STATE OF NEW YORK
DEPARTMENT OF LABOR
Governor W. Averell Harriman State Office Building Campus
Albany, New York 12240

NYS EDUCATION DEPARTMENT
OFFICE OF FACILITIES PLANNING

June 21, 2001

NYS Education Department
Attn: Carl T. Thurnau, Coordinator
Office of Facilities Planning
Room 1060 EBA
Albany, NY 12234

RE: File No. 6-01

STATE OF NEW YORK
DEPARTMENT OF LABOR
DIVISION OF SAFETY AND HEALTH

The attached is a copy of Decision, dated 6/19/01, which I have compared with the original filed in this office and which I DO HEREBY CERTIFY to be a correct transcript of the text of the said original.

If you are aggrieved by this decision you may appeal within 60 days from its issuance to the Industrial Board of Appeals as provided by Section 101 of the Labor Law. Your appeal should be addressed to the Industrial Board of Appeals, Empire State Plaza, Agency Building 2, 20th Floor, Albany, New York, 12223 as prescribed by its Rules and Procedure, a copy of which may be obtained upon request.

WITNESS my hand and the seal of the NYS Department of Labor, at the City of Albany, this 22nd day of June, Two thousand one

for

Wallace W. Renfrew, P.E.
Safety and Health Program Manager
Engineering Services Unit

rsl

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STATE OF NEW YORK
DEPARTMENT OF LABOR
STATE OFFICE BUILDING CAMPUS
ALBANY, NEW YORK 12240-0100

Variance Petition of NYS Ed Office of Facilities Petitioner in re Premises: Statewide Public School Facilities Counties/Towns/Cities of NYS except Does Not Include NY City Boiler Room Exits	File No. 6b-01 DECISION Case 1 ICR 56

The Petitioner, pursuant to Section 30 of the Labor Law, having filed Petition No. 6b-01 on May 3, 2001 with the Commissioner of Labor for a variance from the provisions of Industrial Code Rule 14 as hereinafter cited, on the grounds that there are practical difficulties or unnecessary hardship in carrying out the provisions of said Rules; and the Commissioner of Labor having reviewed the investigative report of May 24, 2001; and

Upon considering the merits of the alleged practical difficulties or unnecessary hardship and upon the record herein, the Commissioner of Labor finds that:

Case No. 1 ICR 14-6.8

VARIANCE GRANTED. The Petitioner proposes to have outside boiler room doors swing to the exterior and interior boiler room doors swing into the boiler room. This proposal was a result of a boiler room door blowing open into a student occupied corridor The variance is granted based on the following:

THE ASSUMPTIONS

1. The risk of injury to building occupants in the event of a boiler system failure overrides the rule of thumb that doors swing in the direction of egress.

Copies of this DECISION shall be retained on site for future inspections.

DATED: June 19, 2001

LINDA ANGELLO
COMMISSIONER OF LABOR

BY Wallace W. Renfrew
Wallace W. Renfrew P.E.
Safety and Health Program Manager

Prepared by: Richard S. Lathers P.E. RL
Senior Safety and Health Engineer

Reviewed by: Wallace W. Renfrew, P.E.
Safety and Health Program Manager