



Department of
Transportation

ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

Cathy Calhoun
Chief of Staff

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July 6, 2017

U.S. Environmental Protection Agency
Office of Administrative Law Judges
1200 Pennsylvania Avenue, N.W.,
Mail Code 1900R
Washington, DC 20460

RE: Civil Penalty Class II Docket No. CWA-02-2016-3403

Dear Headquarters Hearing Clerk:

Pursuant to the June 13, 2017 Prehearing Order requiring the filing of a Preliminary Statement, I am hereby notifying the Tribunal and the Complainant that (1) it is the Department's preference for a hearing location is Albany, New York and (2) the Department does not consent to service by e-mail.

Sincerely,

A handwritten signature in cursive script that reads "Alicia McNally".

Alicia McNally
Assistant Counsel

cc:
Chris Saporita
Assistant Regional Counsel
United States Environmental Protection Agency – Region 2
290 Broadway
New York, NY 10007