



REGION 1

BOSTON, MA 02109

U.S. Environmental Protection Agency Region 1

Outer Continental Shelf Clean Air Act Title V Operating Permit New England Wind 1 Wind Farm Project Park City Wind, LLC

Offshore Renewable Wind Energy Development Response to Comments on EPA Draft Permit Number: OCS-R1-07-TV

Introduction

On December 2, 2024, the U.S. Environmental Protection Agency (“EPA”) published the New England Wind 1 “Notice of Clean Air Act Title V Draft Permit” in *The Boston Globe*, a daily newspaper in Suffolk County, Massachusetts, and in *The Providence Journal*, a daily newspaper in Providence County, Rhode Island. The notice stated that the draft permit and statement of basis are available for public review at the U.S. EPA Region 1 Office located at 5 Post Office Square in Boston, MA, and on the EPA Region 1 Web Page: <https://www.epa.gov/caa-permitting/caa-permitting-epas-new-england-region>. The 45-day public comment period on the proposed permit action commenced December 2, 2024, and ended on January 16, 2025. EPA received comments during the public comment period on the draft permit. In addition, EPA held a virtual public hearing on January 16, 2025. No verbal comments were received during the public hearing. The EPA considered all comments submitted during the public comment period in its final decision-making process for the New England Wind 1 operating permit.

After a review of the comments received, the EPA has made the decision to issue a final permit, with some revisions, as described below. Per 40 C.F.R. §124.17, at the time that any final permit decision is issued, EPA is required to issue a response to those comments received during the public comment period. This response specifies which provisions, if any, of the permit have

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been changed in the final permit decision, and the reasons for the change; and briefly describes and responds to all significant comments on the permit raised during the public comment period, or during any hearing. Any documents cited in the response to comments are included in the administrative record for the final permit decision. If new points were raised or new materials were supplied during the public comment period, EPA has documented its response to those matters by adding new materials to the administrative record.

The final permit is substantially the same as the permit that was available for public comment. Although the EPA's decision-making process benefitted from the comments and additional information submitted, those comments resulted in only minor clarifications and revisions to the permit. These improvements and changes are detailed in this document and reflected in the final permit. EPA notes under each comment whether any changes were made to the final permit because of that comment. The analyses underlying these changes are explained in the responses to individual comments that follow.

The final permit, responses to comments, and a link to the administrative record are available on EPA Region 1's web page: <https://www.epa.gov/caa-permitting/epa-issued-caa-permits-region-1>. The EPA is sending the responses to comments and the final permit to the commenters and individuals who requested a copy. Hard copies may be obtained by request. To request a hard copy, refer to the contact information below:

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The complete text of each written comment as submitted and a Hearing Officer's Memorandum containing the details of the public hearing, are included within the administrative record and with hard copies available by request. The administrative record can be accessed online at <https://www.regulations.gov> (Docket ID# EPA-R01-OAR-2024-0465). In addition, a complete copy of the transcript from the public hearing will be added to the administrative record when it is received from the transcription service provider.

Revisions to the draft permit are explained in this Response to Comments document. EPA is also providing a redline-strikeout version of the final permit so that readers may track changes made between the draft and final permit.

The only organization that submitted comments on the draft permit is:

- Park City Wind, LLC (comments received on December 16, 2024)

I. Response to Comments

The following section contains the comments received during the public comment period on the New England Wind 1 draft CAA Title V operating permit, EPA's responses to those comments, and any revisions made in the final permit decision. The comments received and EPA's responses to those comments are individually addressed below.

Revisions to the draft permit are indicated in this document. A redline-strike-out version of the final permit, as compared to the draft permit, is included in the administrative record of this action.

A. Comments from Park City Wind, LLC (PCW)

Permit Section IV.A.3

PCW Comment 1:

Referenced Text: "The OCS marine vessels (in-transit and when docked), and offshore engines installed on the WTGs and/or ESPs are subject to the visible emission standards contained in 310 CMR 7.06(3)."

Comment: This condition implies that vessels in-transit and docked in port are subject to the Corresponding Onshore Area (COA) requirements at 310 CMR 7.06(3). However, vessels in-transit and vessels docked in port are not OCS sources and therefore cannot be regulated as such. EPA has made this clear in the Fact Sheets for several recent projects. For example, the recently issued SouthCoast Wind Fact Sheet states, "Only those engines on vessels that meet the definition of an OCS source and are 'operating as OCS sources,' are regulated as stationary sources and are subject to the applicable requirements of 40 C.F.R. part 55, including the COA requirements incorporated by reference." We also note that the term "OCS marine vessel" is not defined in the Draft Operating Permit and believe it is more appropriate to use the term "OCS source vessel," which is defined in Draft Operating Permit.

Furthermore, 310 CMR 7.06(3) merely indicates that, "Marine vessels shall be subject to the provisions of 310 CMR 7.06(1)(a) and 7.06(1)(b)." The requirements of 310 CMR 7.06(1)(a) and (b) are already captured for all OCS sources, including marine vessels that become OCS sources, in Sections IV.A.1 and IV.A.2. Consequently, Section IV.A.3 is not necessary.

Therefore, we request that Section IV.A.3 be deleted or revised to:

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"The OCS source ~~marine vessels (in transit and when docked)~~, and offshore engines installed on the WTGs and/or ESPs are subject to the visible emission standards contained in 310 CMR 7.06(3)."

EPA Response to PCW Comment 1: EPA has made a clarifying change to Section IV.A.3 of the permit to replace "OCS marine vessels" with "OCS source vessels" and delete the phrase "(in transit and when docked)" from Section IV.A.3 in the final permit. The definition of "OCS source vessels" is included in "Section III. Definitions" of this Operating Permit No. OCS-R1-07-TV. In addition, the Statement of Basis associated with this Operating Permit No. OCS-R1-07-TV includes clear descriptions and standards for marine engines on vessels when operating as OCS Source(s).

EPA could not locate the sentence in the SouthCoast Wind fact sheet quoted by the commenter. However, the statement of basis for the NEW 1 draft title V operating permit and the SouthCoast Wind fact sheet both contain the following text: "Similarly, all engines on vessels that meet the definition of an OCS source and are "operating as OCS sources," are regulated as stationary sources and are subject to the applicable requirements of 40 C.F.R. part 55, including control technology requirements." EPA agrees with the commenter's point that 310 CMR 7.06(3) in this context should only apply to vessels operating as OCS sources.

EPA Revised Text:

[Section IV.A.3]

The OCS source ~~marine vessels (in transit and when docked)~~, and offshore engines installed on the WTGs and/or ESPs are subject to the visible emission standards contained in 310 CMR 7.06(3).