



DEPARTMENT ORDER

IN THE MATTER OF:

<b>STORED SOLAR J&amp;WE, LLC</b>	)	<b>MINOR REVISION &amp;</b>
<b>STORED SOLAR WEST ENFIELD, LLC</b>	)	<b>Part 70 Administrative Revision</b>
Enfield, Penobscot County	)	Site Location of Development
<b>NAME CHANGE AND</b>	)	Air Emission
<b>ADDITION OF CO-LICENSEE</b>	)	Waste Water Discharge
L-10434-24-L-M	)	Stormwater
A-91-70-D-A	)	
W-006116-5S-J-M	)	

Pursuant to Maine's *Site Location of Development* laws, 38 M.R.S. §§ 481–489-E; *Protection and Improvement of Air* laws, 38 M.R.S. §§ 344 and 581–610-D; *Water Pollution Control* laws, 38 M.R.S. §§ 411 to 424-B, rules promulgated pursuant to these laws and the Department's *Rules Concerning the Processing of Applications and Other Administrative Matters*, 06-096 CMR ch. 2 (effective October 19, 2015), the Maine Department of Environmental Protection (Department) has considered the application of STORED SOLAR J&WE, LLC, and STORED SOLAR WEST ENFIELD, LLC with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

**1. APPLICATION SUMMARY**

The Applicant requests the modification of Department licenses to recognize a name change, from Covanta Maine, LLC to Stored Solar J&WE, LLC, for the existing biomass facility in West Enfield, Maine. In addition, the Applicant seeks to add Stored Solar West Enfield, LLC as a co-licensee to the licenses associated with the West Enfield facility. A schedule of licenses and applications pertaining to this application is set forth in Appendix A. These licenses were transferred from Babcock-Ultrapower to Indeck Power Overseas by order dated December 9, 1996, and then to Indeck Maine Energy by order dated June 5, 1997. In 2008, Covanta Maine purchased the stock of Indeck Maine Energy and changed the name to Covanta Maine, LLC.

**2. LICENSING HISTORY**

The West Enfield facility was originally licensed to Ultrapower, Inc. in 1985. Subsequently in 1985 the licenses were transferred to a joint venture partnership: Babcock-Ultrapower. The licenses were transferred from Babcock-Ultrapower to Indeck Power Overseas by order dated December 9, 1996, and then from Indeck Power Overseas to Indeck Maine Energy by

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order dated June 5, 1997. In 2008, Covanta Maine purchased the stock of Indeck Maine Energy and changed the name to Covanta Maine, LLC.

**3. TRANSACTION SUMMARY**

The Application states: “On October 18, 2016, Stored Solar, LLC, acquired 100% of the membership interests of Covanta Maine, LLC, and changed its name to Stored Solar J&WE, LLC.” The application further states: “Stored Solar West Enfield, LLC will be the owner of the underlying land and other assets needed to operate the facility.” The applicant also submitted certificates of Good Standing from the State of Illinois, Office of the Secretary of State, and the Maine Department of the Secretary of State, for these entities, respectively.

**4. LICENSING CRITERIA**

The Applicant has submitted a Quitclaim Deed with Covenant, dated December 23, 2016, demonstrating that title to the property has been transferred to Stored Solar West Enfield, LLC. The Applicant has also submitted evidence of adequate financial capacity and technical ability to comply with licensing requirements. The Applicant has stated that no change in prior operations is expected as a result of this transaction.

BASED ON THE ABOVE FINDINGS OF FACT, the DEPARTMENT makes the following CONCLUSIONS:

1. The proposed Minor Revision / Part 70 Administrative Revision does not expand or change the nature of the project and does not modify any Department findings with respect to any licensing criteria.
2. The proposed Minor Revision / Part 70 Administrative Revision is in accordance with all relevant Departmental standards.

THEREFORE the Department APPROVES the application of STORED SOLAR J&WE, LLC, and STORED SOLAR WEST ENFIELD, LLC, SUBJECT TO THE FOLLOWING CONDITIONS and all applicable standards:

1. EFFECT ON EXISTING ORDERS. All other Findings of Fact, Conclusions, and Conditions associated with all approvals that are the subject of this Order remain as approved and are incorporated herein.
2. SEVERABILITY. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

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DONE AND DATED AT AUGUSTA, MAINE THIS 20<sup>th</sup> DAY OF APRIL, 2017.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

By:   
Paul Mercer, Commissioner

**PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES**

Date of initial receipt of application: January 3, 2017

Date application accepted for processing: January 5, 2017

Date filed with the Board of Environmental Protection:

Filed  
APR 20 2017  
State of Maine  
Board of Environmental Protection

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## APPENDIX A: LICENSES AND APPLICATIONS

### AIR EMISSIONS LICENSES

LICENSE NUMBER	DESCRIPTION	DATE
A-91-70-C-R	Part 70 License Renewal	4/14/15
A-91-70-B-A	Part 70 Section 502(b)(10) change regarding routine repair and replacement	3/11/04
A-91-70-A-I	Initial Part 70 License	9/5/01
A-91-72-D-R	Air Emission License Renewal	9/5/01
A-91-71-H-T	Transfer from Indeck Power Overseas Ltd to Indeck Maine Energy, L.L.C.	6/5/97
A-91-71-G-M	Minor Revision to request additional time to install NOx control equipment	5/15/97
A-91-71-F-T	Transfer from Babcock-Ultrapower to Indeck Power Overseas, Ltd.	12/9/96
A-91-72-E-M	Minor Revision to comply with NOx RACT	7/1/96
A-91-72-C-R	Air Emission License Renewal	11/2/87
A-91-72-B-M	Transfer from Ultrapower, Inc. to Babcock-Ultrapower	5/13/86
A-91-72-A-N	Initial Air Emission License	3/13/85

### LAND RESOURCES LICENSES

LICENSE NUMBER	DESCRIPTION	DATE
L-10434-24-A-N	Site Permit for: 23 megawatt wastewood fired power plant - 22 acre project on 560 acre parcel	10/24/84
L-10434-24-B-A	Amendment: condition compliance on water supply and revision to transmission line	4/24/85
L-10434-24-C-M	Minor Revision: change of authority to review financial information from Board to DEP Commissioner	7/24/85
L-10434-24-D-M	Minor Revision: Condition compliance for financial information, and transfer of previous orders from Ultrapower, Inc. to Joint Venture Partnerships	10/30/85
L-10434-24-E-M	Minor Revision: Pumphouse, discharge, and intake structure relocation	11/17/85
L-10434-24-F-M	Minor Revision: Condition compliance -- ground water monitoring program	5/6/86
L-10434-24-G-A	Amendment: Condition compliance for Minor Changes in the facility site plans	6/2/86

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L-10434-24-H-M	Minor Revision: Relocation of detention basins	9/28/87
S-10434-24-I-M <sup>1</sup>	Minor Revision: Woodash Storage Facility	3/14/90
L-10434-24-J-A	<i>Exempt activity - no permit issued</i>	----
L-10434-24-K-M	Minor Revision: Transfer portion of parcel to Pleasant River Lumber (corrected order issued 9/12/05)	8/15/05
L-10790-02-A-N	Penobscot River pumping station and discharge structure	4/24/85
L-10790-02-B-M	Minor Revision: change in pumping station and discharge structure location (corrected order issued 5/22/86)	11/16/85
L-10790-02-C-N	Dredging at intake structure	4/16/87
L-10790-02-D-N	Fill -- coffer dam for cooling water intake	5/26/87

#### WASTEWATER DISCHARGE /STORMWATER LICENSES

LICENSE NUMBER	DESCRIPTION	DATE
W-6116-42-E-R	160,000 GPD non process wastewater - renewal	1/14/97
W-6116-5S-F-R	0.150 MGD cooling tower blowdown - renewal	9/12/03
W-6116-5S-G-M	0.150 MGD cooling tower blowdown - modification	7/26/05
W-6116-5S-H-R	Wastewater Discharge License Renewal	10/14/10
W-6116-42-I-R	Renewal: Waste Discharge License for a Major Industrial Facility, expiration date 4/26/21	4/26/16
MER05C209	Multi-Sector General Permit for Stormwater Associated with Industrial Activity	2/1/17

<sup>1</sup> This license is a Minor Revision issued under the West Enfield facility's existing Site Location of Development permit -- L-10434-24-A-N; it allows construction of the woodash storage facility as well as storage at the facility.