

**STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION**

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**Application of Deepwater Wind South Fork, LLC for a Certificate of Environmental Compatibility and Public Need for the Construction of Approximately 3.5 Miles of Submarine Export Cable from the New York State Territorial Waters Boundary to the South Shore of the Town of East Hampton in Suffolk County and Approximately 4.1 Miles of Terrestrial Export Cable from the South Shore of the Town of East Hampton to an Interconnection Facility with an Interconnection Cable Connecting to the Existing East Hampton Substation in the Town of East Hampton, Suffolk County.**

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**Case 18-T-0604**

**SOUTH FORK WIND, LLC  
MOTION TO STRIKE TESTIMONY**

South Fork Wind, LLC (“SFW”) respectfully moves to exclude the following testimony filed in the above-referenced proceeding: (i) the entirety of Mr. Simon Kinsella’s (“Mr. Kinsella”) pre-filed direct testimony filed on October 9, 2020 pertaining to “economic impact” (“Part 2”); (ii) the entirety of Mr. Kinsella’s pre-filed direct testimony filed on September 9, 2020 and October 9, 2020 regarding poly-/perfluoroalkyl substances (“PFAS”) contamination;<sup>1</sup> and (iii) the entirety of Mr. Kinsella’s rebuttal testimony (“Rebuttal Testimony”) filed on October 30, 2020 regarding both economic impact and PFAS contamination. As explained herein, Mr. Kinsella’s testimony regarding economic impact is squarely outside the scope of this proceeding, and his testimony regarding PFAS is offered by an unqualified witness and therefore irrelevant to this proceeding.

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<sup>1</sup> Mr. Kinsella refers to the PFAS testimony filed on September 9, 2020 as “Part 1” and the testimony filed on October 9, 2020 as “Part 1(2).” SFW shall hereinafter refer to both pieces of testimony collectively as “Part 1.”

## **BACKGROUND**

In 2015, the South Fork Wind Farm (“SFWF”) was selected by PSEG Long Island, LLC (“PSEG-LI”) through a competitive bidding process to be part of a portfolio of projects to meet growing energy needs on the south fork of Long Island (“2015 RFP”). In February 2017, the Long Island Power Authority (“LIPA”) and SFW (which, at the time, operated under the name Deepwater Wind South Fork, LLC) executed a power purchase agreement (“PPA”) for the SFWF that requires energy from the SFWF to be delivered to the LIPA 9EU-East Hampton Substation. LIPA and SFW subsequently executed an amendment to the PPA in October 2020 (“PPA Amendment”).

On September 14, 2018, SFW filed an Application for a Certificate of Environmental Compatibility and Public Need (“Certificate”) under Article VII of the Public Service Law (“PSL”) to construct, operate, and maintain the South Fork Export Cable (“SFEC”), a 138 kilovolt electric cable that will connect the SFWF located offshore in federal waters, to the existing mainland electric grid in the Town of East Hampton on Long Island in Suffolk County, New York. The SFEC includes a submarine segment of the cable in New York State territorial waters (“SFEC-NYS”), a terrestrial underground segment of the cable (“SFEC-Onshore”), and a new interconnection facility (“SFEC-Interconnection Facility”), all of which are subject to review and approval under Article VII, and will hereinafter be referred to as the “SFEC Project.” The portion of the SFEC located in federal waters (“SFEC-OCS”) and the SFWF are outside the scope of the instant proceeding.

On September 9, 2020, Mr. Kinsella submitted Part 1 of his pre-filed direct testimony. On September 17, 2020, SFW and several signatory parties filed an executed Joint Proposal and Appendices in this proceeding. Mr. Kinsella filed Part 2 of his pre-filed direct testimony on

October 9, 2020. On October 30, 2020, SFW filed its rebuttal testimony, and Mr. Kinsella filed his Rebuttal as well.

## **ARGUMENT**

### **POINT I**

#### **INFORMATION RELATING TO THE 2015 RFP, PPA, AND PPA AMENDMENT IS IRRELEVANT TO THE ARTICLE VII PROCEEDING**

Part 2 of Mr. Kinsella's Testimony and pages 3, lines 11-20, pages 4-7, page 8, lines 1-3, page 10, lines 13-21, and pages 11-13 of his Rebuttal Testimony focus on issues regarding the 2015 RFP and PPA processes. Mr. Kinsella argues that because Public Service Law ("PSL") Section 126 requires the Public Service Commission ("Commission") to make a finding that a proposed Article VII facility is in the public interest, that the price of the energy generated by the SFWF, and thus, the process and mechanisms through which such prices have been set (*i.e.* the 2015 RFP, PPA, and PPA Amendment) are germane to this proceeding. Mr. Kinsella attempts to argue that because SFW's Article VII Application and the Joint Proposal rely on the existence of the PPA to establish the need for the SFEC Project that it must therefore be within the scope of the Commission's Article VII review.

As SFW has argued consistently in this proceeding, there is a clear distinction between the role that the PPA plays with respect to the Project and the relevance of its commercial terms to this proceeding. This case is about a generator interconnection that will allow generation from the SFWF to be delivered to the transmission grid pursuant to the PPA. The SFEC Project is needed to connect the generation from the SFWF to the transmission grid.<sup>2</sup> Mr. Kinsella is asking the

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<sup>2</sup> The SFWF will also help New York State to achieve its ambitious climate goals, as set forth in the Community Leadership and Community Protection Act. These goals include, in relevant

Commission to go back in time and challenge the RFP process and the terms of the PPA. However, neither the pricing under the PPA nor the RFP process that resulted in the PPA are before the Commission in this case. The RFP process was approved by the LIPA Board in January 2017, and the PPA was approved by the New York State Comptroller's Office and the New York State Attorney General prior to becoming effective. Therefore, the time for challenging those determinations has long passed.

In Case 18-T-0499, the Commission determined that the need for the transmission line was demonstrated by the fact that the Project had been selected through the New York Independent System Operator, Inc.'s ("NYISO") competitive Public Policy Transmission Planning Process ("PPTPP") as the, "[m]ost efficient and cost-effective solution to address the Western New York public policy transmission needs."<sup>3</sup> There was no additional inquiry by the Commission into the sufficiency or efficacy of the PPTPP as part of that proceeding. Similarly, in Case 19-T-0684 where a party attempted to argue that the project, which was selected as part of the PPTPP, was not cost-effective, the applicant demonstrated that the party had ample opportunity to challenge the PPTPP findings in the appropriate venue (*i.e.* before the NYISO or in the Commission proceeding confirming the NYISO's findings), and the Article VII proceeding was not a venue for such a challenge.<sup>4</sup> Given the similarities between the PPTPP and the 2015 RFP, it thus follows

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part: (i) an 85% reduction in greenhouse gas emissions by 2050; (ii) 100% zero-emission electricity by 2040; (iii) 70% renewable energy by 2030; and (iv) 9,000 MW of offshore wind by 2035. *See*, L. 2019, ch. 106.

<sup>3</sup> Case 18-T-0499, Application of NextEra Energy Transmission New York, Inc. for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the Public Service Law for the Construction of a 20 Mile 345 Kilovolt Transmission Line Located in the Town of Royalton, Niagara County, and the Towns of Alden, Newstead, Lancaster, and Elma in Erie County, Order Granting Certificate of Environmental Compatibility and Public Need (issued June 16, 2020) at 16.

<sup>4</sup> Case 19-T-0684, Application of New York Transco LLC for a Certificate of Environmental Compatibility and Public Need Pursuant to Article VII of the New York Public Service Law

that the 2015 RFP, PPA, and PPA Amendment in this proceeding should be accorded similar treatment.

Moreover, as SFW has previously argued,<sup>5</sup> the Public Authorities Law grants the Commission limited jurisdiction over LIPA, most of which is limited to the review of certain LIPA rate proposals and is thus inapplicable to this proceeding.<sup>6</sup> LIPA's ability to enter into contractual arrangements to purchase power is set forth in the LIPA Reform Act of 2013 ("LRA"). The LRA allows LIPA to enter into these contracts "at such price or prices as may be negotiated" and does not require LIPA to seek Commission review or approval of its contracts. Thus, no proceeding before the Commission, especially the instant Article VII proceeding, is the appropriate venue for taking up such challenges.

It has already been determined three times in this proceeding that challenges to the 2015 RFP process and the terms of the PPA are beyond the scope of this proceeding.<sup>7</sup> Most recently, on October 27, 2020, Your Honor denied Mr. Kinsella's motion to PSEG-LI to provide information pertaining to RFP process, and in doing so, stated, "Mr. Kinsella's interrogatory seeks information specific to the administration of the 2015 RFP, arguing that this information affects

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to Construct, Operate, and Maintain a New, Double-Circuit 54.5-Mile 345/115 Kilovolt Electric Transmission Line and Related Facilities Located in the Town of Schodack, Rensselaer County; the Towns of Stuyvesant, Stockport, Ghent, Claverack, Livingston, Gallatin, and Clermont in Columbia County; and the Towns of Milan, Clinton, and Pleasant Valley in Dutchess County, Motion of New York Transco LLC for a Procedural Ruling Cancelling Evidentiary Hearing, Allowing for Admittance of Pre-Filed Evidence, and Referring Case to Commission for Final Disposition (filed October 6, 2020).

<sup>5</sup> See, Case 18-T-0604, *supra*, Response of Deepwater Wind South Fork, LLC to Request for Comparative Economic Review (filed September 18, 2020).

<sup>6</sup> Pub. Auth. L. § 1020-(f)(u)(2).

<sup>7</sup> See, Case 18-T-0604, *supra*, Ruling on Motion to Compel Production (issued September 14, 2020); *Id.*, Ruling on Motion to Compel Comparative Economic Review (issued September 30, 2020); *Id.*, Ruling on Motion to Compel Production (issued October 27, 2020) ("October Ruling").

the price agreed to in the PPA between Deepwater and PSEG/LIPA. Both the 2015 RFP and the resulting PPA are beyond the scope of this Article VII proceeding.”<sup>8</sup>

It is well-settled that Administrative Law Judges (“ALJ”) in Commission proceedings may strike irrelevant testimony. For example, in Case 13-W-0246, the ALJ upheld a motion to strike where, “[...] much of the testimony [was] beyond the scope of [the] case, and therefore [was] not relevant to this case.”<sup>9</sup> Inasmuch as Your Honor has already decided several times over that issues pertaining to the RFP and PPA are “not relevant to the findings and determinations required by PSL 126, nor are likely to lead to such information,”<sup>10</sup> Part 2 of Mr. Kinsella’s testimony serves no purpose and does not contribute to the development of the record upon which the Commission must rely in determining whether to grant SFW a Certificate for the SFEC Project. For the foregoing reasons, SFW respectfully requests that Your Honor strike (i) Part 2 of Mr. Kinsella’s direct testimony in its entirety; and (ii) page 3, lines 11-20, pages 4-7, page 8, lines 1-3, page 10, lines 13-21, and pages 11-13 of Mr. Kinsella’s Rebuttal testimony.

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<sup>8</sup> October Ruling at 4.

<sup>9</sup> Case 13-W-0246, Verified Petition of United Water New York Inc. for Implementation of a Long-Term Water Supply Surcharge, And Related Tariff Amendment, Ruling on Motion to Strike (issued May 5, 2014) at pp. 4, 7. *See also*, Case 99-E-0387, *et al.*, In the Matter of the Rules and Regulations of the Public Service Commission, Contained in 16 NYCRR in Relation to Complaint Procedures -- Appeal by Niagara Mohawk Power Corporation of the Informal Decision in Favor of City of Olean et al., filed in C 26358, Ruling on Motion to Strike (issued October 11, 2002) at 1,4 (striking portions of pre-filed testimony that “have no bearing here”).

<sup>10</sup> October Ruling, *supra*, at 4.

## **POINT II**

### **MR. KINSELLA IS NOT AN EXPERT WITNESS AND THEREFORE IS UNQUALIFIED TO PROVIDE TESTIMONY REGARDING PFAS ISSUES**

In Part 1 of his testimony, Mr. Kinsella discusses PFAS contamination in the Town of East Hampton and provides opinion testimony regarding the potential impacts of the SFEC Project on such PFAS contamination. Mr. Kinsella also addresses these issues his Rebuttal Testimony on page 8, lines 4-17, page 9, and page 10, lines 1-11. However, Mr. Kinsella admits that he is not an expert witness. As such, Mr. Kinsella is not qualified to provide opinion testimony regarding PFAS issues.

Aside from specifying on Part 1, page 3, lines 1-2 that he is not an attorney, neither Part 1 of his direct testimony nor his Rebuttal Testimony describes Mr. Kinsella's educational or professional background. Through information requests SFW-07-01 through SFW-07-03, which were served by SFW on October 13, 2020, SFW asked Mr. Kinsella to provide information about his qualifications to offer opinion testimony on PFAS issues with respect to the SFEC Project. However, Mr. Kinsella objected and refused to provide the information sought by SFW-07-01 through SFW-07-03.<sup>11</sup> Mr. Kinsella's information request responses are attached hereto as **Exhibit 1**.

With respect to SFW-07-01 and SFW-07-02, Mr. Kinsella's objections state that his education and work experience are not relevant or material to this proceeding because his

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<sup>11</sup> In accordance with the requirements of 16 NYCRR § 5.9(c) and Your Honor's February 12, 2020 ruling in this proceeding, SFW contacted Mr. Kinsella telephonically on October 22, 2020 to attempt to resolve the discovery dispute. During that conversation, Mr. Kinsella reiterated his objections and refused to agree to provide the information sought by the information requests.

testimony “relies on documentation, reports, analyses, etc. by qualified experts” and thus, the “[t]estimony and exhibits submitted by [Mr. Kinsella] stand-alone independent of [Mr. Kinsella] and do *not* rely upon [Mr. Kinsella’s] “educational experience,” “university-level degrees” or majors.” In claiming that his education and work experience are not relevant or material to this proceeding, Mr. Kinsella is admitting that he is not an expert in the field in which he is offering his opinion testimony.

In response to SFW-07-03, which requests articles or papers published by Mr. Kinsella regarding PFAS, Mr. Kinsella objected on the grounds that such information is publicly available on the website [www.Wainscott.Life.com](http://www.Wainscott.Life.com), which appears to be a compilation of information collected by Mr. Kinsella with respect to alleged PFAS contamination in the Town of East Hampton. Mr. Kinsella’s website includes a disclaimer (attached hereto as **Exhibit 2**) signed by Mr. Kinsella that makes a number of statements with respect to Mr. Kinsella’s lack of qualifications to opine on issues pertaining to PFAS in this proceeding, including: (i) “I am neither a scientist, lawyer nor do I have any medical qualifications;” (ii) “[a]ny conclusions or opinions presented in these reports and advertisements are not professional opinions and are based only on available information that is publicly available; and (iii) “[t]hese reports and advertisements do not purport to present professional opinions and findings of a legal, scientific or technical nature.” This information further establishes that Mr. Kinsella is not an expert and is unqualified to provide expert testimony and opinion testimony regarding PFAS issues.

To be qualified as an expert, a person, “[s]hould be possessed of the requisite skill, training, education, knowledge or experience from which it can be assumed that the information imparted or the opinion rendered is reliable.”<sup>12</sup> Mr. Kinsella has not only refused to provide his educational

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<sup>12</sup> *Matott v. Ward*, 48 N.Y.2d 455, 459 (1979).



and professional background to qualify himself as such (indeed, Mr. Kinsella did not even submit a resume along with his testimony), he admits that he is not an expert or professional. PFAS contamination is a highly technical and scientific topic that is not within the knowledge of an average person and is only appropriately opined upon by an expert. As such, Mr. Kinsella is not qualified to offer his own opinion on this topic. Moreover, he cannot rely on the volumes of documents that he submitted as exhibits to his testimony as he is not qualified to interpret them.

Mr. Kinsella can similarly not qualify as a fact witness. The New York State Department of Civil Service's *Manual for Administrative Law Judges and Hearing Officers* ("Manual") provides that, "a lay witness may give his/her opinion, based upon facts that the witness has personal knowledge of, provided that such opinion is based upon common ordinary knowledge, without special skill or background."<sup>13</sup> The Manual also notes that where the opinion is not helpful, speculative or otherwise lacks a rational basis, it may be excluded."<sup>14</sup>

Here, Mr. Kinsella has no personal knowledge of the information in his testimony. Based on his own disclaimer, the information presented on Mr. Kinsella's website (most of which is used as exhibits in his testimony) are based "solely on information provided by third-party sources." Mr. Kinsella has seemingly merely compiled information through Internet searches and Freedom of Information Law requests and provided his own speculative thoughts on them.

In addition to being excluded because it is not proper opinion or fact testimony, Mr. Kinsella's testimony should be excluded because it is irrelevant. Mr. Kinsella's opinions regarding PFAS have no probative value because he is not an expert regarding these issues. He also has no personal knowledge of these issues, and as a result his testimony will not assist the Commission

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<sup>13</sup> New York State Department of State, *Manual For Administrative Law Judges And Hearing Officers* (2011) at 250.

<sup>14</sup> *Id.* at 258.

in deciding any of the findings it must make under Section 126 of the Public Service Law. Although the formal rules of evidence are not applicable to Commission proceedings, that does not obviate the need for testimony to have sufficient relevancy and probative value.<sup>15</sup>

Moreover, to include Mr. Kinsella's testimony in this proceeding would deprive SFW of its right to cross-examine witnesses. As Mr. Kinsella is neither an expert witness nor has any personal knowledge of the documents upon which he has relied to create his testimony, he will not be able to answer questions or provide any useful or relevant information about those documents on cross-examination. He can offer only speculative opinions. To the extent SFW wishes to ask him questions about any of the documents he included as exhibits, he will only be able to say that he has no knowledge about the documents as he has not prepared them and he is not qualified to evaluate them. Thus, any cross-examination of Mr. Kinsella would be an exercise in futility and, in practice, a deprivation of SFW's statutory right to cross-examine witnesses, as set forth by Section 4.5 of the Commission's Rules and Regulations and Section 306(3) of the State Administrative Procedure Act ("SAPA").<sup>16</sup>

Based on the foregoing, SFW respectfully requests that Your Honor strike Part 1 of Mr. Kinsella's direct testimony in its entirety and page 8, lines 4-17, page 9, and page 10, lines 1-11 of Mr. Kinsella's Rebuttal Testimony.

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<sup>15</sup> See, e.g., *McBarnette v. Sobol*, 83 N.Y.2d 333, 339 (1994), quoting *Hecht v. Monaghan*, 307 N.Y. 461, 470 (1954) ("It is settled that even where administrative proceedings are at issue, 'no essential element of a fair trial can be dispensed with unless waived.'").

<sup>16</sup> See also, *Seeger v. Moduform, Inc.*, 146 A.D.2d 922, 922 (3d Dep't 1989) ("[...] a party whose rights are being determined in a quasi-judicial administrative hearing must be given the opportunity to cross-examine witnesses.").

## **CONCLUSION**

The information presented by Mr. Kinsella in both his pre-filed direct and rebuttal testimony with respect to economic impact and PFAS contamination do not contribute to the findings the PSC must make under PSL Section 126 and should therefore be stricken from the record. Thus, for the reasons set forth herein, SFW respectfully requests that Your Honor strike Part 1 and Part 2 of Mr. Kinsella's direct testimony and Mr. Kinsella's Rebuttal Testimony in their entirety.

Respectfully submitted,

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## **EXHIBIT 1**

Date of Request: October 13, 2020

**Case 18-T-0604**

**Application of Deepwater Wind South Fork, LLC for a Certificate of Environmental Compatibility and Public Need for the Construction of Approximately 3.5 Miles of Submarine Export Cable from the New York State Territorial Waters Boundary to the South Shore of the Town of East Hampton in Suffolk County and Approximately 4.1 Miles of Terrestrial Export Cable from the South Shore of the Town of East Hampton to an Interconnection Facility with an Interconnection Cable Connecting to the Existing East Hampton Substation in the Town of East Hampton, Suffolk County.**

**INTERROGATORY/DOCUMENT REQUEST**

<b>Request No.:</b>	SFW-07
<b>Directed To:</b>	Mr. Simon Kinsella
<b>From:</b>	South Fork Wind, LLC

**Information Requested:** PFAS

**Request**

1. Please state your educational experience, including any university-level degrees received and what you majored in.

**Response**

The request seeks information *ad hominem*. Testimony submitted by me relies on documentation, reports, analyses, etc. by qualified experts appropriately referenced with citations that have been provided, already, with said testimony in the form of exhibits of which there are approximately one hundred. Testimony and exhibits submitted by me stand-alone independent of me and do *not* rely upon my “educational experience,” “university-level degrees” or majors. Furthermore, I am not seeking certification from NYS Public Service Commission. The requested information, therefore, is neither “relevant” nor “material” to this proceeding and it is not “likely to lead to such information” 16 NYCRR § 5.1. Notwithstanding the foregoing and without waiving said objections, the information provided by me is evidence in itself, *res ipsa loquitur*, of the knowledge necessarily acquired by me since the Applicant first publicly disclosed its intention to use Wainscott’s pristine beach and residential neighborhood for inappropriate industrial-scale electrical transmission infrastructure and related facilities.

The request is vague, spanning over forty years and five continents, and is “unduly broad” 16 NYCRR § 5.8(a)(3).

Accordingly, I object to having to provide the requested information.

**Name of Person(s)  
Preparing Response:**



**Date:**

*Oct 22, 2020*



Date of Request: October 13, 2020

**Case 18-T-0604**

**Application of Deepwater Wind South Fork, LLC for a Certificate of Environmental Compatibility and Public Need for the Construction of Approximately 3.5 Miles of Submarine Export Cable from the New York State Territorial Waters Boundary to the South Shore of the Town of East Hampton in Suffolk County and Approximately 4.1 Miles of Terrestrial Export Cable from the South Shore of the Town of East Hampton to an Interconnection Facility with an Interconnection Cable Connecting to the Existing East Hampton Substation in the Town of East Hampton, Suffolk County.**

**INTERROGATORY/DOCUMENT REQUEST**

<b>Request No.:</b>	SFW-07
<b>Directed To:</b>	Mr. Simon Kinsella
<b>From:</b>	South Fork Wind, LLC

**Information Requested:** PFAS

**Request**

2. Please provide your work experience.

**Response**

The request seeks information *ad hominem*. Testimony submitted by me relies on documentation, reports, analyses, etc. by qualified experts appropriately referenced with citations that have been provided, already, with said testimony in the form of exhibits of which there are approximately one hundred. Testimony and exhibits submitted by me stand-alone independent of me and do *not* rely upon my “work experience.” Furthermore, I am not seeking certification from NYS Public Service Commission. The requested information, therefore, is neither “relevant” nor “material” to this proceeding and it is not “likely to lead to such information” 16 NYCRR § 5.1. Notwithstanding the foregoing and without waiving said objections, the information provided by me is evidence in itself, *res ipsa loquitur*, of the knowledge necessarily acquired by me since the Applicant first publicly disclosed its intention to use Wainscott’s pristine beach and residential neighborhood for inappropriate industrial-scale electrical transmission infrastructure and related facilities.

The request is vague, spanning over forty years and five continents, and is “unduly broad” 16 NYCRR § 5.8(a)(3).

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**Name of Person(s)  
Preparing Response:**



**Date:**

Oct 22, 2020

Date of Request: October 13, 2020

**Case 18-T-0604**

**Application of Deepwater Wind South Fork, LLC for a Certificate of Environmental Compatibility and Public Need for the Construction of Approximately 3.5 Miles of Submarine Export Cable from the New York State Territorial Waters Boundary to the South Shore of the Town of East Hampton in Suffolk County and Approximately 4.1 Miles of Terrestrial Export Cable from the South Shore of the Town of East Hampton to an Interconnection Facility with an Interconnection Cable Connecting to the Existing East Hampton Substation in the Town of East Hampton, Suffolk County.**

**INTERROGATORY/DOCUMENT REQUEST**

<b>Request No.:</b>	SFW-07
<b>Directed To:</b>	Mr. Simon Kinsella
<b>From:</b>	South Fork Wind, LLC

**Information Requested:** PFAS

**Request**

3. Please list any articles or papers you have published regarding the subject matter of your testimony and provide copies.

**Response**

The requested information has been provided, already, to the Applicant and is “duplicative” 16 NYCRR § 5.8(b). The requested information is available from [www.Wainscott.Life](http://www.Wainscott.Life) and is “conveniently obtainable elsewhere” 16 NYCRR § 5.8(a)(3).

Accordingly, I object to having to provide the requested information, again.

**Name of Person(s)  
Preparing Response:**



**Date:**



## **EXHIBIT 2**



# Disclaimer

In 2016, as a new member of the local Wainscott Citizens' Advisory Committee, I promised the committee that I would look into issues pertaining to water quality. At the time, there was little, if any, oversight of water quality from private wells. This has not changed. When these issues were brought to the attention of the East Hampton Town Board, our elected officials were dismissive.

I am neither a scientist, lawyer nor do I have any medical qualifications. I am a resident of Wainscott and a (recent) US citizen who is concerned about the environment and the health of his family, friends and community.

These reports and advertisements try to provide information that concerns the quality of our drinking-water, aquifers, surface waters and associated issues with regards to ongoing contamination. Much of this information has been kept quiet by our elected officials, especially officials at the Town of East Hampton. Much of this information has been obtained through FOIL requests over the past three years.

If you believe anything in these report (or prior reports) or advertisements is untrue or misrepresents the truth in any way, please let me know. I am the first person who wishes to know so that I may have the opportunity to correct the error. I can be contacted via email – Si@Wainscott.Life

The primary purpose of these reports and advertisements is to present information and to raise awareness. Any conclusions or opinions presented in these reports and advertisements are not professional opinions and are based only on available information that is publicly available.

Any information, data, opinions or conclusions are subject to the following limitations –

1. The information and data presented in these reports and advertisements is from an examination of records in the public domain. In any data analysis there may be transposition errors. With the passage of time, occurrence of future events, or revelation of new information, information, data analysis, findings, and/or conclusions presented in these reports and advertisements may need to be reevaluated.
2. No warranty or guarantee whether expressed or implied is made with respect to the information contained in these reports or advertisements, its findings or conclusions.
3. These reports and advertisements do not purport to present professional opinions and findings of a legal, scientific or technical nature. These reports and advertisements do not offer legal opinions or make representations as to the requirements of or compliance with environmental laws, rules, or regulations, or policies of federal, state, or local government agencies. No liability for financial or other losses or subsequent damage caused by or related to any use of these documents and/or and advertisements shall be assumed.
4. These reports and advertisements are not a definitive study of contamination at a site and should not be interpreted as such. These reports and advertisements have relied solely on site evaluations performed by third parties and does not come to any other conclusions other than those as reflected in evidence. An evaluation of subsurface soil and groundwater conditions was not performed as part of this investigation other than that presented by third parties.
5. These reports and advertisements are based solely on information provided by third-party sources.

Sincerely,  
Si Kinsella  
Si@Wainscott.Life