ENGINEERING STATEMENT

The engineering data contained herein have been prepared on behalf of WNYC RADIO, licensee of FM Station WNYC-FM, Channel 230B in New York, New York, in support of its Application for Construction Permit to operate an auxiliary facility on the Empire State building (site of the main operation of WNYC-FM). This statement provides data on the environmental levels of RF energy in the vicinity of the auxiliary antenna. The proposed antenna, known as the "Alford Antenna" is a two-bay broadband antenna that is mounted above and below the 102nd Floor Observatory. For the past eight years, and on behalf of the building's management, I have conducted monthly power density measurements of the controlled and uncontrolled areas of the Empire State Building.

The operation of WNYC-FM is currently modified so that if personnel must access the master FM tower for repair or maintenance, appropriate steps are taken, to assure an absence of excessive RF exposure in these areas. Typically, when a worker must access the tower for any reason, the management of the Empire State Building implements a "full-tower shutdown." This involves stations moving to auxiliary antennas on the ESB, such as the Alford Antenna, or to other off-site antennas for the duration of the shutdown (which is usually limited to the time between 2 am and 4:45 am). When the Alford antenna is illuminated, certain areas of the ESB are known to have power density values which exceed the FCC's maximum permissible exposure guidelines for the type of environment under consideration (controlled or uncontrolled), based upon power density surveys I have performed in the past. As a result, the management of the ESB takes appropriate measures to ensure that these areas are not accessed by the public or building personnel during times when the Alford antenna is illuminated.

On this basis, operation of the proposed WNYC-FM auxiliary facility would constitute a minor environmental action with regard to public and occupational exposure to nonionizing electromagnetic radiation.

I declare, under penalty of perjury, that the foregoing statements are true and correct to the best of my knowledge and belief.

KEVIN T. FISHER

September 4, 2009