

PROPOSED
RESOLUTION
OF THE
MINNESOTA ENVIRONMENTAL QUALITY BOARD

Designation of Site and Issuance
of a
Site Permit
to
Faribault Energy Park, LLC
For the
Faribault Energy Park Generating Station

MEQB Docket No. 02-48-PPS-FEP

BE IT RESOLVED, that the Minnesota Environmental Quality Board approves and adopts the Findings of Fact, Conclusions and Order designating a site in the southwest quarter of the northeast quarter of Section 13, Township 110 north, Range 21 west, in Rice County, Minnesota, for a 250 megawatt large electric power generating plant and issuing a Site Permit for the Faribault Energy Park Generating Station to Faribault Energy Park, LLC.

BE IT FURTHER RESOLVED, that Robert A. Schroeder, chair of the Board, is authorized to sign the adopted Findings of Fact, Conclusions and Order, and the Site Permit.

**STATE OF MINNESOTA
ENVIRONMENTAL QUALITY BOARD**

In the Matter of the Application by
Faribault Energy Park, LLC for a Site
Permit for a Nominal 250 Megawatt
Dual Fuel Combined Cycle Combustion
Turbine Generating Plant in Rice
County.

**FINDINGS OF FACT,
CONCLUSIONS, AND ORDER
ISSUING SITE PERMIT FOR
GENERATING PLANT**

MEQB DOCKET NO. 02-48-PPS-FEP

The above-captioned matter came before the Minnesota Environmental Quality Board at a regular meeting on May 20, 2004, pursuant to an application by Faribault Energy Park, LLC (FEP), for a Site Permit to construct a 250-megawatt dual fuel, combined cycle combustion turbine in the City of Faribault, Rice County Minnesota.

STATEMENT OF ISSUE

Should Faribault Energy Park, LLC (FEP) be granted a Site Permit for a nominal 250-megawatt dual fuel, combined cycle combustion turbine in the City of Faribault, Minnesota, and if so, for which of the two sites under consideration and under what conditions?

Based upon all of the proceedings herein, the Minnesota Environmental Quality Board makes the following:

FINDINGS OF FACT

1. The Findings of Fact of the Administrative Law Judge in her report dated April 29, 2004, are adopted in their entirety.
2. The applicant has agreed to the inclusion of reasonable conditions in the Site Permit.

Based on these Findings of Fact, the Environmental Quality Board makes the following:

CONCLUSIONS OF LAW

1. The Conclusions of Law of the Administrative Law Judge in her report dated April 29, 2004, are adopted in their entirety.

2. The Environmental Quality Board has the statutory authority to impose reasonable conditions in the site permits it issues.

Based upon the foregoing Findings of Fact and Conclusions of Law, the Minnesota Environmental Quality Board makes the following:

ORDER

1. The Minnesota Environmental Quality Board hereby issues a Site Permit to Faribault Energy Park, LLC, for construction of a proposed 250 megawatt dual fuel combined cycle combustion turbine generating plant on the proposed site in the southwest quarter of the northeast quarter of Section 13, Township 110 north, Range 21 west, in Rice County, Minnesota. The area so designated is more specifically shown on the map attached to the Site Permit.
2. The Site Permit shall be issued in the form attached hereto, including the description of the facility, the description of the site, and the inclusion of certain conditions.

Approved and adopted this 20th day of May, 2004

STATE OF MINNESOTA
ENVIRONMENTAL QUALITY BOARD



Robert A. Schroeder,
Chair