UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

Memorandum

Date: January 14, 2022

Subject: Final Outer Continental Shelf Clean Air Act Permit for South Fork Wind, LLC

To: Deborah A. Szaro
Acting Regional Administrator, EPA Region 1

Through: Lynne Hamjian, Director, Air and Radiation Division LYNNE HAMJIAN Digitally signed by LYNNE HAMJIAN Date: 2022.01.18 11:31:20 -05'00'

From: Patrick Bird, Manager, Air Permits, Toxics, and Indoor Programs Branch

IDENTIFICATION OF ACTION

The EPA is issuing a Clean Air Act Outer Continental Shelf (OCS) permit that would allow South Fork Wind, LLC (SFW) to construct, operate, and maintain a 130 MW windfarm in its lease area located in federal waters on the OCS southwest of the island of Martha's Vineyard, Massachusetts.

The EPA is required under section 328 of the Clean Air Act to issue an air permit for air emitting sources constructing and operating on the OCS.

SUMMARY OF ACTION

On June 24, 2021, EPA Region 1 proposed for public review and comment a draft OCS Air Permit for the SFW 130 MW windfarm located in federal waters off the coast of Massachusetts. The comment period ran through August 9, 2021. EPA also held a virtual public hearing on August 9, 2021. The EPA only received comments from South Fork Wind, LLC on the initial draft permit. EPA reopened the public comment period for another 47 days to request comment on a revision to the initial draft permit that removed the requirement to obtain emission offsets for construction emissions. The public comment period of the revised draft permit was held from October 20, 2021 to December 6, 2021, with a virtual public hearing held on December 2, 2021. EPA did not receive verbal comments at the August 9 or December 2 virtual public hearings.

EPA received comments from four commenters, which were generally supportive of EPA's proposal not to require offsets for construction emissions. In addition to these supportive comments, EPA received minor adverse comments from the Permittee requesting technical corrections and minor clarifications to the draft permit. Minor revisions to the draft permit were made based on the comments, and a response to comment document was developed for this action and is attached for your review.

EPA relied on the Bureau of Ocean Energy Management's review of the Endangered Species Act, Magnuson-Stevens Act, and National Historic Preservation Act to satisfy its consultation obligations for its Clean Air Act permitting action. On November 24, 2021, the Record of Decision on SFW was announced by the Bureau of Ocean Energy Management, enabling EPA to move forward with finalizing its OCS permit for SFW.

ISSUES

As described above, EPA reopened the comment period on October 20, 2021 for the draft SFW permit to remove the requirement to obtain emission offsets for construction emissions. In addition, the initial draft permit proposed on June 24, 2021 sought comment on EPA's proposal to exclude pull-ahead anchor cable-laying vessels from being regulated as an OCS source in the draft permit. EPA received comments that were generally supportive in nature and is therefore finalizing the permit based on our proposed rationale for each of these issues.

COMMUNICATION STRATEGY

A communication strategy has been developed for this action. Transmittal letters will be sent to all parties that submitted comments on the draft permit. An electronic copy of the permit and response to comment document will be provided to air directors in Massachusetts, Connecticut, Rhode Island, New York, as well as tribal nations.

A press release is also being developed in coordination with Region 1's Office of Public Affairs (OPA). EPA will also notify EJ advocacy groups and local communities, as well as the congressional delegations of Massachusetts, Rhode Island, and Connecticut.

PROCEDURAL REVIEW

This document was prepared by Eric Wortman at (617) 918-1624.

Region 1's Office of Regional Council has reviewed the Final Permit, Response to Comment document, and transmittal letters. The Office of General Council and OAR's Office of Air Quality Planning and Standards have reviewed the Final Permit and Response to Comments document

Attachment: Final Permit, Response to Comments Document, Transmittal Letter to Permittee