



DEPARTMENT ORDER

IN THE MATTER OF:

<b>BOUNDARY CO.</b>	)	<b>LICENSE TRANSFER</b>
ACQUISITION OF	)	
MOOSE RIVER LUMBER MILL	)	Site Location of Development
Moose River, Somerset County	)	Air Emission
L-004550-21-F-T	)	Stormwater
A-779-70-H-T	)	
MER05B323	)	

Pursuant to Maine’s *Site Location of Development law*, 38 M.R.S. §§ 481–489-E; *Protection and Improvement of Air laws*, 38 M.R.S. §§ 344 and 581–610-D; *Stormwater Management law*, 38 M.R.S. § 420-D; rules promulgated pursuant to these laws and the Department’s *Rule Concerning the Processing of Applications and Other Administrative Matters*, 06-096 C.M.R. ch. 2 (2018), the Maine Department of Environmental Protection (Department) has considered the application of BOUNDARY CO. with its supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

**1. APPLICATION SUMMARY**

On March 30, 2023, Boundary Co. (Applicant), submitted an application to the Department for the transfer of all active licenses, as defined in 06-096 C.M.R. ch. 2 § 2(1)(L), and any applications pending, relating to the property and buildings located at 25 Talpey Road, in Moose River (the Property). The Moose River facility was originally licensed by the Department in 1978.

The Department accepted Applicant’s license transfer application as complete for processing on April 24, 2023. A schedule of licenses and applications that are the subject of the application, and this Department Order, is set forth in Appendix A. The intent of this Order is to transfer all or portions of those active licenses that apply to the Property. Any Department license or application concerning the Property not specifically listed in this Order is incorporated herein.

**2. TRANSFER REQUIREMENTS**

The applicant submitted the following information in support of the transfer application:

BOUNDARY CO.  
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**LICENSE TRANSFER**

- A. Name and Address.** The full name and address of the applicant is: Boundary Co., 25 Talpey Road, Moose River, Maine 04945.
- B. Title, Right, or Interest.** The Applicant has submitted an Option Agreement, dated March 22, 2023, demonstrating the applicant had an option to purchase the property. The Applicant subsequently submitted a Quitclaim Deed dated March 31, 2023, demonstrating that title to the property has been transferred to Applicant. The Department finds that the Option Agreement and the Deed provide sufficient evidence of title to the Property to allow the transfer of licenses and applications to Applicant.
- C. Financial Capacity and Intent.** The Applicant submitted a letter from Farm Credit East, ACA, dated March 21, 2023, demonstrating the financial capacity of the applicant to own and operate the Property. The Department finds that the Applicant has demonstrated sufficient financial capacity and intent to assure compliance with all Department licenses relating to the Property.
- D. Technical Capacity and Intent.** The Applicant has retained the services of key operations and engineering personnel from the previous owner, ensuring continuity of technical support at the property. The Applicant has also retained personnel experienced in lumber mill operations to assist with Health, Safety and Environmental compliance at the property.

The Department finds that the information submitted in the application provides sufficient evidence that the Applicant has the technical capacity and intent to comply with all Department licenses, pending applications, and any statutory and regulatory criteria applicable to the Property.

BASED ON THE ABOVE FINDINGS OF FACT, the Department CONCLUDES that BOUNDARY CO. has demonstrated title, right, or interest to the Property as well as the technical and financial capacity and intent to comply with the conditions of all Department licenses and pending applications associated with the Property described in this Order's findings, including without limitation those licenses and applications listed in Appendix A, and to satisfy all applicable statutory and regulatory criteria, subject to the conditions set forth below.

**BOUNDARY CO.**  
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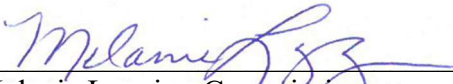
**LICENSE TRANSFER**

THEREFORE, the Department APPROVES the application of BOUNDARY CO. SUBJECT TO THE FOLLOWING CONDITIONS and all applicable standards:

1. EFFECT ON EXISTING ORDERS. All other Findings of Fact, Conclusions, and Conditions associated with all approvals that are the subject of this Order remain as approved and are incorporated herein.
2. SEVERABILITY. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

DONE AND DATED AT AUGUSTA, MAINE THIS \_\_\_ 4th \_\_\_ DAY OF MARCH, 2024.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

By:   
Melanie Loyzim, Commissioner

**PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES**

Date of initial receipt of application: March 30, 2023

Date application accepted for processing: April 21, 2023

Date filed with the Board of Environmental Protection:

<p><b>FILED</b> March 4<sup>th</sup>, 2024 State of Maine Board of Environmental Protection</p>
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BOUNDARY CO.  
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**LICENSE TRANSFER**

APPENDIX A: LICENSES AND APPLICATIONS

**AIR EMISSIONS LICENSES**

LICENSE NUMBER	DESCRIPTION	DATE
A-779-71-A-N	Initial air emission license for lumber mill including three boilers and kilns	12/13/1999
A-779-71-B-M	Made Boiler #3 permanent, revised size of Boiler #2 and replace kiln	4/16/2003
A-779-71-C-A	Revise size of Boiler #1	10/7/2003
A-779-70-A-I	Initial Part 70 license	2/25/2004
A-779-77-1-A	NSR #1: Addition of Boiler #4	9/30/2008
A-779-70-C-R/A	Part 70 license renewal with incorporation of NSR #1	5/14/2010
A-779-70-D-R/A	Part 70 license renewal and addition of Generator #1	11/12/2015
A-779-77-2-A	NSR #2: Addition of Kilns #4 and #5	11/30/2017
A-779-70-E-A	Incorporation of NSR #2 into Part 70 license	3/27/2018
A-779-77-3-A	NSR #3: Re-permitting of NSR #2 and removal of restrictions on Boilers #1 & #4	7/9/2019
A-779-70-F-A	Incorporation of NSR #3 into Part 70 license	8/29/2019
A-779-70-G-R	Part 70 license renewal	8/21/2020

**LAND RESOURCES LICENSES**

LICENSE NUMBER	DESCRIPTION	DATE
L-004550-21-A-X	Site Law Approval of Moose River Sawmill originally issued as 24-4550-25190	9/13/78
L-004550-21-D-A	Site Law Amendment	2/18/94
L-004550-TC-E-N	Construction of Stormwater Detention Pond0	5/11/06

**STORM WATER LICENSE**

LICENSE NUMBER	DESCRIPTION	DATE
MER05B323	Stormwater Multi-Sector General Permit	2/15/17