

# New York State Department of Environmental Conservation

## Environmental Permits, Region 8

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Joe Martens  
Acting Commissioner

17 Feb 2011

**Re: DEC Facility No. 8-4432-00085**  
Final Scope Outline  
Finger Lakes, LLC Underground LPG Storage Facility  
Town of Reading, Schuyler County

Dear Interested Citizen:

Thank you for your interest in this project and your comments on the draft scoping outline for the draft Supplemental Impact Statement (DSEIS) for the proposal. The Department has reviewed the public comments we received on the draft scoping outline and has adopted a final scoping outline. I have attached a copy of the final scoping outline for your information.

There were some comments received by the Department related to issues already included in the previously-released draft scope in one form or another. While no specific revisions were made in response to those comments, they have been noted in our file and will provide depth to the discussion and analysis of specific issues. Other comments were also received that the Department has used to make several noteworthy additions and revisions to the scoping outline. In summary, modifications to the scope included:

1. Additional analysis of historic seismic activity and potential impacts to the storage operation and brine pond impoundment.
2. Additional review of the use and adequacy of the rail crossing of the Watkins Glen Gorge.
3. Additional analysis or mitigation of lighting, noise, and aesthetic concerns with the surface facilities.
4. Additional evaluation of public safety concerns including catastrophic failure of any part of the facility, transportation accidents, and emergency response capabilities.
5. A review focus on the stability of the brine pond and methods of minimizing the potential for impact to surface and ground water.

Additional public comments were also received related to issues that the Department has determined are not relevant to this project and hence will not be included in the DSEIS. Most notably, these issues include hydraulic fracturing, storage of hydraulic fracturing fluids/flowback fluids in brine pond, and natural gas drilling and production; and project-related issues that have already been addressed in the Generic Environmental Impact Statement (1992 GEIS) on the Oil, Gas and Solution Mining Regulatory Program.

The stated purpose of the proposed project is to provide a regional facility for the seasonal storage and distribution of liquefied petroleum gas (LPG). The project application does not propose drilling for or development of natural gas; there will be no such activities at the project site. The proposed LPG storage operation does not involve or require the storage or disposal of hydraulic fracturing fluids or flowback fluids in either the surface brine pond or underground salt caverns. Further, the proposal before the Department is limited to the underground storage of LPG by displacement of *in situ* cavern

brine to the brine pond, above-ground storage of LPG at new rail and truck terminals, and transport of LPG to and from the new rail and truck terminals.

Now that the final DSEIS scoping outline has been adopted, the preparation of the DSEIS will begin. It is difficult to estimate the length of time that will be required to complete the DSEIS and make it available for public review and comment. The next steps in the SEQR review are:

1. The Draft Supplemental Environmental Impact Statement (DSEIS) will be prepared by the applicant in accordance with the final scope. It may take an extended time period for the applicant to assemble the data and provide the analysis required in the final scope. Once submitted, the DSEIS will be reviewed by DEC staff to determine whether it is adequate for public review. If not, the Department will require corrections and/or supplements to the DSEIS. It is possible that several iterations of this review process may occur before DEC accepts the DSEIS as adequate for public review.
2. Once DEC has determined that the DSEIS is adequate for public review and that the Article 23 Underground Gas Storage Permit application is complete, we will issue a notice that will announce that the DSEIS and the application are available for public and agency review and comment. A public comment period of at least 30 days will be established for the public to review the DSEIS and submit written comments. The DEC expects to make available copies of the DSEIS to the public at the Town Hall and the DEC Region 8 Office in Avon. An electronic copy of part or all of the DSEIS may also be available on-line at <http://www.dec.ny.gov/permits/6061.html>. (Scroll down to Documents of Public Interest for Noteworthy Projects, Region 8 and click on the link. DEC has already posted the draft scope and will soon post the final scope for the project on that site.) A public hearing on the DSEIS may also be held during the public comment period after the DSEIS is accepted and the application is deemed complete.

Additional information on the environmental review process can be found on the Department's webpage at the following links:

[www.dec.ny.gov/permits/357.html](http://www.dec.ny.gov/permits/357.html) (SEQR Home Page)  
[www.dec.ny.gov/permits/6188.html](http://www.dec.ny.gov/permits/6188.html) (SEQR Handbook)  
[www.dec.ny.gov/permits/6189.html](http://www.dec.ny.gov/permits/6189.html) (Stepping Through SEQR)  
<http://www.dec.ny.gov/enb/enb.html> (Environmental Notice Bulletin)

The Department encourages your continued interest and participation in the review of this project. Based on your interest in this project, a copy of the Department's notice of the DSEIS acceptance and availability for public review will be sent to you by electronic mail when it becomes available. At the same time, the notice will also be published in the DEC's on-line "Environmental Notice Bulletin" (see link above) as well as the Town's official newspaper. Thank you again for your comments.

Sincerely,

David L. Bimber  
Deputy Regional Permit Administrator  
Division of Environmental Permits