



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI
GOVERNOR

DAVID P. LITTELL
COMMISSIONER

**Point Lookout Resort & Conference Center
Waldo County
Northport, Maine
A-840-71-D-T/M**

**Departmental
Findings of Fact and Order
Air Emission License
Transfer/Minor Revision**

After review of the file and related materials submitted with regard to the above noted application, pursuant to Title 38, M.R.S.A., Section 590 and Chapter 2 of the Department Regulations, the Department finds the following facts:

I. Registration

Point Lookout Resort & Conference Center (Point Lookout) has requested the transfer of Air Emission License A-840-71-C-N from Bank of America Corporation (BOA) to Point Lookout Resort & Conference Center through a letter received by the Department on December 16, 2008. Air Emission License, A-840-71-C-N, was issued to Bank of America Corporation on February 29, 2008 for their commercial office building. Point Lookout has also requested to have the emergency generator part of the ISO Demand Response Program.

II. Transfer Requirements

A. Title, Right, or Interest

In their application, Point Lookout submitted copies of property deeds transferring ownership of the facility from BOA (formally owned by MBNA) to Point Lookout. The parties have provided sufficient evidence of title, right, or interest in the facility to allow the transfer of the facility's licenses.

B. Financial Capacity and Intent

Point Lookout states that they possess the financial capacity to operate the facility in compliance with its air emission license.

C. Technical Capacity and Intent

Point Lookout's acquisition of the facility is not expected to result in any significant change in the employees that currently operate the equipment, facilities, and conduct other activities. The facility's regulatory history with the

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826
RAY BLDG., HOSPITAL ST.

BANGOR
106 HOGAN ROAD
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769-2094
(207) 764-0477 FAX: (207) 760-3143

MEDEP demonstrates that the environmental personnel are competent in air pollution control. The information submitted in the application provides sufficient evidence that Point Lookout has the technical capacity and intent to comply with their air emission license.

D. Full Name and Address

The full name and address of the new owner is:

Point Lookout Resort & Conference Center
67 Atlantic Highway
P.O. Box 119
Northport, ME 04849

E. Certification

Point Lookout certifies that there will be no increase in air emissions beyond that provided for in the existing licenses, either in quantity or type.

III. Revision Description

Point Lookout has requested allowance to operate its diesel generator as part of the ISO Demand Response Program. Point Lookout's current air emission license specifically prohibits them from running their emergency generator, for purposes other than for regular maintenance, until off-site power becomes unavailable. That is the point at which the term "emergency" has traditionally been applied.

Due to the potential for tight electricity supplies, ISO New England has taken several precautionary steps to ensure the reliability of the region-wide bulk power system. One of those steps is the implementation of the Demand Response Program. This program offers financial incentives to customers, such as Point Lookout, to reduce electricity demand during peak periods. This program can significantly improve the reliability of the region-wide bulk power system and hopefully allow ISO New England to avoid drastic measures, such as brown outs.

In order for Point Lookout to participate in the Demand Response Program, they need to start their generators and run them prior to, or in lieu of, loss of off-site power. Point Lookout will only operate in this manner if there is a documented request from ISO New England under their emergency OP-4 procedures. ISO New England's OP-4 is a procedure which establishes criteria and guidelines for actions during capacity deficiencies. OP-4 is implemented when there is

determined to be a serious threat to the integrity of the bulk power system. Therefore, the Department has agreed to redefine the term “emergency” as it applies to Point Lookout’s generator to include ISO New England OP-4 emergencies. Additionally, Point Lookout shall only be permitted to operate their generator in response to an OP-4 emergency for a total of no more than 50 hours each calendar year.

This revision will not increase permitted emissions of any pollutant. Therefore, this modification is determined to be a minor revision and has been processed as such.

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 and amendment of Air Emission License A-840-71-C-N, from BOA to Point Lookout, subject to all conditions attached to them.

Condition (17)(B) of air emission license A-840-71-C-N is deleted.

The following are new Conditions to Air License A-840-71-C-N:

(19) OP-4 Emergencies

- A. Point Lookout shall only operate the emergency generator for periods of maintenance, emergencies when off-site power is unavailable, and ISO New England OP-4 emergencies. [06-096 CMR 115, BPT]
- B. Point Lookout shall keep records for OP-4 emergencies which include the date, start time and stop time for the generator, and documentation that Point Lookout was contacted by ISO New England and asked to reduce consumption as part of an OP-4 event. [06-096 CMR 115, BPT]

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C. Point Lookout shall not operate the emergency generator for more than 50 hours per calendar year in response to an OP-4 emergency. [06-096 CMR 115, BPT]

DONE AND DATED IN AUGUSTA, MAINE THIS *6th* DAY OF *March*, 2009.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: *James P. Brook*

DAVID P. LITTELL, COMMISSIONER

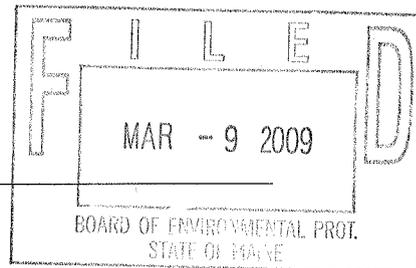
PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

The term of this transfer and minor revision shall be concurrent with the term of Air Emission License A-840-71-C-N.

Date of initial receipt of application: December 16, 2008

Date of application acceptance: January 8, 2009

Date filed with the Board of Environmental Protection: _____



This Order prepared by Edwin Cousins, Bureau of Air Quality.