge” to all building occupants.

Districts must make a reasonable evaluation of the circumstances. If the water is disrupted at 8:00 AM and is expected to be out all day, school should be cancelled. On the other hand, if the break is at 11:00 AM, it may be reasonable to dismiss at normal time—based on the ability to get the dismissal organized and the ability to notify parents and guardians.

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Public Water System (Disruptions) in New York State (cont.)

The second step is to have a plan if a water main break occurs during the school day — either for flushing or for drinking. A recent example of how best to address this situation was a water main break that occurred adjacent to an elementary school in the South Colonie School District.

In this case no water was available in the school— either for flushing or for drinking. Therefore, the school district activated their emergency plan and implemented an early dismissal for that building. They immediately notified local media outlets and parents/guardians via the district's emergency calling system.

Preparing for a disruption to your school's drinking water

supply takes a team. You should include at least the following in planning for such an incident: the decision makers (aka—who can cancel school or initiate an early dismissal), the district's public information officer (PIO), director of school facilities, child nutrition director, and the municipality's director of public works (or their equivalent).

Updated Letter of Intent Forms

The Facilities Planning Letter of Intent (LOI) Forms Workbook has been updated to more accurately reflect the types of projects we receive.

Forms have been added for *New Construction and Charter Schools*, and existing LOI forms have been updated.

Please make sure you use the most current version of the LOI forms. One (1) copy of the LOI forms should be submitted via mail, FAX, **or** email.

Please do not send multiple copies of the forms as this creates confusion. The new LOI Forms Workbook can be found on our web site at:

www.p12.nysed.gov/facplan/documents/LOI_Forms_Workbook.xls

Facilities Planning: True or False



Managing a school facility requires a skilled professional adept at understanding and interpreting a wide variety of requirements. This article addresses issues which school facility directors often need to address. This is a regular feature in the Facilities Planning newsletter.

True or False?

Anyone certified by the NYS Department of State (DOS) as a Code Enforcement Official (CEO) or Technician can perform an annual school fire inspection.

True.

Anyone currently Certified as a NYS DOS Code Enforcement Official or Code Enforcement Technician may conduct an annual school fire inspection. The list of CEO is available at: www.dos.ny.gov/DCEA/certceolist.html. This list does not reflect certified technicians.

True or False?

Commissioner's Regulation Section 155 specifies daily routine decibel levels of noise in classrooms—even when there are no construction or maintenance activities taking place.

False.

Commissioner's Regulation Section 155.5(i) only addresses noise abatement (not in excess of 60 dba in occupied spaces)

during construction and maintenance activities on school property. For example, if a school is located near a busy highway or airport, Commissioner's Regulation 155.5(i) is not applicable.

True or False?

Any NYS public elementary/secondary school may participate in the K-Solar program relating to the installation of solar panels.

True.

Participation in the K-Solar program, a joint project of the NY Power Authority (NYPA) and NYS Energy Research and Development Authority (NYSERDA), is open to all public schools. To learn more about the program, see: www.nypa.gov/k-solar/default.html.

True or False?

The "Right-to-Know" law and PESH only applies to custodial and maintenance staff.

False.

The "Right-to-Know" law requires employers to make **all staff** (instructional and non-instructional) aware of workplace hazards and provide them with information needed to work safely. See: www.health.ny.gov/environmental/workplace/right_to_know/ **and** www.labor.state.ny.us/workerprotection/safetyhealth/PDFs/PESH/HAZCOM%20What%20to%20Do%20&%20RTK.pdf.

Questions From the Field:

This section will address an actual question which has been raised by a school facility professional in the field.

Our high school science program needs to dispose of bio-specimens. Can these items be treated as "normal" trash or do they need to be treated as hazardous waste?

According to the NYS Department of Environmental Conservation (DEC), animal specimens used in academic settings for dissections/demonstrations may be disposed as solid waste as long as there are no known infectious agents associated with the animal or the research that may be involved.

Formaldehyde or other preservatives may be poured down the drain as long as the [institution] is connected to a wastewater treatment facility and the volume of liquid does not exceed any hazardous waste limitations.

Large volumes of animals that are disposed as solid waste may present a concern to solid waste haulers or the disposal facility.

Institutions disposing of large numbers of dissected animals should inform and work with the haulers and facilities on appropriate disposal as a solid waste.

Animals that have been used in research and have been exposed to infectious agents must be managed as a regulated medical waste."

www.nsta.org/about/positions/animals.aspx

