



DEPARTMENT ORDER

**Milton 45 Commerce Drive LLC
Kennebec County
Augusta, Maine
A-558-71-T-T**

**Departmental
Findings of Fact and Order
Air Emission License
Transfer**

FINDINGS OF FACT

After review of the file and related materials submitted with regard to the above noted application, pursuant to Title 38, Maine Revised Statutes (M.R.S.) § 590 and 06-096 Code of Maine Rules (C.M.R.) ch. 115, the Maine Department of Environmental Protection (the Department) finds the following facts:

I. Registration

Milton 45 Commerce Drive LLC has requested the transfer of Air Emission License A-558-71-S-R/A from Central Maine Commerce Center, L.P. to Milton 45 Commerce Drive LLC through a letter to the Department dated May 17, 2023. Air Emission License A-558-71-S-R/A was issued to Central Maine Commerce Center, L.P. on May 27, 2016. The facility is a multi-tenant office building.

All rules, regulations, or statutes referenced in this air emission license refer to the amended version in effect as of the issued date of this license.

II. Transfer Requirements

A. Title, Right, or Interest

In their application, Milton 45 Commerce Drive LLC submitted copies of property deeds transferring ownership of the facility to Milton 45 Commerce Drive LLC. The parties have provided sufficient evidence of title, right, or interest in the facility to allow the transfer of the facility's licenses.

B. Technical Capacity and Intent

Milton 45 Commerce Drive LLC's acquisition of the facility is not expected to result in any significant change in the employees who currently operate the equipment and facilities and conduct activities relative to the air emission license. The facility's regulatory history with the Department demonstrates that the environmental personnel are competent in air pollution control. The information submitted in the application provides sufficient evidence that Milton 45 Commerce Drive LLC has the technical capacity and intent to comply with their air emission license.

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C. Full Name and Address

The full name and address of the new owner is:

Milton 45 Commerce Drive LLC
455 Tarrytown Road
Suite 1526
White Plains, NY 10607

D. Certification

Milton 45 Commerce Drive LLC certifies that there will be no increase in air emissions beyond that provided for in the existing licenses, either in quantity or type.

ORDER

Based on the above, the Department concludes that the applicant for the air emission license transfer has the capacity to satisfy all applicable statutory criteria and hereby APPROVES the transfer of Air Emission License A-558-71-S-R/A, from Central Maine Commerce Center, L.P. to Milton 45 Commerce Drive LLC, subject to all conditions attached to it.

Severability. The invalidity or unenforceability of any provision of this License Transfer or part thereof shall not affect the remainder of the provision or any other provisions. This License Transfer shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

DONE AND DATED IN AUGUSTA, MAINE THIS 14th DAY OF JUNE, 2023.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:  for
MELANIE LOYZIM, COMMISSIONER

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: May 22, 2023

Date of application acceptance: May 23, 2023

Date filed with the Board of Environmental Protection:

This Order prepared by Kendra Nash, Bureau of Air Quality.

FILED
JUN 14, 2023
State of Maine
Board of Environmental Protection