

From: [Joanna B. Tourangeau](#)
To: [Paye, Laura](#); [David Littell](#); [Matthew White](#); [Kat \(Joyce\) Stratton](#)
Cc: [Russell B. Pierce](#)
Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report
Date: Monday, August 24, 2026 3:51:37 PM
Attachments: [image001.png](#)

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Good afternoon:

BucksGen opposes Mill's request that the Department reinstate its November 3, 2026, deadline for Mill's next 38 M.R.S. Section 902 consultation report. BucksGen respectfully suggests that the Department require weekly status reports from the Mill and establish a final reporting deadline after which the Department will decide whether to deny the petition pursuant to 38 M.R.S. Section 902(5)(B) or to proceed to Section 903 evaluations. Mill's petition for release from ownership of three dams has been pending for years, including passage of multiple regular election deadlines.

BucksGen, like all other parties to this process, has and continues to expend significant resources to come to terms with Bucksport and the watershed districts and to present Mill with multiple options for terms that will support BucksGen consent to Mill's release from ownership. These terms, like those Mill reported to the Department that it had agreed to with Bucksport and the watershed districts, fund documented deficiencies in the Fresh Water Supply System. Any Department approval of Mill's petition will release it from the ownership liability for failure of high-risk dams that Mill's own filings in this matter document have not been maintained. The entities taking on this infrastructure must consider the cost. BucksGen, like Bucksport and the two watershed districts who stand ready to assume these high-risk dams, seeks only to avoid assuming this liability without funding to address work that must be done to address deteriorated infrastructure. Mill's claim that this is compensation to BucksGen (and the volunteer owners) doesn't pass the straight face test. The record is clear. Mill's infrastructure is aging and requires work that Mill hasn't done. Approval of Mill's petition will allow Mill to escape that liability and liability for future harm caused by Mill failure to do that work by shifting the liability to others, including Maine taxpayers. Mill's argument that it is not reneging on its commitments to Section 902 volunteers and that the Department cannot deny its petition because Mill is not receiving compensation from Section 902 volunteers ignores the reality that avoidance of liability is Mill compensation. The Department is thus within its authority pursuant to 38 MRSA Section 902(5)(B) to deny Mill's petition if volunteers refuse to compensate Mill by shifting Mill liabilities to their taxbases.

Mill's recent objections to BucksGen's terms for consent are, however, entirely outside the Department's jurisdiction. BucksGen is not a party with whom the Mill is consulting pursuant

to Section 902 regarding voluntary acceptance of ownership of any of the dams. While it is appropriate for Mill to update the Department regarding the status of its discussions with BucksGen, there is no basis for Department extension of reporting deadlines based on Mill's discussions with BucksGen.

Nor is there any statutory basis for restricting Mill reporting to a single future milestone. Mill can report on August 26, September 2, and thereafter as required by the Department. Indeed, given the Mill's repeated delays, the substantial public interest in the outcome of this proceeding, the approaching municipal deadlines, and the significant resources expended by all participants over the past two years, regular weekly reporting is imperative to ensure that the Department, municipalities, and affected stakeholders have timely visibility into whether meaningful progress is occurring or whether the matter is simply being delayed beyond the scope of what the statute allows. Accordingly, BucksGen respectfully requests that the Department reject Mill's request to reinstate the November reporting deadline. BucksGen further respectfully asks that the Department consider requiring weekly reporting with a finite end date for this stage of the process and the associated Department decision whether to deny the Mill petition pursuant to 38 M.R.S. Section 902(5)(B) or proceed to Section 903 determinations.

Thank you,

Joanna B. Tourangeau
Attorney



D | 207.253.0567 **M** | 207.939.4224
JTourangeau@dwmlaw.com

From: Paye, Laura <Laura.Paye@maine.gov>
Sent: Thursday, August 20, 2026 4:56 PM
To: David Littell <dlittell@bernsteinshur.com>; Matthew White <mwhite@bernsteinshur.com>; Joanna B. Tourangeau <JTourangeau@dwmlaw.com>; Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>
Cc: Russell B. Pierce <rpierce@nhdlaw.com>
Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

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Good afternoon,

I am in receipt of both emails. I wanted to let all parties know that I will be out of office

until next Tuesday August 25.

Best,
Laura

*Laura Paye (she/her)
Hydropower Coordinator
Bureau of Land Resources
Maine Department of Environmental Protection
(207) 219-9563*

From: David Littell <dlittell@bernsteinshur.com>
Sent: Thursday, August 20, 2026 4:50 PM
To: Matthew White <mwhite@bernsteinshur.com>; Paye, Laura <Laura.Paye@maine.gov>; Joanna B. Tourangeau <JTourangeau@dwmlaw.com>; Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>
Cc: Russell B. Pierce <rpierce@nhdlaw.com>
Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

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Dear Laura,

We are in receipt of Bucksport Mill LLC's ("Mill") letter to the Department dated today. We may respond with a bit more detail formally but felt the need to respond today to reiterate what the Town said previously: The Town of Bucksport ("Town") needs documents finalized with Mill and in escrow to proceed with a November vote by end of this month. Mill is aware of this from our conversations.

Yet Mill writes today:

. . . while we may have advanced draft transfer documents by the 26th, they will not be final documents and we will be unable to meet Bucksport's August 27 deadline, which we have conveyed directly to Bucksport. Despite the inability to satisfy the August 27 deadline, Bucksport has indicated its interest in continued negotiations, and we respectfully request additional time to let those negotiations proceed.

This a small and incomplete portrayal of our conversations. We told Mill directly - and have told Mill for several months – the Town reasonably needs final documents by end of July. As

the Town was then pushed to end of August. Mill also continues to, as recently as the August 18 call, decline to honor the June financial commitment it made to the Town and wrote in its update to DEP in June.

Town said and is saying the same thing to every party and the Department. The Town will continue to talk with Mill about a transfer but also it cannot agree to extend the deadline for final documents because a Town vote needs to be authorized to go on the ballot and the ballot printed and available for absentee ballots. Mill pushed the Town suggesting the Town is setting a false deadline (with which the Town takes exception) and asked if the Town can move it back at all. We said maybe a few days such as to September 1 which we'd consider if that gets Mill to final documents. In response, Mill unequivocally stated that it will not meet a September 1 deadline. The Town was clear with Mill that it has no time left to set up a vote for this November if Mill continues to delay responses to the Town and other parties.

Going back several months, the initial deadline the Town requested of the parties was at the end of July following an ordinary municipal ballot schedule to have the ballot set by end of August. The end of July has now been extended twice and the Town continues to incur extraordinary expense. The Town will continue to discuss with Mill but is disappointed at Mill's failure to take seriously the requirements of State election statutes on the Town.

In short, the Town has directly informed Mill that if the documents cannot be finalized by August 26 (or September 1 when Mill asked for more time), the issue cannot go on the ballot in November when the Town, Bucksport Generation, and Maine Water Company had been planning up to now.

Separately, the Town believes the transfers to the other watershed districts can occur with or without Mill's petition pending. The same is true of a transfer to the Town.

Lastly, the Town agrees with the Department's interpretation of dam abandonment statute and disagrees with what the Mill argues in its new August 20 letter. Mill has suddenly become unavailable during a critical time frame it has known is coming for months. There is no reason the petition cannot be denied and agreements reached to allow for expeditious refiling on the timeframes that Mill requests. If Mill represents that it will make good faith efforts to achieve definitive agreements and does so, rather than continuing legal arguments regarding the Department's interpretation of the Department's statute, that would be much more helpful to resolving this matter and sorting out the complex set of legal requirements which, we point out, Mill itself put in place in the past when it sold the Bucksport Generation assets.

Thank you for your consideration. We simply want to respond in case the Department acts quickly, and we understand the only pending report deadline to be August 26 based on the Department's last communication to the parties.

Best,

David

David Littell

BERNSTEINSHUR - Shareholder Attorney

207-228-7156 direct

207 592-1188 mobile

@<https://twitter.com/DavidPLittell>

[My Bio](#) | [Portland, ME](#)

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From: Matthew White <mwhite@bernsteinshur.com>

Sent: Thursday, August 20, 2026 11:48 AM

To: Paye, Laura <Laura.Paye@maine.gov>; Joanna B. Tourangeau <JTourangeau@dwmlaw.com>; David Littell <dlittell@bernsteinshur.com>; Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>

Cc: Russell B. Pierce <rpierce@nhdlaw.com>

Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

Hi Laura,

Attached please find Bucksport Mill's response to your August 18 letter request.

Please do not hesitate to contact us if you have any questions or require additional information.

Thanks,

Matt

Matthew White

BERNSTEINSHUR - Associate Attorney

207-228-7107 direct

[My Bio](#) | [Portland, ME](#)

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From: Paye, Laura <Laura.Paye@maine.gov>

Sent: Tuesday, August 18, 2026 11:07 AM

To: Joanna B. Tourangeau <JTourangeau@dwmlaw.com>; David Littell <dlittell@bernsteinshur.com>; Matthew White <mwhite@bernsteinshur.com>; Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>

Cc: Russell B. Pierce <rpierce@nhdlaw.com>

Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

EXTERNAL EMAIL

Good morning,

Please see the attached Department letter establishing a new deadline for an update to the Consultation Report.

Best,
Laura

*Laura Paye (she/her)
Hydropower Coordinator
Bureau of Land Resources
Maine Department of Environmental Protection
(207) 219-9563*

From: Joanna B. Tourangeau <JTourangeau@dwmlaw.com>

Sent: Wednesday, August 12, 2026 12:46 PM

To: David Littell <dlittell@bernsteinshur.com>; Paye, Laura <Laura.Paye@maine.gov>; Matthew White <mwhite@bernsteinshur.com>; Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>

Cc: Russell B. Pierce <rpierce@nhdlaw.com>

Subject: Re: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

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Good afternoon:

Bucksport Generation LLC joins the Town of Bucksport's request for an interim August 26, 2026, deadline for the Mill's updated report on this extended consultation process under 38 M.R.S. Section 902 and respectfully, but strongly, affirms the Town's cited justifications for same.

Thank you for considering,
Joanna

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From: David Littell <dlittell@bernsteinshur.com>

Sent: Friday, 07 August 2026 16:28:37

To: Paye, Laura <Laura.Paye@maine.gov>; Matthew White <mwhite@bernsteinshur.com>; Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>

Cc: Russell B. Pierce <rpierce@nhdlaw.com>; Joanna B. Tourangeau <JTourangeau@dwmlaw.com>

Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

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Dear Laura and all,

The Town apologizes that it could not respond quickly to Bucksport Mill's supplemental update filed on Monday of this week. The DEP acted on Wednesday to grant a substantial extension of time into November to the Petitioner. The Town writes to request the addition of an earlier reporting deadline of August 26 (in addition to the DEP's set deadline in November); that would be the key decision point and reporting deadline for the Town's decision to schedule a vote and would be helpful. It would be particularly helpful because the Town observes that no real progress has been made in negotiations with Bucksport Mill other than in the weeks immediately preceding a DEP reporting deadline.

The Town also understands that neither Bucksport Mill, Bucksport Generation, nor Maine Water have plans to meet to negotiate resolution of their issues with each other. The lack of negotiations between these three Silver Lake parties is extremely concerning as they have issues to resolve and documents to draft with the Town to move forward. All three parties are talking with the Town but very little with each other. The Town hopes to motivate direct negotiations as there are substantial issues that these three Silver Lake parties need to resolve among themselves to facilitate a dam transfer.

By way of more information, the next day after the DEP extended the reporting and petition, yesterday which was August 6, Bucksport Mill responded to the Town that is unwilling to commit to the financial terms the Town requested months ago and that BuckMill indicated to Town about June 16 and the Department in BuckMill's June 17, 2026 report that BuckMill accepted in June. This is both surprising and unhelpful as the Town Council agreed to move forward with negotiations based on Bucksport Mill's representation to the Town, repeated to DEP, that it agreed to the Town's financial terms to take the dam to defray the Town's costs to be incurred. Based on BuckMill's verbal and written financial commitment, the Town has expended over one hundred thousand dollars, well beyond its legal budget, to negotiate six different documents with three parties on Silver Lake.

Bucksport Mill's change in position is a step backwards at a minimum after the Town's planned first reading of the vote resolve. It further emphasizes why the Town needs binding commitments to move forward with a Town vote – parties can and do renege on their commitments. The Town therefore respectfully requests that the DEP add another reporting deadline on August 26. The Town asks for August 26 as a reporting deadline because the next day, August 27, is the last possible date for the Town to undertake a public first reading of a

resolve to put this on the November ballot. The Town has twice delayed its scheduled vote due to lack of progress in negotiations and at this point -- with a first reading on August 27 -- will need to make special arrangements for expedited ballot printing and delivery to meet the State's absentee ballot requirements. Given Bucksport Mill change in what it told the Town and the Department, the Town respectfully hopes that Bucksport Mill can resolve its issues directly with other parties so these documents can be in agreed upon final form so the Town Council can move forward with the first reading of the resolve to schedule a vote at the end of August.

In short, the Town believes based on past actions by the parties that the negotiations will not proceed expeditiously to allow for scheduling of a Town vote if there is not substantial attention over the next several weeks. A DEP reporting deadline of August 26 may motivate the parties to put forward an effort to negotiate with each other.

Thank you for considering this request.

Respectfully,

David Littell

Counsel for the Town of Bucksport

David Littell

BERNSTEINSHUR - Shareholder Attorney

207-228-7156 direct

207 592-1188 mobile

[@https://twitter.com/DavidPLittell](https://twitter.com/DavidPLittell)

[My Bio](#) | [Portland, ME](#)

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From: Paye, Laura <Laura.Paye@maine.gov>

Sent: Wednesday, August 5, 2026 4:39 PM

To: Matthew White <mwhite@bernsteinshur.com>; Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>

Cc: David Littell <dlittell@bernsteinshur.com>; Russell B. Pierce <rpierce@nhdlaw.com>; Joanna B. Tourangeau <jtourangeau@dwmlaw.com>

Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

EXTERNAL EMAIL

Good afternoon,

Please see the Departments response, attached.

Feel free to reach out with any questions!

Best,
Laura

*Laura Paye (she/her)
Hydropower Coordinator
Bureau of Land Resources
Maine Department of Environmental Protection
(207) 219-9563*

From: Matthew White <mwhite@bernsteinshur.com>
Sent: Monday, August 3, 2026 5:02 PM
To: Paye, Laura <Laura.Paye@maine.gov>; Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>
Cc: David Littell <dlittell@bernsteinshur.com>; Russell B. Pierce <rpierce@nhdlaw.com>; Joanna B. Tourangeau <jtourangeau@dwmlaw.com>
Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

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Hi Laura,

Attached please find another supplement to Bucksport Mill's Consultation Report.
Please do not hesitate to contact me if you have any questions.

Thanks,
Matt

Matthew White
BERNSTEINSHUR - Associate Attorney
207-228-7107 direct
[My Bio](#) | [Portland, ME](#)

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From: Paye, Laura <Laura.Paye@maine.gov>
Sent: Friday, June 26, 2026 10:46 AM
To: Matthew White <mwhite@bernsteinshur.com>; Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>

Cc: David Littell <dlittell@bernsteinshur.com>; Russell B. Pierce <rpierce@nhdlaw.com>; Joanna B. Tourangeau <jtourangeau@dwmlaw.com>

Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

EXTERNAL EMAIL

Good morning,

Please see the Department's correspondence providing the requested extension.

Feel free to reach out with any questions.

Best,
Laura

*Laura Paye (she/her)
Hydropower Coordinator
Bureau of Land Resources
Maine Department of Environmental Protection
(207) 219-9563*

From: Matthew White <mwhite@bernsteinshur.com>

Sent: Wednesday, June 17, 2026 4:56 PM

To: Paye, Laura <Laura.Paye@maine.gov>; Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>

Cc: David Littell <dlittell@bernsteinshur.com>; Russell B. Pierce <rpierce@nhdlaw.com>; Joanna B. Tourangeau <jtourangeau@dwmlaw.com>

Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

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Hi Laura,

Attached please find Bucksport Mill's supplement to our Consultation Report. Please do not hesitate to contact me if you have any questions.

Thanks,
Matt

Matthew White
BERNSTEINSHUR - Associate Attorney
207-228-7107 direct
[My Bio](#) | [Portland, ME](#)

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From: Paye, Laura <Laura.Paye@maine.gov>
Sent: Friday, December 19, 2025 2:43 PM
To: Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>
Cc: David Littell <dlittell@bernsteinshur.com>; Russell B. Pierce <rpierce@nhdlaw.com>; Joanna B. Tourangeau <jtourangeau@dwmlaw.com>; Matthew White <mwhite@bernsteinshur.com>
Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

EXTERNAL EMAIL

Good afternoon,

Please see the Department's response, attached.

Happy holidays!

Laura

Laura Paye (she/her)
Hydropower Coordinator
Bureau of Land Resources
Maine Department of Environmental Protection
(207) 219-9563

From: Matthew White <mwhite@bernsteinshur.com>
Sent: Monday, December 8, 2025 4:49 PM
To: Paye, Laura <Laura.Paye@maine.gov>; Loyzim, Melanie <Melanie.Loyzim@maine.gov>
Cc: Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>; David Littell <dlittell@bernsteinshur.com>; Russell B. Pierce <rpierce@nhdlaw.com>; Joanna B. Tourangeau <jtourangeau@dwmlaw.com>
Subject: FW: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

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Hi Laura,

Attached please find Bucksport Mill's response to the Department's November 21, 2025 request for information in connection with the above-referenced proceeding.

Please let us know if you have any questions or require additional information.

Thanks,

Matt

Matthew White
BERNSTEINSHUR - Associate Attorney
207-228-7107 direct
[My Bio](#) | [Portland, ME](#)

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From: Paye, Laura <Laura.Paye@maine.gov>

Sent: Friday, November 21, 2025 2:00 PM

To: Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>; Loyzim, Melanie
<Melanie.Loyzim@maine.gov>

Cc: David Littell <dlittell@bernsteinshur.com>; Russell B. Pierce <rpierce@nhdlaw.com>;
jtourangeau@dwmlaw.com

Subject: RE: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

EXTERNAL EMAIL

Good afternoon,

Please see the attached request for additional information.

Best,

Laura

Laura Paye (she/her)
Hydropower Coordinator
Bureau of Land Resources
Maine Department of Environmental Protection
(207) 219-9563

From: Kat (Joyce) Stratton <kjoyce@bernsteinshur.com>

Sent: Friday, October 10, 2025 3:53 PM

To: Paye, Laura <Laura.Paye@maine.gov>; Loyzim, Melanie <Melanie.Loyzim@maine.gov>

Cc: David Littell <dlittell@bernsteinshur.com>; Russell B. Pierce <rpierce@nhdlaw.com>;
jtourangeau@dwmlaw.com

Subject: DEP Application # L-31353-36-B-N – Bucksport Mill, LLC - Consultation Report

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Good afternoon,

Please see the attached report on the consultation process conducted pursuant to the DEP process for the referenced Petition.

I hope you all enjoy a lovely holiday weekend.

Best,

Kat

Kat (Joyce) Stratton

she/her/hers pronouns

Shareholder

Energy & Environmental Practice Group Leader

207-228-7297 direct

207 774-1200 main

207 774-1127 fax

[My Bio](#) | [LinkedIn](#)

BERNSTEINSHUR

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