NOTICE OF FILING

IN THE MATTER OF

JMD ENVIRONMENTAL, INC

for a determination pursuant to Section 909 of the New York Labor Law that violations of Labor Law, Article 30 and/or Code Rule 56 took place as hereinafter described.

Asbestos Case Nos. 24401, 24645, 22708 25607282, 25624792 25627382, 25633041 25644353, 25649094 25661382, 25648447 25652312, 25679118 25721142, 25720908 25689801, 25734028 25728079, 25740984 25752659, 25753721 25753742, 25823411 25823378, 25823433 25823484,25823466 25759049,25750922 25764210, Licensing Case No. LIC 11-0003

PLEASE TAKE NOTICE that annexed hereto are true copies of the final Determination & Order and the Report & Recommendation duly filed in the Office of the Commissioner of Labor on August 3, 2012.

Pursuant to Labor Law § 909 (4), any person or contractor adversely affected by this Determination & Order may commence a proceeding to challenge the validity or applicability thereof pursuant to Article 78 of the Civil Practice Law and Rules.

Dated: August 3, 2012

Albany, New York

Jerome Tracy, Hearing Officer

Office of Administrative Adjudication

JMD Environmental, Inc. P.O. Box 821 Grand Island, New York 14072 (CERTIFIED AND FIRST CLASS MAIL)

JMD Environmental, Inc. 6653 Main Street Williamsville, New York 14221 (CERTIFIED AND FIRST CLASS MAIL)

Heather Perry, President JMD Environmental, Inc. 1815 Love Road Grand Island, NY 14072 (CERTIFIED AND FIRST CLASS MAIL)

For the Department

Jerome Tracy, Hearing Officer New York State Department of Labor State Office Building Campus, Building 12, Room 266 Albany, New York 12240

Eileen Franko, Acting Director, Division of Safety and Health New York State Department of Labor State Office Building Campus, Building 12, Room 522 Albany, New York 12240

Alfred Jakubowski Associate Industrial Hygienist Division of Safety and Health New York State Department of Labor 65 Court Street, Room 405 Buffalo, New York 14202

Edward Krasinski Industrial Hygienist Division of Safety and Health New York State Department of Labor 65 Court Street, Room 405 Buffalo, New York 14202 Thomas Whitt Senior Safety and Health Inspector Division of Safety and Health New York State Department of Labor 65 Court Street, Room 405 Buffalo, New York 14202

Mark Yoder Safety and Health Inspector Division of Safety and Health New York State Department of Labor 65 Court Street, Room 405 Buffalo, New York 14202

Martha Waldman Safety and Health Program Manager New York State Department of Labor State Office Building Campus Building 12, Room 161 Albany, New York 12240

Pico Ben-Amotz, Acting Counsel Jeffrey G. Shapiro, Senior Attorney, of Counsel New York State Department of Labor State Office Building Campus Building 12, Room 509 Albany, New York 12240