



DEPARTMENT ORDER

**Eagle Point Energy Center, LLC
Penobscot County
Orrington, Maine
A-355-70-H-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

Eagle Point Energy Center, LLC (EPEC) has requested the transfer of all active air emission licenses and all applications pending submitted by Garbage, Recycling and Clean Energy LLC (GRACE) or the facility's previous owner, Penobscot Energy Recovery Company, Limited Partnership (PERC), relating to the site of the existing resource recovery facility located at 29 Industrial Way in Orrington, Maine (Property). A schedule of licenses and applications that are the subject of the application and this Department Order, is set forth in Appendix A of this Order. The intent of this Order is to transfer all active air emission licenses and applications that apply to the Property. Any active Department air emission license concerning the Property not specifically listed in this Order is incorporated herein.

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, EPEC submitted copies of property deeds transferring ownership of the facility to EPEC from C & M Faith Holdings, LLC. GRACE is a wholly owned subsidiary of C & M Faith Holdings LLC created to operate the facility. EPEC wholly owns the former PERC physical asset (property, infrastructure, buildings, and contents). 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

EPEC's acquisition of the facility is not expected to result in any significant change in the employees responsible for compliance with 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 EPEC has the technical capacity and intent to comply with their air emission license.

C. Full Name and Address

The full name and address of the new owner is:

Eagle Point Energy Center, LLC
29 Industrial Way
Orrington, ME 04474

D. Certification

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

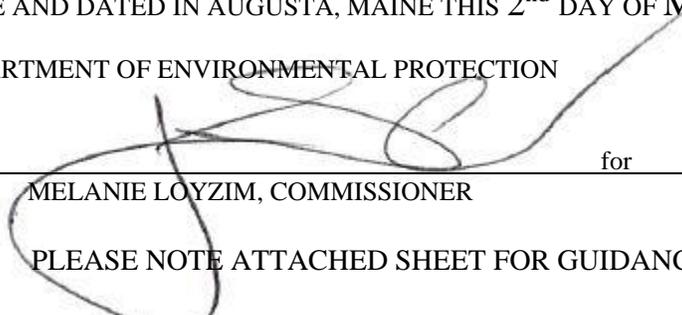
ORDER

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 application of EPEC subject to all applicable standards and regulations.

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 2nd DAY OF MAY, 2024.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:  for
MELANIE LOYZIM, COMMISSIONER

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 3/5/2024

Date of application acceptance: 3/5/2024

Date filed with the Board of Environmental Protection:

This Order prepared by Lynn Muzzey, Bureau of Air Quality.

FILED
MAY 02, 2024
State of Maine
Board of Environmental Protection