

OFFICE OF THE TOWN SUPERVISOR
David F. Fleming, Jr.

September 22, 2015

Hon. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, D.C. 20426

**Re: Matter of Tennessee Gas Pipeline Co., Northeast Direct Project
FERC Docket PF14-22**

Dear Secretary Bose:

It has been more than a month since my correspondence to you describing the urgent need for access to information relative to the above-referenced project. Now, with less than a month left in the extended comment period, impacted municipalities remain in the dark relative to critical information needed to gauge the actual impact of this pipeline and associated compressor stations. This lack of transparency and any response from your agency is preventing thoughtful comment on this massive industrial scheme proposed for residential areas.

I'm writing to solicit a response from FERC immediately to provide the necessary access to information for public comment.

Specifically, and of urgent need, Nassau requested the following:

REQUEST FOR IMMEDIATE ACCESS TO CRITICAL ENERGY INFRASTRUCTURE INFORMATION

Pursuant to FERC's Critical Energy Infrastructure Information (CEII) regulations at 18 CFR § 388.113(d)(4) the Town of Nassau, New York, has requested access to certain information submitted by TGPL on July 24, 2015, regarding the Northeast Direct Market Path Pipeline and Market Mid-station 1 Compressor Station proposed to be located within the Town of Nassau, Rensselear County, New York. We requested that Town of Nassau officials should be provided access to the confidential files submitted by Tennessee Gas Pipeline (TGPL) on July 24, 2015, without reservation and on an expedited basis. Thus far, this request appears to have been completely ignored.

The details of the proposed facilities currently hidden from public view are critical to the Town understanding the TGPL proposal within the Town of Nassau, and in developing reasoned comments and consideration of potential impacts on natural and cultural resources, land uses and most importantly on the health, safety and lives of residents within the impact zone around the proposed compressor station site. The Town asserts that this request is a legitimate request for access to information essential to the Town's review of the NED Project proposal and development of Scoping Comments for FERC's pending development of a final Scope of Studies for the Environmental Impact Statement. As previously outlined, the Town willingly will assent to execution of a non-disclosure agreement and take reasonable precautions to maintain security and integrity of any CEII information provided pursuant to this request.

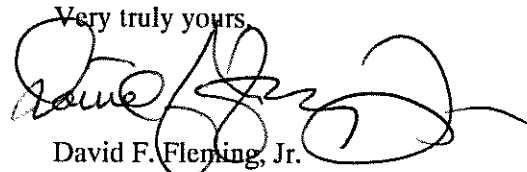
Additionally, we have also stated that the information provided in the TGPL July 24, 2015 submittal to FERC is an update to previous submittals, but is incomplete pending further updates.

There are significant amounts of additional information either not yet provided, or inaccessible for public review, which include information essential for understanding the TGPL proposal for a major compressor station at Clarks Chapel Road in the Town of Nassau, New York. Furthermore, the matrix of "Responses" is replete with indications of information that will be "provided in the October, 2015 filing" or "TBP in Final ER." Examples of this information include: locations of HDD installations; specification of communication system and whether communication towers will be proposed to be sited and proposed locations of these towers; sensitive groundwater resources in relation to compressor station sites; fisheries resource protections and mitigation proposals; wetland delineations; groundwater aquifer information and details; sites of contaminated sediments; project operational effects on surface waters; interior forest ecological impacts; environmental justice information for aboveground facilities locations; seismic fault information; NYS § 480-a forest lands affected by the proposed facilities; visual resources information (including regarding any as-of-yet unidentified communications towers); emissions data from compressor stations, including methane and exhaust from compressor facility operations; and acoustical analysis of compressor station operations, including sound emissions and mitigation measures necessary.

In closing, the Town respectfully requests that the FERC immediately grant the responses requested herein. I have attached a copy of our August 12, 2015 correspondence for your renewed consideration.

Thank you.

Very truly yours,



David F. Fleming, Jr.
Nassau Town Supervisor

Attachment

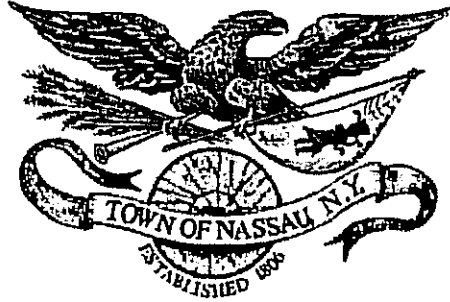
cc: Hon. Chuck Schumer, United States Senate
Hon. Kirsten Gillibrand, United States Senate
Hon. Chris Gibson, United States House of Representatives
Hon. Kathy Jimino, Rensselaer County Executive

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Hon. Kathy Marchione, New York State Senate
Hon. Steve McLaughlin, New York State Assembly
Hon. Dennis Dowds, Schodack Town Supervisor
Hon. Larry Eckhardt, Stephentown Town Supervisor
Nassau Town Board
Nassau Natural Resources Committee



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OFFICE OF THE TOWN SUPERVISOR
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August 12, 2015

Hon. Kimberly D. Bose, Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

**Re: Matter of Tennessee Gas Pipeline Co., Northeast Direct Project
FERC Docket PF14-22
Filing by TGPL dated July 24, 2015**

Dear Secretary Bose:

On July 24, 2015, Tennessee Gas Pipeline (TGPL) filed a massive update to the earlier draft Resource Reports and mapping files for the NED project, constituting thousands of pages of information and map sheets providing seemingly significant updates to previous submittals. The submitted files amount to over one gigabyte of electronic files that are publicly accessible, as well as hundreds of pages of text and maps that are not accessible due to TGPL claims of their containing "Critical Energy Infrastructure Information" not to be disclosed for public review. This information is of vital interest to and may have a dramatic impact on the community that I represent.

INFORMATION PROVIDED IN THE TGPL JULY 24, 2015 SUBMITTAL TO FERC IS AN UPDATE TO PREVIOUS SUBMITTALS, BUT IS INCOMPLETE PENDING FURTHER UPDATES

While the July 24, 2015 publicly accessible filing includes a large amount of new information, there are significant amounts of additional information either not yet provided, or inaccessible for public review, which include information essential for understanding the TGPL proposal for a major compressor station at Clarks Chapel Road in the Town of Nassau, New York. Information such as: a compressor station site layout plan; an indication of the location of the 30-inch pipeline to and from the station site from the mainline route; an indication of the proposed vehicular access

route to the compressor station from public roadways; location, external dimensions and finish materials of compressor station enclosure building, fence-line, emergency blow-down vent facility; location and extent of buffer areas around proposed compressor station facilities; and the location and extent of non-jurisdictional infrastructure that may be subject to siting and site plan review by the Town of Nassau. Without access to much of this information, some of which is indicated on the 73 pages of "Responses to Comments" and "Responses to Letters" on Draft Resource Reports, dated May 15, 2015, the Town of Nassau cannot fully comment on the appropriate scope of studies appropriate for studying the proposed project, its impacts, alternatives and potential mitigation measures that should be evaluated in the Environmental Impact Statement.

Furthermore, the matrix of "Responses" is replete with indications of information that will be "provided in the October, 2015 filing" or "TBP in Final ER." Examples of this information include: locations of HDD installations; specification of communication system and whether communication towers will be proposed to be sited and proposed locations of these towers; sensitive groundwater resources in relation to compressor station sites; fisheries resource protections and mitigation proposals; wetland delineations; groundwater aquifer information and details; sites of contaminated sediments; project operational effects on surface waters; interior forest ecological impacts; environmental justice information for aboveground facilities locations; seismic fault information; NYS § 480-a forest lands affected by the proposed facilities; visual resources information (including regarding any as-of-yet unidentified communications towers); emissions data from compressor stations, including methane and exhaust from compressor facility operations; and acoustical analysis of compressor station operations, including sound emissions and mitigation measures necessary.

REQUEST FOR EXTENSION OF THE SCOPING PHASE COMMENT PERIOD

The deadline for submitting comments on the Scope of Studies for preparation of an Environmental Impact Statement should be extended until after the CEII information is made available to Town of Nassau officials, and information to be provided by TGPL in the forecasted October environmental report is available for consideration.

Town officials and committee members are making great efforts to review the Resource Reports and associated information submitted at a late date in July, only a few weeks prior to the close of the Scoping Period. This is a huge undertaking for these officials, given the large amount of information that was provided. However, the large amounts of information not yet provided or only provided under protected status, make it infeasible for the Town of Nassau to provide a full evaluation of the information necessary to develop relevant Scoping Comments by the August 31 deadline. The listed incomplete or "to be provided" information includes many topics of specific concern to the Town of Nassau, given the proposal to site the large, 41,000

horsepower compressor station in a Rural Residential area, far from any similar industrial or major utility station use; and the pipeline traversing the rural landscape of northern Nassau. Additional time should be added to the Scoping Period schedule to provide a realistic opportunity for review of the Resource Reports, including information submitted by TGPL as Critical Energy Infrastructure Information, and for development of reasoned comments on the Scope of Studies appropriate to evaluate the proposed major transmission facility project.

Additional time will not represent a burden to the applicant, given that the Resource Reports as filed do not fully provide the requested baseline information as spelled out in many sections of the FERC GUIDANCE MANUAL FOR ENVIRONMENTAL REPORT PREPARATION, dated August 2002.

REQUEST FOR IMMEDIATE ACCESS TO CRITICAL ENERGY INFRASTRUCTURE INFORMATION

Pursuant to FERC's Critical Energy Infrastructure Information (CEII) regulations at 18 CFR § 388.113(d)(4) the Town of Nassau, New York, requests access to certain information submitted by TGPL on July 24, 2015, regarding the Northeast Direct Market Path Pipeline and Market Mid-station 1 Compressor Station proposed to be located within the Town of Nassau, Rensselaer County, New York. Town of Nassau officials should be provided access to the confidential files submitted BY TGPL on July 24, 2015, without reservation and on an expedited basis.

CEII submittals regarding details proposed for the Compressor Station site should be provided on a confidential basis for review and development of Scoping Comments by the Town and its representatives. The requested information includes:

- the Compressor Station site plan;
- compressor station facilities arrangement plans;
- 'non-jurisdictional facilities' to be located at the Compressor Station property.

The individuals to be granted access to this information would include the following:

David Fleming, Nassau Town Supervisor
Fred Nuffer, Chairman, Town of Nassau Natural Resources Committee
Lani Rafferty, Councilperson, Nassau Town Board

As identified above, the details of the proposed facilities currently hidden from public view are critical to the Town understanding the TGPL proposal within the Town of Nassau, and in developing reasoned comments and consideration of potential impacts on natural and cultural resources, land uses and most importantly on the health, safety and lives of residents within the impact zone around the proposed compressor station site. The Town asserts that this request is a legitimate request for access to information essential to the Town's review of the NED Project proposal and

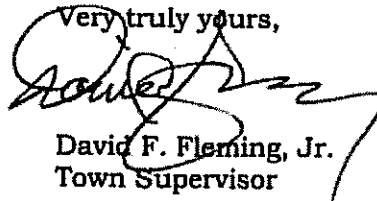
Hon. Kimberly D. Bose
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development of Scoping Comments for FERC's pending development of a final Scope of Studies for the Environmental Impact Statement. The Town willingly will assent to execution of a non-disclosure agreement and take reasonable precautions to maintain security and integrity of any CEII information provided pursuant to this request.

In closing, the Town respectfully requests that the FERC immediately grant the relief requested herein.

Thank you in advance for your assistance in this matter.

Very truly yours,



David F. Fleming, Jr.
Town Supervisor

cc: Hon. Chuck Schumer, United States Senate
Hon. Kirsten Gillibrand, United States Senate
Hon. Chris Gibson, United State House of Representatives
Hon. Kathy Jimino, Rensselaer County Executive
Hon. Kathy Marchione, New York State Senate
Hon. Steve McLaughlin, New York State Assembly
Hon. Dennis Dowds, Schodack Town Supervisor
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