

Federal Communications Commission

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

In the Matter of)	
)	
Trump Taj Mahal Casino Resort)	File No. EB-03-PA-146
)	
Atlantic City, New Jersey)	
)	
Attn: Fire Command Center)	NOV No. V20033240007

NOTICE OF VIOLATION

Released: October 17, 2003

By the District Director, Philadelphia Office, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to Trump Taj Mahal Casino Resort ("Trump").

2. On July 19, 2003 and August 13, 2003, an agent with the FCC's Philadelphia Office inspected the antenna structure located on the roof of the Trump Taj Mahal Casino Resort, 151 South Pennsylvania Avenue, Atlantic City, New Jersey. During the inspection, the FCC agent found that Trump was in violation of the following:

- a. 47 C.F.R. § 17.22: Whenever painting and lighting is required, the Commission will generally assign specifications in accordance with the FAA Advisory Circulars referenced in Section 17.23. If an antenna installation is of such a nature that its painting and lighting in accordance with these specifications are confusing, or endanger rather than assist airmen, or are otherwise inadequate, the Commission will specify the type of painting and lighting or other marking to be used in the individual situation." Trump failed to paint the antenna structure as specified on the Antenna Structure Registration 1027700. The antenna structure must have painting and red obstruction lighting that complies with Chapters 3, 4, 5 and 13 of the FAA Circular Number 70/7460-1J.
- b. 47 C.F.R. § 17.51(a): All red obstruction lighting shall be exhibited from sunset to sunrise unless otherwise specified. The red obstruction lighting on the antenna structure was not functioning properly. One of the red obstruction lighting bulbs was extinguished while the other one was steady burning instead of flashing.

¹ 47 C.F.R. § 1.89.

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- c. 47 C.F.R. § 17.47(a): The owner of any antenna structure which is registered with the Commission and has been assigned lighting specifications referenced in this part shall make an observation of the antenna structure's lights at least once each 24 hours either visually or by observing an automatic properly maintained indicator designed to register any failure of such lights, to insure that all such lights are functioning properly; or alternatively, shall provide and properly maintain an automatic alarm system designed to detect any failure of such lights and to provide indication of such failure to the owner.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Trump Taj Mahal Casino Resort, must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific actions taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective actions. The response must be complete in itself and signed by a principal or officer of the licensee with personal knowledge of the matter. 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
Philadelphia Office
One Oxford Valley Building, Suite 40
2300 East Lincoln Highway
Langhorne, Pennsylvania 19047

4. This Notice shall be sent to Trump Taj Mahal Casino Resort, Attn: Ed Belock, 151 South Pennsylvania Avenue, Atlantic City, New Jersey 08401.

5. The Privacy Act of 1974³ 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.⁴

FEDERAL COMMUNICATIONS COMMISSION

John E. Rahtes
District Director
Philadelphia Office

² 47 U.S.C. § 308(b).

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*