STATE OF NEW YORK DEPARTMENT OF LABOR

IN THE MATTER OF

THE NEW YORK STATE THRUWAY AUTHORITY AND ITS SUBSIDIARY THE NEW YORK STATE CANAL CORPORATION

NOTICE OF FILING

Petitioner

P-002-09

A proceeding pursuant to NY Labor Law § 27-a (8) (c) and 12 NYCRR 803 regarding a petition for a Permanent Variance from affected safety and health standards.

PLEASE TAKE NOTICE that an appeal of the Commissioner's Decision, pursuant to Article 78 of the Civil Practice Law and Rules, must be commenced within sixty (60) days, as set forth in Labor Law Section 27-a(8)(d).

Dated: August 23, 2010

Albany, New York

Jerome A. Tracy, Associate Attorney NYSDOL Administrative Adjudication SOB Campus Bldg 12 Room 266c Albany NY 12240

TO:

Ryan M. Finn Bond, Schoeneck and King 111 Washington Avenue Albany, NY 12210-2211 (First Class & Certified-Return Receipt)

Steven A. Crain, Esq. Civil Service Employees Association 143 Washington Avenue Box 7125 Capital Station Albany, NY 12224-0125 (First Class & Certified-Return Receipt) Office of General Counsel NYS Public Employees Federation 1168-70 Troy-Schenectady Road PO Box 12414 Albany, NY 12212-2414

Benjamin Garry, Esq. Counsel's Office New York State Department of Labor State Office Building Campus Building 12, Room 509 Albany, NY 12240

Blaise Thomas, P.E.S&H Engineer Assoc. Engineering - ESU NYS Department of Labor State Office Campus Bldg 12 - Rm 154 Albany NY 12240

Srikanth Maddineni, Sr. S&H Engineer Engineering Services Unit NYSDOL Division of Safety & Health State Office Campus Bldg 12 - Rm 154 Albany NY 12240