



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

ANNOUNCEMENT OF A PUBLIC COMMENT PERIOD
U.S. Environmental Protection Agency

**Outer Continental Shelf Draft Air Permit to Construct and Operate -
Meteorological Buoys Project
For Ocean Wind, LLC**

Public Comment Period: September 4, 2018 to October 4, 2018

The U.S. Environmental Protection Agency, Region 2 Office (EPA) is seeking public comment on a draft Clean Air Act (CAA) Outer Continental Shelf (OCS) air permit to construct and operate for a meteorological buoys project.

APPLICANT:

Ocean Wind, LLC
One International Place
100 Oliver Street, Suite 2610
Boston, MA 02110

BACKGROUND/FINDINGS: The EPA received an Outer Continental Shelf (OCS) permit application from Ocean Wind, LLC (Ocean Wind) for an OCS source including two meteorological (met) buoys, known as the Met Buoys Project. The Met Buoys Project will be located on the inner OCS – i.e., in the OCS waters of the Atlantic Ocean within 25 nautical miles (nm) of New Jersey's (NJ) seaward boundary. Specifically, one met buoy is located approximately 12.3 nm southeast of Strathmere, NJ and the other met buoy is located approximately 17.8 nm southeast of Atlantic City, NJ. Ocean Wind anticipates operating the met buoys for up to two years to collect meteorological data (e.g., wind speed, direction) that will help Ocean Wind determine if the area is suitable for wind energy production. After up to two years of operation the met buoys will be removed from the OCS.

The OCS application was submitted pursuant to section 328 of the Clean Air Act (CAA) and the implementing OCS air regulations found at 40 C.F.R. part 55, for the construction (installation), operation (including maintenance) and decommissioning of two identical floating light detection and ranging data collection met buoys. Each met buoy will contain instrumentation and support systems located atop a floating moored buoy platform. The instrumentation and lighting on each buoy will be powered by batteries primarily charged by a hybrid wind-solar system, but with a 10-kilowatt diesel generator engine for use as a backup battery charging source. The installation, operation and decommissioning of the Met Buoys Project will require the use of workboat and support vessels. All engines associated with the Met Buoys Project will combust ultra-low sulfur distillate fuel oil with a

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maximum sulfur concentration of 15 parts per million by weight. Based on its potential to emit air pollutants (e.g., nitrogen oxides, carbon dioxide, volatile organic compounds, particulate matter, sulfur dioxide), the Met Buoys Project is a minor source of pollution, and thus is not subject to the Prevention of Significant Deterioration or Nonattainment New Source Review requirements.

Under CAA § 328 and 40 C.F.R. part 55, the Met Buoys Project must obtain an OCS air permit and the diesel-fired generator engines onboard the met buoys are subject to the CAA requirements specified at 40 C.F.R. § 55.13 (Federal requirements that apply to OCS sources), which include:

- 40 C.F.R. 60, Subpart IIII (Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, Standards of Performance for New Stationary Sources);
- 40 C.F.R. 60, Subpart A (General Provisions); and
- 40 C.F.R. 63 Subpart ZZZZ (National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines).

Under CAA § 328(a), the applicable air requirements for inner OCS sources (such as the Met Buoys Project) are the same as would be applicable if the sources were located onshore the corresponding onshore area (COA), the onshore area geographically closest to the source. *See also* 40 C.F.R. § 55.14; 40 C.F.R. part 55, Appendix A. The COA for the Met Buoys Project is NJ, and thus the Met Buoys Project must comply with both the applicable requirements of 40 C.F.R. § 55.13 described above and the following NJ air requirements:

- N.J.A.C. 7:27-3 (Control and Prohibition of Smoke from Combustion of Fuel);
- N.J.A.C. 7:27-5 (Prohibition of Air Pollution); and
- N.J.A.C. 7:27-9 (Sulfur in Fuels).

The draft permit contains all the relevant 40 C.F.R. § 55.13 and NJ air requirements that apply to the Met Buoys Project, in addition to monitoring, recordkeeping and reporting requirements.

ADMINISTRATIVE RECORD: EPA has prepared a draft permit for public comment, as well as a Fact Sheet that explains the basis of the permit conditions. These documents, as well as the permit application and supporting documentation, are available on EPA's website at <https://www.epa.gov/publicnotices/draft-outer-continental-shelf-ocs-air-permit-construct-and-operate-ocean-wind-llc>. Anyone interested in reviewing the draft permit, fact sheet, application and other supporting documentation in person may do so by contacting Viorica Petriman at petriman.viorica@epa.gov or at (212) 637-4021 to schedule a visit to the EPA Region 2 Office (address below). Documents at the EPA Region 2 Office will be available for review Monday through Friday, from 9:00 AM until 4:00 PM, excluding federal holidays.

PUBLIC COMMENT: The purpose of this notice is to solicit comments from the public on the preliminary determination to approve Ocean Wind's OCS air permit to construct and operate the Met Buoys Project. Persons wishing to comment on this draft permit must do so in writing by the public comment closure date shown above. Comments should focus on the draft OCS air permit, and should include a concise statement of the exact basis of any comment, requested actions for EPA to take, and the justification for such actions. Any interested person may submit written comments on the draft permit during the public comment period. If you believe that any conditions in this draft permit are inappropriate, you must raise all reasonably ascertainable issues and submit all reasonable available arguments supporting your position by the end of the comment period. Any documents supporting

your comments must be included in full and may not be incorporated by reference unless they are already part of the administrative record for this permit or consist of state or federal statutes or regulations, EPA documents of general applicability, or other generally available reference materials. All comments received prior to the close of the public comment period will be included in the administrative record without change and will be made available to the public, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should be submitted through email. All comments received during the public comment period or made during a public hearing will be considered in arriving at the final permit decision. A statement of reasons for changes made to the draft permit and responses to comments received will be sent to the persons who commented on the draft permit. Please note that an email or mailing address must be provided with your comments, if you wish to receive direct notification of EPA's final decision regarding the permit and response to comments submitted during the public comment period. Written comments on the draft permit may be submitted by email or mail to:

Viorica Petriman
(petriman.viorica@epa.gov)
U.S. EPA, Region 2
Air Programs Branch
Permitting Section
290 Broadway
New York, NY 10007

PUBLIC HEARING: Pursuant to 40 C.F.R. § 124.12, EPA shall hold a Public Hearing if the Regional Administrator determines that there is a significant degree of public interest in the draft permit. Requests for a public hearing on the draft permit must be made in writing and must state the nature of the issues proposed to be raised at the hearing. Please submit your requests for a public hearing for this draft permit by September 27, 2018 by email or mail to:

Suilin Chan
(chan.suilin@epa.gov)
U.S. EPA, Region 2
Air Programs Branch
Permitting Section
290 Broadway
New York, NY 10007

If a public hearing is granted, a public notice stating the date, time and place of the hearing will be made at least 30 days prior to the hearing and the comment period will be extended through the hearing date.

APPEAL PROCEDURES: EPA's final permit decision may be appealed administratively within 30 days of service of notice of the final determination. The procedures for administrative review are defined at 40 C.F.R. part 124 (Procedures for Decisionmaking). Only those persons who file comments or participate in the public hearing on the draft permit may petition for administrative review. Persons who fail to file comments or participate in the public hearing may petition for review only to the extent of changes from the draft permit to the final permit decision. If no comments are received and EPA

makes no changes from the draft permit to the final permit decision, no administrative review will be made available. Upon completion of the administrative review process (if applicable), the final permit decision will become final agency action and will be published in the Federal Register. Those who appealed for administrative review may then petition for judicial review within 60 days of the Federal Register date.