




STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
GOVERNOR

PAUL MERCER
COMMISSIONER

To: Marybeth Richardson, SMRO Director

From: Paul Mercer, Commissioner 

Re: Delegation of Authority to Serve as Presiding Officer in Public Hearing: Maine Turnpike Authority York Toll Plaza – DEP #L-27241-TG-A-N and DEP #L-27275-TP-A-N, York, York County

Date: December 22, 2016

By this memorandum, and pursuant to *Organization and Powers*, 38 M.R.S. § 341-A(3)(C) and the Department's *Rules Governing the Conduct of Licensing Hearings*, 06-096 CMR 3(4)(1)(b) (Chapter 3), I hereby delegate authority to you to serve as presiding officer with respect to a public hearing to consider the applications by the Maine Turnpike Authority for a *Natural Resources Protection Act* permit pursuant to 38 M.R.S. §480-A et seq., DEP #L-27241-TG-A-N, and for a Site Location of Development Act General Permit pursuant to 38 M.R.S. §486-B et seq., DEP #L-27275-TP-A-N, York, York County. The purpose of this delegation is to authorize you to conduct and preside over an evidentiary hearing to develop a factual record for decision-making in this matter. This delegation is limited in its scope to the authority necessary to administer governing procedural statutes and regulations in the development of the administrative record, and does not include the ultimate decision-making authority on the merits of the application, which I expressly retain as Commissioner. The terms of this delegation are not intended to and shall not be interpreted as limiting communication between and among me as Commissioner, you in your capacity as presiding officer, and any other agency staff person, before, during, or after the hearing, regarding any substantive or procedural issue raised by the application.

C: Mark Bergeron, DEP
Alison Sirois, DEP
Bob Green, DEP
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