

Federal Communications Commission

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

In the Matter of)
)
East Hampton Town Fire District Training Facility) File No. EB-FIELDNER-12-00003130
Licensee of Radio Station WQAW224)
East Hampton, New York) NOV No. V201232380021
)
)

NOTICE OF VIOLATION

Released: July 9, 2012

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

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules¹ to East Hampton Town Fire District Training Facility (East Hampton), the licensee of Land Mobile Station WQAW224 in East Hampton, New York.
2. On June 12, 2012, in response to a complaint from a public safety entity, an agent of the Commission's New York Office inspected Station WQAW224 located in East Hampton, New York and observed the following violation:

47 C.F.R. § 90.403(e): "Licensees shall take reasonable precautions to avoid causing harmful interference. This includes monitoring the transmitting frequency for communications in progress and such other measures as may be necessary to minimize the potential for causing interference." FCC agents found that East Hampton's 453.425 MHz transmitter was generating spurious emissions on 406.160 MHz² that were causing harmful interference to a public safety entity's communications system.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,³ and Section 1.89 of the Commission's rules, East Hampton Town Fire District Training Facility must submit a written statement concerning this matter within twenty (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 principal or officer of the licensee.

¹ 47 C.F.R. § 1.89.

² The drifting spurious pulse was detected at 405.992, 406.160, 406.336, and 406.506 MHz with magnitudes of -65.98, -65.44, -65.30, and -65.20 dBm respectively.

³ 47 U.S.C. § 308(b).

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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 East Hampton Town Fire District Training Facility at its address of record.
5. The Privacy Act of 1974⁴ 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.⁵

FEDERAL COMMUNICATIONS COMMISSION

Luis Salazar
Acting District Director
New York District Office
Northeast Region
Enforcement Bureau

⁴ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁵ 18 U.S.C. § 1001 *et seq.*