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facplan

# NYSED Office of Facilities Planning Newsletter



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Carl Thurnau, P.E.

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Carl T. Thurnau, P.E.

Issue #118 - January 2015

## Challenging School Facility Managers

Is your glass half-empty or half-full? Managing a school facility is a challenging job and generally the person managing the facility is only recognized if there is a complaint or concern related to the facility itself. As a school facility manager, how often are you and your staff thanked for working to maintain a safe and healthy environment? All too often, we need to advocate for ourselves and demonstrate to others the critical goals we strive to achieve.

The following is a simple suggestion on how to promote your good work and demonstrate to the entire school community the value of maintaining safe and healthy school facilities. First and foremost and as diligent as you and your staff may be, it takes everyone in the school community to maintain a clean and healthy school. To help do this, the best place to start is with the school district's health and safety committee.

The requirement to have a

health and safety committee is not new—and its composition, roles, and responsibilities are laid out in Commissioner's regulation (§155.4). At minimum, the health and safety committee must include district officials, staff, bargaining units, and parents.

Since the committee is required to be involved in the investigation and disposition of complaints related to facility health and safety (§155.4(d)(7)), involving it shortly after learning of a complaint may facilitate the prompt resolution of the issue.

For example—if staff or parents complain of rodents in a classroom and you know cookies and crackers are kept in that room for snack time, the logical and most environmentally friendly way to address the situation is to remove that food source from the room.

By involving the health and safety committee in resolving this matter (which must include par-

ents, staff, and bargaining units), they will be part of the solution and have ownership in that solution. Not only will this approach resolve the problem in a prompt and cooperative manner, but it will also reinforce the fact that no matter how hard you work to keep the school clean, the occupants (students, teachers, etc.) must also work toward that same goal.

Working together to reach a common goal will create a sense of community, comradery, and cooperation. This will also help to ensure your glass is half-full, rather than half-empty.

Have a very happy, healthy, and safe 2015!

Is there a topic you would like  
addressed in the Facilities  
Planning Newsletter?

Please email suggested topics  
and comments to:

[laura.sahr@nysed.gov](mailto:laura.sahr@nysed.gov)

# When is a Building Permit Required?

## Reference Guide #B.3

March 9, 1999 (rev. December 31, 2014)

The Office of Facilities Planning reviews plans and specifications and issues building permits for capital construction projects undertaken by public school districts and BOCES. Frequently, the Office is asked if a particular type of project requires such review, approval, and issuance of a building permit. This article defines which projects do and which projects do not require a building permit. There is no question that new buildings, additions and reconstruction projects require a building permit. The question usually arises with regards to specific types of work and smaller kinds of facilities.

New York State Department of State Regulations (19 NYCRR Chapter 32 Part 1203.3) which implement the Uniform Code state that "Building permits shall be required for work which must conform to the Uniform Code." The Building Code of New York State Section 101.2 enumerates the many types of work to which the Code applies. The very broad scope work listed would imply that any capital construction project would require a building permit. However, because certain categories of work may be excluded from the requirement for a building permit as noted in 19 NYCRR Chapter 32 Part 1203.3, this is not the case. By applying these exceptions and adhering to Building Code Section 101.2 the following list of project types which require building permits is derived. Where a building permit is required, the usual procedure for a typical capital construction project submission to the Office applies, except where noted otherwise.

### PROJECTS WHICH REQUIRE A BUILDING PERMIT:

1. New buildings, additions and reconstruction projects.
2. Press boxes, concession stands, Toilet facilities, permanent greenhouses, storage/utility buildings, dugouts which include a storage room, guard booths, and ticket booths larger than 200 square feet, and similar structures. (NOTE: For Storage/Utility Buildings, Dugouts which include a storage room, Guard Booths, and Ticket Booths not exceeding a total gross floor area of 200 square feet, a full submission will not be required. It will only be necessary to follow the procedure which applies when using Form FP-AU Request for Approval of Use of a Facility.)
3. Bleacher and grandstand projects which involve footings, piers, foundations and/or concrete slabs.

(NOTE: Bleacher or grandstands constructed in conjunction with a building or site project, will be reviewed and a building permit issued for the whole project.)

4. Pavilions, bandstands, membrane structures, and similar structures.
5. Site lighting and outdoor electric, such as field lighting and scoreboards - including supports and electrical hookup.
6. Small types of projects which affect health and safety (ex: means of egress; new or altered fire/safety, electrical and/or mechanical systems).
7. Site development which is in conjunction with a building project, and for which plans and specifications are submitted together with those for the building project will be reviewed and a building permit issued for the whole project.
8. Playground projects which involve on-site construction of various features and structures (ex: retaining walls; footings; walkways; grading/drainage).
9. Irrigation projects.
10. Site work which involves utilities or storm water systems.

### PROJECTS WHICH DO NOT REQUIRE A BUILDING PERMIT:

1. Small site development - including earth moving, finished grading and planting, fencing, paving of roadways, parking, and walkways.
2. Bleacher projects which involve only the installation of pre-engineered, factory-built equipment without foundations or sitework.
3. Playground projects which involve only the installation of pre-engineered factory-built equipment without sitework.

In those cases which do not require a building permit, the Board of Education is responsible to ensure conformance with the Uniform Code, the Commissioner's Regulations Part 155 and the Manual of Planning Standards.

If there are any questions concerning what work does, or does not require a building permit, contact the Project Manager at the Office of Facilities Planning -- (518) 474-3906.

## Annual Visual Inspection (AVI) and Building Condition Survey (BCS) Requirements

The bill eliminating the requirement for an annual visual inspection (AVI) for all public school buildings in New York State (outside of New York City) was signed into law by Governor Cuomo.

Chapter 437 of the Laws of 2014 states that “the Commissioner of Education shall review the effectiveness of repealing the requirement for the annual inspection of all public school buildings throughout New York State and make recommendations on whether school districts shall continue to be exempt from such inspection. Such report shall be issued to the Governor and the Legislature on or before January 1, 2019.”

Therefore, based on the language in this law the requirement for AVIs has been suspended until at least the 2018-19 school year. At that point, a determination will be made whether or not to permanently eliminate the AVI requirement. In the meantime, the State Education Department Office of Facilities Planning will not require nor accept AVI reports.

As a reminder, the public school building condition survey (BCS) requirement remains in place and must be conducted by November 15, 2015, and the data submission should be completed by January 15, 2016. The required format for the submission of the BCS data is not expected to change significantly, but will not be available until 2015.

The maximum reimbursement threshold will not be known until summer 2015.

For additional information on the BCS, please refer to the September 2014 Facilities Planning Newsletter at: [www.p12.nysed.gov/facplan/documents/116\\_Sept2014.pdf](http://www.p12.nysed.gov/facplan/documents/116_Sept2014.pdf)

Details related to the BCS may be found in Commissioner's Regulations 8 NYCRR 155.3 and 155.4 at:

[www.p12.nysed.gov/facplan/Laws\\_Regs/8NYCRR155.htm#\\_155\\_3\\_Comprehensive\\_Public\\_Sch\\_Safety\\_Program](http://www.p12.nysed.gov/facplan/Laws_Regs/8NYCRR155.htm#_155_3_Comprehensive_Public_Sch_Safety_Program).



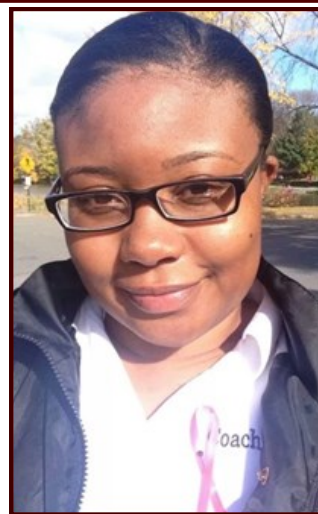
## Facilities Planning Staff Change

Jasmina Halpin of the Facilities Planning Fire Safety Unit has announced that she will be leaving NYSED effective January 2, 2015.

Jasmina has accepted a position with the City of Albany's Department of Buildings & Regulatory Compliance.

When not at work, Jasmina has two daughters (Sanai and Jaila), is working on her Master's degree in Community and Economic Development from SUNY Empire State College, and coaches Pop Warner cheerleading. (Her cheerleading team recently came in second place in a national competition!)

Jasmina will truly be missed!!



## Seasonal Reminder—Snow Loads

Winter arrived very early across New York State and many school districts have already been faced with overwhelmingly deep snow loads on their school roofs. Since spring is still many months away, the following are important reminders and points to consider as we move forward through our annual snowy season.

It is critical that facility managers remain vigilant whenever an excessive amount of snow accumulates on a school roof. Snow drifts on roofs may create concentrated loads which exceed the load with uniformly distributed snow, and ice buildup can further increase roof loads. Snow drifts are common on pitched and curved roofs—and drifts may occur on roofs with parapets, rooftop mechanical equipment, solar collectors, low roofs adjacent to second stories, and other obstructions. Large roofs are more prone to snow drifts due to the fact that there is a larger volume of snow available for drifts to form. Another potential hazard may occur where snow can slide off sloped roofs onto lower roofs. To manage excessive snow load situations consider reinforcing roof areas to handle large potential snow accumulation and/or remove the snow to maintain snow loads at acceptable limits.

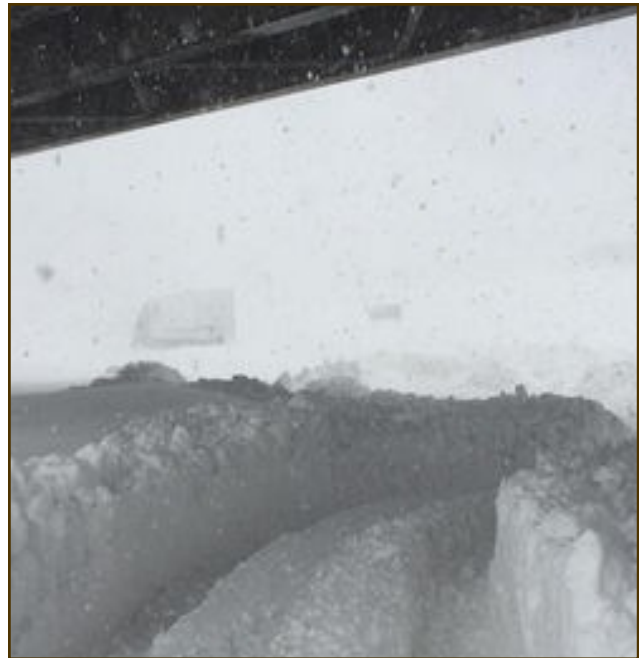
If your buildings are showing any signs of structural overloading, an architect or structural engineer should be consulted immediately. Examples of such signs could be creaking or groaning noises, windows and doors that no longer open or close properly or appear out of square, or new cracks appearing in masonry. Repeated overloading of roofs can significantly weaken the roof structure over time.

It is vital that you keep an eye on your roofs for the presence of excessive snow and ice throughout the winter. It is recommended that districts consult their professionals to obtain the design snow loads for their facilities for use in an emergency. Bear in mind that this is a minimum design standard and individual weather events and actual snow loads could vary substantially.

For new buildings and renovations where roof insulation is increased, thereby potentially increasing snow load, the architect does provide calculations indicating that the structure will be compliant with codes. While there is no formal process or location where that information is retained, the project documents signed and sealed by the designing professional serve as that assurance.

Still another hazard associated with snow drifts include fire exits blocked from the exterior. It is absolutely essential that all fire exits be checked throughout the winter to ensure there are no snow drifts or snow banks blocking their use.

Finally don't forget to check roofs for plugged drains and ice accumulation under the snow. As temperatures rise, problems with plugged drains may worsen if water cannot leave the roof due to frozen or clogged drains. In this situation, water may seep into the building through the roof and/or drains thereby creating a much larger problem.



Photos from:

[www.governor.ny.gov/keywords/snowstorm](http://www.governor.ny.gov/keywords/snowstorm)

## Electronic Project Reviews

The Office of Facilities Planning has seen an increase in submissions for electronic project reviews. Many of the submissions are from architectural or engineering firms which are submitting electronic projects for the first time.

Please review the reminders for electronic review projects posted on our web site at:

[www.p12.nysed.gov/facplan/documents/ElectronicReviewReminders.pdf](http://www.p12.nysed.gov/facplan/documents/ElectronicReviewReminders.pdf)

Questions on this process may be directed to the Facilities Planning architectural or engineering staff at: 518-474-3906.



## Level 1 Alteration Project Submissions

Since the **Level 1 alterations project submission procedure** was initiated in April, 2014, many projects have been submitted for review.

These projects include the “removal and replacement or the covering of existing materials, elements, equipment, or fixtures using new materials, elements, equipment, or fixtures” that serve the same purpose - and as such should be complete bid-ready documents.

Although the parameters by which such projects may be submitted have been published, several incomplete project submissions requesting a Level 1 project review have been received by Facilities Planning.

Since we are trying to handle these types of projects in an expedited manner, you are reminded that the project submissions should be complete, correct, and bid-ready.

When incomplete project submissions are received for simple work scope, it only serves to further impact our backlog by taking additional time to make comments and follow-up to review addenda to correct incomplete submissions.

Questions on this process may be directed to the Facilities Planning architectural or engineering staff at: 518-474-3906.

## Green Ribbon Schools Update

The December 12, 2014 deadline to submit applications to the New York State Green Ribbon Schools (GRS) program has passed. The New York State GRS team is currently reviewing applications received in order to meet the February 1, 2015 deadline to submit nominees to the U.S. Department of Education GRS for consideration.

**Thank you to those schools who submitted applications for consideration.**

For those schools who did not submit an application this year, we urge you to keep working on your **‘Green Strides’** toward energy savings, health and wellness, and environmental and sustainability education. See: [www2.ed.gov/about/inits/ed/green-strides/index.html](http://www2.ed.gov/about/inits/ed/green-strides/index.html).

Please consider becoming a Green Ribbon School applicant next year.

For more information on the **NYS Green Ribbon Schools** program visit our web site at: [www.p12.nysed.gov/facplan/GreenRibbonSchools.html](http://www.p12.nysed.gov/facplan/GreenRibbonSchools.html).



## AHERA Short-Term Worker Notification Reminder

The federal Asbestos Hazard Emergency Response Act (AHERA) requires all public and nonpublic schools to inform non-school employees who perform short-term work in a school building, such as electricians, plumbers, and telephone repair workers of the locations of any known or assumed asbestos-containing building materials (ACBM) in the building (§763.84(d)).

The school's asbestos designee is responsible for ensuring that short-term workers are informed and shown where known or assumed ACBM is located in the building - prior to commencing any work.

A policy should be in place whereby the asbestos designee meets with short-term workers upon their arrival. If the procedure is not followed, a situation may transpire where a short-term worker performs work in an area containing ACBM, thereby creating an asbestos fiber release episode. This incident may inadvertently expose students and staff to asbestos fibers.

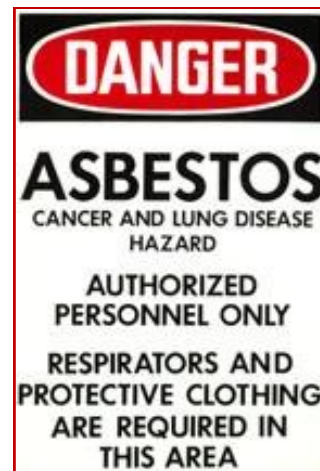
The notification requirement is best accomplished by showing the short-term worker a floor plan of the school, with the locations of all known and assumed ACBM highlighted, as well as providing clear instructions detailing where work should and should not be performed. This no-

tification process should be documented in the school's AHERA management plan.

The following links provide detailed information on the AHERA requirements:

[www2.epa.gov/sites/production/files/documents/ampauditchecklist\\_0.pdf](http://www2.epa.gov/sites/production/files/documents/ampauditchecklist_0.pdf)

[www2.epa.gov/asbestos/school-buildings#resources](http://www2.epa.gov/asbestos/school-buildings#resources)



## NYSED, NYPA, NYSERDA, and Solar Energy

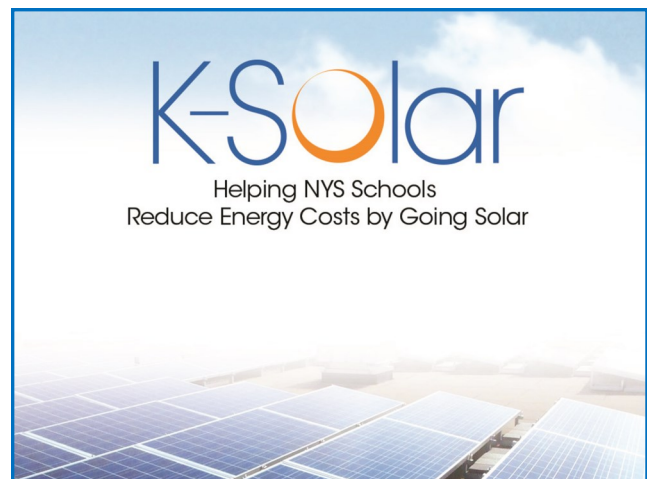
Carl Thurnau and representatives from the New York Power Authority (NYPA) recently presented information on the collaborative K-Solar program to the New York State Board of Regents.

This program is part of the NY-Sun initiative to reduce energy costs at schools and decrease dependence on fossil fuels. The NY-Sun initiative is a program to reduce dependency on fossil fuel, decrease energy costs, and to protect the environment by utilizing renewable energy. One component of this program is the K-Solar program.

The presentation to the Board of Regents can be viewed at the following link:

[www.regents.nysed.gov/meetings/2014/December2014/KSolar.pdf](http://www.regents.nysed.gov/meetings/2014/December2014/KSolar.pdf)

For more information on K-Solar, please see: [www.nypa.gov/k-solar/](http://www.nypa.gov/k-solar/) or contact the Office of Facilities Planning at 518-474-3906.



## The Broken Thermometer: Lessons Learned

The following describes an actual situation in a New York State school which resulted in a mercury spill and what transpired following that spill.

A middle school class was preparing to present a play and a thermometer was needed as a prop. One student offered to bring a thermometer from home—which the teacher thought was a good idea. During rehearsal, a student dropped the thermometer and mercury spilled onto the floor of the classroom.

Mercury is a concern for human health and the environment. It does not degrade and can't be destroyed by burning. The route of exposure that poses the greatest health risk is inhalation of mercury vapor. At room temperature, mercury spills release odorless and colorless vapor into the air where exposure by breathing can occur. Inhaled mercury vapor is readily absorbed from the lungs into the bloodstream, then transported to other parts of the body, including the brain and kidneys.

Since the teacher was unaware of the health risks associated with mercury, he allowed the rehearsal to continue. Moreover, classes continued to be held in that same classroom for several more periods that day. To further complicate the situation, once the mercury spill was discovered, the school principal asked the school nurse to make any necessary notifications to the county department of health. The only telephone number the nurse had was for the department of health's STD clinic, which was closed at the time, so she left a message on an answering machine.

There are many lessons that can be learned from this situation:

- ✓ Outreach has been conducted over the years concerning the hazards of mercury, however much of that outreach has been geared toward science teachers and maintenance staff. The adult rehearsing the class play was neither a science teacher or maintenance worker and was unaware of the hazards surrounding a mercury spill. (Even a small thermometer, which contains only one gram of mercury, can lead to symptoms

if it is not cleaned up properly. Children are more vulnerable to mercury's toxicity.)

- ✓ This school may have replaced mercury-containing supplies from science labs and maintenance areas, but that didn't prevent the unintentional reintroduction of mercury back into the school. This could have been prevented from occurring by educating **all** faculty and staff about the dangers of mercury.

In the case of a minor mercury spill, under two table-spoons, the following steps should have been followed:

- Evacuate the room immediately
- Contain the spill. Tape works well.
- Open exterior windows; shut down interior ventilation; lower room temperature
- Keep potentially contaminated individuals in a separate area until they can clean up and change clothes. Treat contaminated items as hazardous waste.
- Put all mercury and contaminated materials into double containment and label it for proper disposal. It must be disposed of as a hazardous waste.
- Never throw mercury down the drain. Do not use a broom, mop or vacuum cleaner to clean up a mercury spill.

Finally, the State Department of Health, State Department of Environmental Conservation, and NYSED partnered together to develop a series of brochures on the hazards associated with mercury in schools. These are available at: [www.health.ny.gov/environmental/chemicals/hsees/mercury/index.htm](http://www.health.ny.gov/environmental/chemicals/hsees/mercury/index.htm).

### Sources for this article:

- [www.dec.ny.gov/chemical/285.html](http://www.dec.ny.gov/chemical/285.html)
- [www.health.ny.gov/environmental/chemicals/hsees/mercury/mercury\\_spill\\_incidents.htm](http://www.health.ny.gov/environmental/chemicals/hsees/mercury/mercury_spill_incidents.htm)

## 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?

Schools (public or non-public) that plan to dispose of outdated/obsolete computers or other electronic equipment are classified as “consumers” by the NYS Department of Environmental Conservation (DEC) and must follow specific disposal guidelines.

### True.

Effective January 1, 2015, consumers (which the DEC defines as including all schools) may no longer dispose of certain types of electronic equipment in landfills, waste-to-energy facilities, in the trash, or at curbside for trash pickup. This includes items such as computers, laptops, tablets, e-readers, monitors, televisions, VCRs, and DVD players.

**For more information, including options on how to dispose of equipment, see:**  
[www.dec.ny.gov/chemical/66872.html](http://www.dec.ny.gov/chemical/66872.html).

### True or False?

The NYS Department of Labor—Public Employee Safety and Health (PESH) Bureau provides free on-site evaluations at the request of public employers, including public school districts and BOCES.

### True

The public employer determines the scope of the survey—after which PESH provides a written report that identifies the hazards and recommendations to correct each hazard. PESH also offers consultants to help train employees and correct violations cited as a result of an enforcement inspection. All consultation activities are completely separate and kept confidential from the Enforcement Branch.

The NYS Occupational Safety and Health Hazard Abatement Board can also assist with funding the cost of capital projects designed specifically to fix occupational safety and hazards identified by PESH. Public employers may apply for 75% reimbursement under this program.

**For more information, see:** <http://labor.ny.gov/workerprotection/safetyhealth/PDFs/PESH/p206.pdf>  
**or call 518-457-7629.**

## Questions From the Field:

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

Our school has an infestation of bed bugs; they've been spotted on four separate occasions. We believe the bed bugs are coming into the school in a child's backpack, however we've decided to the best thing to do is to “fog” the building with a pesticide—just in case. Is this a good idea?

Bed bugs have become more prevalent in recent years and health and environmental agencies have developed guidance on how best to address these pests. First some facts:

- ✓ Bed bugs live on blood, however they're not known to pass on disease.
- ✓ Bed bugs aren't just found in beds or furniture. Any space or crevice a credit card could slide into is a potential hiding place for bed bugs.



According to the U.S. Environmental Protection Agency (EPA) “only treat if a true infestation is found with breeding bed bugs. Remember, a single bed bug is not an infestation.” However they also advise that, “multiple sightings in the same area could indicate an infestation or multiple reintroductions from someone's home.” The experts at the NYS Integrated Pest Management (NYSIPM) Program at Cornell University state that if a school is considering an insecticide application, one application method - the total release fogger (“bug bomb”) is specifically **NOT** recommended for several reasons. While IPM doesn't mean chemicals can't be used, foggers put pesticides where they shouldn't be, they're ineffective for bed bug control, and can cause the bugs to move to new areas. Also, a fogger may not reach the cracks and crevices where bed bugs hide. **(Remember—only a person licensed by DEC as a pesticide applicator may use a product in a school.)** Instead of applying a pesticide, the easiest (and least expensive) thing to do is to thoroughly vacuum the area daily—concentrate on cracks and crevices and reduce clutter which serves as the ideal habitat for bed bugs.

**For detailed guidance on how best to resolve bed bug issues, contact the NYSIPM Program at:** [nysipm@cornell.edu](mailto:nysipm@cornell.edu) **or see their staff contact page at:** [www.nysipm.cornell.edu/buildings/default.asp](http://www.nysipm.cornell.edu/buildings/default.asp).

### Sources Consulted

- ✓ [www2.epa.gov/bedbugs](http://www2.epa.gov/bedbugs)
- ✓ [www.nysipm.cornell.edu/factsheets/buildings/](http://www.nysipm.cornell.edu/factsheets/buildings/)
- ✓ [www.nysipm.cornell.edu/whats\\_bugging\\_you/bed\\_bugs/default.asp](http://www.nysipm.cornell.edu/whats_bugging_you/bed_bugs/default.asp)