



DEPARTMENT ORDER

IN THE MATTER OF:

<b>NE RENEWABLE POWER</b>	)	<b>LICENSE TRANSFER</b>
<b>JONESBORO, LLC</b>	)	
ACQUISITION OF	)	Site Location of Development
STORED SOLAR FACILITY	)	Air Emission
Jonesboro, Washington County	)	Stormwater
L-10503-24-I-T	)	
A-127-70-F-T	)	
MER05B519	)	

Pursuant to Maine’s *Site Location of Development law*, 38 M.R.S. §§ 481–489-E; *Stormwater Management law*, 38 M.R.S. § 420-D; *Protection and Improvement of Air laws*, 38 M.R.S. §§ 344 and 581–610-D; rules promulgated pursuant to these laws and the Department’s *Rule Concerning the Processing of Applications and Other Administrative Matters*, 06-096 C.M.R. ch. 2 (2018), the Maine Department of Environmental Protection (Department) has considered the application of NE RENEWABLE POWER JONESBORO, LLC with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

**1. APPLICATION SUMMARY**

On December 14, 2022, NE Renewable Power Jonesboro, LLC (Applicant), submitted an application to the Department for the transfer of all active licenses, as defined in 06-096 C.M.R. ch. 2 § 2(1)(L), and any applications pending, relating to the property and buildings located at 62 Whitneyville Road, in Jonesboro (the Property). The Jonesboro facility was originally licensed by the Department in 1985.

The Department accepted Applicant’s license transfer application as complete for processing on January 9, 2023. A schedule of licenses and applications that are the subject of the application, and this Department Order, is set forth in Appendix A. The intent of this Order is to transfer all or portions of those active licenses that apply to the Property. Any Department license or application concerning the Property not specifically listed in this Order is incorporated herein.

**2. TRANSFER REQUIREMENTS**

The applicant submitted the following information in support of the transfer application:

NE RENEWABLE POWER  
JONESBORO, LLC  
ACQUISITION OF  
STORED SOLAR FACILITY

) LICENSE TRANSFER  
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- A. Name and Address.** The full name and address of the applicant is: NE Renewable Power Jonesboro, LLC, 62 Whitneyville Road, Jonesboro, Maine 04684.
- B. Title, Right, or Interest.** The Applicant has submitted a Quitclaim Deed without Covenant from the Bankruptcy trustee for the prior applicant, dated December 1, 2022, demonstrating that title to the property has been transferred to Applicant. The Department finds that this Deed provides sufficient evidence of title to the Property to allow the transfer of licenses and applications to Applicant.
- C. Financial Capacity and Intent.** The Applicant is a wholly owned subsidiary of Hartree Partners, an energy and commodities firm with approximately 4 billion dollars in capitalization. Applicant will be able to rely on Hartree, if necessary, to meet any financial obligation in order to comply with all applicable licenses and applications.

The Department finds that the Applicant has demonstrated sufficient financial capacity and intent to assure compliance with all Department licenses relating to the Property.

- D. Technical Capacity and Intent.** The Applicant has retained the services of operations and engineering personnel from the previous license holder. The applicant has also retained qualified consulting services to assist in ensuring compliance with all applicable licenses and applications.

The Department finds that the information submitted in the application provides sufficient evidence that the Applicant has the technical capacity and intent to comply with all Department licenses, pending applications, and any statutory and regulatory criteria applicable to the Property.

- E. Air Emissions Certification.** The Applicant certifies that there will be no increase in air emissions beyond that provided for in the existing licenses, either in quantity or type.

BASED ON THE ABOVE FINDINGS OF FACT, the Department CONCLUDES that NE RENEWABLE POWER JONESBORO, LLC has demonstrated title, right, or interest to the Property as well as the technical and financial capacity and intent to comply with the conditions of all Department licenses and pending applications associated with the Property described in this Order's findings, including without limitation those licenses and applications listed in Appendix A, and to satisfy all applicable statutory and regulatory criteria, subject to the conditions set forth below.

NE RENEWABLE POWER  
JONESBORO, LLC  
ACQUISITION OF  
STORED SOLAR FACILITY

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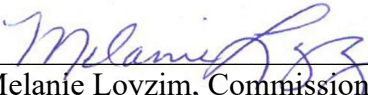
LICENSE TRANSFER

THEREFORE, the Department APPROVES the application of NE RENEWABLE POWER JONESBORO, 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.

DONE AND DATED AT AUGUSTA, MAINE THIS \_\_13th\_\_ DAY OF FEBRUARY, 2024.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

By:   
Melanie Loyzim, Commissioner

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

Date of initial receipt of application: 12/14/2022

Date application accepted for processing: 1/9/2023

Date filed with the Board of Environmental Protection:

**FILED**  
February 13<sup>th</sup>, 2024  
State of Maine  
Board of Environmental Protection

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LICENSE TRANSFER

APPENDIX A: LICENSES AND APPLICATIONS

**AIR EMISSIONS LICENSES**

LICENSE NUMBER	DESCRIPTION	DATE
A-127-72-A-N	Initial Air Emission License	3/13/1985
A-127-72-B-M	Transfer from Ultrapower, Inc. to Babcock-Ultrapower	5/13/1986
A-127-72-C-R	Air Emission License Renewal	11/2/1987
A-127-72-E-M	Minor Revision to comply with NOx RACT	7/1/1996
A-127-71-F-T	Transfer from Babcock-Ultrapower to Indeck Power Overseas, Ltd.	12/9/1996
A-127-71-G-M	Minor Revision to request additional time to install NOx control equipment	5/15/1997
A-127-71-H-T	Transfer from Indeck Power Overseas Ltd to Indeck Maine Energy, L.L.C.	6/5/1997
A-127-70-A-I	Initial Part 70 License	9/5/2001
A-127-70-B-A	Part 70 Section 502(b)(10) change regarding routine repair and replacement	3/11/2004
A-127-70-C-R	Part 70 License Renewal	4/14/2015
A-127-70-D-A	Name change from Covanta Maine, LLC to Stored Solar J&WE, LLC and addition of co-applicant, Stored Solar Jonesboro, LLC	4/20/2017
A-127-70-E-R	Part 70 License Renewal	Pending

**LAND RESOURCES LICENSES**

LICENSE NUMBER	DESCRIPTION	DATE
L-10503-24-A-N	Site Law Permit for: 26 megawatt wastewood fired power plant - 22 acre project on a 105 acre parcel	3/27/85
L-10503-24-B-M	Condition compliance - review of financial information, and a Transfer of previous orders from Ultrapower, inc. to Joint Venture Partnership	10/30/85
L-10503-24-C-M	Condition compliance - monitoring program for radon concentrations	5/14/86
L-10503-24-D-A	Minor amendment - revision of site plans changing locations of buildings and structures on the site	4/29/86
L-10503-24-E-M	Condition compliance - groundwater quality monitoring program	4/29/86
L-10503-24-F-M	Condition compliance - groundwater level monitoring program	4/29/86
S-10503-24-G-M	Minor Revision – Woodash Storage Building	6/19/91
L-10503-24-G-M	Minor Revision – parcel size modification	3/11/17
L-10503-24-H-M	Name change, co-licensee	4/20/17

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**WASTE WATER DISCHARGE / STORMWATER LICENSES**

LICENSE NUMBER	DESCRIPTION	DATE
MER05B519	Multi-Sector General Permit for Stormwater Associated with Industrial Activity	2/1/17