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RIPUC Use Only	
Date Application Received:	__ __/__ __/__ __
Date Review Completed:	__ __/__ __/__ __
Date Commission Action:	__ __/__ __/__ __
Date Commission Approved:	__ __/__ __/__ __

GIS Certification #: _____

RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM

The Standard Application Form
Required of all Applicants for Certification of Eligibility of Renewable Energy Resource
(Version 3 – September 12, 2006)

STATE OF RHODE ISLAND PUBLIC UTILITIES COMMISSION
Pursuant to the Renewable Energy Act
Section 39-26-1 et. seq. of the General Laws of Rhode Island

NOTICE:
When completing this Renewable Energy Resources Eligibility Form and any applicable Appendices, please refer to the State of Rhode Island and Providence Plantations Public Utilities Commission Rules and Regulations Governing the Implementation of a Renewable Energy Standard (RES Regulations, Effective Date: January 1, 2006), and the associated RES Certification Filing Methodology Guide. All applicable regulations, procedures and guidelines are available on the Commission's web site: www.ripuc.org/utilityinfo/res.html. Also, all filings must be in conformance with the Commission's Rules of Practice and Procedure, in particular, Rule 1.5, or its successor regulation, entitled "Formal Requirements as to Filings."

• Please complete the Renewable Energy Resources Eligibility Form and Appendices using a typewriter or black ink.

• Please submit one original and three copies of the completed Application Form, applicable Appendices and all supporting documentation to the Commission at the following address:

Rhode Island Public Utilities Commission
89 Jefferson Blvd
Warwick, RI 02888
Attn: Renewable Energy Resources Eligibility

In addition to the paper copies, electronic/email submittals are required under Commission regulations. Such electronic submittals should be sent to: Luly E. Massaro, Commission Clerk at lmassaro@puc.state.ri.us

• In addition to filing with the Commission, Applicants are required to send, electronically or electronically and in paper format, a copy of the completed Application including all attachments and supporting documentation, to the Division of Public Utilities and Carriers and to all interested parties. A list of interested parties can be obtained from the Commission's website at www.ripuc.org/utilityinfo/res.html.

• Keep a copy of the completed Application for your records.

• The Commission will notify the Authorized Representative if the Application is incomplete.

• Pursuant to Section 6.0 of the RES Regulations, the Commission shall provide a thirty (30) day period for public comment following posting of any administratively complete Application.

• Please note that all information submitted on or attached to the Application is considered to be a public record unless the Commission agrees to deem some portion of the application confidential after consideration under section 1.2(g) of the Commission's Rules of Practice and Procedure.

• In accordance with Section 6.2 of the RES Regulations, the Commission will provide prospective reviews for Applicants seeking a preliminary determination as to whether a facility would be eligible prior to the formal certification process described in Section 6.1 of the RES Regulations. Please note that space is provided on the Form for applicant to designate the type of review being requested.

• Questions related to this Renewable Energy Resources Eligibility Form should be submitted in writing, preferably via email and directed to: Luly E. Massaro, Commission Clerk at lmassaro@puc.state.ri.us

SECTION I: Identification Information

1.1 Name of Generation Unit (sufficient for full and unique identification):
Indeck West Enfield

1.2 Type of Certification being requested (check one):

X Standard Certification __ Prospective Certification (Declaratory Judgment)

1.3 This Application includes: (Check all that apply)[1]

__ APPENDIX A: Authorized Representative Certification for Individual Owner or Operator

X APPENDIX B: Authorized Representative Certification for Non-Corporate Entities Other Than Individuals

X APPENDIX C: Existing Renewable Energy Resources

__ APPENDIX D: Special Provisions for Aggregators of Customer-sited or Off-grid Generation Facilities

__ APPENDIX E: Special Provisions for a Generation Unit Located in a Control Area Adjacent to NEPOOL

X APPENDIX F: Fuel Source Plan for Eligible Biomass Fuels

1.4 Primary Contact Person name and title: **William P. Short III**
Vice President Of Power Marketing

1.5 Primary Contact Person address and contact information:
Address: **Ridgewood Power Management, LLC**
947 Linwood Avenue
Ridgewood, New Jersey 07450
Phone: **(201) 447-9000, x-2163** Fax: **(201) 447-0474**
Email: **bshort@ridgewoodpower.com**

1.6 Backup Contact Person name and title: **Kevin B. Crossman**
Vice President – Thermal Operations

1.7 Backup Contact Person address and contact information:
Address: **Ridgewood Power Management, LLC**
1231 Main Road, Route 2
West Enfield, Maine 04493
Phone: **(207) 732-4151** Fax: **(207) 732-4651**
Email: **kcrossman@ridgewoodpower.com**

[1] Please note that all Applicants are required to complete the Renewable Energy Resources Eligibility Standard Application Form and all of the Appendices that apply to the Generation Unit or Owner or Operator that is the subject of this Form. Please omit Appendices that do not apply.

1.8 Name and Title of Authorized Representative (*i.e.*, the individual responsible for certifying the accuracy of all information contained in this form and associated appendices, and whose signature will appear on the application):

William P. Short III
Vice President of Power Marketing

Appendix A or B (as appropriate) completed and attached? **X** Yes __ No __ N/A

1.9 Authorized Representative address and contact information:
Address: **Ridgewood Power Management, LLC**
947 Linwood Avenue
Ridgewood, New Jersey 07450
Phone: **(201) 447-9000, x-2163** Fax: **(201) 447-0474**
Email: **bshort@ridgewoodpower.com**

1.10 Owner name and title: **Indeck Maine Energy, L.L.C.**

1.11 Owner address and contact information:
Address: **c/o Ridgewood Power Management, LLC**
947 Linwood Avenue
Ridgewood, New Jersey 07450
Phone: **(201) 447-9000, x-2163** Fax: **(201) 447-0474**
Email: **bshort@ridgewoodpower.com**

1.12 Owner business organization type (check one):
__ Individual
__ Partnership
__ Corporation
X Other: **an Illinois Limited Liability Company**

1.13 Operator name and title: **Ridgewood Power Management, LLC**

1.14 Operator address and contact information:
Address: **Ridgewood Power Management, LLC**
947 Linwood Avenue
Ridgewood, New Jersey 07450
Phone: **(201) 447-9000, x-2163** Fax: **(201) 447-0474**
Email: **bshort@ridgewoodpower.com**

1.15 Operator business organization type (check one):
__ Individual
__ Partnership
__ Corporation
X Other: **a New Jersey Limited Liability Company**

SECTION II: Generation Unit Information, Fuels, Energy Resources and Technologies

2.1 ISO-NE Generation Unit Asset Identification Number or NEPOOL GIS Identification Number (either or both as applicable): **MSS-445**

2.2 Generation Unit Nameplate Capacity: **32.0** MW

2.3 Maximum Demonstrated Capacity: **24.172** MW

2.4 Please indicate which of the following Eligible Renewable Energy Resources are used by the Generation Unit: (Check ALL that apply) – *per RES Regulations Section 5.0*

__ Direct solar radiation
__ The wind
__ Movement of or the latent heat of the ocean
__ The heat of the earth
__ Small hydro facilities
X Biomass facilities using Eligible Biomass Fuels and maintaining compliance with all aspects of current air permits; Eligible Biomass Fuels may be co-fired with fossil fuels, provided that only the renewable energy fraction of production from multi-fuel facilities shall be considered eligible.
__ Biomass facilities using unlisted biomass fuel
__ Biomass facilities, multi-fueled or using fossil fuel co-firing
__ Fuel cells using a renewable resource referenced in this section

2.5 If the box checked in Section 2.4 above is "Small hydro facilities", please certify that the facility's aggregate capacity does not exceed 30 MW. – *per RES Regulations Section 3.31*

__ ← check this box to certify that the above statement is true
__ N/A or other (please explain) _____

2.6 If the box checked in Section 2.4 above is "Small hydro facilities", please certify that the facility does not involve any new impoundment or diversion of water with an average salinity of twenty (20) parts per thousand or less. – *per RES Regulations Section 3.31*

__ ← check this box to certify that the above statement is true
__ N/A or other (please explain) _____

2.7 If you checked one of the Biomass facilities boxes in Section 2.1 above, please respond to the following:

A. Please specify the fuel or fuels used or to be used in the Unit: **Eligible Biomass Fuels Exclusively**

B. Please complete and attach Appendix F, Eligible Biomass Fuel Source Plan.
Appendix F completed and attached? **X** Yes __ No __ N/A

2.8 Has the Generation Unit been certified as a Renewable Energy Resource for eligibility in another state's renewable portfolio standard?

X Yes __ No If yes, please attach a copy of that state's certifying order.

Copy of State's certifying order attached? X Yes __ No __ N/A

SECTION III: Commercial Operation Date

Please provide documentation to support all claims and responses to the following questions:

3.1 Date Generation Unit first entered Commercial Operation: **11/01/1987** at the site.

3.2 Is there an Existing Renewable Energy Resource located at the site of Generation Unit?

X Yes
__ No

3.3 If the date entered in response to question 3.1 is earlier than December 31, 1997 or if you checked "Yes" in response to question 3.2 above, please complete Appendix C.
Appendix C completed and attached? X Yes __ No __ N/A

3.4 Was all or any part of the Generation Unit used on or before December 31, 1997 to generate electricity at any other site?

__ Yes
X **No**

3.5 If you checked "Yes" to question 3.4 above, please specify the power production equipment used and the address where such power production equipment produced electricity (attach more detail if the space provided is not sufficient):

_____

_____

_____

SECTION IV: Metering

4.1 Please indicate how the Generation Unit's electrical energy output is verified (check all that apply):

X **ISO-NE Market Settlement System**
__ Self-reported to the NEPOOL GIS Administrator
__ Other (please specify below and see Appendix D: Eligibility for Aggregations):

_____

Appendix D completed and attached? __ Yes __ No X N/A

SECTION V: Location

5.1 Please check one of the following that apply to the Generation Unit:

X Grid Connected Generation
__ Off-Grid Generation (not connected to a utility transmission or distribution system)
__ Customer Sited Generation (interconnected on the end-use customer side of the retail electricity meter in such a manner that it displaces all or part of the metered consumption of the end-use customer)

5.2 Generation Unit address:

1231 Main Road, Route 2
West Enfield, Maine 04493

5.3 Please provide the Generation Unit's geographic location information:

A. Universal Transverse Mercator Coordinates: **529253.60 E, 5011237.58 N**

B. Longitude/Latitude: **Lat 45° 15' 13.76 "/ Long 68° 37' 39.19"**

5.4 The Generation Unit located: (please check the appropriate box)

X In the NEPOOL control area
__ In a control area adjacent to the NEPOOL control area
__ In a control area other than NEPOOL which is not adjacent to the NEPOOL control area ← *If you checked this box, then the generator does not qualify for the RI RES – therefore, please do not complete/submit this form.*

5.5 If you checked "In a control area adjacent to the NEPOOL control area" in Section 5.4 above, please complete Appendix E.

Appendix E completed and attached? __ Yes __ No __ N/A

SECTION VI: Certification

6.1 Please attach documentation, using one of the applicable forms below, demonstrating the authority of the Authorized Representative indicated in Section 1.8 to certify and submit this Application.

Corporations

If the Owner or Operator is a corporation, the Authorized Representative shall provide **either**:

(a) Evidence of a board of directors vote granting authority to the Authorized Representative to execute the Renewable Energy Resources Eligibility Form, **or**

(b) A certification from the Corporate Clerk or Secretary of the Corporation that the Authorized Representative is authorized to execute the Renewable Energy Resources Eligibility Form or is otherwise authorized to legally bind the corporation in like matters.

Evidence of Board Vote provided? __ Yes __ No __ N/A

Corporate Certification provided? __ Yes __ No __ N/A

Individuals

If the Owner or Operator is an individual, that individual shall complete and attach APPENDIX A, or a similar form of certification from the Owner or Operator, duly notarized, that certifies that the Authorized Representative has authority to execute the Renewable Energy Resources Eligibility Form.

Appendix A completed and attached? __ Yes __ No __ N/A

Non-Corporate Entities

(Proprietorships, Partnerships, Cooperatives, etc.) If the Owner or Operator is not an individual or a corporation, it shall complete and attach APPENDIX B or execute a resolution indicating that the Authorized Representative named in Section 1.8 has authority to execute the Renewable Energy Resources Eligibility Form or to otherwise legally bind the non-corporate entity in like matters.

Appendix B completed and attached? **X** Yes __ No __ N/A

6.2 Authorized Representative Certification and Signature:

I hereby certify, under pains and penalties of perjury, that I have personally examined and am familiar with the information submitted herein and based upon my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties, both civil and criminal, for submitting false information, including possible fines and punishment. My signature below certifies all information submitted on this Renewable Energy Resources Eligibility Form. The Renewable Energy Resources Eligibility Form includes the Standard Application Form and all required Appendices and attachments. I acknowledge that the Generation Unit is obligated to and will notify the Commission promptly in the event of a change in a generator's eligibility status (including, without limitation, the status of the air permits) and that when and if, in the Commission's opinion, after due consideration, there is a material change in the characteristics of a Generation Unit or its fuel stream that could alter its eligibility, such Generation Unit must be re-certified in accordance with Section 9.0 of the RES Regulations. I further acknowledge that the Generation Unit is obligated to and will file such quarterly or other reports as required by the Regulations and the Commission in its certification order. I understand that the Generation Unit will be immediately de-certified if it fails to file such reports.

Signature of Authorized Representative:

SIGNATURE: William P. Short III

DATE: June 4, 2007

Vice President of Power Marketing
(Title)

GIS Certification #:

_ _ _ _

APPENDIX A
(Required When Owner or Operator is An Individual)

STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISION

RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM
Pursuant to the Renewable Energy Act
Section 39-26-1 et. seq. of the General Laws of Rhode Island

I, _____, as Owner or Operator of the Generation Unit named in Section 1.1 of the attached Renewable Energy Resources Eligibility Form, under the pains and penalties of perjury, hereby certify that _____, named in Section 1.8 of the attached Application, is authorized to execute this Renewable Energy Resource Eligibility Form.

SIGNATURE: DATE:

_____ _____

_____

(Title)

State: _____

County: _____

I, _____ as a notary public, certify that I witnessed the signature of the above named _____, and said individual verified his/her identity to me on this date: _____.

SIGNATURE:

_____

My commission expires on: _____ NOTARY SEAL:

GIS Certification #:
_____

APPENDIX B
(Required When Owner or Operator is a Non-Corporate Entity Other Than An Individual)

STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISION

RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM
Pursuant to the Renewable Energy Act
Section 39-26-1 et. seq. of the General Laws of Rhode Island

RESOLUTION OF AUTHORIZATION

Resolved: that **William P. Short III**, named in Section 1.8 of the Renewable Energy Resources Eligibility Form as Authorized Representative, is authorized to execute the Application on the behalf of **Indeck Maine Energy, L.L.C.**, the Owner or Operator of the Generation Unit named in section 1.1 of the Application.

SIGNATURE: _____ DATE: 6/4/07

Daniel V. Gulino, Esq.

State: NEW JERSEY

County: Passaic

I, Jeanne Thompson as a notary public, certify that I witnessed the signature of the above named **Daniel V. Gulino, Esq.**, and that said person stated that he is authorized to execute this resolution, and the individual verified his identity to me, on this date: _____.

SIGNATURE: _____ DATE: 6/4/07

My commission expires on: _____ NOTARY SEAL:

JEANNE THOMPSON
A Notary Public of New Jersey
My Commission Expires May 3, 2012

GIS Certification #:
____

APPENDIX C
(Required of all Applicants with Generation Units at the Site of Existing Renewable Energy Resources)

STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISION

RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM
Pursuant to the Renewable Energy Act
Section 39-26-1 et. seq. of the General Laws of Rhode Island

If the Generation Unit: (1) first entered into commercial operation before December 31, 1997; or (2) is located at the exact site of an Existing Renewable Energy Resource, please complete the following and attach documentation, as necessary to support all responses:

C.1 If an Existing Renewable Energy Resource is/was located at the site, has such Existing Renewable Energy Resource been retired and replaced with the new Generation Unit at the same site? __ Yes **X** No

C.2 Is the Generation Unit a Repowered Generation Unit (as defined in Section 3.28 of the RES Regulations) which uses Eligible Renewable Energy Resources and which first entered commercial operation after December 31, 1997 at the site of an existing Generation Unit? __ Yes **X** No

C.3 If you checked "Yes" to question C.2 above, please provide documentation to support that the entire output of the Repowered Generation Unit first entered commercial operation after December 31, 1997.

C.4 Is the Generation Unit a multi-fuel facility in which an Eligible Biomass Fuel is first co-fired with fossil fuels after December 31, 1997? __ Yes **X** No

C.5 If you checked "Yes" to question C.4 above, please provide documentation to support that the renewable energy fraction of the energy output first occurred after December 31, 1997.

C.6 Is the Generation Unit an Existing Renewable Energy Resource other than an Intermittent Resource (as defined in Section 3.9 and 3.14 of the RES Regulations)? **X** Yes __ No

C.7 If you checked "Yes" to question C.6 above, please attach evidence of completed capital investments after December 31, 1997 attributable to efficiency improvements or additions of capacity that are sufficient to, were intended to, and can be demonstrated to increase annual electricity output in excess of ten percent (10%). As specified in Section

3.22.v of the RES Regulations, the determination of incremental production shall not be based on any operational changes at such facility **not directly** associated with the efficiency improvements or additions of capacity.

C.8 Is the Generating Unit an Existing Renewable Energy Resource that is an Intermittent Resource? __ Yes **X** No

C.9 If you checked "Yes" to question C.8 above, please attach evidence of completed capital investments after December 31, 1997 attributable to efficiency improvements or additions of capacity that are sufficient to, were intended to, and have demonstrated on a normalized basis to increase annual electricity output in excess of ten percent (10%). The determination of incremental production shall not be based on any operational changes at such facility **not directly** associated with the efficiency improvements or additions of capacity. In no event shall any production that would have existed during the Historical Generation Baseline period in the absence of the efficiency improvements or additions to capacity be considered incremental production. Please refer to Section 3.22.vi of the RES Regulations for further guidance.

C.10 If you checked "Yes" to C.8, provide the single proposed percentage of production to be deemed incremental, attributable to the efficiency improvements or additions of capacity placed in service after December 31, 1997. Please provide backup information sufficient for the Commission to make a determination of this incremental production percentage.

C.11 If you checked "no" to both C.1 and C.2 above, please complete the following:

a. Was the Existing Renewable Energy Resource located at the exact site at any time during calendar years 1995 through 1997? **X** Yes __ No

b. If you checked "yes" in Subsection (a) above, please provide the Generation Unit Asset Identification Number and the average annual electrical production (MWhs) for the three calendar years 1995 through 1997, or for the first 36 months after the Commercial Operation Date if that date is after December 31, 1994, for each such Generation Unit.

c. Please attach a copy of the derivation of the average provided in (b) above, along with documentation support (such as ISO reports) for the information provided in Subsection (b) above. Data must be consistent with quantities used for ISO Market Settlement System.

GIS Certification #:
____

APPENDIX D
(Required of Applicants Seeking Eligibility for Customer-Sited and/or Off-Grid Generation Facilities and Associated Aggregations)

STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISION

RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM
Pursuant to the Renewable Energy Act
Section 39-26-1 et. seq. of the General Laws of Rhode Island

Customer-sited and Off-grid Generation Facilities located in Rhode Island may be certified as an eligible resource if their NEPOOL GIS Certificates are created by way of an aggregation of Generation Units using the same generation technology, and so long as the aggregation is certified by the Commission. Please complete the following and attach documentation, as necessary to support all responses:

D.1 Please identify the location(s) in Rhode Island of each Generation Unit that is interconnected on the End-use Customer's side of the retail electricity meter in such a manner that it displaces all or part of the metered consumption of the End-use Customer, or not connected to a utility transmission or distribution system.

_____
_____
_____
_____
_____

D.2 Please attach proposed procedures under which the aggregate Generation Units will operate ("Aggregation Agreement"). In accordance with Section 6.8.(iii) of the RES Regulations, the proposed Aggregation Agreement shall contain the following information:

(a) Name and contact information of the aggregator owner, to which these regulations and stipulations of certification shall apply, and who shall be the initial owner of any NEPOOL GIS Certifications so certified;

(b) Name, contact information, and qualifications of the Verifier. Qualifications shall include any information the applicant believes will assist the Commission in determining that the Verifier will accurately and efficiently carry out its duties. After receipt of the application, the Commission may require additional evidence of qualifications;

(c) A declaration of any and all business or financial relations between aggregator owner and Verifier, which the Commission will use to evaluate the independence of the Verifier.[2]

(d) The Aggregation Agreement shall include a statement indicating under what circumstances the Verifier would not be considered sufficiently independent of the individual Generation Unit, and that Generation Units not meeting this independence test would not be allowed to participate in the aggregation;

(e) Type of technology that will be included in the aggregation, and statement that the aggregation will include only individual Generation Units that meet all the requirements of these regulations, for example physical location, vintage, etc. (All generators within the aggregation must be of the same technology and fuel type);

(f) Proposed operating procedures for the aggregation, by which the Verifier shall ensure that individual Generation Units in the aggregation comply with all eligibility requirements and that the NEPOOL GIS Certificates created accurately represent generation;[3] and

(g) Description of how the Verifier will be compensated for its services by the aggregator. In no instances will an aggregation be certified in which the Verifier is compensated in a manner linked to the number of NEPOOL GIS Certificates created by the aggregation.

D.3 Applicant must acknowledge that:

(a) any changes to or deviations from the Aggregation Agreement will be considered a change in generator status, and will require recertification by the Commission;

__ ← please check this box to acknowledge this requirement
__ N/A or other (please explain) _____
_____

[2] Reasons for ruling that a Verifier is not sufficiently independent include, but are not limited to: i) If one entity owns, directly or indirectly, or if a natural person so owns, 10% or more of the voting stock or other equity interest in the other entity; ii) If 10% or more of the voting stock or other equity interests in both entities are owned, directly or indirectly, by the same entity or a natural person; or iii) If one entity is a natural person, and such entity or a member of such entity's immediate family is an officer, director, partner, employee or representative of the other entity. It is important to note that rules are always subject to change in accordance with the State's Administrative Procedures Act (APA). For example, the Commission is asking NEPOOL to allow third party verification for customer sited/off-grid systems. If NEPOOL adopts this request, the Commission will change its rules in accordance with the APA.

[3] At a minimum, these procedures will: i) require a determination that the Generation Unit exists and is in compliance with these RES Regulations and the Aggregation Agreement as approved by the Commission; ii) require a meter reading procedure that allows the Verifier to verify these readings; meter readings may be manual or remote and via the aggregators own system or via an independent system, but in all cases shall comply with NEPOOL GIS Operating Rules regarding metering; iii) specify how generation data will be entered into NEPOOL GIS to create NEPOOL GIS Certificates; iv) a procedure to verify independently that the NEPOOL GIS Certificates created for the aggregation are consistent with the meter readings; v) a procedure for the Verifier to report to the Commission on the results of their verification process; vi) require that verification and meter readings be done on a quarterly basis, except for units of two hundred KW or less, which may be done on an annual basis; and vii) procedures for correcting discrepancies in NEPOOL GIS Certificate generation identified by the Verifier.

(b) the Commission will be promptly notified of any changes to or deviations from the Aggregation Agreement; and

__ ← please check this box to acknowledge this requirement
__ N/A or other (please explain) _____
_____

(c) in the event that notice of such changes or deviations is not promptly given, all Generation Units in the aggregation may be de-certified.

__ ← please check this box to acknowledge this requirement
__ N/A or other (please explain) _____
_____

D.4 Applicant must certify that:

If the Generation Unit (or aggregation of generation units) is a Customer-sited or Off-grid Generation Resources, as provided in Rhode Island's Renewable Energy Standard law Section 39-26-2.4 and Section 3.25 of the RES Regulations, respectively, the associated Generation Attributes have not otherwise been, nor will be sold, retired, claimed or represented as part of electrical energy output or sales, or used to satisfy obligations in jurisdictions other than Rhode Island.

__ ← please check this box to certify that this statement is true
__ N/A or other (please explain) _____
_____

GIS Certification #:
_ _ _ _

APPENDIX E
(Required of all Applicants Located in a Control Area Adjacent to NEPOOL)

STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISION

RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM
Pursuant to the Renewable Energy Act
Section 39-26-1 et. seq. of the General Laws of Rhode Island

Please complete the following and attach documentation, as necessary to support all responses:

E.1 Please indicate in which Control Area adjacent to NEPOOL the Generation Unit is located:

__ New York
__ Hydro Quebec
__ Maritimes (including Northern Maine Independent System Administrator)

E.2 Applicant must provide to the Commission by July 1st of each year assurances that the Generation Unit's New Renewable Energy Resources used for compliance with the Rhode Island's Renewable Energy Act during the previous Compliance Year have not otherwise been, nor will be, sold, retired, claimed or represented as part of electrical energy output or sales, or used to satisfy obligations in jurisdictions other than Rhode Island. Such assurances may consist of a report from a neighboring Generation Attribute accounting system or an affidavit from the Generation Unit.

__ ← please check this box to acknowledge this requirement
__ N/A or other (please explain) _____
_____

E.3 Applicant must acknowledge and provide evidence to support that, in accordance with Section 5.1.(ii) of the RES Regulations, the Generation Attributes associated with the Generation Unit shall be applied to the Rhode Island Renewable Energy Standard only to the extent of the energy produced by the Generation Unit that is or will be actually delivered into NEPOOL for consumption by New England customers. Verification of the delivery of such energy from the Generation Unit into NEPOOL will performed in accordance with subparagraphs (a), (b) and (c) of RES Regulations Section 5.1.(ii).

__ ← please check this box to acknowledge this requirement
__ N/A or other (please explain) _____
_____

GIS Certification #:
_ _ _ _

APPENDIX F
Eligible Biomass Fuel Source Plan
(Required of all Applicants Proposing to Use An Eligible Biomass Fuel)

STATE OF RHODE ISLAND PUBLIC UTILITIES COMMISION
Part of Application for Certificate of Eligibility
RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM
Pursuant to the Renewable Energy Act
Section 39-26-1 et. sq. of the General Laws of Rhode Island

Note to Applicants: Please refer to the RES Certification Filing Methodology Guide posted on the Commission's web site (www.ripuc.org/utilityinfo/res.html) for information, templates and suggestions regarding the types and levels of detail appropriate for responses to specific application items requested below. Also, please see Section 6.9 of the RES Regulations for additional details on specific

The phrase "Eligible Biomass Fuel" (per RES Regulations Section 3.6) means fuel sources including brush, stumps, lumber ends and trimmings, wood pallets, bark, wood chips, shavings, slash, yard trimmings, site clearing waste, wood packaging, and other clean wood that is not mixed with other unsorted solid wastes[4]; agricultural waste, food and vegetative material; energy crops; landfill methane[5] or biogas[6], provided that such gas is collected and conveyed directly to the Generation Unit without use of facilities used as common carriers of natural gas; or neat bio-diesel and other neat liquid fuels that are derived from such fuel sources.

In determining if an Eligible Biomass Generation Unit shall be certified, the Commission will consider if the fuel source plan can reasonably be expected to ensure that only Eligible Biomass Fuels will be used, and in the case of co-firing ensure that only that proportion of generation attributable to an Eligible Biomass Fuel be eligible. Certification will not be granted to those Generation Units with fuel source plans the Commission deems inadequate for these purposes.

This Appendix must be attached to the front of Applicant's Fuel Source Plan required for Generating Units proposing to use an Eligible Biomass Fuel (per Section 6.9 of RES Regulations).

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[4] Generation Units using wood sources other than those listed above may make application, as part of the required fuel source plan described in Section 6.9 of the RES Regulations, for the Commission to approve a particular wood source as "clean wood." The burden will be on the applicant to demonstrate that the wood source is at least as clean as those listed in the legislation. Wood sources containing resins, glues, laminates, paints, preservatives, or other treatments that would combust or off-gas, or mixed with any other material that would burn, melt, or create other residue aside from wood ash, will not be approved as clean wood.

[5] Landfill gas, which is an Eligible Biomass Fuel, means only that gas recovered from inside a landfill and resulting from the natural decomposition of waste, and that would otherwise be vented or flared as part of the landfill's normal operation if not used as a fuel source.

[6] Gas resulting from the anaerobic digestion of sewage or manure is considered to be a type of biogas, and therefore an Eligible Biomass Fuel that has been fully separated from the waste stream.

F.1 The attached Fuel Source Plan includes a detailed description of the type of Eligible Biomass Fuel to be used at the Generation Unit.

Detailed description attached? X Yes __ No __ N/A
Comments: **Project will be fired solely with forest biomass procured from eastern Maine and western New Brunswick. See Appendices F.1, F.4 and F.5**

F.2 If the proposed fuel is "other clean wood," the Fuel Source Plan should include any further substantiation to demonstrate why the fuel source should be considered as clean as those clean wood sources listed in the legislation.

Further substantiation attached? __ Yes __ No X N/A
Comments: _____

F.3 In the case of co-firing with ineligible fuels, the Fuel Source Plan must include a description of (a) how such co-firing will occur; (b) how the relative amounts of Eligible Biomass Fuel and ineligible fuel will be measured; and (c) how the eligible portion of generation output will be calculated. Such calculations shall be based on the energy content of all of the proposed fuels used.

Description attached? __ Yes __ No X N/A
Comments: _____

F.4 The Fuel Source Plan must provide a description of what measures will be taken to ensure that only the Eligible Biomass Fuel are used, examples of which may include: standard operating protocols or procedures that will be implemented at the Generation Unit, contracts with fuel suppliers, testing or sampling regimes.

Description provided? X Yes __ No __ N/A
Comments: **See Appendices F.1, F.4 and F.5**

F.5 Please include in the Fuel Source Plan an acknowledgement that the fuels stored at or brought to the Generation Unit will only be either Eligible Biomass Fuels or fossils used for co-firing and that Biomass Fuels not deemed eligible will not be allowed at the premises of the certified Generation Unit. And please check the following box to certify that this statement is true.

X ← check this box to certify that the above statement is true
__ N/A or other (please explain) _____

F.6 If the proposed fuel includes recycled wood waste, please submit documentation that such fuel meets the definition of Eligible Biomass Fuel and also meets material separation, storage, or handling standards acceptable to the Commission and furthermore consistent with the RES Regulations.

Documentation attached? __ Yes __ No X N/A
Comments: _____

F.7 Please certify that you will file all reports and other information necessary to enable the Commission to verify the on-going eligibility of the renewable energy generators pursuant to Section 6.3 of the RES Regulations.

X ← check this box to certify that the above statement is true
__ N/A or other (please explain) _____

F.8 Please attach a copy of the Generation Unit's Valid Air Permit or equivalent authorization.

Valid Air Permit or equivalent attached? X Yes __ No __ N/A
Comments: _____

F.9 Effective date of Valid Air Permit or equivalent authorization:

0 3 / 1 1 / 0 4

F.10 State or jurisdiction issuing Valid Air Permit or equivalent authorization:
Maine

APPENDIX 2.8

COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CONSUMER AFFAIRS
AND BUSINESS REGULATION
DIVISION OF ENERGY RESOURCES
70 FRANKLIN STREET, 7TH FLOOR
BOSTON, MA 02110-1313
Internet: http://www.state.ma.us/doer
E-mail: energy@state.ma.us

Jane Swift
Governor

Jennifer Davis Carey
Director of Consumer Affairs

David L. O'Connor
Commissioner

TELEPHONE
(617) 727-4732

FACSIMILE
(617) 727-0030
(617) 727-0093

Mr. Daniel V. Gulino, Senior VP and General Counsel
Ridgewood Power Management, LLC
947 Linwood Avenue
Ridgewood, NJ 07450

RE: RPS Eligibility Decision
Indeck West Enfield [BM-1003-02]

July 3, 2002

Dear Mr. Gulino,

On behalf of the Division of Energy Resources (the Division), I am pleased to inform you that your Application for Statement of Qualification pursuant to the Massachusetts Renewable Energy Portfolio Standard (RPS) Regulations, 225 CMR 14.00, is hereby approved. The Division finds that the Generation Unit meets the requirements for eligibility as a New Renewable Generation Unit pursuant to 225 CMR 14.05. Qualification of this Generation Unit is, however, subject to the following provisions:

1. Owner/Operator must submit to DOER any revisions to the Part 70 Air Emission License issued by Maine DEP within ten calendar days of issuance.
2. Owner/Operator must notify DOER within 30 days of receipt of any Notice of Violation of any of the emission limits contained in the Maine Part 70 Air Emission License. DOER reserves the right to notify the NE-GIS Administrator to void the Massachusetts RPS-eligible attribute for certificates produced by the Generation Unit during the period of violation.
3. Owner/Operator must submit to DOER copies of reports required by Standard Conditions 33.C. and 34.A.1., 2., 7., B. and C. of the Maine Part 70 Air Emission License at the same time that such reports are submitted to Maine DEP.
4. The NOx emission limit contained in the Generation Unit's Air Emission License (0.3 pounds per million Btu) is less stringent than the limit contained in emission rates for comparable biomass units as prescribed by the Massachusetts Department of Environmental Protection during 1/1/90 – 12/31/97, which was 0.175 pounds per million Btu. Therefore, the Owner/Operator must notify DOER if the Generation Unit exceeds 0.175 pounds per million Btu, averaged over any calendar month. Notification shall be included in the reports specified in provision 3 above. If DOER finds that the Generation Unit did exceed the 0.175 pounds per million Btu limit, averaged over a given calendar month, it shall notify the NE-GIS Administrator to void the Massachusetts RPS-eligible attribute for certificates produced by the Generation Unit during that month.

5. The Generation Unit's Historical Generation Rate is determined to be 20,887.7 MWh.

Each Massachusetts New Renewable Generation Unit is assigned a unique Massachusetts RPS Identification Number (MA RPS ID#). The MA RPS ID # stated on the Statement of Qualification must be included in all correspondence with the Division. Indeck West Enfield's MA RPS ID# is: BM-1003-02.

The Division wishes to remind you of the notification requirements for changes in eligibility status contained in 225 CMR 14.06(3). The Owner or Operator of the Generation Unit shall submit notification of such changes to the Division no later than five days following the end of the month during which such changes were implemented.

Sincerely,

Robert Sydney
General Counsel

Encl.(1): Statement of Qualification

COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CONSUMER AFFAIRS AND BUSINESS REGULATION
DIVISION OF ENERGY RESOURCES
Statement of Qualification

Pursuant to the Renewable Energy Portfolio Standard
225 CMR 14.00

This Statement of Qualification, provided by the Massachusetts Division of Energy Resources, signifies that the Generation Unit identified below meets the requirements for eligibility as a New Renewable Generation Unit, pursuant to the Renewable Energy Portfolio Standard 225 CMR 14.05, as of the approval date of the Application for Statement of Qualification, this 2nd day of July 2002.

Authorized Representative's Name and Address:	Mr. Daniel V. Gulino, Senior VP and General Counsel Ridgewood Power Management, LLC 947 Linwood Avenue Ridgewood, NJ 07450
Name of Generation Unit:	Indeck West Enfield

Qualification of this Generation Unit is subject to the following provisions:

1. Owner/Operator must submit to DOER any revisions to the Part 70 Air Emission License issued by Maine DEP within ten calendar days of issuance.

2. Owner/Operator must notify DOER within 30 days of receipt of any Notice of Violation of any of the emission limits contained in the Maine Part 70 Air Emission License. DOER reserves the right to notify the NE-GIS Administrator to void the Massachusetts RPS-eligible attribute for certificates produced by the Generation Unit during the period of violation.

3. Owner/Operator must submit to DOER copies of reports required by Standard Conditions 33.C. and 34.A.1., 2., 7., B. and C. of the Maine Part 70 Air Emission License at the same time that such reports are submitted to Maine DEP.

4. The NOx emission limit contained in the Generation Unit's Air Emission License (0.3 pounds per million Btu) is less stringent than the limit contained in emission rates for comparable biomass units as prescribed by the Massachusetts Department of Environmental Protection during 1/1/90 – 12/31/97, which was 0.175 pounds per million Btu. Therefore, the Owner/Operator must notify DOER if the Generation Unit exceeds 0.175 pounds per million Btu, averaged over any calendar month. Notification shall be included in the reports specified in provision 3 above. If DOER finds that the Generation Unit did exceed the 0.175 pounds per million Btu limit, averaged over a given calendar month, it shall notify the NE-GIS Administrator to void the Massachusetts RPS-eligible attribute for certificates produced by the Generation Unit during that month.

5. The Generation Unit's Historical Generation Rate is determined to be 20,887.7 MWh.

ISO-NE Generation Unit Asset Identification Number or NE-GIS Identification Number:

0445

This New Renewable Generation Unit is assigned a unique Massachusetts RPS Identification Number. Please include MA RPS ID #s on all correspondence with the Division.

MA RPS ID #: BM-1003-02

Pursuant to 225 CMR 14.06, the Owner or Operator of the New Renewable Generation Unit is responsible for notifying the Division of any change in eligibility status, and the Division may suspend or revoke this Statement of Qualification if the Owner or Operator of a New Renewable Generation Unit fails to comply with 225 CMR 14.00.

Robert F. Sydney Date: July 2, 2002

Robert F. Sydney
General Counsel
Division of Energy Resources

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC UTILITY CONTROL
TEN FRANKLIN SQUARE
NEW BRITAIN, CT 06051

DOCKET NO. 03-12-82 APPLICATION OF INDECK MAINE ENERGY, L.L.C. FOR QUALIFICATION OF INDECK WEST ENFIELD AS A CLASS II RENEWABLE ENERGY SOURCE

February 9, 2005

By the following Commissioners:

Anne C. George
Jack R. Goldberg
John W. Betkoski, III

DECISION

I. INTRODUCTION

A. SUMMARY

In this Decision, the Department of Public Utility Control determines that the Indeck West Enfield generating facility qualifies as a Class II renewable energy source as a biomass facility and assigns it Connecticut Renewable Portfolio Standard (RPS) Registration Number CT00072-03.

B. BACKGROUND OF THE PROCEEDING

By application dated December 23, 2003, Indeck Maine Energy, L.L.C. requested that the Department of Public Utility Control (Department) determine that the Indeck West Enfield generation facility qualifies as a Class II renewable energy source.

Indeck West Enfield is a biomass facility located in West Enfield, Maine. Indeck West Enfield began commercial operation on November 1, 1987 and has a nameplate capacity of 27MW.

C. CONDUCT OF THE PROCEEDING

There is no statutory requirement for a hearing, no person requested a hearing, and none was held.

D. PARTICIPANTS IN THE PROCEEDING

The Department recognized Indeck Maine Energy, L.L.C., c/o Ridgewood Power Management, LLC, 947 Linwood Avenue, Ridgewood, New Jersey 07450, and the Office of Consumer Counsel, Ten Franklin Square, New Britain, Connecticut 06051, as participants in this proceeding.

II. DEPARTMENT ANALYSIS

Pursuant to Connecticut General Statutes (C.G.S.) §16-1(a)(27), as amended by Public Act 03-135, An Act Concerning Revisions To The Electric Restructuring Legislation "Class II renewable energy source" includes energy derived from a biomass facility that began operation before July 1, 1998, provided the average emission rate for such facility is equal to or less than .2 pounds of nitrogen oxides per million BTU of heat input for the previous calendar quarter.

As provided in the application, Indeck West Enfield is a biomass facility located on Route 2 in West Enfield, Maine. Indeck West Enfield is currently owned by Indeck Maine Energy, L.L.C. The vast majority of the biomass consumed in the Indeck facilities comes from forest biomass produced in the state of Maine, harvested under the rules and regulations promulgated by the State of Maine and its agencies. Application, Section 8, comments. According to a letter and spreadsheet submitted by Indeck Maine Energy, L.L.C, the nitrogen oxides emissions were 0.125lbs/mmbtu for third quarter 2004 generation. These emissions are below the .2lbs/mmbtu standard set in §C.G.S.16-1(a)(27). The Department in a letter dated October 26, 2004, reminds registered and approved Connecticut RPS eligible biomass facilities that they must file with the Department at the end of each calendar quarter an affidavit that the average emission rate of such facility is equal to or less than the threshold level for qualification along with supporting documentation. The Department will strictly enforce this requirement and any facility that fails to file such information will have its Connecticut RPS Generator eligibility registration decertified. All Connecticut RPS biomass facilities are required to file the above referenced affidavit along with supporting documentation that adequately displays the average emission rate in pounds of nitrogen oxides per million BTU of heat input for the previous calendar quarter. Please refer to your docket number when submitting quarterly filings. The Department has set the following dates for filing emission affidavits and supporting documentation:

Quarter 1 Emissions---Must be received by Department no later than June 1st.
Quarter 2 Emissions---Must be received by Department no later that September 1st.
Quarter 3 Emissions---Must be received by Department no later than December 1st.

Quarter 4 Emissions---Must be received by Department no later than March 1st.

Indeck West Enfield has a nameplate capacity of 27MW and began operation in 1987. According to ISO New England's (ISO-NE) Seasonal Claimed Capability (SCC) Report dated 1/01/2005, Indeck West Enfield is a biomass electric generating facility.

Based on the foregoing, the Department determines that Indeck West Enfield qualifies as a Class II renewable energy facility.

III. FINDINGS OF FACT

1. Indeck West Enfield is a biomass facility located in West Enfield, Maine.
2. Indeck West Enfield is currently owned by Indeck Maine Energy, L.L.C.
3. Indeck West Enfield began operation on November 1, 1987.
4. Indeck West Enfield has a total combined nameplate capacity of 27 megawatts.
5. Indeck West Enfield is required to file its nitrogen oxides emissions on a quarterly basis.
6. Indeck West Enfield is registered with ISO-NE as a biomass facility.

IV. CONCLUSION

Based on the evidence submitted, the Department finds that Indeck West Enfield qualifies as a Class II renewable generation source pursuant to C.G.S §16-1(a)(27).

The Department assigns each renewable generation source a unique Connecticut RPS registration number. Indeck West Enfield's Connecticut RPS registration number is CT00072-03.

The Department's determination in this docket is based on the information submitted by Indeck Maine Energy, L.L.C. The Department may reverse its ruling or revoke the Applicant's registration if any material information provided by the Applicant proves to be false or misleading. The Department reminds Indeck Maine Energy, L.L.C. that it is obligated to notify the Department within 10 days of any changes to any of the information it has provided to the Department.

V. ORDERS

1. Indeck West Enfield is required to file quarterly affidavits and supporting documentation of its nitrogen oxides emissions on the quarterly filing schedule provided above.

DOCKET NO. 03-12-82 APPLICATION OF INDECK MAINE ENERGY, L.L.C. FOR QUALIFICATION OF INDECK WEST ENFIELD AS A CLASS II RENEWABLE ENERGY SOURCE

This Decision is adopted by the following Commissioners:

Anne C. George

Jack R. Goldberg

John W. Betkoski, III

CERTIFICATE OF SERVICE

The foregoing is a true and correct copy of the Decision issued by the Department of Public Utility Control, State of Connecticut, and was forwarded by Certified Mail to all parties of record in this proceeding on the date indicated.

Louise E. Rickard
Acting Executive Secretary
Department of Public Utility Control

FEB 15 2005
Date

APPENDIX C.7

Capital Improvements to Indeck West Enfield Power Plant Since 1997

Indeck West Enfield only operates today due to numerous and extensive capital improvements performed on the facility since 1997. Had these capital improvements not been made, Indeck West Enfield would not be operating. Its operating, maintenance and fuel expenses would easily exceed its revenues, including those revenues that it receives from the sale of Massachusetts New Renewable Generation Attributes and Connecticut Class II Renewable Energy Certificates. For example, at one point, tube leaks were causing monthly shutdowns of the facility, resulting in the loss of a week of production with every shutdown. Remaining revenues simply could not keep pace with expenses.

The root cause of Indeck West Enfield's operational problems can be traced to its first-of-a-kind design. Simply put, Indeck West Enfield was the first commercial scale circulating fluidized bed ("CFB") boiler built in the United States. It was a proof-of-concept facility, built to prove that better efficiency and emissions could be obtained over conventional combustion boilers. Unfortunately, this initial design had many flaws. Later CFB designs were modified to eliminate these design flaws. While some of these design flaws may appear small, it is the shear number of these flaws and their collective impact that practically drove this facility into shutdown.

The largest differences between current CFBs and the Indeck West Enfield CFB are the height of the boiler, the lower gas velocities and the removal of the external bed media returns to the furnace. The Indeck West Enfield design permitted too much sand to carry-over which literally sandblasted the economizer and superheater tubes, causing tube leaks. These problems were resolved in the newer design CFBs by raising the height of the boiler, at least 20-30 feet above the height of the Indeck West Enfield boiler, thus lowering the gas velocities and letting gravity pull the sand back into the fluidized bed. Since increasing the boiler height is not an option for Indeck West Enfield, a series of different solutions had to be found.

The first of the two major changes to the boiler were the proper placement of U-Beams in the top of the boiler to minimize sand from carrying over into the backpass and eroding the economizer and superheater tubes. The second major change was to install new superheater tubes in the backpass that were designed to survive the continual sandblasting from the sand carryover. Without these design modifications, the sand would have continued to erode the economizer and superheater tubes, causing numerous, recurring tube leaks.

Beginning on the following page is a comprehensive list of capital improvements and their resulting increase in production made to Indeck West Enfield since 1997.

Year	Capital Improvement	Cost	Percentage Increase In Production
2001	Install new improved operator interface unit with associated software	500k	10%
	Install new refractory in furnace for improved heat transfer and erosion control	110k	10%
2002	Installed new controls for electrostatic precipitator to improve performance	70k	2%
2003	Installed new rotor in wood hog to improve quality of chipped product	40k	.5%
	Installed 2 new and improved reclaim screws	90k	10%
	Installed 20 rebuilt primary superheater pendants	300k	20%
2004	Installed new and improved main transformer bushings and radiator	50k	10%
	Installed new Woodward 505 turbine governor	55k	10%
2005	Installed all new and improved primary and secondary superheater elements and economizer elements	1.2m	100%
	Installed new and improved convection pass rear wall and side walls	200k	50%
	Performed major turbine and generator overhaul	250k	25%
	Replaced structural members of "A" truck dump to allow for reliable fuel receiving	40k	5%
	Install new reclaim screws for feeding wood from woodyard to boiler	30k	5%
	Changed location of magnet and installed a metal detector to reduce metal going to disc screen and improve reliability and reduce cost.	10k	2%
	New CV-106 boiler woodfeed belt.	35k	25%

2006	Rearranged six rows of U-Beams in the Primary Particle Collection equipment for the boiler	250k	25%
	Purchased new and larger frontend loader for loading fuel to boiler	500k	50%
	Installed new scale system to expedite prompt payment for suppliers.	30k	5%
	Installed new oil filtration system on Induced Draft Fan for boiler	6k	10%
	Installed spare cooling tower fan gearbox	10k	5%
	Installed 2 new truck dump hydraulic cylinders	70k	5%
	Installed new ash conditioning screw for better quality control	200k	5%
	Installed new structural members of "B" truck dump to allow for reliable fuel receiving	6k	5%
	Installed 6 new ESP rotary seals	25k	5%
	Installed new radio frequency controlled river pump system	5k	5%
	Reconfigured propane tank valving and piping	3k	5%
2007	Installed new and improved boiler induced draft fan rotor.	240k	50%
	Installed new and improved woodyard PLC controller	20k	50%
	Modified hopper/U-Beam configuration	500k	50%
	Installed new ID/FD fan Allen Bradley 4160V motor protectors	15k	25%
	Installed new UPS / Station Service batteries to allow safe shutdown of plant and emergency equipment	35k	25%

APPENDIX C.11

Bangor Hydro
ELECTRIC COMPANY

May 22, 2007

William P. Short III
Indeck Maine Energy, L.L.C.
c/o Ridgewood Power Management, LLC
947 Linwood Avenue
Ridgewood, New Jersey 07450

Re: Average Annual Production 1995-1997
Indeck West Enfield (Asset ID #445)

Dear Bill:

Per our conversation, Bangor Hydro-Electric Company ("Bangor") has reviewed its records of the generation from Indeck West Enfield (the "Unit") for the period 1995 through 1997. As the transmission owner providing transmission service to the Unit, it is Bangor's responsibility to provide meter readings of the Electrical Energy generated by the Unit to the ISO New England's Market Settlement System. Prior to July 1, 1997, Bangor supplied such meter readings to ISO New England's predecessor, the New England Power Exchange.

Upon a review of Bangor's records, Indeck West Enfield generated and delivered to Bangor's transmission system the following amounts of Electrical Energy for the calendar years 1995, 1996 and 1997 (in MWh):

	1995	**1996**	**1997**	**Total**	**Average**
Electrical Energy	6,248.9	0.0	56,414.2	62,663.1	20,887.7

21 Telcom Drive • PO Box 932 • Bangor, Maine 04402-0932
Corporate Offices: (207) 945-5621
For Overnight Delivery • 21 Telcom Drive, Bangor, Maine 04401

Upon your review of this letter, please feel free to contact me if you have any questions or concerns regarding Bangor's meter readings of the Unit. I may be reached at either (207) 973-2899 or jjones@bhe.com.

Sincerely yours,

Jeffrey A. Jones, P.E.
Manager - Rates & Regulatory Services

cc: A. Daniel Heald (via e-mail only)
John J. Bahrs III (via e-mail only)
Kevin. B. Crossman (via e-mail only)
Daniel V. Gulino, Esq. (via e-mail only)
Maria E. Haggerty, Esq. (via e-mail only)
Randall D. Holmes (via e-mail only)
David S. Kawash (via e-mail only)

APPENDICES F.1, F.4 & F.5

INDECK WEST ENFIELD
BIOMASS FUEL SOURCE PLAN
2005 – 2007

Indeck Maine Energy, L.L.C. operates Indeck West Enfield, a biomass power plant, located in the eastern Maine town of West Enfield, Penobscot County. Eleven wood fuel suppliers supply Indeck West Enfield. Some of these suppliers overlap with suppliers to the Indeck Jonesboro facility. The biomass is procured from areas in eastern Maine (mainly Penobscot, Washington and Piscataquis Counties) and western New Brunswick. The vast majority of its biomass comes from a distance of sixty miles or less.

The biomass brought to Indeck West Enfield is only Eligible Biomass Fuel. Ineligible Biomass Fuels are not be allowed on the premises of Indeck West Enfield. The majority of Indeck West Enfield's fuel is procured from large forest tracts, mostly former paper company lands. The next largest quantity is procured from small woodlot owners while the third source is sawmill residuals. Because of the wet fall season and abbreviated winter in both 2005 and 2006, a higher percentage of whole tree chips were procured than normal. The 2007 procurement plan is to procure a higher percentage of hog fuel and sawmill residuals, minimizing purchases of whole tree chips and grindings.

Year		Whole Tree Chips	Hog Fuel	Grindings	Sawmill Residuals	Totals
2005	**Tons**	**81,507**	**96,737**	**20,689**	**37,434**	**236,367**
	%	**34**	**41**	**9**	**16**	**100**
2006	**Tons**	**85,032**	**127,594**	**8,569**	**34,698**	**255,893**
	%	**33**	**50**	**3**	**14**	**100**

Indeck Maine Energy only procures forest biomass for its facilities. Its wood contracts, among other things, specify the type, quality, quantity and price for each type of biomass. Given that only forest biomass is contracted for and the location of Indeck Maine Energy's facilities far away from urban areas, no suppliers have attempted to deliver processed wood such as plywood, particle board, composite board or medium density fiberboard or construction and demolition wood.

Each load of biomass is visually inspected. If found not to meet the specifications called for, the load is not accepted and the load is turned away. The loads that are turned away are those where the supplier has attempted to deliver biomass that (1) is not the biomass contracted for, (2) contains too much dirt or rock or (3) is too large to be processed by the plant's fuel handling equipment. If the load is delivered and it is later found out that the load did not meet the specifications of the contract, the load is not paid for, the supplier is put on probation and no additional supplies are accepted from that supplier until the probation period has expired.

Indeck Maine Energy's insistence on forest biomass is mandated by its air permit, which permits only the burning of forest biomass. Periodically, Indeck Maine Energy has Indeck West Enfield's ash analyzed for metals and organic compounds. Those test results confirm that Indeck West Enfield has been burning only Eligible Biomass Fuels and that its ash is capable of being landspread on farmers' fields as a lime substitute.

APPENDIX F.8

Indeck Maine Energy, L.L.C.	)	**Department**
Penobscot County	)	**Findings of Fact and Order**
West Enfield, Maine	)	**Part 70 Air Emission License**
A-91-70-A-I	)	

After review of the Initial Part 70 License application, staff investigation reports, and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 M.R.S.A, Section 344 and Section 590, the Department finds the following facts:

I. Registration

A. Introduction

FACILITY	Indeck Maine Energy, L.L.C. –West Enfield (IMEWE)
LICENSE NUMBER	A-91-70-A-I
LICENSE TYPE	Initial Part 70 License
SIC CODES	4911
NATURE OF BUSINESS	Electrical power generation
FACILITY LOCATION	Route 2, West Enfield, Maine
DATE OF LICENSE ISSUANCE	September 5, 2001
LICENSE EXPIRATION DATE	September 5, 2006

B. Emission Equipment

The following emission units are addressed by this Part 70 License:

EMISSION UNIT ID	UNIT CAPACITY	UNIT TYPE
Boiler 1	361.5 MMBtu/hr	Wood fired boiler
Diesel Generator	2.54 MMBtu/hr	Emergency Generator
Diesel Fire Pump	1.9 MMBtu/hr	Emergency Fire Pump

IMEWE has additional insignificant activities not listed in the emission equipment table above, but can be found in the application submitted in October of 1997.

C. Application Classification

The application for IMEWE does not include the licensing of increased emissions or the installation of new or modified equipment; therefore the license is considered to be an Initial Part 70 License issued under Chapter 140 of the Department's regulations for a Part 70 source.

II. EMISSION UNIT DESCRIPTION

Process Description

The IMEWE West Enfield plant consists of a fuel handling system, circulating fluidized bed (CFB) wood fired boiler with a multi-cyclone followed by an electrostatic precipitator.

Biomass fuel (bark and wood chips, hereinafter referred to only as wood chips) are received from enclosed trailer vans and off loaded by hydraulic-dumper lifts into a receiving hopper. The wood is belt conveyed through a magnetic separator and a disc screen classifier. Any oversize wood is "hogged" to wood size specifications. The chips are conveyed to the fuel yard where a front-end loader is used to manage the storage pile and to feed the chip reclaimer.

The reclaimed chips are conveyed to a fuel metering bin located at the front of the boiler. Fuel is fed to the boiler by four parallel trains consisting of a triple screw metering feeder, a rotary seal valve and an injector screw feeder. The chips enter a bed of refractory sand which is fluidized by the combustion air. The mixing action of the sand promotes efficient combustion.

Propane is used to heat the primary air, which raises the fluidized bed temperature to that required to ignite the main fuel. Primary and overfire air are supplied by a single forced draft fan and are heated in a tubular heater.

Combustion gasses from the boiler pass through a multi-cyclone followed by an electrostatic precipitator (ESP) and vent through a 136' AGL stack.

Ash from all collection points except the bed drain and the ESP hoppers is re-injected pneumatically into the boiler. Ash from the bed drain is collected by a mechanical (screw) system and stored in a one cubic yard dumpster. Ash from the ESP is stored in a 30 cubic-yard silo which vents to a baghouse. Ash from the silo is wetted before discharge to enclosed transport vehicles. Ash is disposed of in accordance with Department rules.

The chip storage pile does not exceed 40' above ground level (AGL) in height and is not a point of concern for fugitive particulate matter (PM) emissions due to the chip size and the high moisture content of the chips. When necessary, the pile surface is wetted to prevent fugitive PM emissions from exceeding 5% opacity.

A. Boiler 1

Boiler 1 is a Babcock & Wilcox model CFB-0001 circulating fluidized bed boiler, manufactured in 1985 and installed in 1986 with a maximum design heat input capacity of 361.5 MMBtu/hr. The boiler is wood fired and uses propane for startup and flame stabilization. Boiler 1 is subject to the provisions of NSPS requirement 40 CFR Part 60, Subpart Db. Boiler 1 serves a generator with a maximum generating capacity of approximately 27 MW.

The operation and maintenance of a multiple centrifugal cyclone separator followed by an electrostatic precipitator (ESP) are used to control particulate emissions from Boiler 1. IMEWE shall operate, at a minimum, the number of ESP chambers and number of fields per chamber that operated during the most recent demonstration of compliance with the licensed particulate emission limits.

A continuous emissions monitoring system (CEMS) is used at IMEWE to demonstrate compliance with NO_x emission rates. A continuous opacity monitor (COM) is used to demonstrate compliance with opacity requirements. An oxygen (O_2) CEM is used to measure diluent oxygen the flue gas.

Streamlining

1. 40 CFR Part 60.43b(c)(1), (f), (g) and MEDEP Regulations Chapter 103 regulate particulate matter (PM). However, Best Practical Treatment (BPT) in the current license is more stringent.

2. MEDEP Chapter 101 is applicable for visible emissions. However, 40 CFR Part 60.43b(f) and BPT in the current license are more stringent.

Periodic Monitoring

Stack testing for particulate matter emission rates once every two years.

Propane use record keeping.

Electrostatic Precipitator (ESP) primary and secondary voltages and currents shall be recorded as periodic monitoring for particulate matter emissions.

Documentation that the NO_x CEM is continuously accurate, reliable and operated in accordance with Chapter 117, 40 CFR Part 51 Appendix P, and 40 CFR Part 60 Appendices B and F.

Demonstrated NO_x and opacity limits through CEM, periodic monitoring and COM data provides reasonable assurance the CO and VOC emission limits are being met.

B. Miscellaneous Emissions Units

Miscellaneous emission units include the following: A 2.536 MMBtu/hr Emergency Diesel Generator and a 1.902 MMBtu/hr Diesel Fire Pump.

Streamlining

Chapter 101, Section 2(C) is applicable for visible emissions; however, the BPT opacity limit is more stringent.

Periodic Monitoring

Periodic monitoring shall consist of record keeping which includes records of fuel use through purchase receipts indicating amount (gallons) and percent sulfur by weight (documented through supplier fuel receipts) for the diesel units.

Based on the type and amount of fuel for which the diesel units were designed, and operating in a manner consistent with good pollution control practices, it is unlikely the diesel unit will exceed opacity limits. Therefore, periodic monitoring by the source for opacity in the form of visible emission testing in accordance with 40 CFR Part 60, Appendix A, Method 9 is not required. However, neither the EPA nor the state is precluded from performing its own testing and may take enforcement action for any violations discovered.

C. General Process Sources

General processes at IMEWE include the receiving hopper, conveyors, wood chipper and transfer points.

Periodic Monitoring

Based on best management practices, it is unlikely the fugitive emission sources will exceed the opacity limits. Therefore, periodic monitoring for opacity in the form of visible emissions is not required. However, neither the EPA nor the state is precluded from performing its own testing and may take enforcement action for any violations discovered.

D. Fugitive Emissions

Fugitive particulate matter sources at IMEWE include material stockpiles and roadways.

Periodic Monitoring
Based on best management practices and wetting roads and storage piles with water when appropriate, it is unlikely the fugitive emission sources will exceed the opacity limits. Therefore, periodic monitoring for opacity in the form of visible emission is not required. However, neither the EPA nor the state is precluded from performing its own testing and may take enforcement action for any violations discovered.

E. Facility Emissions

The following total licensed annual emissions for the facility are based on the following raw materials used. All usages are based on a 12 month rolling total.

- Boiler #1 wood use of 170,968 tons per year (8,500 Btu/lb, 5.56% moisture, or equivalent) based on firing 8,040 hours per year.
- Boiler #1 Propane use of 250,000 gallons per year of propane.
- Emergency Diesel Generator fuel use of 9,188 gallons per year of diesel fuel (0.05% sulfur by weight) based on 500 hours per year of operation.
- Diesel Fire Pump fuel use of 6,891gallons per year of diesel fuel (0.05% sulfur by weight) based on 500 hours per year of operation.

(all based on a 12 month rolling total)

Total Allowable Annual Emissions for the Facility
(used to calculate the license fee)

Pollutant	Tons/Year
PM	45.1
PM_{10}	45.1
SO_2	44.4
NO_X	249.9
CO	249.9
VOC	145.8

III. AIR QUALITY ANALYSIS

A. Overview

A combination of screening and refined modeling was performed to show that emissions from Indeck's facility, in conjunction with other sources, would not cause or contribute to violations of Maine Ambient Air Quality Standards (MAAQS) for SO_2, PM_{10}, NO_2 and CO or to Class II Increment for NO_2.

It was determined by MEDEP-BAQ that Indeck's facility consumes NO_2 increment, therefore a Class II increment analysis was performed.

It was determined by MEDEP-BAQ that Indeck is a relatively small source located a approximately 100 kilometers from the nearest Class I area and is not likely to affect ambient Class I increment, therefore a Class I analysis was not performed.

B. Model Inputs

The SCREEN3 model was used to determine the worst-case operating load and the SO_2, PM_{10}, NO_2 and CO significant impact areas in simple, intermediate, and complex terrain.

The ISC-PRIME model was used in refined simple terrain mode to address standards in all areas, including the cavity region. In addition, the COMPLEX-I model in the VALLEY Mode (CI-VM) was used to evaluate impacts in intermediate and complex terrain, i.e., areas where terrain elevations exceed the proposed stack-top elevations.

All modeling was performed in accordance with all applicable requirements of the MEDEP-BAQ and the United States Environmental Protection Agency (USEPA).

A valid five (5) year hourly meteorological off-site database was used for the refined modeling. The wind data was collected at a height of 76.20 meters at the Fort James meteorological monitoring site during the five (5) year period 1991-1995. Each year of meteorological data meets the 90% data recovery requirement, both singularly and jointly. Missing data were interpolated or coded as missing. Sigma-phi data (calculated using four 15-minute averages), and wind data measured at the ten (10) meter level, were used to calculate stability. Hourly mixing heights were derived from surface and upper air data collected at Caribou NWS station. A surface roughness length of 65 centimeters was used in the analysis.

Stack parameters used in the modeling for Indeck's facility and other nearby sources are listed in Table IV-1. The modeling analyses accounted for the potential of building wake effects on emissions from all modeled stacks that are below their respective formula GEP stack heights.

Table IV-1. Stack Parameters

Facility/Stack	Stack Base Elev. (m)	Stack Ht. (m)	GEP Stack Ht. (m)	Stack Dia. (m)	UTM E (km)	UTM N (km)
CURRENT/PROPOSED						
Indeck	68.58	41.50	75.56	2.74	529.060	5010.970
IP Passadumkeag	64.00	15.24	38.10	1.22	531.680	5006.820

Emission parameters for Indeck's facility and other nearby sources for MAAQS modeling are listed in Table IV-2. Emission parameters for Indeck's facility are based on the maximum license allowed operating configuration. For the purpose of determining NO_2 and PM_{10} impacts, all NO_x and PM emissions were conservatively assumed to convert to NO_2 and PM_{10}, respectively.

Table IV-2. Emission Parameters

Facility/ Stack	Operating Scenario	SO_2 (g/s)	PM_{10} (g/s)	NO_2 (g/s)	CO (g/s)	Temp (K)	Stack Vel. (m/s)
CURRENT:							
Indeck	Max	1.389	1.366	13.665	7.834	408.2	11.07
IP Passadumkeag, firing wood	Max	0.17	2.27	1.70	17.03	450	13.98
IP Passadumkeag, firing oil	Max	4.08	2.27	3.40	0.45	450	11.03
BASELINE – 1987:							
Indeck				8.524		408.2	9.42

C. Applicant's modeled impacts.

SCREEN3 modeling analyses were performed for the maximum, typical (75% of maximum operating case emission and stack velocity) and minimum (50% of maximum operating case emission and stack velocity) operating load cases for Indeck's facility alone. It was demonstrated that the maximum operating load case would result in maximum impacts in simple, intermediate, and complex terrain; thus the typical and minimum load cases were not examined further. The SCREEN3 model results for Indeck's facility are shown in Table IV-3. Pollutants that exceed their significance levels are indicated in bold type.

Table IV-3. Maximum SCREEN3 Predicted Impacts from Indeck Alone

Pollutant	Averaging Period	Maximum Impact Simple Terrain ($\mu g/m^3$)	Maximum Impact Complex Terrain ($\mu g/m^3$)	Class II Significance Level ($\mu g/m^3$)
SO_2	3-hour	**105.96**	4.18	**25**
	24-hour	**18.84**	1.86	**5**
	Annual	**9.42**	0.37	**1**
PM_{10}	24-hour	**25.68**	2.53	**5**
	Annual	**12.84**	0.51	**1**
NO_2	Annual	**128.45**	**5.07**	**1**
CO	1-hour	920.5	36.33	**2000**
	8-hour	**644.35**	25.43	**500**

D. Combined Source Modeling.

Because modeled impacts from Indeck's facility were greater than significance levels for all SO_2, PM_{10}, and NO_2 averaging periods and CO 8-hour averaging period in simple terrain and the NO_2 annual averaging period in complex terrain, other sources not explicitly included in the modeling analysis must be included by using representative background concentrations for the area. Background concentrations used were based on conservative eastern Maine rural background monitoring data from data collected for SO_2 from Dedham, Bald Mountain site, for PM_{10} from the Baileyville site, from data collected for NO_2 from the Portland area (PEOPL Site), and for CO from the Dedham, Bald Mountain site. These background values are listed in Table IV-4.

TABLE IV-4. Background Concentrations ($\mu g/m^3$)

Pollutant	Averaging Period	Background
SO_2	3-hour	52
	24-hour	29
	Annual	5
PM_{10}	24-hour	42
	Annual	10
NO_2	Annual	11
CO	8-hour	2284

MEDEP-BAQ examined other sources whose impacts would potentially be significant in or near Indeck's facility's significant impact area. Due to the applicant's location, extent of the significant impact area and nearby source emissions, MEDEP-BAQ has determined that only International Paper's Mill (formerly Diamond Occidental) in Passadumkeag would be considered for combined source modeling.

Table IV-5 summarizes maximum ISC-PRIME combined source impacts. Table IV-6 summarizes maximum CI-VM combined source impacts. Two scenarios were modeled, the first with IP Passadumkeag firing wood, and the second with IP Passadumkeag firing oil. The latter operating scenario demonstrated the greatest impacts for all averaging periods except where noted in Table IV-5. The predicted impacts were added to conservative background concentrations to demonstrate compliance with MAAQS. The combined source model results for simple and complex terrain are shown in Tables IV-5 & IV-6, respectively. All combined SO_2, PM_{10}, NO_2 and CO averaging period impacts from Indeck's facility including background were below their respective MAAQS.

Table IV-5. Maximum Combined Source Impacts in Simple terrain

Pollutant	Averaging Period	ISC-PRIME Max ($\mu g/m^3$)	Receptor UTM-E (km)	Receptor UTM-N (km)	Receptor Elevation (m)	Back-ground ($\mu g/m^3$)	Max Total Impact ($\mu g/m^3$)	MAAQS ($\mu g/m^3$)
SO_2	3-hour	199.98	531.75	5007.25	70.10	52	251.98	1150
	24-hour	80.80	531.75	5006.75	67.10	29	109.80	230
	Annual	9.39	531.75	5007.25	70.10	5	14.39	57
PM_{10}	24-hour	44.98	531.75	5006.75	67.10	42	86.89	150
	Annual	5.23	531.75	5007.25	70.10	10	15.23	40
NO_2	Annual	8.04	531.75	5007.25	70.10	11	19.04	100
CO	8-hour	522.00*	531.75	5007.25	70.10	2284	2806.00	10,000

Key: *Maximum Predicted impacts with IP Passadumkeag firing wood

Table IV-6. Maximum Combined Source Impacts in Complex terrain

Pollutant	Averaging Period	CI-VM Max ($\mu g/m^3$)	Receptor UTM-E (km)	Receptor UTM-N (km)	Receptor Elevation (m)	Back-ground ($\mu g/m^3$)	Max Total Impact ($\mu g/m^3$)	MAAQS ($\mu g/m^3$)
NO_2	Annual	3.06	534.22	5014.76	167.00	11	14.06	100

E. Increment

Area Source Growth

Population growth in Penobscot County can be used as a surrogate factor for the growth in the emissions from residential combustion sources. Information from the U.S. Census Bureau estimates that the population in Penobscot County was 146,601 in 1990 and 144,432 in 1999 for a net decrease of 1.5% between 1990 and 1999. Because of the negative growth in area source emissions a detailed analysis of area source emissions of NO_X was not required.

Mobile Source Growth

Growth in vehicle miles traveled (VMT) can be used to determine the growth in NO_X emissions in the impact area of the proposed source. MEDEP-BAQ performed motor vehicle emission model runs for the period of 1987 to 1998. A VMT growth for this same period of 23% for Penobscot County combined with known controls in mobile source NO_X emissions causes insignificant growth of NO_X in this time period. Hence, further detailed analyses of mobile NO_X emissions are not needed.

As a result, MEDEP-BAQ determined that no NO_2 increment has been consumed by mobile and area sources in Penobscot County. Thus, only point sources need to be considered in the increment analysis.

ISC-PRIME refined model in simple terrain and the CI-VM screening model in complex terrain were used to demonstrate that NO_2 increment would not be violated by the applicant alone. Table IV-7 summarizes increment consumption in simple and complex terrain for Indeck alone.

Table IV-7. Increment Consumption for Indeck Alone

Pollutant	Averaging Period	Model	Increment ($\mu g/m^3$)	Receptor UTM-E (km)	Receptor UTM-N (km)	Receptor Elevation (m)	Class II Increment ($\mu g/m^3$)
NO_2	Annual	**ISC-PRIME**	0.31	530.75	5014.75	85	25
NO_2	Annual	**CI-VM**	1.09	534.22	5014.76	167	25

IP Passadumkeag does not consume increment. Due to the applicant's location, extent of the significant impact area and nearby source's emissions, it has been determined that no other sources would be considered for combined source increment modeling.

F. Summary

In summary, it has been demonstrated that Indeck's facility in its proposed configuration will not cause or contribute to a violation of any SO_2, PM_{10}, NO_2 or CO averaging period MAAQS or Class II Increment.

ORDER

Based on the above Findings and subject to conditions listed below, the Department concludes that emissions from this sources:

- will receive Best Practical Treatment;
- will not violate applicable emissions standards
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants the Part 70 License A-91-70-A-I pursuant to MEDEP Chapter 140 and the preconstruction permitting requirements of MEDEP Chapter 115 and subject to the standards and special conditions below.

All federally enforceable and State-only enforceable conditions in existing air licenses previously issued to IMEWE pursuant to the Department's preconstruction permitting requirements in Chapters 108 or 115 have been incorporated into this Part 70 license, except for such conditions that MEDEP has determined are obsolete, extraneous or otherwise environmentally insignificant, as explained in the findings of fact accompanying this permit. As such the conditions in this license supercede all previously issued air license conditions.

Federally enforceable conditions in this Part 70 license must be changed pursuant to the applicable requirements in Chapter 115 for making such changes and pursuant to the applicable requirements in Chapter 140.

For each standard and special condition which is state enforceable only, state-only enforceability is designated with the following statement: **Enforceable by State-only**.

STANDARD CONDITIONS

(1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emission units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions and this license;
(Title 38 MRSA §347-C)

(2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 140;

(3) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both;

(4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request; **Enforceable by State-only**

(5) The licensee shall pay the annual air emissions license fee to the Department, calculated pursuant to Title 38 MRSA §353;

(6) The Part 70 license does not convey any property rights of any sort, or any exclusive privilege;

(7) The licensee shall maintain and operate all emission units and air pollution control systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions;
(40 CFR §60.11(d))

(8) The licensee shall maintain sufficient records to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request or in accordance with other provisions of this license;

(9) The licensee shall comply with all terms and conditions of the air emission license. The submission of notice of intent to reopen for cause by the Department, the filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for the renewal of a Part 70 license or amendment shall not stay any condition of the Part 70 license.

(10) All terms and conditions are enforceable by EPA and citizens under the CAA unless specifically designated as state enforceable.

(11) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license;

(12) In accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department, the licensee shall:

(a) perform stack testing under circumstances representative of the facility's normal process and operating conditions:

(i) within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring, or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions;

(ii) to demonstrate compliance with the applicable emission standards; or

(iii)pursuant to any other requirement of this license to perform stack testing.

(b) install or make provisions to install test ports that meet the criteria of 40 CFR Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emissions testing; and

(c) submit a written report to the Department within thirty (30) days from the date of test completion.

Enforceable by State-only

(13) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicates emissions in excess of the applicable standards, then:

(a) within thirty (30) days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department; and

(b) the days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there where intervening days during which no violation occurred or that the violation was not continuing in nature; and

(c) the licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on a interim basis prior to a demonstration of compliance under normal and representative process and operating conditions.

Enforceable by State-only

(14) Notwithstanding any other provision in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement.
(40 CFR §60.11(g))

(15) Compliance with the conditions of this Part 70 license shall be deemed compliance with any Applicable requirement as of the date of license issuance and is deemed a permit shield, provided that:

(a) Such Applicable and state requirements are included and are specifically identified in the Part 70 license, except where the Part 70 license term or condition is specifically identified as not having a permit shield; or

(b) The Department, in acting on the Part 70 license application or revision, determines in writing that other requirements specifically identified are not applicable to the source, and the Part 70 license includes the determination or a concise summary, thereof.

Nothing in this section or any Part 70 license shall alter or effect the provisions of Section 303 of the CAA (emergency orders), including the authority of EPA under Section 303; the liability of an owner or operator of a source for any violation of Applicable requirements prior to or at the time of permit issuance; or the ability of EPA to obtain information from a source pursuant to section 114 of the CAA.

(16) The licensee shall retain records of all required monitoring data and support information for a period of at least six (6) years from the date of the monitoring sample, measurement, report, or application. Support information includes all

calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the Part 70 license.

(17) The licensee shall maintain records of all deviations from license requirements. Such deviations shall include, but are not limited to malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emission unit itself that is not consistent with the terms and conditions of the air emission license. The licensee shall notify the Department within two (2) days or the next working day, whichever is later, of such occasions and shall report the probable cause, corrective action, and any excess emissions in the units of the applicable emission limitation;

(18) Upon the written request of the Department, the licensee shall establish and maintain such records, make such reports, install, use, and maintain such monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status.

(19) The licensee shall submit quarterly reports of any required monitoring as required by the Department. All instances of deviations from Part 70 license requirements must be clearly identified in such reports. All required reports must be certified by a responsible official.

(20) The licensee shall submit a compliance certification to the Department and EPA at least annually, or more frequent if specified in the Applicable requirement by the Department. The compliance certification shall include the following:

(a) The identification of each term or condition of the Part 70 license that is the basis of the certification;

(b) The compliance status;

(c) Whether compliance was continuous or intermittent;

(d) The method(s) used for determining the compliance status of the source, currently and over the reporting period; and

(e) Such other facts as the Department may require to determine the compliance status of the source;

(21) The Part 70 license shall be reopened for cause by the Department or EPA, prior to the expiration of the Part 70 license, if:

(a) Additional Applicable requirements under the CAA become applicable to the Part 70 major source with a remaining Part 70 license term of 3 or more years. However, no opening is required if the effective date of the requirement is later than the date on which the Part 70 license is due to expire, unless the original Part 70 license or any of its terms and conditions has been extended pursuant to Chapter 140;

(b) Additional requirements (including excess emissions requirements) become applicable to the Title IV source under the acid rain program. Upon approval by EPA, excess emissions offset plans shall be deemed to be incorporated into the Part 70 license;

(c) The Department or EPA determines that the Part 70 license contains a material mistake or that inaccurate statements were made in establishing the emission standards or other terms of conditions of the Part 70 license; or

(d) The Department or EPA determines that the Part 70 license must be revised or revoked to assure compliance with the Applicable requirements.

The licensee shall furnish to the Department within a reasonable time any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the Part 70 license or to determine compliance with the Part 70 license.

(22) No license revision or amendment shall be required, under any approved economic incentives, marketable licenses, emissions trading, or other similar programs or processes for changes that are provided for in the Part 70 license.

SPECIAL CONDITIONS

(23) Permit Shield for Non-Applicable Requirements

The following requirements have been specifically identified as not applicable based upon information submitted by the licensee in an application dated July 8, 1996.

	SOURCE	CITATION	DESCRIPTION	BASIS FOR DETERMINATION
a.	Boiler #1	40 CFR Parts 72 and 74	Acid Rain Provisions	IMEWE is exempt from the Acid Rain program.
b.	Boiler #1	40 CFR Part 60.45(j)	Compliance and performance test methods and procedures for sulfur dioxide.	IMEWE fires only propane as its secondary fuel.
c.	Boiler #1	40 CFR Part 60.44b	There is no NSPS NO_x limit if the affected facility has an annual capacity factor less than 10% for oil firing in combination with firing wood.	Boiler 1 has an annual capacity factor less than 10% for waste oil firing.
d.	Boiler #1	40 CFR Part 60.42b	Standard for sulfur dioxide.	Boiler #1 does not fire coal or oil.
e.	Boiler #1	Chapter 117	Source Surveillance RATA Requirements	The timeframe for a RATA to be perform has been altered due to these units being peaking units.
f.	Emergency Diesel Generator	Chapter 103, Section 2(B)(4)(c)	Particulate emission limit for fuel burning equipment < 3.0 MMBtu/hr.	Not applicable, unit is < 3.0 MMBtu/hr.
g.	Diesel Fire Pump	Chapter 103, Section 2(B)(4)(c)	Particulate emission limit for fuel burning equipment < 3.0 MMBtu/hr.	Not applicable, unit is < 3.0 MMBtu/hr.

(24) Boiler 1

A. Boiler 1 steam production shall be limited to 240,000 #/hr, at 1450 psig, averaged over a 2 hour period. IMEWE shall monitor and record steam flow continuously for Boiler #1. Note, "continuously" is defined as: Equally spaced data points with at least one data point for each successive 15 minute period. A minimum of three evenly spaced data points constitutes a valid hour.

The Steam Flow monitor must record accurate and reliable data. If the parameter monitor is recording accurate and reliable data less than 98% of the source-operating time within any quarter of the calendar year, the Department may initiate enforcement action and may include in that enforcement action any period of time that the parameter monitor was not recording accurate and reliable data during that quarter unless the licensee can demonstrate to the satisfaction of the Department that the failure of the system to record accurate and reliable data was due to the performance of established quality assurance and quality control procedures or unavoidable malfunctions.
[MEDEP Chapter 140, BPT]

B. The maximum heat input capacity from propane in Boiler #1 when firing propane for boiler start-up and flame stabilization shall not exceed 30.0MMBtu/hr (320 gal/hr). The flow rate shall be recorded hourly either by transmitter or manually. The maximum 12-month rolling total of propane fired in Boiler #1 shall not exceed 250,000 gallons.
[MEDEP Chapter 140, BPT]

C. Emissions from Boiler 1 shall not exceed the following limits when firing wood and/or propane:

Pollutant	lb/MMBtu	Origin and Authority
PM	0.03	MEDEP Chapter 140, BPT
PM_{10}	0.03	MEDEP Chapter 140, BPT
NO_x	0.30	MEDEP Chapter 140, BPT NO_x RACT

NO_x: The 0.30 lb/MMBtu limit is based on a 24-hour daily block average, via CEM. A 24-hour block average shall be defined as midnight to midnight. In accordance with Chapter 138 § 3(O), periods of startup, shutdown, equipment malfunction and fuel switching shall not be included in determining 24-hour daily block arithmetic average emission rates. IMEWE shall maintain the NO_x CEM in accordance with Chapter 117. The CEM shall meet the monitoring requirements Condition (33). Boiler #1 shall be equipped with an oxygen (O_2) CEM that meets the criteria Condition (33).
[MEDEP Chapter 138, NO_x RACT]

D. Lb/hr emissions from Boiler 1 shall not exceed the following limits:

Pollutant	lb/hour
PM	10.8
PM_{10}	10.8
SO_2	11.0
NO_x	108.45
CO	62.2
VOC	36.2

PM, PM_{10}, SO_2, NO_x, CO and VOC: Lb/hr limits are on a one (1) hour average and shall be demonstrated upon request by a stack test in accordance with this license and the following stack test methods:

PM and PM_{10} - 40 C.F.R. Part 60, App. A, Method 5
SO_2 - 40 C.F.R. Part 60, App. A, Method 6
NOx - 40 C.F.R. Part 60, App. A, Method 7
CO - 40 C.F.R. Part 60, App. A, Method 10
VOC - 40 C.F.R. Part 60, App. A, Method 25

[MEDEP Chapter 140, BPT]

E. Emissions from Boiler 1 shall vent to Stack 1 which shall be at least 136 feet AGL and represent at least 51.7% of the formula GEP stack height. [MEDEP Chapter 140, BPT]

F. Particulate matter (PM, PM_{10}) emissions from Boiler 1 shall be controlled by the operation and maintenance of a multiple centrifugal cyclone separator followed by an electrostatic precipitator (ESP).

IMEWE shall operate, at a minimum, the number of ESP chambers and number of fields per chamber that operated during the most recent demonstration of compliance with the licensed particulate emission limits. Data for the following points in the ESP shall be recorded once per day during operation:

1) Primary and secondary voltages on each field
2) Primary and secondary current on each field

[MEDEP Chapter 140, BPT]

Upon written notification to the Department, and in accordance with the Bureau of Air Quality's Air Emission Compliance Test Protocol, IMEWE may perform additional particulate emission testing to demonstrate compliance with alternative operating scenarios, but under no circumstances shall IMEWE be relieved of its obligation to meet its licensed emission limits.
[MEDEP Chapter 140, BPT]

G. **NO_x Emissions.**

IMEWE shall emit no more than 249.9 tons of NO_x per 12 month rolling total. IMEWE shall determine the annual NO_x emissions from Boiler 1 as follows:

NO_x lb/MMBtu = (NO_x ppm) X (20.9) / (20.9 - % O_2) X
(1.194×10^{-7}) X (9240)

The NO_x ppm and percent O_2 are from the CEM. The (1.194×10^{-7}) is the conversion factor for ppm NO_x from 40 CFR Part 60, Method 19. The 9240 is the F factor for wood from 40 CFR Part 60, Method 19.

NO_x TPY = (NO_x lb/MMBtu) X (Boiler Heat Rate/megawatt) X
megawatts generated / 2000

NO_x lb/MMBtu is from the CEM.
Boiler Heat Rate is from Babcock & Wilcox as accepted by Plant Owners.
Megawatts generated will be from Bangor Hydro Electric's metering.

H. IMEWE shall operate Boiler 1 such that the opacity does not exceed 20% over a six minute average except for one six minute period per hour of not more than 27%, subject to the exemptions listed in MEDEP Chapter 101, Section 3(E) and 40 CFR Part 60.43b(g).

I. Compliance with the opacity limit shall be demonstrated by means of a continuous opacity monitoring system (COM). The COM shall be installed and certified on the breaching of the ESP to the stack. IMEWE shall maintain the COM in accordance with Condition (33).
[MEDEP Chapter 140, BPT]

J. Boiler 1 is subject to 40 CFR Part 60 Subparts A and Db and IMEWE shall comply with the notification and record keeping requirements of 40 CFR Part 60.7.

40 CFR Part 60 Subpart Db requires maintaining records of the amount of each fuel combusted each day and calculation of annual capacity factor individually for wood and propane for each semiannual period. IMEWE shall maintain monthly fuel use records and determine an annual capacity factor on a 12 month rolling average basis with a new annual capacity calculated at the end of each calendar month.
[MEDEP Chapter 140, BPT]

Propane use shall be recorded hourly to demonstrate compliance.
[MEDEP Chapter 140, BPT]

K. Waste Oil.

IMEWE may use up to 500 gallons per year of waste oil in Boiler 1. Only waste oil generated on–site that meets the Department's criteria for specification or off-specification waste oil may be burned. IMEWE shall maintain records of the amount of waste oil burned in Boiler 1 on a 12 month rolling basis.
[MEDEP Chapter 140, BPT]

L. Should wind action or handling of wood chips result in visible emissions in excess of 5% opacity, the chips shall be controlled to eliminate visible emissions in excess of 5% opacity on a six (6) minute average.
[MEDEP Chapter 140, BPT] **Enforceable by State Only**

(25) Preventative Maintenance Log

A log for Boiler 1 shall be maintained showing preventative maintenance actions being performed.
[MEDEP Chapter 140, BPT] **Enforceable by State Only**

(26) General Process Sources

Visible emissions from any general process source (including chippers) shall not exceed an opacity of 20% on a 6 minute block average basis, except for no more than 1 six minute block average in a 1 hour period.
[MEDEP Chapter 140, BPT]

(27) Fugitive Emissions

Potential sources of fugitive PM emissions, including material stockpiles, roadways and ash, shall be controlled by wetting with water, with calcium chloride, or other methods as approved by the Bureau of Air Quality, to prevent visible emissions in excess of 10% on a 6 minute block average basis, except for no more than one (1) six (6) minute block average in a 1 hour period.

[MEDEP Chapter 140, BPT]

(28) Miscellaneous Emission Units

Emission Unit	Origin and Authority	Requirement Summary
Emergency Diesel Generator	Chapter 101, Section 2(A), Chapter 140, BPT	Visible emissions shall not exceed an opacity of 30 percent on a six (6) minute block average basis, except for no more than two (2) six (6) minute block averages in a 3-hour period
Diesel Fire Pump	Chapter 101, Section 2(A), Chapter 140, BPT	Visible emissions shall not exceed an opacity of 30 percent on a six (6) minute block average basis, for no more than two (2) six (6) minute block averages in a 3-hour period

(29) Emergency Diesel Generator
Emergency Diesel Generator shall be limited to 500 hours per year of operation (9,188 gallons of fuel), firing 0.05% sulfur (documented through supplier fuel records) diesel fuel, based on a 12 month rolling total. Hours of operation and fuel use records for the emergency diesel generator shall be kept through purchase receipts indicating gallons and percent sulfur by weight.

A log documenting the dates, times and reason of operation for the generator shall be kept.

[MEDEP Chapter 140, BPT]

(30) Diesel Fire Pump
The Emergency Diesel Fire Pump shall be limited to 500 hours per year of operation (6,891 gallons of fuel), firing 0.05% sulfur (documented through supplier fuel records) diesel fuel, based on a 12 month rolling total. Hours of operation and fuel use records for the emergency diesel fire pump shall be kept through purchase receipts indicating gallons and percent sulfur by weight.

A log documenting the dates, times and reason of operation for the fire pump shall be kept.

[MEDEP Chapter 140, BPT]

(31) **Stack Testing** [MEDEP Chapter 140, BPT]

A. All stack testing programs shall comply with all of the requirements of the MEDEP Compliance Test Protocol and with 40 CFR Part 60, as appropriate, or other methods approved by the MEDEP and EPA to test.

B. IMEWE shall conduct particulate matter testing on Boiler #1 and demonstrate compliance with emission standards within the first 3 years of the date of signature of this license.

C. IMEWE shall conduct a one-time VOC test during the first particulate matter stack test on Boiler #1. Data from this test will be utilized to determine if a more stringent VOC emission rate is appropriate.

Enforceable by State Only

(32) **Units Containing Ozone Depleting Substances**

When repairing or disposing of units containing ozone depleting substances, the licensee shall comply with the standards for recycling and emission reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioning units in Subpart B. An example of such units include refrigerators and any size air conditioner that contain CFCs.

[40 CFR, Part 82, Subpart F]

(33) **CEMS, COMS, and Parameter Monitors**

The CEMS, COMS, and parameter monitors required by this license shall be the primary means of demonstrating compliance with emission standards set by this Order, statute, state or federal regulation, as applicable. IMEWE shall comply with the following: [MEDEP Chapter 140, BPT]

A. **Performance Specifications** [MEDEP Chapter 117]

All CEMS and COMS shall meet the sampling and performance criteria specified in 40 CFR Part 51 Appendix P, and shall be operated in accordance with 40 CFR Part 60 Appendix B and F and Chapter 117 of the Department's regulations.

1. If the continuous emission monitoring system for the gaseous emissions is recording accurate and reliable data less than 90% of the source-operating time within any quarter of the calendar year, the Department may initiate enforcement action and may include in that enforcement action any period of time that the CEMS was not recording accurate and reliable data during that quarter unless the licensee can demonstrate to the satisfaction of the Department that the failure of the system to record accurate and reliable data was due to the performance of established quality assurance and quality control procedures or unavoidable malfunctions.

2. If the continuous opacity monitoring system is recording accurate and reliable data less than 95% of the source-operating time within any quarter of the calendar year, the Department may initiate enforcement action and may include in that enforcement action any period of time that the continuous emission monitoring system was not recording accurate and reliable data during that quarter unless the licensee can demonstrate to the

satisfaction so the Department that the failure of the system to record accurate and reliable data was due to the performance of established quality assurance and quality control procedures or unavoidable malfunctions.

3. Conduct Relative Accuracy Testing (RATA) and/or Performance Audits in accordance with Chapter 117 of the Department's regulations unless the unit has not had 168 unit operating hours, as defined in Part 72, in a quarter then that quarter shall be excluded in determining the deadline for the next RATA. If the RATA has not been completed by the end of the eighth calendar quarter since the quarter of the last RATA, then the RATA must be completed within a 720 unit operating hour grace period following the end of the eighth successive elapsed calendar quarter, or the data from the CEMS will become invalid.

   IMEWE shall perform a cylinder gas audit (CGA) in accordance with 40 CFR Part 60, Appendix F if Boiler #1 was run during the quarter. CGA's may be conducted at any load. Upon request of IMEWE, DEP may waive the requirement in Chapter 117 that notice be provided 10 days in advance of a CGA and the requirement in Chapter 117 and 40 CFR Part 60, Appendix F that CGA's must be conducted no less than 60 days apart.

4. Develop and maintain an updated quality assurance plan for all CEMS and COMS in accordance with 40 CFR Part 60 Appendix F and Chapter 117 of the Department's regulations.

B. **Recordkeeping** [MEDEP Chapter 117 and Chapter 140, BPT]
For all of the continuous emission monitoring (CEMS), continuous opacity monitor (COM), equipment parameter monitoring and recording, required by this license, the licensee shall maintain records of the most current six year period and the records shall include:

1. Documentation which shows monitor operational status during all source operating time, including specifics for calibration and audits; and

2. A complete data set of all monitored parameters as specified in this license. All parameter records shall be made available to the Bureau of Air Quality upon request.

3. For all CEMS and COM, the records shall include:
   a. Documentation that all CEMS and COM are continuously accurate, reliable, and operated in accordance with Chapter 117, 40 CFR Part 51, Appendix P, and 40 CFR Part 60, Appendices B and F;

b. Records of all measurements, performance evaluations, calibration checks, and maintenance or adjustments for each CEMS and COMS, as required by 40 CFR Part 51 Appendix P;

c. Upon the written request by the Department a report or other data indicative of compliance with the applicable emission standard for those periods when the CEMS or COMS were not in operation or produced invalid data. Methods allowed by 40 CFR Part 75 may be used to demonstrate compliance with applicable emission standards. Evidence indicating normal operations shall constitute such reports or other data indicative of compliance with applicable emission standards. In the event the Bureau of Air Quality does not concur with the licensee's compliance determination, the licensee shall, upon the Bureau of Air Quality's request, provide additional data, and shall have the burden of demonstrating that the data are indicative of compliance with the applicable standard; and

d. A 24-hour block average shall be calculated as the arithmetic average of not more than 24 one-hour block periods. Only one 24-hour block average shall be calculated for one day, beginning at midnight. A valid 24-hour block average must contain at least 12 hours during which operation occurred. Hours in which no operation occurs shall not be included in the 24-hour block average calculation.

C. **Quarterly Reporting**

The licensee shall submit a Quarterly Report to the Bureau of Air Quality and EPA within 30 days after the end of each calendar quarter, detailing the following for the parameter monitors, Continuous Emission Monitoring Systems (CEMS), or Continuous Opacity Monitoring Systems (COMS) required by this license:

1. All control equipment downtimes and malfunctions;
2. All CEMS or COMS downtimes and malfunctions;
3. All parameter monitor downtimes and malfunctions;
4. All excess events of emission and operational limitations set by this Order, Statute, state or federal regulations, as appropriate. The following information shall be reported for each excess event:
   a. Standard exceeded;
   b. Date, time, and duration of excess event;
   c. Maximum and average values of the excess event, reported in the units of the applicable standard, and copies of pertinent strip charts and printouts when requested;
   d. A description of what caused the excess event;
   e. The strategy employed to minimize the excess event; and
   f. The strategy employed to prevent recurrence.
5. A report certifying there were no excess emissions, if that is the case.

[MEDEP Chapter 117]

(34) **Semiannual Reporting** [MEDEP Chapter 140]
The licensee shall submit semiannual reports every six months to the Bureau of Air Quality. The semiannual reports are due with every other quarterly report, and the initial semiannual report is due April 30, 2002 with the second quarterly report submitted following the date of signature of this license.

A. Each semiannual report shall include a summary of the periodic monitoring required by this license. The periodic monitoring required by this license is as follows:
   1. The rolling 12-month total of propane fired into Boiler 1.
   2. Summary page of the results of stack testing for PM, PM_{10}, SO_2, NO_x, CO and VOC when requested.
   3. A photocopy of the daily Primary and Secondary ESP voltages.
   4. A photocopy of the daily Primary and Secondary ESP currents.
   5. Monthly total of each fuel burned in Boiler 1 for each day (wood and propane).
   6. A photocopy of the maintenance log for Boiler 1 showing preventative maintenance actions performed in the past six months.
   7. Tons of NO_x emitted in the past 12 months.
   8. Summary of the quantity of fuel burned in the Emergency Generator and Fire Pump (diesel fuel) over the past six months.
   9. Diesel fuel oil sulfur content of the diesel fuel burned over the past six months.

B. Each semiannual report shall include the annual capacity factor of Boiler 1 for each fuel.

C. All instances of deviations from license requirements and the corrective action taken must be clearly identified and provided to the Department in summary form for each six-month interval.

(35) **Compliance**
Compliance with all license limits and standards shall be subject to the provisions of 38 M.R.S.A. § 349(9).
[MEDEP Chapter 140]

(36) **Annual Compliance Certification**
IMEWE shall submit an annual compliance certification to the Department and EPA in accordance with Condition (20) of this license. The initial annual compliance certification is due October 30, 2002 with the submittal of the second semiannual report after the signature date of this license.
[MEDEP Chapter 140]

(37) **Annual Emission Statement**

In accordance with MEDEP Chapter 137, the licensee shall annually report to the Department, by September 1, the information necessary to accurately update the State's emission inventory by means of:

1) A computer program and accompanying instructions supplied by the Department;

   or

2) A written emission statement containing the information required in MEDEP Chapter 137.

Reports and questions should be directed to:

Attn: Criteria Emission Inventory Coordinator
Maine DEP
Bureau of Air Quality
17 State House Station
Augusta, ME 04333-0017

Phone: (207) 287-2437

(38) The licensee is subject to the State regulations listed below.

Origin and Authority	Requirement Summary
Chapter 102	Open Burning
Chapter 109	Emergency Episode Regulation
Chapter 110	Ambient Air Quality Standard
Chapter 116	Prohibited Dispersion Techniques

(39) **Certification by a Responsible Official**

All reports (including quarterly reports, semiannual reports, and annual compliance certifications) required by this license to be submitted to the Bureau of Air Quality must be signed by a responsible official.
[MEDEP Chapter 140]

(40) The term of this license shall be five (5) years from the signature date below.

DONE AND DATED IN AUGUSTA, MAINE THIS DAY OF 2001.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
MARTHA G. KIRKPATRICK, COMMISSIONER

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of Title V application: October 22, 1997
Date of Title V application acceptance: October 23, 1997

Date filed with the Board of Environmental Protection _____

This Order prepared by Mark E. Roberts, Bureau of Air Quality.

Indeck Maine Energy, LLC
Penobscot County
West Enfield, Maine
A-91-70-B-A

Departmental
Findings of Fact and Order
Part 70 Air Emission License
Amendment #1

After review of the Part 70 Section 502(b)(10) Change application, staff investigation reports and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 M.R.S.A, Section 344 and Section 590, the Department finds the following facts:

I. Registration

A. Introduction

FACILITY	Indeck Maine Energy, L.L.C. –West Enfield (IMEWE)
INITIAL LICENSE NUMBER	A-91-70-A-I
LICENSE TYPE	Part 70 Section 502(b)(10) Change
NAIC CODES	4911
NATURE OF BUSINESS	Electrical power generation
FACILITY LOCATION	Route 2, West Enfield, Maine
DATE OF INITIAL LICENSE ISSUANCE	September 5, 2001
DATE OF PART 70 MINOR CHANGE	March 11, 2004
LICENSE EXPIRATION DATE	September 5, 2006

B. Description of Part 70 Section 502(b)(10) Change

IMEWE has requested a Part 70 Section 502(b)(10) Change to perform routine maintenance, repair and replacement activities on the boiler and pollution control equipment. Since start-up, the boiler has experienced relatively rapid deterioration of certain internal components. The deterioration is such that a number of components have needed replacement every year or two. It has been determined that the primary cause of the rapid deterioration is the relatively high velocity of the circulating air in the boiler which creates a sand-blasting effect. The high velocity of the air also creates relatively high carry-over in the boiler hopper which reduces the availability and reliability of the particulate removal equipment, including the multi-clones. The following items will be replaced or altered as part of the plant's regular maintenance programs to replace worn parts: Primary and secondary superheaters, economizer, fuel feed system, radiant waterwalls, convection waterwalls, furnace refractory, air preheater, multicyclone, U-beams and sootblowers. A detailed description of the changes may be found in the Part 70 Section 502(b)(10) Change application.

These changes will not increase the maximum design heat input capacity of the boiler and will not increase the lb/MMBtu or lb/hr emission rates. The boiler is currently subject to 40 CFR Part 60, Subpart Db and was originally permitted pursuant to the State's EPA-approved Prevention of Significant Deterioration (PSD) permitting requirements, which included BPT/BACT and ambient air quality modeling.

C. Application Classification

The application for IMEWE changes no license conditions and all existing emission rates and methods for demonstrating compliance are still in effect. This change is considered to be a Part 70 Section 502(b)(10) Change issued under Chapter 140 of the Department's regulations for a Part 70 source and has been processed as such.

ORDER

The Department hereby grants Part 70 Section 502(b)(10) Change A-91-70-B-A, subject to the conditions found in Part 70 License A-91-70-A-I.

DONE AND DATED IN AUGUSTA, MAINE THIS DAY OF 2004.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
DAWN R. GALLAGHER, COMMISSIONER

The term of this amendment shall be concurrent with the term of Air Emission License A-91-70-A-I.

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: February 17, 2004
Date of application acceptance: February 24, 2004

Date filed with the Board of Environmental Protection _____

This Order prepared by Mark E. Roberts, Bureau of Air Quality.