

**ACT 250 NOTICE  
APPLICATION 7C1412 AND HEARING  
10 V.S.A. §§ 6001 - 6111**

Application 7C1412 from Ryegate Associates (Attn: Fahim Samaha 247 Weesner Drive , East Ryegate, VT 05042), Capergy US LLC (254 Commercial Street , Portland, ME 04101), Stored Solar Holdings, LLC (247 Weesner Drive , East Ryegate, VT 05042) and Ryegate Associates (247 Weesner Drive , Ryegate, VT 05042) was received on December 28, 2023 and deemed complete on January 10, 2024. The project is generally described as recovery of heat from the Ryegate Biomass Power Station for wood chip drying, and wood pellet manufacture, on ± 7 acres of land adjacent to the Power Station. The project includes construction of roads; a scale; truck dumper; moving floor sorters; wet milling line; drying island; storage; truck loading; two pellet boxes; a bagging line; and a stormwater treatment system. The project will support production of ± 90,000 tons of wood pellets annually, and may include sale of dry wood chips. The project is located at 247 Weesner Drive in Ryegate, Vermont

**A site visit is hereby scheduled to convene:**

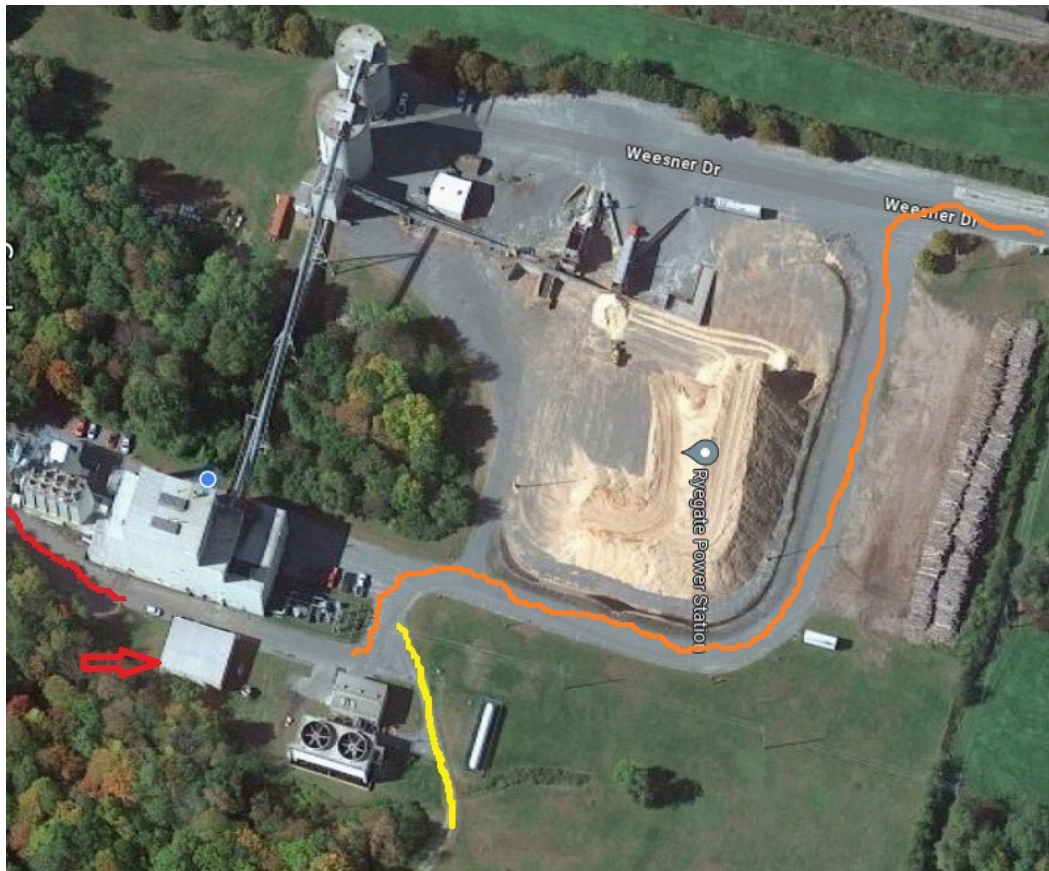
**Date: Thursday February 22, 2024**

**Time: 10 AM**

**Directions** (247 Weesner Drive, Ryegate, also see map image on next page):

Please buzz in at the gated entrance to the power plant. Drive along the north side of the chip pile (see the orange/brown line on map). Park along the southeast side of the main plant (red line on map). If overflow parking is needed, park along the yellow line to the north. We will plan to meet outside near the yellow line/ propane tank to kick off the site visit. If indoor space is needed initially due to weather, we will meet in the corner of the maintenance building that the red arrow points to.

Ryegate Associates requests that participants please carpool to the extent possible to avoid disruption to plant operations.



**A hearing is hereby scheduled to convene via Microsoft Teams OR via In-Person Attendance (see instructions below)**

Date: Thursday February 22, 2024

Time: 1 PM

**Option A, Virtual Microsoft Teams Hearing Instructions:**

This hearing option will use Microsoft Teams video conferencing software (Teams). All parties will receive a Teams invitation by email. If you haven't received your Teams invitation via email, and wish to participate via Teams, please e-mail the Coordinator [kirsten.sultan@vermont.gov](mailto:kirsten.sultan@vermont.gov) by no later than February 21 at 4:30 PM. The Coordinator will open the Teams meeting on or before 12:50 PM (the hearing will not commence prior to 1:00 PM). Please contact the Coordinator well in advance of the hearing for a brief test of your technology if you have never used Teams and/or need to test your equipment to ensure functionality during the hearing.

If you are unable to participate in the hearing using the Teams video link, you may attend by telephone, as follows:

- Dial: 802-828-7667
- Enter Conference ID: 304 282 373 #

**Option B, In-Person Hearing Location:**      **Act 250 Office**  
**374 Emerson Falls Road, St. Johnsbury**  
**Caledonia Conference Room (Upstairs).**

Drive down to the cul-de-sac and turn right at the mailboxes, you will be looking at the 2-story brick building. Drive, park, and enter on the Left side of the building. Please do not enter at the UVM entrance; enter at the main door on the Left, adjacent to the visitor parking area. The main door is locked, ring the doorbell or call 802-261-1946 to gain access. If you need to use the building elevator to reach the second floor conference room location, feel free to park at the rear door (which is near the elevator) and call 802-261-1946 to gain access.

**Preliminary Hearing Agenda:**

1. 1:00 PM Call to order by the Chair
2. Attendance
3. Applicant to provide a brief project overview
4. Party Status
5. Criteria
6. Recess

The Commission intends to narrow the scope of the hearing to the following Criteria, unless the scope is expanded by the Commission at the hearing:

- Criterion 1, regarding air emissions (including noise)
- Criterion 5, regarding the access plan and traffic
- Criterion 8, regarding aesthetic impact (including noise)
- Criterion 10, regarding local plan conformance

All prospective parties are asked to supply an email address, a street address, and a mailing address to the District Commission (contact information provided below) for receiving service of notices on the proceedings. Pursuant to Act 250 Rule 12(I), the District Commission authorizes and requires the electronic filing and service of all documents in this proceeding for parties that supply an email address, and first class mail or personal service only for parties that do not supply an email address.

The following persons or organizations may participate in the hearing for this project:

1. **Statutory parties:** The municipality, the municipal planning commission, the regional planning commission, any adjacent municipality, municipal planning commission or regional planning commission if the project lands are located on a town boundary, and affected state agencies are entitled to party status.

2. **Adjoining property owners and others:** May participate as parties to the extent that they have a particularized interest that may be affected by the proposed project under the Act 250 Criteria.
3. **Non-party participants:** The District Commission, on its own motion or by petition, may allow others to participate in the hearing without being accorded party status.

If you plan on participating in the hearing on behalf of a group or organization, please bring the following: 1) a written description of the organization, its purposes, and the nature of its membership (10 V.S.A. § 6085(c)(2)(B)); 2) documentation that prior to the date of the hearing, you were duly authorized to speak for the organization; and 3) a statement of the organization's position(s) with respect to the Project's impacts under specific Act 250 Criteria.

If you would like further information regarding participation in this hearing, please contact the District Coordinator (see below) before the date of the first hearing or prehearing. If you have a disability for which you need accommodation in order to participate in this process (including participating in the public hearing), please notify us as soon as possible, in order to allow us as much time as possible to accommodate your needs.

If you feel that any of the District Commission members listed on the attached Certificate of Service under "For Information Only" may have a conflict of interest, or if there is any other reason a member should be disqualified from sitting on this case, please contact the District Coordinator as soon as possible, no later than prior to the date of the first hearing or prehearing conference.

This application can be viewed online by visiting the Act 250 Database (<https://anrweb.vt.gov/ANR/Act250/Details.aspx?Num=7C1412>) To request party status in advance of the hearing, fill out the Party Status Petition Form on the Board's website: <https://nrb.vermont.gov/documents/party-status-petition-form>, and email it to the District 7 Office at: [NRB.Act250StJ@vermont.gov](mailto:NRB.Act250StJ@vermont.gov).

Dated February 7, 2024.

By: 

Kirsten Sultan  
District 7 Coordinator  
374 Emerson Falls Road, Suite 4  
St. Johnsbury, VT 05819  
802-261-1946  
[Kirsten.Sultan@vermont.gov](mailto:Kirsten.Sultan@vermont.gov)

## **CERTIFICATE OF SERVICE**

I hereby certify that I, Gina St. Sauveur, Natural Resources Board Technician, District 7 Environmental Commission, sent a copy of the foregoing **ACT 250 NOTICE FOR MAJOR APPLICATION** 7C1412 by U.S. Mail, postage prepaid, on this February 7, 2024, to the following individuals without email addresses and by electronic mail, to the following individuals with email addresses:

**Note: Any recipient may change its preferred method of receiving notices and other documents by contacting the District Office staff at the mailing address or email below. If you have elected to receive notices and other documents by email, it is your responsibility to notify our office of any email address changes.**

Ryegate Associates  
247 Weesner Drive  
East Ryegate, VT 05042  
fsamaha@capergy.com  
[larry@ryegatepower.com](mailto:larry@ryegatepower.com)

Ryegate Planning Commission  
c/o Town Clerk  
PO Box 332  
Ryegate, VT 05042  
[ryegateclerk@yahoo.com](mailto:ryegateclerk@yahoo.com)

Capergy US LLC  
254 Commercial Street  
Portland, ME 04101  
fsamaha@capergy.com

Northeastern Vermont Development  
Association  
PO Box 630  
St. Johnsbury, VT 05819  
[dsnedeker@nvda.net](mailto:dsnedeker@nvda.net)

Stored Solar Holdings  
247 Weesner Drive  
East Ryegate, VT 05042  
fsamaha@capergy.com

Agency of Natural Resources  
1 National Life Drive, Davis 2  
Montpelier, VT 05620-3901  
[anr.act250@vermont.gov](mailto:anr.act250@vermont.gov)

VHB, Attn: Lydia Lee  
[llee@vhb.com](mailto:llee@vhb.com)

**FOR INFORMATION ONLY**  
Attn: Eugene Reid, Keith Johnson, Nicole Davignon  
District 7 Environmental Commission  
374 Emerson Falls Road  
St. Johnsbury, VT 05819-2209  
[NRB.act250stj@vermont.gov](mailto:NRB.act250stj@vermont.gov)  
[nrb.act250agenda@vermont.gov](mailto:nrb.act250agenda@vermont.gov)

Stantec, Attn: Christopher Gendron  
[chris.gendron@stantec.com](mailto:chris.gendron@stantec.com)

DRM, Attn: Chris Roy  
[croy@drm.com](mailto:croy@drm.com)

Ryegate Selectboard  
c/o Town Clerk  
PO Box 332  
Ryegate, VT 05042  
[ryegateclerk@yahoo.com](mailto:ryegateclerk@yahoo.com)

Caledonian Record  
Federal Street  
St. Johnsbury, VT 05819  
[adv@caledonian-record.com](mailto:adv@caledonian-record.com)

Ryegate Town Clerk  
Marsha Nelson  
PO Box 332  
Ryegate, VT 05042  
ryegateclerk@yahoo.com

State of Vermont  
Dept. of Public Service  
112 State Street, Drawer 20  
Montpelier, VT 05620-2601  
barry.murphy@vermont.gov  
PSD.VTDPS@vermont.gov

Vermont Agency of Transportation  
Barre City Place  
219 N. Main Street  
Barre, VT 05641  
AOT.Act250@vermont.gov

Vermont Agency of Agriculture, Food and  
Markets  
116 State Street, Drawer 20  
Montpelier, VT 05620-2901  
AGR.Act250@vermont.gov

Vermont Division for Historic Preservation  
National Life Building, 6th Floor, Drawer 20  
Montpelier, VT 05620-0501  
ACCD.ProjectReview@vermont.gov

Vermont Department of Fish & Wildlife  
374 Emerson Falls Road, Suite 4  
St. Johnsbury, VT 05819  
tim.appleton@vermont.gov  
jud.kratzer@vermont.gov

**ADJOINING LANDOWNERS**

Vermont Agency of Transportation  
219 North Main Street  
Barre, VT 05641

WACR - VRS  
1 Railway Lane  
Burlington, VT 05401

Green Mountain Power  
16 Acron Lane  
Colchester, VT 05446

Phoenix Paper CO. INC.  
PO Box 6  
East Ryegate, VT 05042

Ethan & Erin Nelson  
PO Box 343  
East Ryegate, VT 05042

Bruce & Gail Nelson  
26 Symes Pond Road  
East Ryegate, VT 05042

/s/ Gina St Sauveur  
Gina St. Sauveur  
Natural Resources Board Technician  
802-751-0120  
NRB.Act250StJ@vermont.gov