

**New York State Department of Environmental Conservation  
Office of Hearings and Mediation Services, 1<sup>st</sup> Floor**

625 Broadway, Albany, New York 12233-1550

Phone: (518) 402-9003 • Fax: (518) 402-9037

Website: [www.dec.ny.gov](http://www.dec.ny.gov)



Joe Martens  
Commissioner

Via Email and Regular Mail

September 29, 2014

Lisa Schwartz, Esq.  
Assistant Regional Attorney  
New York State Department of  
Environmental Conservation  
Region 8  
6274 East Avon-Lima Road  
Avon, New York 14414-9516  
Email: [lisa.schwartz@dec.ny.gov](mailto:lisa.schwartz@dec.ny.gov)

Kevin Bernstein, Esq.  
Bond Schoeneck & King, LLC  
One Lincoln Center  
Syracuse, New York 13202  
[kbernstein@bak.com](mailto:kbernstein@bak.com)

RE: Finger Lakes LPG Storage, LLC  
DEC Permit Application No. 8-4432-00085

Dear Ms. Schwartz and Mr. Bernstein:

I have received a hearing referral from staff of the Department of Environmental Conservation (Department) requesting the convening of an issues conference on the above referenced permit application. I will serve as the presiding Administrative Law Judge (ALJ) for proceedings under 6 NYCRR part 624.

Enclosed for your review and comment is a draft notice of deadline for petitions for party status and issues conference. Note that I am proposing Tuesday, December 2, 2014, as the deadline for petitions for party status, and Tuesday, January 6, 2015, for the issues conference.

Deborah Vachon from my office will be in touch with your offices shortly to schedule a conference call so that we can discuss issues conference logistics. Because the permit involved in this proceeding is not governed by the Uniform Procedures Act (ECL article 70), ECL 70-0119(3) does not apply.

Accordingly, Department staff will be responsible for locating a suitable hearing room for the issues conference. I request that staff be prepared to recommend suitable hearing rooms during the conference call.

I look forward to speaking with you both shortly. In the meantime, please do not hesitate to contact my office should you have any questions.

Yours truly,

/s/

James T. McClymonds  
Chief Administrative Law Judge

Enclosure

Cc: L. Alexander  
D. Vachon