

New York State Department of Environmental Conservation

Office of General Counsel, Region 8

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Joe Martens
Commissioner

August 6, 2014

Via email & regular mail

Kevin Bernstein, Esq.

Bond, Schoeneck & King, LLC

One Lincoln Center

Syracuse, New York 13202

Via regular mail

Mr. Barry L. Moon

Operations Superintendent

Finger Lakes LPG Storage, LLC

Two Brush Creek Boulevard, Suite 200

Kansas City, MO 64112

Re: Finger Lakes LPG Storage,
Project No. 8-4432-00085

Dear Mr. Bernstein and Mr. Moon:

Department Staff has determined that it is necessary to hold an adjudicatory public hearing for the referenced project, pursuant to 6 NYCRR 624.1(a)(6). The hearing will be conducted under the procedures established in 6 NYCRR 624. We are referring this matter to the Department's Office of Hearings and Mediation Services ("OHMS") in Albany. OHMS will assign an Administrative Law Judge, who will be in communication with you regarding details and process associated with the hearing, such as notice requirements and scheduling.

Should you have any questions, please feel free to contact me at 585 – 226–5369 or Lisa Schwartz at 585–226–5364.

Sincerely,

Dennis P. Harkawik

Regional Attorney

Cc: Jennifer Maglienti, Esq. (NYSDEC, Albany)
Lisa P. Schwartz, Esq. (Region 8)
Scott Sheeley (Region 8)