



November 20, 2025

By email (david.greenwood@dec.ny.gov)

Hon. David Greenwood
Administrative Law Judge
NYS Department of Environmental Conservation
Office of Hearings and Mediation Services
625 Broadway
Albany, NY 12233-1550

Re: Appointment as Hearing Officer
APA Project 2021-0276

Dear Judge Greenwood:

Thank you for accepting our request to serve as a hearing officer for the Agency's hearing on the above-referenced project application.

This letter serves to formally appoint you as hearing officer for the public hearing pursuant to section 508.8(a) of the Agency's regulations.

We are tentatively planning to start the hearing on December 22nd at 9: 00 A.M. in the APA Board Room at its headquarters in Ray Brook, NY. We can adjust these details after you and the parties have conferred. The space is comfortable and adequate for the expected participants.

By order dated November 14, 2025, the Agency identified issues for this hearing as well as two issues the Agency for which no testimony or evidence is necessary. Of course, you may in your sole discretion simplify, define, limit, or resolve the scope of issues, or add an issue if not expressly excluded and for which a party makes an offer of proof to ensure that the record covers substantive and significant issues relating to the findings or determinations required of the Agency under APA Act § 805(4) and § 809(10). A copy of the Project Order approved by the Agency Board is attached hereto. Otherwise, you will have all the powers under Agency regulations, Part 580 to conduct this hearing.

Should you determine that it will be of assistance, the Agency can forward you the application materials, additional information submitted by the applicant, and submissions from the public. (These materials are already publicly available and available for review [here](#) and [here](#).)

I thank you for your agreeing to assist the Agency by serving as hearing officer for this matter. By copy of this letter to the applicant's representative, Matthew D. Norfolk, I am alerting the applicant to your appointment as hearing officer.

We plan to notify the public of your appointment in our public hearing notice, which we will provide shortly.

Please don't hesitate to call if there are any questions.

Very truly yours,

A handwritten signature in blue ink, appearing to read "B Rice".

Barbara Rice
Executive Director

cc: Matthew D. Norfolk, Attorney for the applicant
Damion K. L. Stodola, Counsel
Michele M. Stefanucci, Chief Administrative Law Judge