

New York State Department of Environmental Conservation

Office of General Counsel, Region 8

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Joe Martens
Commissioner

Sent via E-mail and US Mail

February 9, 2015

Hon. James McClymonds
Chief Administrative Law Judge
Office of Hearings and Mediation Services
NYS Department of Environmental Conservation
625 Broadway, 1st Floor
Albany, New York 12233

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

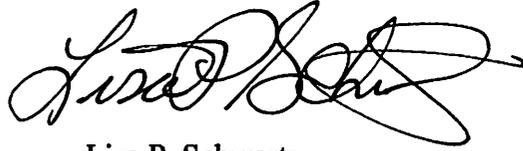
Dear Judge McClymonds:

Department of Environmental Conservation staff submit this reply to the February 3, 2015 request by Seneca Lake Pure Waters Association (SLPWA) for leave to file a supplement to their (January 16, 2015) petition for party status. In their February 3rd request, SLPWA indicated that their supplemental petition is intended to clarify inaccuracies in a report prepared by one of their proposed witnesses. While Department staff does not agree with their proposed witness analysis, staff can confirm that the supplement mostly repeats issues that were identified in their January 16, 2015 petition for party status. Therefore, Department staff does not object to the February 3, 2015 request.

Department staff is prepared to address at the upcoming issues conference all of the proposed issues for adjudication identified in SLPWA's petition for party status, as well the petitions filed by other parties seeking either full party status or amicus status in this proceeding. Based on staff's review thus far, none of the parties opposed to the project have raised an issue appropriate for adjudication. Department staff does not intend to file a detailed written response, but will reserve our response for both the issues conference and post-issues conference briefing.

If Department staff can be of further assistance in handling any logistical matters for the issues conference, please feel free to let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa P. Schwartz", with a stylized flourish at the end.

Lisa P. Schwartz
Assistant Regional Attorney

cc: J. Maglienti, Esq.
L. Weintraub, Esq.
Service List