



REGION 1

BOSTON, MA 02109

**U.S. Environmental Protection Agency  
Region 1**

**Outer Continental Shelf Air Permit:**

~~—~~New England Wind 1

Park City Wind, LLC

Offshore Renewable Wind Energy Development Project

EPA Permit Number: **OCS-R1-07**

Pursuant to the provisions of Section 328 of the Clean Air Act ("CAA") and the Code of Federal Regulations ("C.F.R.") Title 40, Part 55, the United States Environmental Protection Agency Region 1 ("EPA") is ~~proposing to issue~~issuing an Outer Continental Shelf ("OCS") air quality permit to construct and operate Park City Wind LLC's ("PCW") New England Wind 1 proposed offshore renewable wind energy development project. This permit authorizes PCW~~would be authorized~~ to construct up to 62 wind turbine generators ("WTGs") and up to 2 Electrical Service Platforms ("ESPs"), all of which would be located within federal waters on the OCS, specifically located within the Bureau of Ocean Energy Management ("BOEM") Renewable Energy Lease Area OCS-A 0534 and potentially occupying a portion of the currently identified BOEM Lease Area OCS-A 0501 in the Massachusetts Wind Energy Area.

The construction and operation of the windfarm ~~would be~~are subject to the attached permit conditions and permit limitations. ~~Once the final~~This permit is ~~issued, it would be~~ effective ~~33 days after service of notice of the final permit decision on May 18, 2024~~, unless review is requested on the permit in accordance with 40 C.F.R. § 124.19, ~~or, if no comments are received requesting a change in the draft permit, the final permit shall be effective immediately upon its issuance~~ and shall remain in effect until it is surrendered to the EPA. This permit does not relieve Park City Wind, LLC from the obligation to comply with applicable state and federal air pollution control rules and regulations.

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David W. Cash  
Regional Administrator

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Date of Signature

## Acronyms and Abbreviation List

|                                    |   |                           |  |
|------------------------------------|---|---------------------------|--|
| <b>APPS</b>                        | Act to Prevent Pollution from Ships   | <b>LV GIS</b>             | Low Voltage Gas Insulated Switchgear                           |
| <b>AQVR</b>                        | Air Quality Related Values  | <b>MassDEP</b>            | Massachusetts Department of Environmental Protection           |
| <b>BACT</b>                        | Best Available Control Technology   | <b>MW</b>                 | Megawatt   |
| <b>BOEM</b>                        | Bureau of Ocean Energy Management   | <b>MV GIS</b>             | Medium Voltage Gas Insulated Switchgear                        |
| <b>CAA</b>                         | Clean Air Act   | <b>NEW1</b>               | New England Wind 1   |
| <b>CA SIP</b>                      | California State Implementation Plan  | <b>NEW2</b>               | New England Wind 2   |
| <b>C.C.R.</b>                      | California Code of Regulations  | <b>NHPA</b>               | National Historical Preservation Act                           |
| <b>CERC</b>                        | Continuous Emission Reduction Credit  | <b>NM</b>                 | Nautical Mile  |
| <b>C.F.R.</b>                      | Code of Federal Regulations   | <b>NMFS</b>               | National Marine Fisheries Service                              |
| <b>CH<sub>4</sub></b>              | Methane   | <b>NMHC</b>               | Non-methane hydrocarbons                                       |
| <b>CI-ICE</b>                      | Compression Ignition Internal Combustion Engine   | <b>NNSR</b>               | Nonattainment New Source Review                                |
| <b>CO</b>                          | Carbon Monoxide   | <b>NSR</b>                | New Source Review  |
| <b>COA</b>                         | Corresponding Onshore Area  | <b>N<sub>2</sub>O</b>     | Nitrous oxide  |
| <b>CO<sub>2</sub></b>              | Carbon Dioxide  | <b>NO<sub>2</sub></b>     | Nitrogen dioxide   |
| <b>CO<sub>2</sub>e</b>             | Carbon dioxide equivalent   | <b>NO<sub>x</sub></b>     | Nitrogen oxides  |
| <b>CZMA</b>                        | Coastal Zone Management Act   | <b>OCS</b>                | Outer Continental Shelf  |
| <b>DERC</b>                        | Discrete Emission Reduction Credit  | <del><b>OCS-DC</b></del>  | <del>Offshore Converter Station</del>                          |
| <b>EAB</b>                         | Environmental Appeals Board   | <del><b>OnCS-DC</b></del> | <del>Onshore Converter Station</del>                           |
| <b>EGRID</b>                       | Environmental Protection Agency's Emissions and Generation Resource Integrated Database | <b>OECLA</b>              | Offshore Export Cable Laying Activities                        |
| <b>EIAPP</b>                       | Engine International Air Pollution Prevention   | <b>OCSLA</b>              | Outer Continental Shelf Lands Act                              |
| <b>EPA</b>                         | United States Environmental Protection Agency   | <b>Pb</b>                 | Lead   |
| <b>EJ</b>                          | Environmental Justice   | <b>PCW</b>                | Park City Wind, LLC  |
| <b>ERC</b>                         | Emission Reduction Credit   | <b>PM</b>                 | Particulate Matter   |
| <b>ESA</b>                         | Endangered Species Act  | <b>PM<sub>10</sub></b>    | Particulate Matter with an Aerodynamic Diameter <= 10 Microns  |
| <b>ESP</b>                         | Electrical Service Platform   | <b>PM<sub>2.5</sub></b>   | Particulate Matter with an Aerodynamic Diameter <= 2.5 Microns |
| <b>EUG</b>                         | Emission Unit Group   | <b>PSD</b>                | Prevention of Significant Deterioration                        |
| <b>FWS</b>                         | U.S. Fish and Wildlife Service  | <b>PTE</b>                | Potential to Emit  |
| <b>GCOP</b>                        | Good Combustion and Operation Practices   | <b>RICE</b>               | <u>Reciprocating Internal Combustion Engine</u>                |
| <b>GHG</b>                         | Greenhouse Gas  | <b>RPM</b>                | Revolutions Per Minute   |
| <b>g/kW-hr</b>                     | Grams per kilowatt-hour   | <b>SER</b>                | Significant Emission Rate                                      |
| <b>H<sub>2</sub>SO<sub>4</sub></b> | Sulfuric acid   | <b>SF<sub>6</sub></b>     | Sulfur Hexafluoride  |
| <b>HAP</b>                         | Hazardous Air Pollutant   | <b>SIL</b>                | Significant Impact Levels                                      |
| <b>HC</b>                          | Hydrocarbon   | <b>SO<sub>2</sub></b>     | Sulfur Dioxide   |
| <b>HV GIS</b>                      | High Voltage Gas Insulated Switchgear   | <b>TPY</b>                | Tons Per Year  |
| <b>IAPP</b>                        | International Air Pollution Prevention  | <b>U.S.C.</b>             | United States Code   |
| <b>ISO NE</b>                      | ISO New England   | <b>VW1</b>                | Vineyard Wind 1, LLC   |
| <b>KV</b>                          | Kilovolt  | <b>VOC</b>                | Volatile Organic Compound                                      |
| <b>KW</b>                          | Kilowatt  | <b>WDA</b>                | Wind Development Area  |
| <b>LAER</b>                        | Lowest Achievable Emission Rate   | <b>WTG</b>                | Wind Turbine Generator   |



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## SECTION I. Introduction (Informational Purposes Only)

Park City Wind, LLC (“PCW” or the “applicant” or the “Permittee”) has applied for a permit for a new project (called New England Wind 1 “NEW1”) to construct up to sixty-two (62) wind turbine generators (“WTGs”), ~~and~~ up to two (2) electrical service platforms (“ESPs~~”,~~”) and associated offshore cables and an onshore transmission system. Once operational, the project will have an anticipated nameplate capacity of 804 megawatts (MW) of renewable energy. NEW1 will be located within federal waters on the OCS located within the Bureau of Ocean Energy Management (“BOEM”) Renewable Energy Lease Area OCS-A 0534 and potentially occupying a portion of the currently identified BOEM Lease Area OCS-A 0501.

Park City Wind, LLC is part of the same stationary source as Vineyard Wind 1, LLC (“Vineyard Wind 1” or “VW1”). The NEW1 project is a major modification to ~~an~~the existing VW1 major stationary source ~~(i.e., VW1).~~ The VW1 project is located in BOEM Lease Area OCS-A 0501 and operates under a separate ~~preconstruction~~ Permit No. OCS-R1-03 (M-1) issued by EPA Region 1 on August 19, 2022. VW1 is considered a major Prevention of Significant Deterioration (“PSD”) stationary source, and a major Nonattainment NSR (“NNSR”) stationary source for ozone (specifically for the precursors NO<sub>x</sub> and VOC).

The NEW1 project is a major PSD stationary source for NSR pollutants for which the corresponding onshore area (“COA”) is designated attainment or unclassifiable. This project triggers PSD review because the NEW1 project is a major modification to an existing major stationary source (i.e., VW1) with total emissions that exceed the PSD major source thresholds. Individually, the NEW1 project also exceeds the PSD major source thresholds for several pollutants. Based on the emission levels for the NEW1 project, NO<sub>2</sub>, CO, PM<sub>10</sub>, PM<sub>2.5</sub>, and GHG are the regulated NSR pollutants that will be emitted by NEW1 in quantities exceeding the respective PSD Significant Emission Rates (“SER”). The pollutants from this project subject to the best available control technology (“BACT”) are NO<sub>2</sub>, CO, PM<sub>10</sub>, PM<sub>2.5</sub>, and GHG.

Regulated NSR pollutants (and their precursors in the case of ozone) for which the COA is either a designated nonattainment area or is in the Ozone Transport Region (“OTR”) are not subject to PSD review and instead are subject to major NNSR permitting. The NEW1 project exceeds the NNSR SER for the ozone precursors NO<sub>x</sub> and VOC. Therefore, the ozone precursors NO<sub>x</sub> and VOC are not subject to PSD review but are instead subject to major NNSR permitting. The pollutants from this project subject to the lowest achievable emission rate (“LAER”) are NO<sub>x</sub> and VOC.

For the purposes of fulfilling requirements for pollutants below major source thresholds but above Massachusetts’ minor source permitting or plan approval thresholds, a BACT determination is made for other NSR regulated pollutants, namely SO<sub>2</sub>.

## **SECTION II. Equipment (Informational Purposes Only)**

The NEW1 project is required to apply BACT to all the OCS source(s) proposed in this project that emit NO<sub>2</sub>, CO, PM<sub>10</sub>, PM<sub>2.5</sub>, SO<sub>2</sub>, and GHG. The NEW1 project is required to apply LAER to all the OCS source(s) proposed in this project that emit NO<sub>x</sub> and VOC. The following tables are a narrative description of the proposed equipment in the permit application for the NEW1 project. The list of equipment and descriptions are intended for informational purposes only.

The project's emission sources will primarily be compression-ignition internal combustion engines ("CI-ICE"). These include engines on marine vessels while operating as OCS source(s) and engines on the WTG(s) and ESP(s). A marine vessel typically has two (2) types of engines: 1) propulsion engines, also referred to as main engines, which supply power to move the vessel but could also be used to supply power for purposes of performing a given stationary source function (for example, to lift, support, and orient the components of each WTG during installation); and 2) auxiliary engines, which supply power for non-propulsion (e.g., electrical) loads (e.g., electrical loads).

Other units at this facility that are subject to a top-down BACT analysis include the low voltage ("LV") gas-insulated switchgears ("GIS") on the WTG and the medium voltage ("MV") and high-voltage ("HV") GIS on the ESP(s). The GIS on WTGs and ESP(s) have the potential to emit SF<sub>6</sub>, which is a GHG. Therefore, the LV, MV and HV GIS located on the WTGs and/or ESP(s) are required to apply BACT.

### **EUG 1 OCS Generator Engine(s) Installed on the ESP(s) and/or WTG(s)**

| <b>EU ID</b>                  | <b>Description</b>                        | <b>Type of Equipment</b>           | <b>Engine Count</b> | <b>Engine Rating, kW</b> |
|-------------------------------|---|------------------------------------|---------------------|--------------------------|
| <b>Construction Equipment</b> |   |                                    |                     |                          |
| ENG-1                         | Offshore WTG Installation & Commissioning | Non-Emergency Generator on WTGs    | 1                   | 150                      |
| ENG-2, ENG-3                  | Offshore ESP Installation & Commissioning | Non-Emergency Generators on ESP(s) | 2                   | 450                      |
| <b>Operating Equipment</b>    |   |                                    |                     |                          |
| ENG-2, ENG-3                  | ESP Permanent Generators                  | Non-Emergency Generators on ESP(s) | 2                   | 450                      |
| ENG-7 through ENG-12          | WTG O&M Emergency Backup                  | Emergency Generator on WTGs        | 6                   | 150                      |

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**EUG 2 Marine Engines on Vessels when Operating as OCS Source(s)**

| <b>Vessel Type</b>   | <b>Main Engine Rating (kW)</b> | <b># Main Engines</b> | <b>Auxiliary Engine Rating (kW)</b> | <b># Auxiliary Engines</b> |
|--|--------------------------------|-----------------------|-------------------------------------|----------------------------|
| <b>WTG &amp; ESP Foundation Installation - Construction</b>                        |                                |                       |                                     |                            |
| Tugboat to support main foundation installation vessel(s) / Tugboat                | 2,540                          | 2                     | 199                                 | 1                          |
| Foundation transport vessel 1 of pair 1 (TPs) / Tugboat                            | 2,540                          | 2                     | 199                                 | 1                          |
| Foundation transport vessel 2 of pair 1 (TPs) / Tugboat                            | 2,540                          | 2                     | 199                                 | 1                          |
| Foundation transport vessel 3 of pair 2 (TPs) / Tugboat                            | 2,540                          | 2                     | 199                                 | 1                          |
| Foundation transport vessel 4 of pair 2 (TPs) / Tugboat                            | 2,540                          | 2                     | 199                                 | 1                          |
| Secondary work and grouting vessel / Tugboat                                       | 2,540                          | 2                     | 199                                 | 1                          |
| Crew transfer vessel 1 / Crew transfer vessel                                      | 749                            | 2                     | 20                                  | 2                          |
| Acoustic monitoring vessel / Tugboat   | 2,540                          | 2                     | 199                                 | 1                          |
| Marine mammal observation vessel 1 / Crew transfer vessel                          | 749                            | 2                     | 20                                  | 2                          |
| Marine mammal observation vessel 2 / Crew transfer vessel                          | 749                            | 2                     | 20                                  | 2                          |
| Environmental monitoring vessel / Crew transfer vessel                             | 749                            | 2                     | 20                                  | 2                          |
| <b>WTG Installation - Construction</b>   |                                |                       |                                     |                            |
| WTG main installation jack-up vessel 1 / Jack-up vessel                            | 3,736                          | 4                     | 1,900                               | 1                          |
| WTG main installation jack-up vessel 2 / Jack-up vessel                            | 3,150                          | 6                     | 3,150                               | 2                          |
| Articulated tug-barge (ATB) for WTG transport 1 / Ocean-going tug & barge (feeder) | 2,710                          | 2                     | 280                                 | 2                          |
| Articulated tug-barge (ATB) for WTG transport 2 / Ocean-going tug & barge (feeder) | 2,710                          | 2                     | 280                                 | 2                          |
| Articulated tug-barge (ATB) for WTG transport 3 / Ocean-going tug & barge (feeder) | 2,710                          | 2                     | 280                                 | 2                          |
| Articulated tug-barge (ATB) for WTG transport 4 / Ocean-going tug & barge (feeder) | 2,710                          | 2                     | 280                                 | 2                          |
| Offshore Site Assistance Tug 1 / Tugboat   | 2,525                          | 2                     | 180                                 | 2                          |
| Offshore Site Assistance Tug 2 / Tugboat   | 2,525                          | 2                     | 180                                 | 2                          |
| Crew transfer vessel for WTG installation / Crew transfer vessel                   | 749                            | 2                     | 20                                  | 2                          |
| <b>WTG Commissioning - Construction</b>  |                                |                       |                                     |                            |
| Crew transfer vessel for commissioning 1 / Crew Transfer Vessel                    | 749                            | 2                     | 20                                  | 2                          |
| Crew transfer vessel for commissioning 2 / Crew Transfer Vessel                    | 749                            | 2                     | 20                                  | 2                          |
| <b>ESP Overseas Transport - Construction</b>                                       |                                |                       |                                     |                            |
| ESP jacket overseas transport assisting tug / Tugboat                              | 2,540                          | 2                     | 199                                 | 1                          |

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| Vessel Type  | Main Engine Rating (kW)   | # Main Engines | Auxiliary Engine Rating (kW) | # Auxiliary Engines |
|--|---------------------------|----------------|------------------------------|---------------------|
| ESP topside overseas transport assisting tug / Tugboat             | 2,540                     | 2              | 199                          | 1                   |
| <b>ESP Installation and Commissioning - Construction</b>           |                           |                |                              |                     |
| Crew transfer vessel   | 749                       | 2              | 20                           | 2                   |
| Service boat (for accommodation vessel) / Crew transfer vessel     | 749                       | 2              | 20                           | 2                   |
| Walk-to-work accommodation vessel / Jack-up vessel (accommodation) | 2,350                     | 2              | 1,000                        | 2                   |
| <b>Daily Operations - O&amp;M</b>                                  |                           |                |                              |                     |
| Daily crew transfer vessel 1 / Crew transfer vessel                | 515                       | 4              | 20                           | 2                   |
| Daily crew transfer vessel 2 / Crew transfer vessel                | 515                       | 4              | 20                           | 2                   |
| SOV Daughter Craft 1 / Crew transfer vessel                        | 246                       | 2              | NA - Battery                 | NA - Battery        |
| SOV Daughter Craft 2 / Crew transfer vessel                        | 246                       | 2              | NA - Battery                 | NA - Battery        |
| <b>WTG Inspection/Maintenance/Replacement - O&amp;M</b>            |                           |                |                              |                     |
| WTG main repair jack-up vessel / Jack-up vessel (installation)     | one 5,760kW, two 4,230 kW | 3              | 2,880                        | 1                   |
| Jack-up vessel to support repair / Jack-up vessel                  | 2,350                     | 2              | 1,000                        | 2                   |

**EUG 3 Gas-Insulated Switchgears (GIS) on WTG and ESP**

| EU ID          | Description  | Count (# GIS)            |
|----------------|--|--------------------------|
| LV-GIS         | LV GIS on WTGs   | LV-GIS: 62               |
| MV-GIS, HV-GIS | MV GIS (66-132 kV) on ESP & HV GIS (220-275 kV) on ESP | MV-GIS: 22<br>HV-GIS: 18 |

Note: The NEW1 OCS Air Permit application provides the total quantity of SF<sub>6</sub> in the ESP(s). The total quantity of SF<sub>6</sub> was based on a preliminary design for an 800 MW ESP that contained eighteen 220 kV GIS and twenty-two 66 kV GIS. However, because the design and electrical configuration of the ESP(s) has not been finalized, the number of individual GIS on the ESP(s) is not yet final. Similarly, the NEW1 OCS Air Permit application provides the total quantity of SF<sub>6</sub> in each WTG. Since the design and electrical configuration of the WTGs has not been finalized, the number of individual GIS on each WTG is not yet final.



### SECTION III. Definitions

The following definitions shall be used for the purposes of this permit only. Terms not otherwise defined in this permit have the meaning assigned to them in the referenced Clean Air Act provisions and EPA regulations (including the Massachusetts regulations incorporated by reference into 40 C.F.R. part 55).

*Air Pollutant* shall have the same meaning as that term has within 40 C.F.R. part 55.

*Barge*, as this term relates specifically to Section IV(C), means a vessel having a flat-bottomed rectangular hull with sloping ends and built with or without a propulsion engine.

*Category 1 Marine Engine* means the definition as contained in 40 C.F.R. § 1042.901.

*Category 2 Marine Engine* means the definition as contained in 40 C.F.R. § 1042.901.

*Category 3 Marine Engine* means the definition as contained in 40 C.F.R. § 1042.901.

*Commence* means, that an owner or operator has undertaken a continuous program of construction or modification or that an owner or operator has entered a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or modification.

*Construction Phase* begins on the Construction Phase Start Date and ends the day when the last WTG to be constructed begins producing commercial power.

*Construction Phase Start Date* is the first day any equipment or activity, that meets the definition of an OCS source, operates, occurs, or exists in the WDA.

*Continuous Emission Reduction Credit* ("CERC") is equivalent to 1 ton per year of a pollutant, such as NO<sub>x</sub> or VOC. Under 310 CMR 7.00, Appendix B, a CERC is equivalent to a rate-based emission reduction credit ("ERC").

*Crew and supply vessel*, as this term relates specifically to Section IV(C), means a self-propelled vessel used for carrying personnel and/or supplies to and from off-shore and in-harbor locations (including, but not limited to, off-shore work platforms, construction sites, and other vessels).

*Domestic Flagged Vessel* means a vessel operated under the authority of the United States.

*Dredge*, as this term relates specifically to Section IV(C), means a vessel designed to remove earth from the bottom of waterways, by means of including, but not limited to, a scoop, a

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series of buckets, or a suction pipe. Dredges include, but are not limited to, hopper dredges, clamshell dredges, or pipeline dredges.

*Electrical Service ~~Platform~~Platforms* ("ESPs") serve as the common interconnection point for the WTGs. The ~~WTG~~WTGs will interconnect with an ~~Electrical Service Platform ("ESP")~~ via a 66-132 kV submarine cable system. The ~~ESP~~ESPs will have circuit breakers and transformers (~~220 kV~~66kV to ~~275 kV~~275kV) to increase the voltage level and transmit electricity through the offshore cable system to the final connection point to the onshore bulk power grid.

*Emission Control Area ("ECA")* means an area designated pursuant to Annex VI as an Emission Control Area that is in force.

*Emission Control Area ("ECA") Marine Fuel* means diesel, distillate, or residual fuel used, intended for use, or made available for use in category 3 marine vessels while the vessels are operating within an ECA or an ECA associated area.

*Emission Unit* means any part of an OCS source vessel or OCS source, including but not limited to, engines, that emits or would have the potential to emit any air pollutant.

*Engine* shall include diesel-fired compression ignition internal combustion engines, marine engines, and diesel-fired generating sets.

*Excursion vessel*, as this term relates specifically to Section IV(C), means a self-propelled vessel that transports passengers for purposes including, but not limited to, dinner cruises; harbor, lake, or river tours; scuba diving expeditions; and whale watching tours. "Excursion Vessel" does not include crew and supply vessels, ferries, and recreational vessels.

*Exempt Vessel*, as this term relates specifically to Section IV(C), means any vessel identified in 17 C.C.R. Section 93118.5.(c), dated July 20, 2011 (and approved by EPA into the California SIP at 83 Fed. Reg. 23232, May 18, 2018).

*Ferry*, as this term relates specifically to Section IV(C), a harbor craft having provisions only for deck passengers or vehicles, operating on a short run, on a frequent schedule between two points over the most direct water route, and offering a public service of a type normally attributed to a bridge or tunnel.

*Foreign-Flagged Vessel* means a vessel of foreign registry, or a vessel operated under the authority of a country other than the United States.

*Main WTG Installation Vessel*, as this term relates specifically to Section VII(B), means the primary vessel responsible for installation of the WTGs when operating as an OCS source.

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*Marine Engine* means a nonroad engine produced for any purpose that is installed or intended to be installed on a marine vessel. This includes a portable auxiliary marine engine only if it is fueling, cooling, or exhaust system is an integral part of the vessel. A fueling system is considered integral to the vessel only if one or more essential elements are permanently affixed to the vessel.

- a. Propulsion marine engine means a marine engine that moves a vessel through the water or directs the vessel's movement.
- b. Auxiliary marine engine means a marine engine not used for propulsion.

*NEW1 Wind Development Area ("WDA")* is essentially the northeast portion of the Bureau of Ocean Energy Management ("BOEM") Lease Area OCS-A 0534, located on the OCS. The NEW1 WDA in this instance has the potential to extend into the currently identified BOEM Lease Area OCS-A-0501, depending on transactions between Vineyard Wind 1, LLC and Park City Wind, LLC, the respective owners of the lease areas in question.

*No. 1 of the [Ringelmann] Chart* has the same meaning as 20 % opacity.

*No. 2 of the [Ringelmann] Chart* has the same meaning as 40% opacity.

*North American Emission Control Area ("ECA")* means the area designated in Regulation 14.3.2 and Appendix VII of MARPOL Annex VI.

*OCS Facility* means the entire wind development area once the first OCS source is established in the WDA.

*OCS Source* has the same meaning as set forth in 40 C.F.R. § 55.2.

*OCS Source Vessel* is any vessel that:

- a. Emits or has the potential to emit any air pollutant.
- b. Is regulated or authorized under the Outer Continental Shelf Lands Act ("OCSLA") (43 U.S.C. § 1331 *et seq.*); and
- c. Is located on the OCS or in or on waters above the OCS.
- d. Additionally, a vessel is an OCS Source Vessel when permanently or temporarily attached to the seabed and erected thereon and used for the purpose of exploring, developing, or producing resources therefrom, within the meaning of section 4(a)(1) of OCSLA (43 U.S.C. § 1331 *et seq.*) or when physically attached to an OCS source in which case only the stationary source aspects of the vessels will be regulated.

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*Operational Phase* is the period of operations that begins on the operational phase start date.

*Operational Phase Start Date* begins when the first WTG begins producing commercial power.

*The Permittee* includes Park City Wind, LLC; its successor(s) in constructing or operating the permitted project; its contractors; and any agents or parties acting on its behalf that conduct activities regulated by this Permit, including but not limited to vessel, barge, and equipment operators.

~~*Primary Crew Transport Vessel* means a crew transport vessel that will be needed during both the construction and operational phases.~~

*Towboat or push boat*, as this term relates specifically to Section IV(C), means any self-propelled vessel engaged in or intending to engage in the service of pulling, pushing, or hauling alongside barges or other vessels, or any combination of pulling, pushing, or hauling alongside barges or other vessels. Push boats and towboats are interchangeable terms.

*Tugboat*, as this term relates specifically to Section IV(C), means any self-propelled vessel engaged in, or intending to engage in, the service of pulling, pushing, maneuvering, berthing, or hauling alongside other vessels, or any combination of pulling, pushing, maneuvering, berthing, or hauling alongside such vessels in harbors, over the open seas, or through rivers and canals. Tugboats generally can be divided into three groups: harbor or short-haul tugboats, ocean-going or long-haul tugboats, and barge tugboats. "Tugboat" is interchangeable with "towboat" and "push boat" when the vessel is used in conjunction with barges.

*Responsible Official* means a president, secretary, treasurer, or vice-president of the Permittee in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the Permittee, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:

- a. The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars); or
- b. The delegation of authority to such representatives is approved in advance by the EPA.

*Smoke* means the visible aerosol, which may contain fly ash, resulting from combustion of materials but does not mean condensed water vapor.

*Ultra-low sulfur diesel ("ULSD")* means diesel fuel that is certified to meet the standards in 40 C.F.R. § 1090.305.

*Vessel* means:

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- a. self-propelled vessels; and
- b. barges or other non-self-propelled vessels that must be towed by another vessel.

The term includes vessels with or without systems that attach, either permanently or temporarily, to the seabed.

*Wind Turbine Generator* ("WTG") means equipment used to generate electricity from wind.

## **SECTION IV. Emission Limits**

### **A. Facility Wide Emission Limitations**

1. The Permittee shall not cause, suffer, allow, or permit any OCS Source to emit smoke which has a shade, density, or appearance equal to or greater than No. 1 of the [Ringelmann] Chart for a period, or aggregate period of time in excess of six minutes during any one hour, provided that at no time during the said six minutes shall the shade, density, or appearance be equal to or greater than No. 2 of the [Ringelmann] Chart. [310 CMR 7.06(1)(a)]
2. The Permittee shall not cause, suffer, allow, or permit the operation of any OCS Source to emit any contaminant(s), exclusive of uncombined water or smoke subject to Section IV(A)(1) above, that exceed(s) 20% opacity for a period or aggregate period of time in excess of two minutes during any one hour provided that, at no time during the said two minutes shall the opacity exceed 40%. [310 CMR 7.06(1)(b)]
3. All diesel-fueled compression ignition internal combustion engines subject to New Source Performance Standards (NSPS) Subpart IIII with a displacement of less than 30 liters per cylinder shall ~~be fired with use~~ diesel fuel ~~not to exceed a maximum sulfur content that meets the requirements of 15 ppm, 40 CFR 1090.305 for nonroad diesel fuel.~~ [40 C.F.R. 60.4207(b)]
4. All diesel-fueled compression ignition internal combustion engines subject to New Source Performance Standards (NSPS) Subpart IIII with a displacement of greater than or equal to 30 liters per cylinder shall be limited to using diesel fuel not to exceed a maximum per-gallon sulfur content of 1,000 parts per million (ppm). [40 C.F.R. 60.4207(d)]
5. All diesel-fueled compression ignition internal combustion engines with a displacement of greater than or equal to 30 liters per cylinder shall prioritize the use of ULSD (15 ppm) fuel in lieu of ECA Marine Fuel (1000 ppm) when technically feasible. For purposes of this condition, technical feasibility means utilizing ULSD that meets the low-volatility safety requirements for larger marine engines when it is available.

6. Emissions from the operation and maintenance (O&M) activities of the NEW1 project will be limited by, and contribute to, the facility-wide emission limits on NO<sub>x</sub> and VOC identified in this Section. For purposes of compliance with the Facility-wide emission limits in this Section, actual emissions of NO<sub>x</sub> and VOC shall include only those emissions ~~during operation~~ associated with the operational phase from the following: engines located on the ESP(s) and/or WTG(s), engines on vessels that meet the definition of an OCS source, and engines on vessels servicing or associated with the OCS Facility when those vessels are at the OCS Facility, or en route to or from the OCS Facility and are within 25 NM of the OCS Facility's centroid.  
[40 C.F.R. part 55 (§ 55.1–55.15, appendix A to part 55), 40 C.F.R. part 124 (§ 124.1–124.21, subpart A; § 124.41–124.42, subpart C)]

**Facility-Wide Emission Limits (tons)<sup>1</sup>**

|                       |            |
|-----------------------|------------|
| <b>NO<sub>x</sub></b> | <b>283</b> |
| <b>VOC</b>            | <b>5</b>   |

<sup>1</sup> **Daily rolling, 365-day total.** Note that these limits become effective on the Operational Phase Start Date.

- i) Beginning at the Operational Phase Start Date, each operating day, the Permittee shall calculate emissions of NO<sub>x</sub> and VOC from the emission sources defined in Section IV (A)(6) when those sources are engaged in operations and maintenance (O&M) activities using the equation below. Note that for diesel-fired engines operating between 0%–20% engine load, the Permittee shall utilize guaranteed emission factors from engine manufacturer's specifications (or engine specific test data) that indicate a representative emission factor for the lower load intervals for each engine type; or the maximum guaranteed emission factor in units of g/hp-hr (or g/kW-hr) multiplied by the engine-specific load adjustment factors based on known engine manufacturing data; or for ~~Category 3~~ Category 3 propulsion engines the maximum guaranteed emission factor in units of g/hp-hr (or g/kW-hr) multiplied by the most representative low load adjustment factors (LLAFs) for the specific pollutant as contained in Table 3.10 of the Port Emissions Inventory Guidance (EPA-420-b-22-011, April 2022). The LLAFs shall be applied separately for each pollutant (and applied to the equation separately for NO<sub>x</sub> and HC (if HC used as a surrogate for VOC)). Emissions of NO<sub>x</sub> and VOC shall be calculated by taking the product of the brake specific emission factor, the usage in hours (hours per day), the power available (rated power), and the load factor (the power used divided by the power available). For OCS sources, if actual fuel usage data and engines hours are not recorded for that operating day, Permittee shall assume 100% load (full rated hp (kW)) during the entire operating day for the emission calculations. For transit emissions from support vessels servicing or associated with the OCS source [or OCS

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Facility], if actual fuel usage data and engines hours are not recorded for that operating day, Permittee can utilize the most representative load factors contained in the Port Emissions Inventory Guidance (EPA-420-b-22-011, April 2022).

$$E_{NOx} = BSEF_{NOx} \times U \times P_A \times \frac{P_U}{P_A}$$

$$E_{VOC} = BSEF_{VOC} \times U \times P_A \times \frac{P_U}{P_A}$$

Where:

$E_{NOx}$  = Emissions of NO<sub>x</sub> per operating day (grams(g)/day)

$E_{VOC}$  = Emissions of VOC per operating day (grams(g)/day)

$BSEF_{NOx \text{ (or VOC)}}$  = NO<sub>x</sub> (or VOC) Brake Specific Emission Factor (g/kW-hr)

$U$  = Engine usage in hours (hours per day)

$P_A$  = Power Available (maximum rated brake power (hp or kW))

$P_U$  = Power Used (hp or kW) =  $\frac{m}{BSFC}$

$m$  = fuel flow rate =  $\frac{\text{(volume of fuel consumed during operating day, gal)}}{\text{(engine operating time during operating day, hours)}}$

$BSFC$  = \_\_\_\_\_ = Brake specific fuel consumption (gal-fuel/kW-hr), value is specific for each engine and is located on the issued engine specifications.

- ~~For~~ For purposes of calculating VOC and NO<sub>x</sub> emissions from OCS sources, the Permittee shall utilize emission factors from: an EPA-issued Certificate of Conformity (COC) for each ~~applicable~~ engine ~~containing~~ subject to the emission standards in 40 C.F.R. part 60, NSPS IIII, Tier Marine Engine Standards at 40 C.F.R. part 1042, or Nonroad Engine Standards at 40 C.F.R. part 1039; ~~or~~ engine manufacturer specifications, or site-specific testing derived factors; engine manufacturer's testing data; or an applicable Engine International Air Pollution Prevention ("EIAPP") or International Air Pollution Prevention ("IAPP") certificate, issued by EPA, containing associated engine Annex VI NO<sub>x</sub> standards. Note that the engine emission standards may be presented as NO<sub>x</sub> + HC or NO<sub>x</sub> and HC separately. If the Tier level combines both NO<sub>x</sub> and either HC or total hydrocarbon (THC) into one emission limit, then that emission limit shall be multiplied by 0.976 for NO<sub>x</sub> and 0.024 for either HC or THC (to determine the VOC ratio of the emissions which shall be calculated as 1.053 times the HC emission factors). Manufacturers specifications that indicate

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*specific NO<sub>x</sub>/HC ratios, or specific HC or VOC emission factors shall supersede any general assumptions presented here for purposes of the emission calculation demonstration.*

- For purposes of calculating VOC and NO<sub>x</sub> emissions from vessels servicing or associated with an OCS ~~source~~Facility while at the ~~source~~OCS Facility, and while enroute to or from the ~~source~~OCS Facility when within 25 NM of the ~~source~~OCS Facility, the Permittee shall utilize emission factors from: an EPA-issued Certificate of Conformity (COC) for any applicable engine containing the emission standards in 40 C.F.R. part 60, NSPS IIII, Tier Marine Engine Standards at 40 C.F.R. part 1042, or Nonroad Engine Standards at 40 C.F.R. part 1039, an applicable Engine International Air Pollution Prevention (“EIAPP”) or International Air Pollution Prevention (“IAPP”) certificate, issued by EPA, containing associated engine Annex VI NO<sub>x</sub> standards, engine manufacturer’s specifications, site-specific testing derived factor, or engine manufacturer’s testing data.
  - For purposes of calculating VOC and NO<sub>x</sub> emissions from vessels servicing or associated with an OCS ~~source~~Facility while at the ~~source~~OCS Facility, and while enroute to or from the ~~source~~OCS Facility when within 25 NM of the ~~source~~OCS Facility without a Certificate of Conformity, EIAPP certificate, or IAPP certificate, the Permittee shall utilize the most representative NO<sub>x</sub> and VOC emission factors for the vessel utilized as contained in the EPA Port Emissions Inventory Guidance (EPA-420-B-22-011, April 2022). *Note that when engine manufacturer’s specifications contain specific HC or VOC emission factors, they shall supersede any general assumptions presented here for purposes of the emission calculation demonstration. If the engine manufacturer’s specifications do not contain HC or VOC emission factors, Permittee shall then utilize the most representative VOC emissions factors for the vessel utilized as contained in the EPA Ports Emissions Inventory Guidance (EPA-420-B-22-011, April 2022).*
- ii) Beginning on the Operational Phase Start Date, at the end of each operating day, the Permittee shall incorporate daily emissions calculated in Section IV(A)(6)(i) into the 365-day total (in units of tons) for NO<sub>x</sub> and VOC. These emissions shall be summed from all the emission sources defined in Section IV(A)(6) when those sources are engaged in operations and maintenance (O&M) activities for determining compliance with the facility-wide emissions cap.



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**B. Emission Unit Group (EUG) 1—OCS Generator Engine(s) on the ESPs and WTGs:** The following requirements apply to all OCS generator engines located on an ESP or WTG. This includes OCS generator engines utilized in either the construction or operation phases.

1. EUG 1 - OCS Generator Engines shall not exceed the emission standards (in terms of g/kW-hr) for the highest applicable EPA Tier Marine Engine Standards (i.e., Tier 3 or 4, dependent on the final selected engine size and associated displacement) contained in 40 C.F.R. part 1042, or the EPA Tier 4 Nonroad Engine Standards contained in 40 C.F.R. part 1039 (dependent on the final selected engine size and associated displacement).  
[40 C.F.R. part 60, subpart IIII (§ 60.4200–60.4219, Table 1–Table 8), 40 C.F.R. § 52.21, 310 CMR 7.00 Appendix A]

**C. EUG 2—Marine Engines on Vessels when Operating as OCS Source(s):** The following requirements apply to all Marine Engines on Vessels when operating as OCS Source(s). This includes propulsion and auxiliary generator engines utilized in the construction or operation phases of the project when operating as OCS Source(s).

1. Marine Engines with a displacement greater than or equal to 30 L/cylinder that meet the definition of an OCS source, are subject to NSPS IIII, and are located on vessels that satisfy the definition of a *tugboat, towboat, push boat, crew and supply vessel, dredge, or barge* (as defined in Section III. Definitions) and which do not meet the definition of an “*exempt vessel*” (as defined in Section III. Definitions) must meet the applicable emission standards for NO<sub>x</sub> and PM at 40 C.F.R. part 60, subpart IIII.

These marine engines must also meet the most stringent emission standard for HC and CO within 40 C.F.R. part 1042, except if one of the conditions in subparagraph (i) or (ii), below, is met in which case the Permittee may use the next most stringent emission standard. For instance, if one of the conditions in subparagraph (i) or (ii), below, is met regarding the use of a Tier 3 engine, the Permittee may instead use a Tier 2 engine. To use a vessel with an engine meeting the next most stringent emission standard, as described above, the Permittee shall ensure one of the following conditions is met:

- i. A vessel with an engine that meets the most stringent emission standard is not available within two hours of when the vessel must be deployed; or
- ii. The total emissions associated with the use of a vessel with engine(s) that meet the most stringent emission standard would be greater than the total emissions associated with the use of the vessel with engine(s) that meet the next most stringent emission standard. For purposes of this subparagraph, when determining the total emissions associated with the use of a vessel with a particular engine, the Permittee shall include the emissions of the

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vessel that would occur when the vessel would be in transit to the WDA from the vessel's starting location.

At a minimum, all applicable engines subject to this condition shall comply with the applicable emission standards (in terms of g/kW-hr) for NO<sub>x</sub> and PM at 40 C.F.R. part 60, subpart IIII and shall comply with the emission standards (in terms of g/kW-hr) equal to or cleaner than EPA Tier 2 marine engine emission standards contained within 40 C.F.R. part 1042.

[40 C.F.R. part 60, subpart IIII (§60.4200–60.4219, Table 1–Table 8), 40 C.F.R. part 52.21, 310 CMR 7.00 Appendix A]

2. Marine Engines with a displacement greater than or equal to 30 L/cylinder that meet the definition of an OCS source, are subject to NSPS IIII, and are located on vessels otherwise not subject to Section IV(C)(~~21~~) must meet the applicable emission standards for NO<sub>x</sub> and PM at 40 C.F.R. part 60, subpart IIII.

These marine engines must also meet the most stringent emission standards for HC and CO within 40 C.F.R. part 1042 except if one of the conditions in subparagraph (i) or (ii), below, is met, in which case the Permittee may use a vessel with an engine meeting the next most stringent emission standard. For instance, if one of the conditions in subparagraph (i) or (ii), below, is met regarding the use of a Tier 3 engine, the Permittee may instead use a Tier 2 engine. If one of the conditions in subparagraph (i) or (ii), is met regarding the use of a Tier 2 engine, the Permittee may instead use a Tier 1 engine. To use a vessel with an engine meeting the next most stringent emission standard, as described above, the Permittee shall ensure one of the following conditions is met:

- i. A vessel with an engine that meets the more stringent emission standard is not available within two hours of when the vessel must be deployed; or
- ii. The total emissions associated with the use of a vessel with engine(s) that meet the more stringent emission standard would be greater than the total emissions associated with the use of the vessel with engine(s) that meet the next most stringent emission standard. For purposes of this subparagraph, when determining the total emissions associated with the use of a vessel with a particular engine, the Permittee shall include the emissions of the vessel that would occur when the vessel would be in transit to the WDA from the vessel's starting location.

At a minimum, all applicable engines subject to this condition shall comply with the applicable emission standards (in terms of g/kW-hr) for NO<sub>x</sub> and PM at 40 C.F.R. part 60, subpart IIII and shall comply with the emission standards (in terms of g/kW-hr) equal to

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or cleaner than EPA Tier 1 marine engine emission standards contained within 40 C.F.R. part 1042.

[40 C.F.R. part 60, subpart IIII (§60.4200–60.4219, Table 1–Table 8), 40 C.F.R. part 52.21, 310 CMR 7.00 Appendix A]

3. Marine Engines with a displacement less than 30 L/cylinder that meet the definition of an OCS source, are subject to NSPS IIII, and are located on vessels that satisfy the definition of a *tugboat, towboat, push boat, crew and supply vessel, dredge, or barge* (as defined in Section III. Definitions) and which do not meet the definition of an “*exempt vessel*” (as defined in Section III. Definitions) must meet the most stringent emission standard for NO<sub>x</sub> HC, CO, and PM at 40 C.F.R. part 60 subpart IIII.

If a vessel with a marine engine that meets the most stringent emission standard is not available at time of deployment and if one of the conditions in subparagraph (i) or (ii), below, is met, the Permittee may utilize a vessel with a marine engine that meets the next most stringent emission standard. For instance, if one of the conditions in subparagraph (i) or (ii), below, is met regarding the use of a Tier 4 engine, the Permittee may instead use a Tier 3 engine. If one of the conditions in subparagraph (i) or (ii), is met regarding the use of a Tier 3 engine, the Permittee may instead use a Tier 2 engine. To use a vessel with an engine meeting the next most stringent emission standard, as described above, the Permittee shall ensure one of the following conditions is met:

- i. A vessel with an engine that meets the more stringent emission standard is not available within two hours of when the vessel must be deployed; or
- ii. The total emissions associated with the use of a vessel with engine(s) that meet the more stringent emission standard would be greater than the total emissions associated with the use of the vessel with engine(s) that meet the next most stringent emission standard. For purposes of this subparagraph, when determining the total emissions associated with the use of a vessel with a particular engine, the Permittee shall include the emissions of the vessel that would occur when the vessel would be in transit to the WDA from the vessel’s starting location.

At a minimum, all applicable engines subject to this condition shall comply with emission standards (in terms of g/kW-hr) equal to or cleaner than EPA Tier 2 marine engine emission standards (for Category 1 and Category 2 Marine Engines) for NO<sub>x</sub>, HC, CO, and PM contained within 40 C.F.R. part 60 subpart IIII.

[40 C.F.R. part 60, subpart IIII (§ 60.4200–60.4219, Table 1–Table 8), 40 C.F.R. § 52.21, 310 CMR 7.00 Appendix A]

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4. Marine Engines with a displacement less than 30 L/cylinder that meet the definition of an OCS source, are subject to NSPS IIII, and are located on vessels not otherwise subject to Section IV(C)(43) must meet the most stringent emission standard for NO<sub>x</sub>, HC, CO, and PM at 40 C.F.R. part 60, subpart IIII.

If a vessel with a marine engine that meets the most stringent emission standard is not available at time of deployment and if one of the conditions in subparagraph (i) or (ii), below, is met, the Permittee may utilize a vessel with a marine engine that meets the next most stringent emission standard. For instance, if one of the conditions in subparagraph (i) or (ii), below, is met regarding the use of a Tier 4 engine, the Permittee may instead use a Tier 3 engine. If one of the conditions in subparagraph (i) or (ii), is met regarding the use of a Tier 3 engine, the Permittee may instead use a Tier 2 engine. If one of the conditions in subparagraph (i) or (ii), is met regarding the use of a Tier 2 engine, the Permittee may instead use a Tier 1 engine. To use a vessel with an engine meeting the next most stringent emission standard, as described above, the Permittee shall ensure one of the following conditions is met:

- i. A vessel with an engine that meets the more stringent emission standard is not available within two hours of when the vessel must be deployed; or
- ii. The total emissions associated with the use of a vessel with engine(s) that meet the more stringent emission standard would be greater than the total emissions associated with the use of the vessel with engine(s) that meet the next most stringent emission standard. For purposes of this subparagraph, when determining the total emissions associated with the use of a vessel with a particular engine, the Permittee shall include the emissions of the vessel that would occur when the vessel would be in transit to the WDA from the vessel's starting location.

At a minimum, all applicable engines subject to this condition shall comply with emission standards (in terms of g/kW-hr) equal to or cleaner than EPA Tier 1 marine engine emission standards (for Category 1 and Category 2 Marine Engines) for NO<sub>x</sub>, HC, CO, and PM contained within 40 C.F.R. part 60 subpart IIII.

[40 C.F.R. part 60, subpart IIII (§ 60.4200–60.4219, Table 1–Table 8), 40 C.F.R. § 52.21, 310 CMR 7.00 Appendix A]

5. Marine Engines with a displacement greater than or equal to 30 L/cylinder that meet the definition of an OCS source, are not subject to NSPS IIII, and are located on vessels that satisfy the definition of a *tugboat*, *towboat*, *push boat*, *crew and supply vessel*, *dredge*, or *barge* (as defined in Section III. Definitions) and which do not meet the

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definition of an “*exempt vessel*” (as defined in Section III. Definitions) must meet the most stringent emission standard for NO<sub>x</sub>, HC, and CO at 40 C.F.R. part 1042.

If a vessel with a marine engine in the most stringent emission standard is not available at time of deployment and if one of the conditions in subparagraph (i) or (ii), below, is met, the Permittee may utilize a vessel with a marine engine that meets the next most stringent emission standard. For instance, if one of the conditions in subparagraph (i) or (ii), below, is met regarding the use of a Tier 3 engine, the Permittee may instead use a Tier 2 engine. To use a vessel with an engine meeting the next most stringent emission standard, as described above, the Permittee shall ensure one of the following conditions is met:

- i. A vessel with an engine that meets the more stringent emission standard is not available within two hours of when the vessel must be deployed; or
- ii. The total emissions associated with the use of a vessel with engine(s) that meet the more stringent emission standard would be greater than the total emissions associated with the use of the vessel with engine(s) that meet the next most stringent emission standard. For purposes of this subparagraph, when determining the total emissions associated with the use of a vessel with a particular engine, the Permittee shall include the emissions of the vessel that would occur when the vessel would be in transit to the WDA from the vessel’s starting location.

At a minimum, all applicable engines subject to this condition shall comply with emission standards (in terms of g/kW-hr) equal to or cleaner than EPA Tier 2 marine engine emission standards (for Category ~~1 and Category 23~~ Marine Engines) for NO<sub>x</sub>, HC, ~~and~~ CO, ~~and PM~~ contained within 40 C.F.R. part 1042. [40 C.F.R. § 52.21, 310 CMR 7.00 Appendix A]

~~———— [40 C.F.R. § 52.21, 310 CMR 7.00 Appendix A]~~

6. Marine Engines with a displacement greater than or equal to 30 L/cylinder that meet the definition of an OCS source, are not subject to NSPS IIII, and are located on vessels otherwise not subject to Section IV(C)(~~65~~) must meet most stringent emission standard for NO<sub>x</sub>, HC, and CO at 40 C.F.R. part 1042.

If a vessel with a marine engine in the most stringent emission standard is not available at time of deployment and if one of the conditions in subparagraph (i) or (ii), below, is met, the Permittee may utilize a vessel with a marine engine that meets the next most stringent emission standard. For instance, if one of the conditions in subparagraph (i) or (ii), below, is met regarding the use of a Tier 3 engine, the Permittee may instead use a Tier 2 engine. If one of the conditions in subparagraph (i) or (ii), below, is met regarding

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the use of a Tier 2 engine, the Permittee may instead use a Tier 1 engine. To use a vessel with an engine meeting the next most stringent emission standard, as described above, the Permittee shall ensure one of the following conditions is met:

- i. A vessel with an engine that meets the more stringent emission standard is not available within two hours of when the vessel must be deployed; or
- ii. The total emissions associated with the use of a vessel with engine(s) that meet the more stringent emission standard would be greater than the total emissions associated with the use of the vessel with engine(s) that meet the next most stringent emission standard. For purposes of this subparagraph, when determining the total emissions associated with the use of a vessel with a particular engine, the Permittee shall include the emissions of the vessel that would occur when the vessel would be in transit to the WDA from the vessel's starting location.

At a minimum, all applicable engines subject to this condition shall comply with emission standards (in terms of g/kW-hr) equal to or cleaner than EPA Tier 1 marine engine emission standards (for Category ~~1 and Category 23~~ Marine Engines) ~~for NO<sub>x</sub>, HC, CO, and PM~~ contained within 40 C.F.R. part 1042. [40 C.F.R. § 52.21, 310 CMR 7.00 Appendix A]

7. Marine Engines with a displacement less than 30 L/cylinder that meet the definition of an OCS source, are not subject to NSPS IIII, and are located on vessels that satisfy the definition of a *tugboat, towboat, push boat, crew and supply vessel, dredge, or barge* (as defined in Section III. Definitions) and which do not meet the definition of an "*exempt vessel*" (as defined in Section III. Definitions) must meet the most stringent emission standard for NO<sub>x</sub>, HC, CO, and PM at 40 C.F.R. part 1042.

If a vessel with a marine engine in the most stringent emission standard is not available at time of deployment and if one of the conditions in subparagraph (i) or (ii), below, is met, the Permittee may utilize a vessel with a marine engine that meets the next most stringent emission standard. For instance, if one of the conditions in subparagraph (i) or (ii), below, is met regarding the use of a Tier 4 engine, the Permittee may instead use a Tier 3 engine. If one of the conditions in subparagraph (i) or (ii), below, is met regarding the use of a Tier 3 engine, the Permittee may instead use a Tier 2 engine. To use a vessel with an engine meeting the next most stringent emission standard, as described above, the Permittee shall ensure one of the following conditions is met:

- i. A vessel with an engine that meets the more stringent emission standard is not available within two hours of when the vessel must be deployed; or

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- ii. The total emissions associated with the use of a vessel with engine(s) that meet the more stringent emission standard would be greater than the total emissions associated with the use of the vessel with engine(s) that meet the next most stringent emission standard. For purposes of this subparagraph, when determining the total emissions associated with the use of a vessel with a particular engine, the Permittee shall include the emissions of the vessel that would occur when the vessel would be in transit to the WDA from the vessel's starting location.

At a minimum, all applicable engines subject to this condition shall comply with emission standards (in terms of g/kW-hr) equal to or cleaner than EPA Tier 2 marine engine emission standards (for Category 1 and Category 2 Marine Engines) for NO<sub>x</sub>, HC, CO, and PM contained within 40 C.F.R. part 1042. [40 C.F.R. § 52.21, 310 CMR 7.00 Appendix A]

- 8. Marine Engines with a displacement less than 30 L/cylinder that meet the definition of an OCS source, are not subject to NSPS IIII, and are located on vessels otherwise not subject to Section IV(C)(~~87~~) must meet the most stringent emission standard for NO<sub>x</sub>, HC, CO, and PM at 40 C.F.R. part 1042.

If a vessel with a marine engine in the most stringent emission standard is not available at time of deployment and if one of the conditions in subparagraph (i) or (ii), below, is met, the Permittee may utilize a vessel with a marine engine that meets the next most stringent emission standard. For instance, if one of the conditions in subparagraph (i) or (ii), below, is met regarding the use of a Tier 4 engine, the Permittee may instead use a Tier 3 engine. If one of the conditions in subparagraph (i) or (ii), below, is met regarding the use of a Tier 3 engine, the Permittee may instead use a Tier 2 engine. If one of the conditions in subparagraph (i) or (ii), below, is met regarding the use of a Tier 2 engine, the Permittee may instead use a Tier 1 engine. To use a vessel with an engine meeting the next most stringent emission standard, as described above, the Permittee shall ensure one of the following conditions is met:

- i. A vessel with an engine that meets the more stringent emission standard is not available within two hours of when the vessel must be deployed; or
- ii. The total emissions associated with the use of a vessel with engine(s) that meet the more stringent emission standard would be greater than the total emissions associated with the use of the vessel with engine(s) that meet the next most stringent emission standard. For purposes of this subparagraph, when determining the total emissions associated with the use of a vessel with a particular engine, the Permittee shall include the emissions of the

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vessel that would occur when the vessel would be in transit to the WDA from the vessel's starting location.

At a minimum, all applicable engines subject to this condition shall comply with emission standards (in terms of g/kW-hr) equal to or cleaner than EPA Tier 1 marine engine emission standards (for Category 1 and Category 2 Marine Engines) for NO<sub>x</sub>, HC, CO, and PM contained within 40 C.F.R. part 1042. [40 C.F.R. § 52.21, 310 CMR 7.00 Appendix A]

~~— [40 C.F.R. § 52.21, 310 CMR 7.00 Appendix A]~~

**D. EUG 3— Gas-Insulated Switchgears (GIS) on WTG and ESP.** The following requirements apply to EUG 3:

1. The Permittee shall install and utilize SF<sub>6</sub> free equipment on all low voltage switchgears on the WTGs. [40 C.F.R. § 52.21]
2. The Permittee shall install and utilize sealed switchgear with leak detection systems and alarms on the medium voltage (MV), and high voltage (HV) GIS on the ESP equipment. Compliance with this requirement shall be demonstrated by complying with the manufacturer's specifications for installation and use and with the periodic alarm testing procedures in the frequency and manner specified within those specifications. The Permittee shall maintain a copy of the manufacturer's specifications. [40 C.F.R. § 52.21]  
~~[[40 C.F.R. § 52.21]~~
3. Detected leaks of SF<sub>6</sub> from switchgears shall be repaired or contained within five (5) days of discovery. The Permittee shall document and maintain records of the equipment repaired including but not limited to the estimated time of leakage and volume of gas leaked during that time. If a leak cannot be repaired or contained within five (5) days of discovery due to unforeseeable emergency events, the permittee must submit the specific information outlined below to the EPA within 30 days of the event:

~~[40 C.F.R. § 52.21]~~

I. A detailed, chronological, narrative description of the sudden, unforeseeable, emergency event or the specific circumstances necessitating a longer response time for repair and/or containment of SF<sub>6</sub> to avoid an electrical system outage. Such description shall include, but is not limited to, the following:

- a. The nature of the event (e.g., fire, flood, earthquake, storms)
- b. The date and time of the event
- c. The location of the event
- d. The equipment that was affected by the event



- e. The function of the affected equipment within the facility's system
- f. Repairs made to affected equipment
- g. The amount of SF<sub>6</sub> released (in pounds)
- h. The specific event which resulted in the release of SF<sub>6</sub>
- i. The timeline that was needed for repair
- j. The precautions taken to prevent future releases of SF<sub>6</sub>

II. Information and documentation (including, but not limited to, witness statements, photographs, analysis of damaged equipment, accident reconstruction, or other evidence) that indicates which repairs cannot be made within 5-days. [40 C.F.R. § 52.21]

4. Leak rate of SF<sub>6</sub> shall not exceed 0.5% per year from the MV and HV GIS on the ESP. The Permittee shall demonstrate compliance with this requirement by mass balance and account for leakage periods. [40 C.F.R. § 52.21]

). [The  
$$\text{User Emissions} = (\text{Decrease in SF}_6 \text{ inventory}) + (\text{Acquisitions of SF}_6) - (\text{Disbursement of SF}_6) - (\text{Net Increase in Total Nameplate Capacity of Equipment Operated})$$

Where:

*Decrease in SF<sub>6</sub> Inventory* = (pounds of SF<sub>6</sub> stored in containers, but not in energized equipment, at the beginning of the year) – (pounds of SF<sub>6</sub> stored in containers, but not in energized equipment, at the end of the year).

*Acquisitions of SF<sub>6</sub>* = (pounds of SF<sub>6</sub> purchased from chemical producers or distributors in bulk) + (pounds of SF<sub>6</sub> purchased from equipment manufacturers or distributors with or inside equipment, including hermetically sealed-pressure switchgear) + (pounds of SF<sub>6</sub> returned to facility after off-site recycling).

*Disbursements of SF<sub>6</sub>* = (pounds of SF<sub>6</sub> in bulk and contained in equipment that is sold to other entities) + (pounds of SF<sub>6</sub> returned to suppliers) + (pounds of SF<sub>6</sub> sent off site for recycling) + (pounds of SF<sub>6</sub> sent off-site for destruction).

*Net Increase in Total Nameplate Capacity of Equipment Operated* = (The Nameplate Capacity of new equipment in pounds, including hermetically sealed-pressure switchgear) – (Nameplate Capacity of retiring equipment in pounds, including hermetically sealed-pressure switchgear).

5. The Permittee must maintain SF<sub>6</sub> emissions from GIS below 1.0% maximum annual leak rate. The Permittee may demonstrate compliance with this requirement by complying with Section IV(D)(4) (the more stringent requirement). [310 CMR 7.72(4)(a)]

6. The Permittee shall comply with any manufacturer-recommended maintenance procedures or industry best practices that have the effect of reducing leakage of SF<sub>6</sub>. The Permittee may demonstrate compliance with this requirement by complying with Section IV(D)(2) and (3). [310 CMR 7.72 (4)(b)]

7. Permittee shall comply with all annual reporting requirements, including but not limited to, the number of pounds of SF<sub>6</sub> emitted during the year from GIS equipment owned, leased, operated, or controlled by the Permittee and located on the OCS facility, using the equation specified in 40 C.F.R. § 98.303 (and provided below). Note that Nameplate Capacity refers to the full and proper charge of equipment rather than to the actual charge, which may reflect leakage. [310 CMR 7.72 (6)]

$$\text{User Emissions} = (\text{Decrease in SF}_6 \text{ inventory}) + (\text{Acquisitions of SF}_6) - (\text{Disbursement of SF}_6) - (\text{Net Increase in Total Nameplate Capacity of Equipment Operated})$$

Where:

Decrease in SF<sub>6</sub> Inventory = (pounds of SF<sub>6</sub> stored in containers, but not in energized equipment, at the beginning of the year) – (pounds of SF<sub>6</sub> stored in containers, but not in energized equipment, at the end of the year).

Acquisitions of SF<sub>6</sub> = (pounds of SF<sub>6</sub> purchased from chemical producers or distributors in bulk) + (pounds of SF<sub>6</sub> purchased from equipment manufacturers or distributors with or inside equipment, including hermetically sealed-pressure switchgear) + (pounds of SF<sub>6</sub> returned to facility after off-site recycling).

Disbursements of SF<sub>6</sub> = (pounds of SF<sub>6</sub> in bulk and contained in equipment that is sold to other entities) + (pounds of SF<sub>6</sub> returned to suppliers) + (pounds of SF<sub>6</sub> sent off site for recycling) + (pounds of SF<sub>6</sub> sent off-site for destruction).

Net Increase in Total Nameplate Capacity of Equipment Operated = (The Nameplate Capacity of new equipment in pounds, including hermetically sealed-pressure switchgear) – (Nameplate Capacity of retiring equipment in pounds, including hermetically sealed-pressure switchgear).

## SECTION V. NNSR Offsets

- A. Before the Operational Phase Start Date, the Permittee shall obtain NO<sub>x</sub> CERCs and VOC CERCs in the manner and amounts specified in Section V(A)(1), (2), or (3) below: [40 C.F.R. § 55.5(d), 310 CMR 7.00 Appendix A, 310 CMR 7.0 Appendix B]

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1. Rate-based emission reduction credits certified under the Massachusetts trading bank regulations codified at 310 CMR 7.00, Appendix B. In such case, the Permittee shall obtain a minimum of 356.58 tpy of NO<sub>x</sub> CERCs and 6.3 tpy of VOC CERCs.
  2. An agreement(s) between the Permittee and a third-party(ies) that requires the third-party(ies) to create CERCs. In such case, the Permittee shall obtain a minimum of 339.6 tpy of NO<sub>x</sub> CERCs and 6.0 tpy of VOC CERCs. Such an agreement(s) must be federally enforceable prior to the Permittee using said CERCs.
  3. A facility that has ceased operations and had its CAA permits revoked or rescinded and has not had the resulting emissions reductions certified under the Massachusetts trading bank regulations under 310 CMR 7.00, Appendix B. In such case, the Permittee shall obtain a minimum of 339.6 tpy of NO<sub>x</sub> CERCs and 6.0 tpy of VOC CERCs. CERCs based on a facility shutdown are required to be memorialized in a document from the Commonwealth of Massachusetts to ensure the CERCs from such a shutdown are fully in compliance with the CAA and have not been relied on by Massachusetts to meet other CAA requirements.
- B. The Permittee shall demonstrate that any NO<sub>x</sub> and VOC CERCs used for compliance are surplus, quantifiable, enforceable, and permanent. The Permittee shall submit the demonstration to the EPA and MA DEP prior to the Operational Phase Start Date. The demonstration shall include, at a minimum: 1) the source where the CERCs were generated; 2) the time used to determine the CERCs; and 3) a showing that the CERCs have been adjusted to consider the CAA and the Commonwealth's pollutant emission reduction requirements in effect as of the Final Permit issuance date.

## **SECTION VI. Operating Requirements and Work Practice Standards**

A. The permittee shall comply with all applicable requirements of 40 C.F.R. 60 ~~(NSPS)~~ subpart IIII, New Source Performance Standards (NSPS) for Stationary Compression Ignition Internal Combustion Engines (CI ICE) concerning any subject emission units in EUG 1 and EUG 2. The exact requirements that apply are dependent on the engine size, model year, and associated displacement as specified in the regulation. [40 C.F.R. part 60 subpart ~~60IIII~~ (§§60.4209 – 60.4219, Table 5, Table 8)]

B. The permittee shall comply with all applicable requirements of 40 C.F.R. part 63 ~~(NESHAP)~~, subpart ZZZZ, National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines (~~CHCERICE~~) concerning any subject emission units in EUG 1 and EUG 2. The exact requirements that apply are dependent on the

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engine size, model year, and associated displacement as specified in the regulation. [40 C.F.R. part 63 subpart ZZZZ (§§63.6600–63.6675, Table 1–Table 8, Appendix A to subpart ZZZZ)]

C. All emission units in EUG 1 shall be operated in accordance with the Good Combustion and Operating Practices (“GCOP”) Plan for the facility. The GCOP Plan shall be incorporated into the facility standard operating procedures (“SOPs”) and shall be made available for inspection by EPA and the Massachusetts Department of Environmental Protection (MassDEP). The GCOP Plan shall include, but is not limited to: i.) a list of combustion optimization practices to minimize emissions of pollutants and a means of verifying the practices have occurred for each engine type based on the manufacturer’s most recent specifications issued for the engines at the time that they are certified (and any updates from the manufacturer should be noted and amended in the plan); ii.) a list of combustion and operation practices to be used to lower energy consumption and a means of verifying the practices have occurred (if applicable); and iii.) a list of the design choices determined to be LAER/BACT and verification that designs were implemented in the final construction. [[40 C.F.R. § 52.21, 310 CMR 7.00 Appendix A]

~~[[40 C.F.R. § 52.21, 310 CMR 7.00 Appendix A]~~

D. All emission units in EUG 2 shall be operated in accordance with the Good Combustion and Operating Practices (“GCOP”) Plan for the facility. The GCOP Plan shall be incorporated into the facility standard operating procedures (“SOPs”) and shall be made available for inspection by EPA and the Massachusetts Department of Environmental Protection (MassDEP). The GCOP Plan shall include, but is not limited to: i.) a list of combustion optimization practices to minimize emissions of pollutants and a means of verifying the practices have occurred for each engine type based on the manufacturer’s most recent specifications issued for the engines at the time that they are certified (and any updates from the manufacturer should be noted and amended in the plan); ii.) a list of combustion and operation practices to be used to lower energy consumption and a means of verifying the practices have occurred (if applicable); and iii.) a list of the design choices determined to be LAER/BACT and verification that designs were implemented in the final construction. [40 C.F.R. § 52.21, 310 CMR 7.00 Appendix A]

## **SECTION VII. Testing Requirements**

- A. The Permittee shall, upon request by the EPA, conduct emission test(s), including visible emissions, of any operating emission unit subject to an emission limit in Section IV of this permit, including any engine on any vessel while that vessel is an OCS source. The Permittee shall perform the tests using the procedures and reference in 40 C.F.R. part 60, Appendix A, as applicable. ~~\_\_\_\_\_~~ [40 C.F.R. § 52.21]
- B. ~~For each engine operating on the Main WTG Installation Vessel,~~ The Permittee shall conduct a visible emission test for 30 consecutive minutes using the EPA test method 22 ~~when the vessel is operating as an OCS source,~~ once per operating day for each engine operating on a

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Main WTG Installation Vessel, when operating and considered an OCS source. If during the method 22 test visible emissions are observed for more than 3 consecutive minutes, within 14 calendar days the Permittee shall conduct a visible emission test using the EPA method 9. An operating day is defined as any calendar day in which the vessel operated as an OCS source. All visible emission tests for this specific permit condition shall be conducted in accordance with the EPA test requirements specified in 40 C.F.R. part 60, appendix A, methods 9 and 22. [40 C.F.R. § 52.21]

- C. The permittee shall comply with all applicable requirements of 40 C.F.R. 60 (NSPS) subpart IIII, New Source Performance Standards for Stationary Compression Ignition Internal Combustion Engines (CI ICE) concerning any subject emission units in EUG 1 and EUG 2. The exact requirements that apply are dependent on the engine size, model year, and associated displacement as specified in the regulation. [40 C.F.R. part 60 subpart 60 (§§60.4212—60.4213, Table 7)]
- D. The permittee shall comply with all applicable requirements of 40 C.F.R. part 63 (NESHAP), subpart ZZZZ, National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (~~CHICERICE~~) concerning any subject emission units in EUG 1 and EUG 2. The exact requirements that apply are dependent on the engine size, model year, and associated displacement as specified in the regulation. [40 C.F.R. part 63 subpart ZZZZ (§§63.6610—63.6640, Table 1—Table 8, Appendix A to subpart ZZZZ)]

## **SECTION VIII. Recordkeeping Requirements**

- A. The Permittee shall keep records of all required information necessary to submit annual Source Registration / Emissions Statements to the Massachusetts Department of Environmental Protection (MassDEP) as required by Section IX(I) of this permit. [[310 CMR 7.12]
- B. The Permittee shall maintain records as listed below. These records shall be retained for a period of at least five years from the date of recording, inspection, testing, or repair, and shall be made available to regulatory representatives upon request. The records shall be maintained during ~~pre~~-construction,~~-construction~~, and operation activities. [40 C.F.R. part 55 (§ 55.1—55.15, Appendix A to part 55), 40 C.F.R. § 52.21, 310 CMR 7.00 Appendix A]
1. Per Section IV(A), for all engines operating on OCS sources (including located on the ESP and WTG(s) and all engines on vessels ~~meeting that meet~~ the definition of an OCS source), the Permittee shall keep the following records:
    - i. the name of the vessel and/or engine.

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- ii. the daily fuel consumption of ECA Marine Fuel or ULSD for each vessel and/or engine (i.e., starting and ending fuel volume per each operating day taking into consideration any refueling); this record is only required if the applicant is using fuel use as a surrogate to power used for purposes of documenting actual engine load when operating.
  - iii. the name of the fuel supplier; the Permittee shall keep records for each supplier (if multiple refueling operations with different suppliers are utilized).
  - iv. the sulfur content of the fuel.
  - v. the method used to determine the sulfur content of the fuel (compliance may be shown by supplier's receipt at refueling indicating % sulfur content).
  - vi. the make, model, maximum rated horsepower, engine displacement (L/cylinder), and manufacturing date.
2. Records of the construction phase start date and operational phase start date.
  3. Per Section IV(A)(6)(i), records of the NO<sub>x</sub> and VOC emissions each operating day.
  4. Per Section IV(A)(6)(ii), records of the daily rolling, 365-day total of NO<sub>x</sub> and VOC emissions.
  5. Records of the date that any equipment, activity, or vessel is considered an OCS source, and associated date that any equipment, activity, or vessel ceases to be an OCS source.
  6. Records documenting the make, model, maximum rated horsepower, engine displacement (L/cylinder), and manufacturing date of: ~~engine(s) located on the ESP and WTG(s), all engines on vessels that meet the definition of an OCS source, and~~ all engines on vessels servicing or associated with the OCS facility when those vessels are at the OCS facility, or en route to or from the OCS facility and are within 25 NM of the OCS facility's centroid. This includes domestic and/or foreign-flagged vessels. The records must be maintained during ~~pre-construction~~, construction, and operation activities.
  7. Per Section IV(B)(1), permittee shall maintain records of the EPA-issued ~~certificates of conformity ("COC")~~ COCs or ~~manufacturer's~~ manufacturers' certifications which demonstrate ~~which the~~ tier standard each applicable engine within Emission Unit Group (EUG) 1—OCS Generator Engine(s) ~~in EUG 1 on the ESPs and WTGs~~ has been certified to meet.
  8. Per Section ~~IV(B)(2) and Section IV VI~~ (C)(1), and (D.), permittee shall maintain a copy of the GCOP Plan for the facility. The Permittee should include a list of the design choices determined to be LAER/BACT and verification that designs were implemented in the final construction and operation.
  9. Per Section IV(C)(~~21~~) through (~~98~~), records of the engines on vessels while operating as OCS sources. The Permittee shall include verification that Section IV(C)(~~21~~) through (~~98~~) requirements for LAER and BACT were implemented in the final construction and operation of the project, including any supplemental documentation for a lower tier vessel.

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10. Per Section IV(D), verification that the BACT requirements for equipment on switchgears were implemented in the final construction and operation of the project.
11. Per Section IV(D), records of  $SF_6$  user emissions (including the *Decrease in  $SF_6$  Inventory, Acquisitions of  $SF_6$ , Disbursements of  $SF_6$ , and Net Increase in Total Nameplate Capacity of Equipment Operated*).
12. Records of monthly operational records in accordance with 310 CMR 7.18(30)(e).
13. All records as required by NSPS IIII and NESHAP ZZZZ.

## **SECTION IX. Reporting Requirements**

A. The Permittee shall notify the EPA, in writing, at least 30 days, but no more than 90 days, prior to locating the first OCS source within the WDA. [40 C.F.R. part 55 (§ 55.1–55.15, appendix A to part 55), 40 C.F.R. § 52.21, 310 CMR 7.00 Appendix A]

~~B.~~ The Permittee shall notify the EPA, in writing, at least 30 days prior to installing and/or operating an engine on each WTG and ESP. The notification shall include, for each engine, the make, model, maximum rated power output, engine displacement, and manufacturing date.

~~C.~~ ~~B.~~ F. [40 C.F.R. part 55 (§ 55.1–55.15, appendix A to part 55), 40 C.F.R. § 52.21, 310 CMR 7.00 Appendix A]

~~D.~~ C. The Permittee shall provide written notification to the EPA at least 7 days prior to the first WTG producing commercial power.

~~E.~~ D. The Permittee shall provide written notification to the EPA when the construction phase ends before the last WTG produces commercial power.

~~F.~~ E. The permittee shall provide a copy of the notice of the 500-meter safety exclusion zones approved by the U.S. Coast Guard.

~~G.~~ F. The Permittee shall promptly report any permit deviations. Reporting shall be sent electronically to the Air Compliance Clerk, Sandra Schwartz via email at [schwartz.sandra@epa.gov](mailto:schwartz.sandra@epa.gov).

~~H.~~ G. When requested by the EPA, the Permittee shall furnish any information required by law which is needed to determine compliance with the permit. If the Permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the EPA, the Permittee shall, upon becoming aware of such facts or corrected information, promptly submit to the EPA such facts or corrected information. [40 C.F.R. part 55 (§ 55.1–55.15, appendix A to part 55), 40 C.F.R. § 52.21, 310 CMR 7.00 Appendix A]



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~~4.H.~~ The Permittee shall furnish to the EPA, within a reasonable time, any information that the EPA may request in writing to determine whether cause exists for modifying, revoking, reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the Permittee shall also furnish to the EPA copies of records that are required to be maintained by this permit, including information claimed to be confidential. The Permittee may, if it desires, assert a business confidentiality claim covering the information (other than emission data), in the manner described in 40 C.F.R. § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in subpart B of 40 CFR part 2. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to the Permittee. For more information, see 40 CFR part 2, subpart B, and 41 FR 36902 (Sept. 1, 1976). [40 C.F.R. part 55 (§ 55.1–55.15, appendix A to part 55), 40 C.F.R. § 52.21, 310 CMR 7.00 Appendix A]

~~4.I.~~ In accordance with 310 CMR 7.12, the Permittee shall report annually to the MassDEP, all information as required by the Source Registration/Emission Statement Form. The Responsible Official for the Permittee shall sign and submit a Source Registration to the MassDEP every year by May 1. The Permittee shall note therein any minor changes (under 310 CMR 7.02(2)(e), 7.03, 7.26, etc.) that did not require Plan Approval.

~~4.I.~~ — ~~[[310 CMR 7.12]]~~

## **SECTION X. General Conditions**

- A. Pursuant to 310 CMR 7.01(3) and 7.02(3)(f) and 40 C.F.R. 55.6(a)(4), the Permittee shall comply with all conditions contained in this permit. Should there be any differences between provisions contained in the General Conditions of this permit and any provisions contained elsewhere in this permit, the latter shall govern. ~~[[310 CMR 7.01(3)(f), 40 C.F.R. § 55.6(a)(4)]]~~
- B. The ~~authorization~~approval to construct an OCS source under this permit shall become invalid if construction is not commenced within 18 months after the effective date of this Permit. If construction is discontinued for a period of 18 months or more, or if construction is not completed within a reasonable time, the 18-month period may be extended upon a showing satisfactory to the EPA or the delegated agency that an extension is justified. Sources obtaining extensions are subject to all new or interim requirements and a reassessment of the applicable control technology when the extension is granted. This requirement shall not supersede a more stringent requirement under 40 C.F.R. §§ 55.13 or 55.14. ~~[[40 C.F.R. § 55.6(b)(4), 40 C.F.R. § 52.21(r)(2)]]~~
- C. This permit may be suspended, modified, or revoked by the EPA if the EPA determines that any condition or part of this permit is being violated.



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- D. The Permittee shall notify all other owners and operators, contractors, and the subsequent owners and operators associated with emissions from the permitted activities, of the conditions of the permit: ~~\_\_\_\_\_~~ [40 C.F.R. § 55.6(a)(4)(iv)]
- E. OCS sources shall comply with all requirements of 40 C.F.R. part 55 and all permits issued pursuant to 40 C.F.R. part 55. Failure to do so shall be considered a violation of section 111(e) of the CAA. All enforcement provisions of the CAA, including, but not limited to, the provisions of sections 113, 114, 120, 303, and 304 of the CAA shall apply to the permitted activities. [40 C.F.R. § 55.9(a) and (b)]
- F. If the Permittee is ordered to cease operation of any piece of equipment due to enforcement action taken by EPA, the shutdown will be coordinated by the EPA with the Department of Interior's *Bureau of Ocean Energy Management (BOEM)*, Bureau of Safety and Environmental Enforcement (BSEE), and the United States Coast Guard, to assure that the shutdown will proceed in a safe manner. No shutdown action will occur until after the EPA's consultation with these entities, but in no case will initiation of the shutdown be delayed by more than 24 hours. ~~\_\_\_\_\_~~ [40 C.F.R. §§ 55.9(c)]
- G. If requested in writing by the EPA, the Permittee shall have up to 30 days to submit to the EPA, an Emission Reduction Plan that meets the requirements of 310 CMR 8.08. [[310 CMR 8.08(1) – (6)]
- H. The Permittee shall construct and operate all equipment regulated herein in compliance with all other applicable provisions of federal and state air regulations. [40 C.F.R. § 55.6(a)(4)(iii)]
- I. In the case of a safety issue, engine failure, or a storm at sea that requires a vessel to attach temporarily to the seabed, the vessel will not be considered an OCS source because of that attachment. Facility shall maintain records of instances of temporary attachment that occur due to safety issue, engine failure, or a storm at sea. The record shall be made for each occurrence and include the following details: the date and time the vessel was attached to seabed, the reason for temporarily attaching the vessel to the seabed, a statement on any activity being conducted at the time of attachment, and any pertinent engine information, including but not limited to make, model, maximum rated power output, engine displacement, and manufacturing date.

## **SECTION XI. Right of Entry**

- A. The Permittee shall allow all authorized representatives of EPA, upon presentation of credentials, to enter upon or through any OCS source permitted by this permit and to enter

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upon or through any location where records required under this permit are maintained. The Permittee shall allow such authorized representatives, at reasonable times:

[Section 114 of the Clean Air Act, 42 U.S.C. § 7414; 40 C.F.R. §§ 55.8(a)-(b)]

1. to access and copy any records that must be maintained under this permit.
2. to inspect any OCS source, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
3. to monitor substances or parameters and sample emissions for purposes of assuring compliance with this permit.

## **SECTION XII. Transfer of Ownership**

- A. In the event of any changes in control or ownership of the Project, this permit shall be binding on all subsequent owners and operators. The Permittee shall notify the succeeding owner and operator of the existence of this permit and its conditions before such change, if possible, but in no case later than 14 days after such change. Notification shall be sent by letter with a copy forwarded within five (5) days to the EPA.

## **SECTION XIII. Severability**

- A. For the purpose of establishing whether the Permittee has violated or is in violation of any provision of this permit, the methods used in this permit shall be used, as applicable. However, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether the Permittee would have been in compliance with applicable requirements if the appropriate performance or compliance test procedures or methods had been performed.

## **SECTION XIV. Permit Fees**

- A. The Permittee shall submit the permit application fee of \$24,305 for a major comprehensive plan approval for the OCS permit. [40 C.F.R. § 55.10(1)– (3), 310 CMR 4.10(2)(c)(4)]
- B. The Permittee shall submit the application fees to the EPA within 60 days from receipt of written notice by the EPA of the fee amount due.
- C. The Permittee shall submit all fee-related payments and supporting documentation to the following address:
- U.S. EPA  
Fees and Collections Branch  
1300 Pennsylvania Ave NW

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Mail Code 2733R  
Washington, DC 20004

- D. When submitting the payment, the Permittee shall include a cover letter containing the following supporting documentation with the payment:
- Permittee's name
  - Permittee Address (including City, State, Zip-Code)
  - Permittee Contact Name and Phone Number
  - EPA Permit Number: OCS-R1-07
  - EPA Contact: Manager, Air Permits, Toxics, and Indoor Programs Branch
  - Reason for payment: "Miscellaneous Receipts Payment for OCS Air Permit Fee under 40 C.F.R. Part 55"
  - If applicable, all emissions information used to calculate the fee.
- E. Permittee shall send a photocopy of each fee payment check (or other confirmation of actual fee paid) and a copy of the supporting documentation for the application fee to:
- Manager, Air Permits, Toxics, and Indoor Programs Branch
  - Air and Radiation Division
  - U.S. EPA Region 1
  - 5 Post Office Square, 5-MO
  - Boston, MA 02109-3912
- F. Agency Address

Subject to change, except for prompt reporting of permit deviations and fee payments, all correspondence required by this permit including, but not limited to, all records, reports, or other information requested by EPA shall be forwarded to the following address below.

Director, Enforcement and Compliance Assurance Division  
U.S. EPA Region I  
5 Post Office Square, Suite 100  
Mail Code 4-WO  
Boston, MA 02109-3912  
Attn: Air Compliance Clerk

Alternatively, the Permittee may submit reports electronically upon written notification by EPA of an approved electronic reporting procedure.