

District Office 08
Industry Inspection Bureau
109 South Union Street, Room 402
Rochester, New York 14607
(585) 258-4574 voice



Program Manager
Industry Inspection Bureau
65 Court Street, Room 400
Buffalo, New York 14202
(716) 847-7134 voice

Company name and address: DLFE MANAGEMENT CO., INC 9993 Allegheny Road Darien Center, New York 14040		DBA: Darien Lake Theme Park FEIN: 20-8387286 Site location: 9993 Allegheny Road		Contact name: Theresa Hoover Title: Operations Manager	
Main phone Business: (585) 599-4641	Second phone Select: ()	E-mail:		website: www.godarien.com	
Jurisdiction: Amusement Devices	Municipality: Town of Darien	County: Genesee		Type of visit: Accident	Page: 1 of 3

Addendum

Notes:

On Friday, July 8, 2011 an accident occurred at the Darien Lake Theme Park, located at 9993 Allegheny Road, Darien, Genesee County, 14040. At approximately 5:30 pm, James Thomas Hackemer (██████████) was ejected from the Ride of Steel, struck by the coaster train, and thrown to the ground, coming to rest between the track sections of the 2nd and 3rd hills. The coaster train continued to the end of the track, and Darien Lake staff sounded an alert to the incident. Mr. Hackemer's body was found face down and in a state of obvious death by Darien Lake security and EMS staff- no medical attention was rendered.

The Ride of Steel (serial # CXMG402), formerly known as the Superman Ride of Steel, is a roller coaster manufactured by Intamin, LTD. The manufacturer refers to the Ride of Steel as the brand name of Mega Coaster. The Ride of Steel was manufactured and installed at Darien Lake in 1999. The Rochester office performed the initial inspection of the Ride of Steel and issued the first Amusement Device permit in that year. The most recent inspection of the Ride of Steel was conducted jointly over several days in April and May, 2011 by Sr. Inspector Richard Brown, Sr. Inspector Edward Mc Ewan and Inspector Brian Koch, with Sr. Inspector Brown issuing Amusement Device Permit A-12872 on May 13, 2011.

The Ride of Steel is a roller coaster approximately 5400 feet long and at its highest point reaches 208 feet. Two separate trains convey patrons, with each train holding a maximum of 32 passengers with a maximum weight of 4800 pounds through a series of hill climbs and falls, along with horizontal turns at speeds up to 73 miles per hours during the rides duration of approximately 2 minutes and 10 seconds. There is no inversion of the passenger train. The Ride of Steel is rated by the manufacturer at a maximum capacity of 1100 riders per hour.

Mr. Hackemer, a military veteran, did not have a left leg or left hip, and his right leg was amputated above the knee due to injuries suffered during his military service. Mr. Hackemer was not wearing prosthetic limbs while at Darien Lake, and was using a wheel chair during his visit to the park.

At approximately 4:05 pm on July 8, 2011, Mr. Hackemer entered the Guest Relations building near the entrance of the park and inquired about handicapped boarding policies. According to interviews, the Guest Relations staff explained their "go up the exit" procedure, which permits those passengers with disabilities to enter ride platforms through the exit ramp. Guest Relations staff further offered Mr. Hackemer a copy of the brochure titled "A Guide to Fun at the Park for Guests with Disabilities" which outlines restrictions and policies for patrons at Darien Lake. Mr. Hackemer refused the brochure and indicated that he already possessed a copy. Guest Relations staff further explained to Mr. Hackemer the policy regarding the loading and unloading disabled patrons onto their rides. Mr. Hackemer then exited Guest Relations.

At approximately 5:30 pm on July 8, 2011, Mr. Hackemer, along with his nephew, entered the Ride of Steel through the exit ramp and stopped at the gate adjacent to the unload platform. The unload attendant notified the ride operator that a disabled guest needed to be loaded. Mr. Hackemer was loaded into the Red Train (car 11 seat 2) with the assistance of his nephew, who then seated himself next to Mr. Hackemer (car 11 seat 1). The rest of the Red Train was loaded in its usual manner with all restraints checked by the attendants and then launched. According to witnesses, shortly after cresting the 3rd hill, Mr. Hackemer was ejected from his seat. The Red Train continued along the track and completed its run. Upon stopping in the braking station, passengers began to inform the ride attendants of the accident and gave an approximant location of the incident as the train was brought into the station to unload. Ride staff began the notification of Darien Lake Emergency Response, to respond to the accident. Darien Lake Security and EMS staff located the body of Mr. Hackemer

and secured the scene. No medical attention was rendered to Mr. Hackemer based on the EMS staffs protocols. There are no other reports of any physical injuries to any patrons who were on the Red Train at the time of the accident. Due to the operational functions of the Ride of Steel, the Blue Train had been loaded with passengers and launched in order for the Red Train to be brought into the station. After the Blue Train completed its trip, the Red Train was launched again with no passengers in order to bring the Blue Train into the station to be unloaded. After the Blue Train was unloaded, the Red Train was stopped in the braking station and the Ride of Steel was shut down.

I was notified by a text message from Sr. Inspector McEwan that an accident had occurred at Darien Lake. After talking with my Supervisor, I left several phone messages for Darien Lake staff that I was enroute to the accident. Upon my arrival, I met with Darien Lake Ride Maintenance Staff and members of the Genesee County Sheriff's Office. I was brought up to speed as to what had happened and started my investigation of the accident with the assistance of Darien Lake Staff.

I proceeded to take photo documentation in the vicinity of the accident and surrounding area. I then went to the loading station and took photo documentation of the Red Train and both the loading and unloading stations, including both the regular entrance and ADA accessible entrance and all related signage. With the assistance of Ride Maintenance mechanics, the Blue Train was backed out of the station and the Red Train was brought into the station. I took additional photo documentation of the Red Train. Darien Lake Management provided copies of the "souvenir" pictures taken of the red train during its cycle in which the accident occurred. I requested that copies of numerous documents related to this device, including the owner's manual, operator training records and maintenance inspections be made available to me the next morning. Darien Lake personnel informed that they had already begun compiling the requested information. Under the direction of Supervising Inspector Frederick, I issued a order not to operate the device in order to facilitate the investigation, and made arrangement to perform a mechanical inspection of the device for the next morning.

On July 9, 2011, with the assistance of Sr. Inspectors Mc Ewan and Brown and after a brief meeting with Darien Lake and a representative from Herschend, the corporate management company of Darien Lake, I conducted a mechanical inspection of the Ride of Steel. With the assistance of Darien Lake Ride Maintenance mechanics, a complete review of the Red Train was conducted, with no deficiencies found. The Blue Train was not inspected at this time. Further review of the signage for the Ride of Steel was conducted, and I took additional photo documentation of the entrance and exit to the device, and also additional photos of the Red Train. Darien Lake supplied me with copies of the documents requested the previous night.

On July 11, 2011 after my complete inspection and photo documentation of the ride and area around ride, the ride was released to Darien Lake to allow operation for maintenance functions and cleaning, with the understanding that the ride was still not allowed to operate with patrons.

On July 12, 2011, Sr. Inspector Mc Ewan and I met at Darien Lake to interview the Ride of Steel attendants and operators who were working at the time of the accident. In addition to speaking individually with each employee, I requested that each employee provided a written statement, all of which occurred in the presence of a representative from Herschend. Sr. Inspector Mc Ewan and I next completed a mechanical inspection of the Ride of Steel Blue Train, with no deficiencies found. Sr. Inspector Mc Ewan and I then traveled to the Genesee County Sheriff's Office, where we met with Sgt. Steve Mullen and Sheriff Maha, along with the Undersheriff and the Chief of Operations. Mr. Clarke from the DOL was also present at the meeting. Sgt. Mullen provided copies of reports and statements that they had obtained in the course of their investigation. During the meeting, we discussed the mechanical inspection of the Ride of Steel and that we had found no deficiencies, we also indicated that we were still in the process of reviewing all documents provided by Darien Lake. Sheriff Maha informed us that his office had concluded their investigation, and that they were not planning on issuing any charges related to the accident, pending a review of their report by the Genesee County District Attorney's Office.

After considerable review of all documentation, as well as interviews with employees, it can be concluded that the accident was caused by operator error. While Mr. Hackemer used the appropriate entrance to board the Ride of Steel, he did not meet the minimum requirements to be a passenger on the Ride of Steel. Ride operators and attendants permitted Mr. Hackemer to board the Red Train with the assistance of his nephew, contrary to their training of the manufacturer's restrictions for passengers and Darien Lake's policies. Mr. Hackemer did not meet the minimum height requirements, nor did he possess the requisite two legs, as pointed out in the ride information signage provided at the regular and the "handicap access entrance", as well as the brochure distributed by customer services. The brochure states that passengers must possess two legs to ride this ride. It should be noted that part of the passenger restraint system on the ride is specifically designed to lock the passenger's shins in place to help ensure that a passenger cannot fall out or be ejected from the ride.

Over the days since the accident occurred, all documentation has been reviewed in various work sessions by me with assistance by Sr. Inspectors Mc Ewan and Brown, Supervising Inspector Frederick, and Program Manager Guizzotti. After exhaustive review of all the documentation and interviews, it appears that the ride operator and ride attendant training materials met the requirements of the manufacturer; however, issues concerning the employee's comprehension of the training material and their ability to retain the associated requirements of their position, specifically in reference to rider restrictions, became apparent.

Numerous conversations were held with representatives from Herschend and Darien Lake to discuss suggestions to enhance the ride operator and ride attendant training programs for the Ride of Steel. Additionally, modifications to passenger warning signage and ways to provide visual reminders of rider restrictions for use by employees were discussed. Furthermore, Herschend brought additional corporate training and safety resources as well as outside consultants to the facility to review and enhance all facets of operation for not only the Ride of Steel, but all amusement devices at Darien Lake. Herschend has created a new "auditor" position at Darien Lake to review all training programs, and also to routinely audit employees related to the requirements for the amusement device and the employee's retention of the training information, pertaining to their respective assignment. Herschend has provided copies of all revised training materials and also copies of the new safety and audit procedures and forms, which Supervising Inspector Frederick and I both found acceptable.

On July 19, 2011, Supervising Inspector Frederick and myself witnessed the revised training procedures to be implemented in a training session for operators and attendant positions for the Ride of Steel at Darien Lake. The enhanced changes to the program were acceptable to both of us; we observed the entire training session.

Mechanical deficiencies were not found with the amusement device during the course of the entire investigation.

A draft proposal of a Notice of Violation with two citations to be issued to Darien Lake has been forwarded to Supervising Inspector Frederick for review before they are issued.

Documentation obtained during the investigation is attached as follows:

1. Copy of Ride of Steel 2011 Permit A-12872
2. Draft copy of Ride of Steel Do Not Operate Order 7/8/11
3. Ride of Steel Do Not Operate order final draft 7/8/11
4. Darien Lake Guests with Disabilities Guide
5. Photos of J.T. Hackemer in Guest Relations
6. Darien Lake Guest Relations employee statements
7. Darien Lake souvenir pictures of Ride of Steel during accident cycle cars 1-8
8. Darien Lake EMS report- John Doe (J.T. Hackemer)
9. Ride of Steel turnstile report 7/8/11
10. Darien Lake work schedule for Ride of Steel employees 7/8/11
11. Darien Lake employee break sheet 7/8/11
12. Ride of Steel restraint monitoring documentation
13. Ride of Steel 2011 annual opening certification
14. Ride of Steel Maintenance Notes 2011
15. Ride of Steel 2011 Daily Inspection Reports
16. Ride of Steel pre-opening inspection checklist 7/8/11
17. 1999 Superman Ride of Steel manufacturers guidelines
18. 2004 restraint system documentation for Ride of Steel
19. Witness statements taken by Darien Lake Security
20. Employee statements taken by Darien Lake Security
21. Ride of Steel employees and positions at time of accident
22. Darien Lake 2011 General Training powerpoint presentation
23. Darien Lake 2011 General Training records
24. Ride of Steel 2011 operating procedures
25. Employee training records- Ride of Steel 2011
26. Ride of Steel Operator training test 2011
27. Ride of Steel Attendant training test 2011
28. Ride of Steel employee statements taken by DOL
29. Darien Lake ADA court case 2006
30. Genesee County Sheriff Report 2011-00012448
31. Sketch made by Genesee County Sheriff's Office
32. Genesee County Sheriff incident follow up sheets
33. Genesee County Sheriff printed report- NYS ID check for James T. Hackemer
34. Genesee County Sheriff hand written notes
35. Ride of Steel souvenir pictures provided by Genesee County Sheriff's Office
36. Overhead images of Ride of Steel provided by Genesee County Sheriff's Office
37. Genesee County Sheriff's Office copy of security image from Guest Relations
38. Genesee County Sheriff's Office Ride of Steel employee statements
39. Genesee County Sheriff's Office witness statements
40. Darien Lake witness statement provided by Genesee County Sheriff's Office
41. Department of Labor Darien Lake Ride of Steel photo report

Name: Brian Koch
SH 988 (0408)

Orders issued

Date: July 19, 2011
Addendum v1.2



State of New York - Department of Labor
Division of Safety and Health

PERMIT TO OPERATE AN AMUSEMENT DEVICE
PERMIT TO USE A VIEWING STAND AND/OR TENT

This permit to operate is issued to the owner, agent or lessee for the amusement device, viewing stand and/or tent specified below and is not transferable. It is valid for a period of one year from its date of issuance unless the device, stand or tent is substantially rebuilt or modified, or the holder voluntarily discontinues operation of the device, viewing stand or tent. The Commissioner may revoke a permit if the device, viewing stand, or tent is being operated or used without the liability insurance required by law or with a mechanical, structural or design defect which presents an excessive risk of serious injury to passengers or occupants.

Any amusement device viewing stand or tent accident which results in a serious injury must be reported to the program manager for industry inspections prior to the close of the next business day. The manager is located at 65 Court Street, Room 400, Buffalo, NY 14202. Telephone Number (716) 847-7134; Fax (716) 847-7108

PERMIT INFORMATION

1. Name and Mailing Address DLFE Management Co. LLC 9993 Alleghany road P. O. Box 91 Darien Center, NY 14040			<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Agent <input type="checkbox"/> Lessee		2. d.b.a if any Darien Lake Theme Park Resort		3. Type Ride of Steel		
4. Status <input type="checkbox"/> Temporary <input checked="" type="checkbox"/> Permanent		5. Classification (A.D. ONLY) <input type="checkbox"/> Kiddie <input checked="" type="checkbox"/> Adult		6. Capacity No. of Persons 32 per train Maximum Weigh 4,800		7. Maximum Speed (A.D. Only) 75 mph		8. Name of Manufacturer Intamin	
9. Insurance		a. Liability	Initials	b. Workers' Comp	Initials	c. Disability	Initials	10. Identification No. CXMG402	
Expiration Date		12/1/2011	RMB	1/24/2012	RMB	12/31/2011	RMB	12. Dist Off. Rochester	13. Expiration Date 5/31/2012
11. Inspected By: Richard Brown, a NYS Dept. of Labor Insp. on 5/13/2011					Signature <i>Richard M Brown</i>				
14. Permit No. A-12872					 Maureen Cox, Director For the Commissioner of Labor				
SH-82A (7-08)									

District Office 09
 Industry Inspection Bureau
 65 Court Street, Room 400
 Buffalo, New York 14202
 (716) 847-7134 voice



Program Manager
 Industry Inspection Bureau
 65 Court Street, Room 400
 Buffalo, New York 14202
 (716) 847-7134 voice

Company name and address: DLFE MANAGEMENT CO. LLC. 9993 Allegheny Road Darien Center, New York 14040		DBA: Darien Lake Theme Park FEIN: 20-8387268 Site location: 9993 Allegheny Road	Contact name: Theresa Hoover Title: Operations Manager	
Main phone Select: ()	Second phone Select: ()	E-mail:	Website:	
Jurisdiction: Amusement Devices	Municipality: Town of Darien	County: Select Genesee	Type of visit: Accident	Page: 1 of 1

Not complied	Date July 08, 2011	Inspector BCK09	Out of service tag <input type="checkbox"/>
All complied <input checked="" type="checkbox"/>	Date July 22, 2011	Inspector BCK09	Orders voided

Notice of Violation and Order to Comply

You are hereby ordered to comply with the following requirements of NYS Labor Law and Industrial Code Rules at the above premises.
 Anyone wishing to file an appeal of the violation cited may do so by filing a petition with the Industrial Board of Appeals within 60 days of the date of this notice.

Requirements explained to: Theresa Hoover Agent	Notice GIVEN to: Theresa Hoover Agent	All violations shall be complied within
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Ride of Steel s/n CXMG402 DLID#162

1. Labor Law Code Rule 45 Section 870(g)(4)

Maintain device shut down and do not operate until inspection is conducted by an agent of the Commissioner.

ie: DO NOT OPERATE UNTIL AUTHORIZED BY A SAFETY AND HEALTH INSPECTOR FROM NYS DOL DOSH-INDUSTRY INSPECTION AFTER A COMPLETE MECHANICAL REVIEW.

NOTE: This order replaces the hand written copy that was labeled "Draft".

Name: Brian Koch

Date: July 8, 2011

District Office 09
 Industry Inspection Bureau
 65 Court Street, Room 400
 Buffalo, New York 14202
 (716) 847-7134 voice



Program Manager
 Industry Inspection Bureau
 65 Court Street, Room 400
 Buffalo, New York 14202
 (716) 847-7134 voice

Company name and address:	
Page: _____ of _____	

Violation

Reason Orders Voided Or Given Time Extension	To Legal Unit _____ Final Disposition of Prosecution or Tagging (See notes below)
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Date of visit	Contact name	Complied orders	Reason given for non-compliance and recommendations	Revised compliance date	Inspector

Notes:

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Program Manager
 Industry Inspection Bureau
 65 Court Street, Room 400
 Buffalo, New York 14202
 (716) 847-7134 voice

Company name and address: DLFE MANAGEMENT CO. LLC. 9993 Allegheny Road Darien Center, New York 14040		DBA: Darien Lake Theme Park FEIN: 20-8387286 Site location: 9993 Allegheny Road	Contact name: Theresa Hoover Title: Operations Manager
Main phone Select: (585) 599-4641	Second phone Select: ()	E-mail:	Website: www.godarienlake.com
Jurisdiction: Amusement Device	Municipality: Town of Darien	County: Genesee	Type of visit: Accident Page: 1 of 2

Not complied	Date	Inspector	Out of service tag <input type="checkbox"/>
All complied x	Date July 22, 2011	Inspector BCK 09	Orders voided

Notice of Violation and Order to Comply

You are hereby ordered to comply with the following requirements of NYS Labor Law and Industrial Code Rules at the above premises.
 Anyone wishing to file an appeal of the violation cited may do so by filing a petition with the Industrial Board of Appeals within 60 days of the date of this notice.

Requirements explained to: Theresa Hoover, Manager	Notice given to: Theresa Hoover, Manager	All violations shall be complied within Immediately
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Ride of Steel s/n CXMG402 DLID #162- Initial inspection occurred on July 8, 2011; ride was shut down until authorized by the Commissioner of Labor.

Violation 1. Labor Law Code Rule § 45-1.4 General responsibility for compliance.

Every manager and owner of an amusement device, temporary structure, viewing stand or tent shall comply with or effect compliance with all provisions of this Part (rule), and every employer and employee shall comply with all provisions which concern or affect his conduct.

Findings:

Ride operators and ride attendants of Ride of Steel roller coaster were unfamiliar with the restrictions of said ride and were unfamiliar with the proper operation of the restraint system which requires two legs to be effective; their acts and failures resulted in a fatality of a passenger.

Requirement: Management shall provide training for and implement procedures that provide for continuous review and verification that all ride operators and ride attendants are properly trained and proficient in the duties of their positions in accordance with all of the manufacturer's guidelines and restrictions. Ride operators and attendants have been retrained, and on July 19, 2011, Department of Labor inspectors observed hands-on training of Ride of Steel employees.

Violation 2. Labor Law Code Rule § 45-2.8 Control of operation.

Amusement devices shall be operated only by competent operators at least 16 years of age for devices designed primarily for the use of small children and/or an accompanying adult and 18 years of age for all other devices. Every operator shall have knowledge of the use and function of all normal and emergency operating controls and of the proper use of the device. An operator shall be in the immediate vicinity of the operating controls during operation and no other person shall be suffered or permitted to handle such controls during normal operation. No operator shall be responsible for the operation of more than one amusement device at a time. This provision does not apply to amusement devices designed to be operated or controlled safely by a passenger.

Findings:

Ride operators and ride attendants of Ride of Steel roller coaster were unfamiliar with the restrictions of said ride and were unfamiliar with the proper operation of the restraint system which requires two legs to be effective; their acts and failures resulted in a fatality of a passenger.

Requirement:

Management shall provide that all ride operators and ride attendants are trained in the proper use of the device and that they perform the duties of their positions in accordance with all of the manufacturer's requirements and restrictions. Establish and implement control measures to verify that ride operators and ride attendants are performing their duties with the manufacturer's requirements and restrictions. Ride operators and attendants have been retrained, and on July 19, 2011, Department of Labor inspectors observed hands-on training of Ride of Steel employees.

Additional Requirements:

DLFE Management Co. LLC is instructed to install signage detailing rider restrictions to be displayed in plain view of all ride operators and attendants' stations so that they may be readily accessible for review. DLFE Management Co. LLC is instructed to establish a procedure requiring ride operators and attendants to review such restrictions prior to each shift they work. As of July 19, 2011, additional signs have been installed at every operator and attendant station listing the ride restrictions.

Name: Brian C. Koch

Date: July 22, 2011

SH 998 (1010)

Notice of Violation and Order to Comply v1.3

District Office 09
Industry Inspection Bureau
65 Court Street, Room 400
Buffalo, New York 14202
(716) 847-7134 voice



Program Manager
Industry Inspection Bureau
65 Court Street, Room 400
Buffalo, New York 14202
(716) 847-7134 voice

Company name and address:

[Empty space for company name and address]

Page:
of

Violation

Reason Orders Voided Or Given Time Extension

To Legal Unit _____
Final Disposition of Prosecution or Tagging
(See notes below)

Date of visit	Contact name	Complied orders	Reason given for non-compliance and recommendations	Revised compliance date	Inspector

Notes:

[Empty space for notes]

DISTRICT OFFICE 08
 Industry Inspection Bureau
 109 South Union Street, Room 402
 Rochester, New York 14607
 (585) 258-4574 voice



PROGRAM MANAGER
 Industry Inspection Bureau
 State Office Building Campus, Room 157
 Albany, New York 12240-0100
 (518) 457-1327 voice

Company Name & Address: PARC DARIEN LAKE LLC 9993 Allegheny Road Darien Center, Ny 14040		dba: Darien Lake Theme Park Resort FEIN: 20-8490892 Site Location: 9993 Allegheny Road	Contact Name: Teresa Hoover Justin Kipfer Title: Director Of Operations Safety Manager	
Business: (585) 599-5223 OPER	Business: (585) 599-5394 MAIN	e-mail:	www: godarienlake.com	
Jurisdiction: Amusement Devices	Municipality: Town of Darien Center	County: Genesee	Type of Visit: Accident	Page: 1 of 4

ACCIDENT-INJURY REPORT

PERSON #1			
NAME: [REDACTED] ADDRESS: Unknown TELEPHONE ()	GENDER [REDACTED]	AGE [REDACTED]	OCCUPATION Unknown
	PHYSICAL CONDITION BEFORE THE ACCIDENT Unknown		

ACCIDENT-INJURY INFORMATION

DATE OF ACCIDENT Friday, June 05, 2009	TIME OF ACCIDENT 4:55 PM	ACCIDENT TYPE SERIOUS
BODY PARTS INVOLVED HEAD	NATURE OF INJURIES VISION AND FEELING ON RIGHT SIDE	MEDICAL TREATMENT HOSIPTALIZATION
	SOURCE OF INFORMATION	DATE RECEIVED June 5, 2009

MECHANISM OF INJURIES

EQUIPMENT INVOLVED (GENERAL) WATERSLIDE	EQUIPMENT INVOLVED (SPECIFIC),	PERSON IN CHARGE TERESA HOOVER
LOCATION OF EQUIPMENT DARIEN LAKE THEME PARK	POTENTIAL CODE RULE VIOLATIONS NONE	TITLE DIR. OF OPERATIONS
POTENTIAL ACCIDENT CAUSE		

HISTORICAL INFORMATION

NUMBER OF SIMILAR Select Select =	NUMBER OF Select INJURIES Select =	ORDERS PENDING? Select
PREVIOUS CORRECTIVE ACTIONS TAKEN	CORRECTIVE ACTIONS CURRENTLY REQUIRED	LAST INSPECTION May 18, 2009

LIST OF WITNESSES

NAME: CONTACT [REDACTED]	NAME: CONTACT ()	NAME: CONTACT ()
NAME: D.P. Dygert		DATE: June 9, 2009

ORDERS ISSUED

DISTRICT OFFICE 08
 Industry Inspection Bureau
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PROGRAM MANAGER
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Company Name & Address: PARC DARIEN LAKE LLC 9993 Allegheny Rd Darien Center, Ny 14040		dba: Darien Lake Theme Park Resort FEIN: 20-8490892 Site Location: 9993 Allegheny Rd	Contact Name: Teresa Hoover Justin Kipfer Title: Director Of Operations Safety Manager	
Business: (585) 599-5223 OPER	Business: (585) 599-5394 MAIN	e-mail:		www: godarienlake.com
Jurisdiction: Amusement Devices	Municipality: Town of Darien Center	County: Genesee	Type of Visit: Accident	Page: 2 of 4

ADDENDUM

NOTES:

On Friday, June 5, 2009 Teresa Hoover, Director of Operations at Darien Lake Theme Park in Darien Center, New York, reported that a guest was injured, earlier that day, while riding a double tube in the 'Cuda Falls waterslide. The injured guest, [REDACTED], who resides at [REDACTED], suffered a head injury when the tube [REDACTED] was riding on with [REDACTED], address unknown, overturned while descending the slide.

The 'Cuda Falls Waterslide (Manufactured by Waterworld Products, serial # 1807, N.Y. permit # A-7633 - expires May 2010) is a typical waterslide in which riders sit on inflated tubes (Photo # 1). The structure is comprised of four separate fiberglass slides starting from a common starter pool (Photo # 2) and emptying into a common catch pool (Photo # 3). Signage which includes a description of the ride, safety information and slide rules is posted at the entrance (Photo #4). In addition, a sign including instructions and proper riding positions is posted at both the entrance and starter pool (Photo # 5). The water volume in the slide is monitored at the starting pool by the slide attendants observing that the water level in starting pool is near the bottom of the yellow line around the top edge of the starting pool (Photo # 6). The slide which [REDACTED] was riding at the time of the incident (the second slide from the left) includes a section, mid-way down the slide, where the 'U' shaped slide trough widens and has a flat bottom (Photo # 7). This area, commonly referred to as the 'tub', functions as a braking pool to slow the tubes before entering the catch pool at the bottom. It is in the turn directly above the braking tub (Photo # 8) where it is believed that the double tube Ms. Snyder was riding on overturned.

According to the First Aid Report filed by Frank Galland, the E.M.T. who treated [REDACTED] at the scene, [REDACTED] was seated outside the entrance to the 'Cuda Falls waterslide area when he approached [REDACTED] at 5:00 P.M.. [REDACTED] was crying, holding the right side of [REDACTED] head and stated that [REDACTED] had lost the vision in [REDACTED] right eye, that [REDACTED] right side tingled and that "it hurts a lot". [REDACTED] explained that [REDACTED] had hit [REDACTED] head after the raft [REDACTED] was riding at the waterslide overturned. After being evaluated and treated at the scene, [REDACTED] was transported to Erie County Medical Center by Mercy Flight helicopter at 5:46 P.M., where [REDACTED] was admitted.

According to [REDACTED] written statement [REDACTED] a Darien Lake employee, was walking up the stairs leading to the top of the slide structure at the time of the incident. [REDACTED] observed [REDACTED] and [REDACTED] overturn in the section of the waterslide above the braking pool and saw [REDACTED] holding [REDACTED] head. After yelling to the attendants at the starting pool to stop dispatching riders, [REDACTED] turned back and saw them get back on their tube and continue down the slide "as if nothing were wrong".

I was unable to interview [REDACTED] as [REDACTED] was still hospitalized and no response has been received to a message left on the cell phone of [REDACTED].

As a precaution, Darien Lake management closed the 'Cuda Falls waterslide at approximately 5:30 P.M.. The following morning, Saturday, June 6, the waterslide was inspected by Darien Lake staff and myself. No structural defects or other possible contributing factors to the incident were noted and the waterslide was reopened. While performing a subsequent operational inspection and observing guests riding the waterslide, no unusual occurrences were observed.

Attached are the following documents:

1. Incident Report (DOSH 985)
2. Photo Display (DOSH 998) 2 pages
3. Darien Lake First Aid Report
4. Written Statement from [REDACTED]
5. Darien Lake Daily Inspection for 'Cuda Falls 6-5-09
6. Darien Lake Aquatic safety & Quality Checklist for 'Cuda Falls 6/5/09
7. Copy of New York State Amusement Device Permit # A-7633

State of New York - Department of Labor
Division of Safety and Health



PERMIT TO OPERATE AN AMUSEMENT DEVICE
PERMIT TO USE A VIEWING STAND AND/OR TENT

This permit to operate is issued to the owner, agent or lessee for the amusement device, viewing stand and/or tent specified below and is not transferable. It is valid for a period of one year from its date of issuance unless the device, stand or tent is substantially rebuilt or modified, or the holder voluntarily discontinues operation of the device, viewing stand or tent. The Commissioner may revoke a permit if the device, viewing stand or tent is being operated or used without the liability insurance required by law or with a mechanical, structural or design defect which presents an excessive risk of serious injury to passengers or occupants.

ANY AMUSEMENT DEVICE VIEWING STAND OR TENT ACCIDENT WHICH RESULTS IN A SERIOUS INJURY MUST BE REPORTED TO THE PROGRAM MANAGER FOR INDUSTRY INSPECTIONS PRIOR TO THE CLOSE OF THE NEXT BUSINESS DAY. THE MANAGER IS LOCATED IN BUILDING 12, W. AVERELL HARRIMAN STATE OFFICE BUILDING CAMPUS, ALBANY, N.Y. 12240; TELEPHONE NUMBER (518) 457-1212; FAX NUMBER (518) 485-3054.

PERMIT INFORMATION										
1. Name and Mailing Address PARK District Lake LLC 9993 Allegheny Road, Darien Center, NY 14040			<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Agent <input type="checkbox"/> Lessee		2. d.b.a. if any		3. Type Water Flume Ride - "Cuda Falls"			
4. Status <input type="checkbox"/> Temporary <input checked="" type="checkbox"/> Permanent		5. Classification (A.D. ONLY) <input type="checkbox"/> Middle <input checked="" type="checkbox"/> Adult		6. Capacity No. of Persons 200/line Maximum Weight 400lb/line		7. Maximum Speed (A.D. Only) N/A		8. Name of Manufacturer Waterworld Products		
9. Insurance			a. Liability	Initials	b. Workers' Comp.	Initials	c. Disability	Initials	10. Identification No. 1807	
Expiration Date			4/6/10	DPD	4/6/10	PPD	4/8/10	PPD	12. Dist Off. UB - Rochester	
New Expiration Date									13. Date of Issuance 5-22-09	
11. Permit Issued By:			Print Name DAVID P. DYGERT			Signature <i>David P. Dygert</i>			Maureen A. Cox Maureen Cox, Director For the Commissioner of Labor	
14. Permit No.			A-7633			CHECK # 009523				
SH-82A. (7-07)										

DISTRICT OFFICE 08
 Industry Inspection Bureau
 109 South Union Street, Room 402
 Rochester, New York 14607
 (585) 258-4574 voice



PROGRAM MANAGER
 Industry Inspection Bureau
 State Office Building Campus, Room 157
 Albany, New York 12240-0100
 (518) 457-1327 voice

Company Name & Address: PARC DARIEN LAKE LLC 9993 Allegheny Rd Darien Center, Ny 14040		dba: Darien Lake Theme Park Resort FEIN: 20-8490892 Site Location: 9993 Allegheny Rd	Contact Name: Teresa Hoover Fred Kaufman Title: Director Of Operations Ride Maintenance Supervisor	
Business: (585) 599-5223 OPER	Business: (585) 599-5394 MAIN	e-mail:		www: godarienlake.com
Jurisdiction: Amusement Devices	Municipality: Town of Darien Center	County: Genesee	Type of Visit: Accident	Page: 1 of 2

ACCIDENT-INJURY REPORT

PERSON #1

NAME: ADDRESS: TELEPHONE	GENDER	AGE	OCCUPATION Unknown
	PHYSICAL CONDITION BEFORE THE ACCIDENT Unknown		

ACCIDENT-INJURY INFORMATION

DATE OF ACCIDENT Tuesday, August 12, 2008	TIME OF ACCIDENT 4:20 PM	ACCIDENT TYPE SERIOUS
BODY PARTS INVOLVED HIP, HEAD	NATURE OF INJURIES FRACTURE	MEDICAL TREATMENT AMBULANCE
SOURCE OF INFORMATION		DATE RECEIVED August 13, 2008

MECHANISM OF INJURIES

EQUIPMENT INVOLVED (GENERAL) MOTOCOASTER ROLLER COASTER	EQUIPMENT INVOLVED (SPECIFIC)	PERSON IN CHARGE TERESA HOOVER
LOCATION OF EQUIPMENT DARIEN LAKE THEME PARK RESORT	POTENTIAL CODE RULE VIOLATIONS	TITLE DIRECTOR OF OPERATIONS
POTENTIAL ACCIDENT CAUSE		

HISTORICAL INFORMATION

NUMBER OF SIMILAR ACCIDENTS PAST YEAR = 0	NUMBER OF Select INJURIES Select =	ORDERS PENDING? NO
PREVIOUS CORRECTIVE ACTIONS TAKEN	CORRECTIVE ACTIONS CURRENTLY REQUIRED	LAST INSPECTION August 11, 2008

LIST OF WITNESSES

NAME: CONTACT	NAME: CONTACT	NAME: CONTACT
NAME: David P. Dygert		ORDERS ISSUED <input type="checkbox"/>
DATE: September 8, 2008		

DISTRICT OFFICE 08
Industry Inspection Bureau
109 South Union Street, Room 402
Rochester, New York 14607
(585) 258-4574 voice



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Company Name & Address: PARC DARIEN LAKE LLC 9993 Allegheny Rd Darien Center, Ny 14040		dba: Darien Lake Theme Park Resort FEIN: 20-8490892 Site Location: 9993 Allegheny Rd	Contact Name: Teresa Hoover Fred Kaufman Title: Director Of Operations Ride Maintenance Supervisor
Business: (585) 599-5223 OPER	Business: (585) 599-5394 MAIN	e-mail:	www: godarienlake.com
Jurisdiction: Amusement Devices	Municipality: Town of Darien Center	County: Genesee	Type of Visit: Accident
			Page: 1 of 1

ADDENDUM

NOTES:

On Wednesday, August 13, 2008, Teresa Hoover, Director of Operations at Darien Lake Theme Park in Darien Center, New York, reported that a guest was injured, on Tuesday, August 12, 2008, at approximately 4:20 P.M., while in the process of disembarking from the 'MotoCoaster' amusement ride. The roller coaster train was in the station, in the process of being loaded, when the accident occurred. [REDACTED] was injured when [REDACTED] exited from the wrong side of the train and fell off the platform to the ground below, a distance of 98 inches. [REDACTED] sustained a fractured hip as a result of the fall. [REDACTED] also sustained an injury to [REDACTED] head, which [REDACTED] apparently struck on the station structure on the way down.

The MotoCoaster roller coaster operates with two trains. Each train consists of six 'cars'. Mounted on each 'car' platform are two, single passenger motorcycles, side by side. When positioned in the station for loading / unloading the car platform is level with the station platform. Passengers enter and exit the train from the east side of the station. The station is staffed by three employees. The operator is positioned at the main control panel, located at the northeast side of the station. A second ride attendant is responsible for the east side of the station platform which includes the queue lines and the entrance and exit area. The third attendant is assigned to the platform on the west side of the train, where the secondary control panel is located. There are no entrance / exit stairway located at the station platform on the west side. It is only accessible by crossing over a train when it is parked in the station.

At the time of the incident, the train was loaded and ready to be dispatched when, according to [REDACTED] the ride operator, the passengers were seated and the restraint devices were closed in preparation for starting the ride when two guests said "I don't wanna go". [REDACTED] opened the restraint devices and those guests proceeded to the exit gate without incident. At some point during this process, [REDACTED] also said [REDACTED] did not want to ride. According to [REDACTED], the secondary ride attendant who was located on the west side of the station platform, [REDACTED] "got up and walked over to me to ask where the exit was". [REDACTED] directed [REDACTED] to the exit, located on the east side of the station. However, [REDACTED] did not cross over to the east side and continued walking towards the front of the train, down the platform on the west side. [REDACTED] walked off the end of the platform, through the opening between the front of the first motorcycle and the handrail, falling to the ground below. The opening through which [REDACTED] fell is approximately 3 feet wide when the train is parked in the station for loading and is approximately 18 inches wide while the train is rolling out of the station (see photo attachment). This opening conforms with the 'ride envelope' design criteria outlined in the ASTM standard for amusement ride design.

When [REDACTED] was contacted to obtain a statement, [REDACTED] stated that [REDACTED] attorney had advised [REDACTED] to refer all questions to [REDACTED]. [REDACTED] stated that [REDACTED] has no recollection of the accident, other than being told to "walk the other way" when exiting.

[REDACTED] was treated at the scene by Darien Lake first aid personnel. [REDACTED] was transported to United Memorial Medical Center in Batavia where [REDACTED] was treated and released.

After [REDACTED] was treated and moved from the scene, the ride reopened and resumed normal operation. The MotoCoaster has a current NYS permit to operate issued on 5/2/08 (copy attached).

NAME: David P. Dygert

ORDERS ISSUED

DATE: September 8, 2008

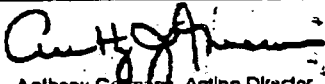


STATE OF NEW YORK - DEPARTMENT OF LABOR
DIVISION OF SAFETY AND HEALTH

PERMIT TO OPERATE AN AMUSEMENT DEVICE
PERMIT TO USE A VIEWING STAND AND/OR TENT

This permit to operate is issued to the owner, agent or lessee for the amusement device, viewing stand and/or tent specified below and is not transferable. It is valid for a period of one year from its date of issuance unless the device, stand or tent is substantially rebuilt or modified, or the holder voluntarily discontinues operation of the device, viewing stand or tent. The Commissioner may revoke a permit if the device, viewing stand or tent is being operated or used without the liability insurance required by law or with a mechanical, structural or design defect which presents an excessive risk of serious injury to passengers or occupants.

ANY AMUSEMENT DEVICE VIEWING STAND OR TENT ACCIDENT WHICH RESULTS IN A SERIOUS INJURY MUST BE REPORTED TO THE PROGRAM MANAGER FOR INDUSTRY INSPECTIONS PRIOR TO THE CLOSE OF THE NEXT BUSINESS DAY. THE MANAGER IS LOCATED IN BUILDING 12, W. AVERELL HARRIMAN STATE OFFICE BUILDING CAMPUS, ALBANY, N.Y. 12240; TELEPHONE NUMBER (518) 457-1212; FAX NUMBER (518) 485-8054.

PERMIT INFORMATION									
1. NAME AND MAILING ADDRESS OF PARC Darien Lake LLC 9993 Allegheny Road, Darien Center, NY 14040			<input checked="" type="checkbox"/> OWNER <input type="checkbox"/> AGENT <input type="checkbox"/> LESSEE		2. ^{aka. If any} Darien Lake Theme Park Resort		3. TYPE Moto Coaster		
4. STATUS <input type="checkbox"/> Temporary <input checked="" type="checkbox"/> Permanent		5. CLASSIFICATION (A.D. ONLY) <input type="checkbox"/> Kiddie <input checked="" type="checkbox"/> Adult		6. CAPACITY No. of Persons <u>2/Train</u> Maximum Weight <u>360 lbs/Person</u>		7. MAXIMUM SPEED (A.D. ONLY) <u>38 mph</u>		8. NAME OF MANUFACTURER <u>Zampighi Inc</u> <u>Vicenza Italy</u>	
9. INSURANCE		a. LIABILITY	Initials	b. WORKERS' COMP.	Initials	c. DISABILITY	Initials	10. IDENTIFICATION NO. GRCA5F04325 US	
Expiration Date		<u>4-6-09</u>	<u>RWS</u>	<u>4-6-09</u>	<u>RWS</u>	<u>4-6-09</u>	<u>RWS</u>	12. DIST. OFF. <u>06</u>	13. DATE OF ISSUANCE <u>5-2-08</u>
New Expiration Date									
11. PERMIT ISSUED BY:		Print Name <u>Richard M Brown</u>			Signature <u>[Signature]</u>			 Anthony Gerardo, Acting Director FOR THE COMMISSIONER OF LABOR	
14. PERMIT NO.		<u>A 4100</u>							
SH-82A (3-04)									

DISTRICT OFFICE 08
 Industry Inspection Bureau
 109 South Union Street, Room 402
 Rochester, New York 14607
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PROGRAM MANAGER
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 State Office Building Campus, Room 157
 Albany, New York 12240-0100
 (518) 457-1327 voice

Company Name & Address: PARC DARIEN LAKE LLC 9993 Allegheny Rd Darien Center, Ny 14040		dba: Darien Lake Theme Park Resort FEIN: 20-8490892 Site Location: 9993 Allegheny Rd	Contact Name: Teresa Hoover Fred Kaufman Title: Director Of Operations Ride Maintenance Supervisor	
Business: (585) 599-5223 OPER	Business: (585) 599-5394 MAIN	e-mail:		www: godarienlake.com
Jurisdiction: Amusement Devices	Municipality: Town of Darien Center	County: Genesee	Type of Visit: Accident	Page: 1 of 2

ACCIDENT-INJURY REPORT

PERSON #1

NAME: ADDRESS: TELEPHONE ()	GENDER [REDACTED]	AGE [REDACTED]	OCCUPATION Ride Operator
	PHYSICAL CONDITION BEFORE THE ACCIDENT Unknown		

ACCIDENT-INJURY INFORMATION

DATE OF ACCIDENT Wednesday, August 13, 2008	TIME OF ACCIDENT 8:00 AM	ACCIDENT TYPE SERIOUS
BODY PARTS INVOLVED TAILBONE, RIBS	NATURE OF INJURIES FRACTURE	MEDICAL TREATMENT HOSPIITALIZATION
SOURCE OF INFORMATION		DATE RECEIVED August 14, 2008

MECHANISM OF INJURIES

EQUIPMENT INVOLVED (GENERAL) ROCKWALL	EQUIPMENT INVOLVED (SPECIFIC)	PERSON IN CHARGE RON BRIGHAM
LOCATION OF EQUIPMENT DARIEN LAKE THEME PARK RESORT	POTENTIAL CODE RULE VIOLATIONS	TITLE ATTRACTION MANAGER
POTENTIAL ACCIDENT CAUSE		

HISTORICAL INFORMATION

NUMBER OF SIMILAR Select Select =	NUMBER OF Select INJURIES Select =	ORDERS PENDING? NO
PREVIOUS CORRECTIVE ACTIONS TAKEN	CORRECTIVE ACTIONS CURRENTLY REQUIRED	LAST INSPECTION August 11, 2008

LIST OF WITNESSES

NAME: CONTACT: [REDACTED]	NAME: CONTACT: [REDACTED]	NAME: CONTACT: [REDACTED]
NAME: David P. Dygert		ORDERS ISSUED <input type="checkbox"/>
		DATE: August 20, 2008

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109 South Union Street, Room 402
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Company Name & Address: PARC DARIEN LAKE LLC 9993 Allegheny Road Darien Center, Ny 14040		dba: Darien Lake Theme Park Resort FEIN: 20-8490892 Site Location: 9993 Allegheny Rd	Contact Name: Teresa Hoover Fred Kaufman Title: Director Of Operations Ride Maintenance Manager	
Business: (585) 599-5223 OPER	Business: (585) 599-5394 MANT	e-mail:	www: godarienlake.com	
Jurisdiction: Amusement Devices	Municipality: Town of Darien Center	County: Genesee	Type of Visit: Accident	Page: 2 of 2

ADDENDUM

NOTES:

On Tuesday, August 13, 2008, an accident occurred on the 'Rock Wall' amusement ride located at Darien Lake amusement park in Darien Center, New York. Two operators, [REDACTED] and [REDACTED] were assigned to work at the Rockwall from 4 P.M. until closing. At approximately 8 P.M., [REDACTED] a patron, observed [REDACTED] climbing the more difficult section of the wall while wearing a harness which was not connected to the auto-belay cable. [REDACTED] further observed that once [REDACTED] reached the top of the wall, [REDACTED] momentarily hung by [REDACTED] arms from an overhanging attachment point before falling.

[REDACTED] was hooking up climbing harnesses for two boys when [REDACTED] heard a scream and turned to see [REDACTED] falling from the wall and landing on the padding at the base of the west side of the wall. According to [REDACTED] "At this time, I noticed that [REDACTED] had [REDACTED] harness on but never hooked it up to the safety lines." [REDACTED] was treated by Darien Lake medical staff at the scene and was transported to the Erie County Medical Center with injuries to [REDACTED] tailbone / back, ribs and right arm.

The Rock Wall structure is approximately 35 feet high and is manufactured by Solid Rock Wall Systems Inc. It is a permanent installation anchored to a concrete base. The auto belay system was manufactured by Extreme Engineering. The ride has a current NYS permit to operate, issued on 5-19-08 (copy attached). The ride was also inspected prior to opening that day, as per the requirement of Industrial Code Rule 45-2.7 (copy attached) at which time no problems were noted.

[REDACTED] is a [REDACTED] international employee. [REDACTED] received [REDACTED] training to operate the Rock Wall on August 8th, 2008 in both [REDACTED] native language and English. The trainer, [REDACTED], is also a [REDACTED] international employee who has been employed by Darien Lake for several summers. The operator's training program for the Rock Wall addresses the importance of and the procedure for ensuring that the carabiner, which connects the harness to the auto-belay cable, is properly closed before allowing the climber to start. [Page 19 of the 'Standard Operating Procedure' (attached)] Additionally, the S.O.P. also outlines special procedures for situations where the operator would need to put on a harness and use an adjacent auto-belay cable to climb the wall for the purpose of assisting a guest in descending. In order to gain experience and expertise, Darien Lake policy permits the operators to climb the wall during slow times when they aren't assisting customers. Attractions Manager [REDACTED] stated that, to the best of [REDACTED] knowledge, [REDACTED] had climbed the wall approximately ten times on the day of the accident.

After the accident, the ride was closed and did not reopen until the next day, after it was reinspected by the Department of Labor and Darien Lake operations and maintenance staff. No violations were found.



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

PERMIT TO OPERATE AN AMUSEMENT DEVICE
PERMIT TO USE A VIEWING STAND AND/OR TENT

This permit to operate is issued to the owner, agent or lessee for the amusement device, viewing stand and/or tent specified below and is not transferable. It is valid for a period of one year from its date of issuance unless the device, stand or tent is substantially rebuilt or modified, or the holder voluntarily discontinues operation of the device, viewing stand or tent. The Commissioner may revoke a permit if the device, viewing stand or tent is being operated or used without the liability insurance required by law or with a mechanical, structural or design defect which presents an excessive risk of serious injury to passengers or occupants.

ANY AMUSEMENT DEVICE VIEWING STAND OR TENT ACCIDENT WHICH RESULTS IN A SERIOUS INJURY MUST BE REPORTED TO THE PROGRAM MANAGER FOR INDUSTRY INSPECTIONS PRIOR TO THE CLOSE OF THE NEXT BUSINESS DAY. THE MANAGER IS LOCATED IN BUILDING 12, W. AVERELL HARRIMAN STATE OFFICE BUILDING CAMPUS, ALBANY, N.Y. 12240; TELEPHONE NUMBER (518) 457-1212; FAX NUMBER (518) 485-8054.

PERMIT INFORMATION													
1. NAME AND MAILING ADDRESS OF PARC Darien Lake LLC 9993 Allegheny Road, Darien Center, NY 14040					<input checked="" type="checkbox"/> OWNER <input type="checkbox"/> AGENT <input type="checkbox"/> LESSEE		2. Darien Lake Theme Park Resort		3. TYPE ROCK WALL				
4. STATUS <input type="checkbox"/> Temporary <input checked="" type="checkbox"/> Permanent		5. CLASSIFICATION (A.D. ONLY) <input type="checkbox"/> Kiddie <input checked="" type="checkbox"/> Adult		6. CAPACITY No. of Persons 6 Maximum Weight 40lb MIN 250lb/MAX		7. MAXIMUM SPEED (A.D. ONLY) N/A		8. NAME OF MANUFACTURER EXTREME ENGINEERING (BELAY SYSTEMS) SOLID ROCKWALL SYSTEMS (wall)					
9. INSURANCE			a. LIABILITY		Initials	b. WORKERS' COMP.		Initials	c. DISABILITY		Initials	10. IDENTIFICATION NO. DL-167	
Expiration Date			4-6-09		DPD	4-6-09		DPD	4-8-09		DPD	12. DIST. OFF. 08	
New Expiration Date												13. DATE OF ISSUANCE 5-19-08	
11. PERMIT ISSUED BY:					Print Name DAVID P. DYBERT			Signature 					
14. PERMIT NO.					A-4158								
SH-82A (3-04)												Anthony Germano, Acting Director FOR THE COMMISSIONER OF LABOR	