

New York State Department of Environmental Conservation

Office of General Counsel, Region 8

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Joe Martens
Commissioner

VIA E-MAIL AND U.S. MAIL

November 10, 2014

James T. McClymonds
Chief Administrative Law Judge
New York State Department of Environmental Conservation
Office of Hearings and Mediation Services
625 Broadway, 1st Floor
Albany, New York 12233-1550

Re: Matter of Finger Lakes LPG Storage, LLC Application for an Underground Gas Storage Permit pursuant to Environmental Conservation Law Article 23, Title 13
DEC Application No. 8-4432-00085

Dear Judge McClymonds:

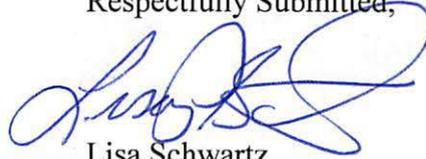
Enclosed please find a set of draft permit conditions, prepared in accordance with your direction dated October 22, 2014, which Department staff proposed in the event that a determination is made, after the hearing process, to issue a permit. These draft conditions contain requirements and obligations which staff believes would be appropriate and necessary to be imposed upon the applicant in that event. They are based upon staff's review of all application materials and information available to staff up to this point in the process.

Staff remains cognizant that the Issues Conference process, including the filing of Petitions for Party Status and any adjudication that results therefrom, may result in a determination that denial of the permit is warranted, or that additional conditions may be necessary. However, staff believes that by providing detailed conditions at this time, the applicant and the interested public will have adequate time to review them prior to the deadline for the filing of Petitions for Party Status. We believe this will provide relevant information for members of the public considering formal participation in the process, and will assist all parties as they prepare to present their respective positions at the Issues Conference.

Staff will post this letter and the draft conditions to the DEC website.

Thank you for your attention to this matter.

Respectfully Submitted,



Lisa Schwartz
Assistant Regional Attorney

Enclosure

cc w/enclosure: R. Alessi, Esq.
K. Bernstein, Esq.
J. Maglienti, Esq.