

State of New Hampshire  
**Site Evaluation Committee**

Martin P. Honigberg, Esquire  
Chairman

Thomas S. Burack, Esquire  
Vice-Chair

<http://www.nhsec.nh.gov>  
21 South Fruit St., Suite 10  
Concord, New Hampshire  
03301-2429  
Telephone (603) 271-2437  
Fax (603) 271-4033



January 30, 2015

Alec McEachern, Esq.  
Shaines & McEachern PA  
282 Corporate Drive  
PO Box 360  
Portsmouth, NH 03802-0360

**Re: Docket No. 2015-01  
Request for Exemption of SEA-3, Inc.**

Dear Attorney McEachern:

On January 8, 2015, SEA-3 Inc. filed a request for exemption from the requirements of NHRSA 162-H with the New Hampshire Site Evaluation Committee (Committee). The request seeks an exemption for planned improvements to the SEA-3 facility located in Newington. SEA-3 proposes to site and construct five additional rail unloading berths, three 90,000 gallon above ground storage tanks, a condenser, a condenser cooling unit, mechanical building refrigeration equipment, and associated pipelines and accessory equipment. The stated purpose of the proposed improvements is to facilitate the off-loading, processing and distribution of liquid propane gas delivered to the facility by rail-car.

Pursuant to RSA 162-H:4, IV, I have reviewed the request and have determined that, as filed, it does not contain sufficient information for the Committee to determine whether the proposed improvements meet the criteria for exemption from the requirements of RSA 162-H.

Please provide the following information to the Committee:

1. A detailed description of the processes that will be used to offload, transport, refrigerate store and distribute the LPG as it arrives at the facility. Please describe, in detail, how each major component of the proposed improvements operates and its role in the overall operation of the facility.
2. The request includes references to an Emergency Petition for Declaratory Order filed with the federal Surface Transportation Board in Docket No. FD-35853. Please provide the Committee with a copy of all pleadings and comments filed in said docket along with a detailed description of the status of that matter.

3. The request includes a reference to a New Hampshire Superior Court matter initiated by the City of Portsmouth. Please provide a copy of all pleadings filed in the Superior Court matter along with a detailed description of the status of the Superior Court matter. In addition, please provide copies of pleadings and a detailed description on the status of any other court case or administrative proceeding relating to the proposed improvements at the facility.

4. The request includes a reference to an appeal to the Newington Zoning Board of Adjustment. Please provide a copy of all filings, comments, and minutes pertaining to the Newington Zoning Board matter along with a detailed description of the status of that matter.

5. Are there any or proceedings in any forum that could affect SEA-3's proposal, other than those referenced in the previous three paragraphs? If so, for each such proceeding, please provide a copy of all documents filed or created as part of the proceeding (pleadings or other filings, comments, minutes, transcripts, etc.), and provide a detailed description of the status of the proceeding.

Upon receipt of the foregoing materials, I will consider the request for an exemption to include sufficient information for the Committee to consider the relief sought in the request.

Very truly yours,



Martin Honigberg, Chairman  
NH Site Evaluation Committee

MPH/lad