

# **ANNOUNCEMENT OF A PUBLIC COMMENT PERIOD**

## **U.S. Environmental Protection Agency**

### **Outer Continental Shelf Draft Air Permit to Construct and Operate**

**EPA Permit Number: OCS-EPA-R2 NJ 02**

**For Atlantic Shores Offshore Wind Project 1, LLC**

**Atlantic Shores Project 1 and Project 2**

**Public Comment Period: July 12, 2024 to August 13, 2024**

The U.S. Environmental Protection Agency, Region 2 Office (“EPA”) is seeking public comment on a draft Clean Air Act (“CAA”) Outer Continental Shelf (“OCS”) air permit for Atlantic Shores Offshore Wind Project 1, LLC (“Atlantic Shores”), along with its affiliate, Atlantic Shores Offshore Wind Project 2, LLC, to construct and operate an offshore wind farms project, consisting of Atlantic Shores Project 1 and Project 2.

#### **APPLICANT:**

Atlantic Shores Offshore Wind Project 1, LLC  
1 Dock 72 Way, Floor 7  
Brooklyn, New York 11205

#### **BACKGROUND:**

On September 1, 2022, Atlantic Shores Offshore Wind, LLC submitted an Outer Continental Shelf (“OCS”) air permit application (“application”) to the U.S. Environmental Protection Agency (“EPA”) Region 2 office pursuant to section 328 of the Clean Air Act (“CAA” or the “Act”), 42 U.S.C. § 7627, and 40 C.F.R. Part 55, for the construction and operation of the Atlantic Shores South Project on the OCS approximately 7.6 nautical miles (or 8.7 statute miles) from the New Jersey shoreline. The project is located approximately 8 nautical miles (or 9 statute miles) from the Brigantine National Wilderness Area located in the E.B. Forsythe National Wildlife Refuge, a Class I Area, in New Jersey. The OCS air permit application was deemed complete on August 21, 2023. This application was later transferred to Atlantic Shores Offshore Wind Project 1, LLC (“Atlantic Shores”) and its affiliate, Atlantic Shores Offshore Wind Project 2, LLC (“Atlantic Shores Project 2 Company”), and Atlantic Shores submitted an updated final application to EPA on June 28, 2024.

On this lease, Atlantic Shores proposes to develop two wind farms, Atlantic Shores Project 1 (“ASP1”) (1,510 MW) and Atlantic Shores Project 2 (“ASP2”) (960 MW) (collectively referred to as the “Atlantic Shores Offshore Wind Farm Project,” the “Atlantic Shores project,” the “project,” or the “facility”), for which Atlantic Shores submitted a single application and which are both included in the draft OCS air

permit. The Atlantic Shores project is anticipated to generate approximately 2,470 megawatts of electrical power that will be delivered to the State of New Jersey.

Atlantic Shores proposes to install up to 200 wind turbine generators, up to 8 small, 5 medium, or 4 large offshore substations, and inter-array cables on the OCS located on Renewable Energy Lease Area OCS-A 0499, a lease awarded by the Bureau of Ocean Energy Management. The wind turbine generators use the energy of the wind, a source of renewable energy, and convert it to electricity. The electricity generated by the wind turbine generators will then be transported via inter-array cables to the offshore substations. The offshore substations will receive that electricity and then transmit it via offshore submarine export cables to onshore substations in the State of NJ, where it will be transmitted to the electric grid.

#### **FINDINGS:**

The draft OCS air permit regulates the offshore emission of air pollutants from the construction and operation of the Atlantic Shores Project on the OCS. The emissions result from the combustion of ultra-low sulfur diesel fuel in the marine engines onboard the majority of marine vessels that will be used to construct and to operate and maintain the project, and from the combustion of low sulfur diesel marine gas oil from a few specific marine vessels that may be unable to burn ultra-low sulfur diesel fuel. The project will also use portable diesel engines temporarily located on the wind turbine generators and offshore substations during construction. The majority of these portable engines will become permanent diesel engines that will be located on each offshore substation and used occasionally during the project's operation for regular testing and in case of the need for emergency power if the connection to the grid is lost. Both the portable and permanent diesel engines will use ultra-low sulfur diesel fuel. A very small amount of air pollutants, in the form of fugitive emissions, will come from ultra-low sulfur diesel fuel storage tanks, and painting and cleaning conducted for maintenance purposes. A small amount of sulfur hexafluoride emissions will also result from switchgears in the wind turbine generators and offshore substations, comprised of electrical equipment insulated with sulfur hexafluoride (a greenhouse gas). The air pollutants addressed by the draft permit include nitrogen oxides, carbon dioxide, volatile organic compounds, total suspended particles, particulate matter, particulate matter with an aerodynamic diameter less than or equal to 10 microns, particulate matter with an aerodynamic diameter less than or equal to 2.5 microns, sulfur dioxide, and greenhouse gases.

An OCS air permit for OCS sources located within 25 miles of a state's seaward boundary, such as the Atlantic Shores Project, includes federal air requirements under the Clean Air Act, as well as state and local air requirements that are applicable onshore in the "closest onshore area," which in this case is the State of New Jersey. Based on its potential to emit air pollutants, the Atlantic Shores Project is subject to the CAA's Prevention of Significant Deterioration ("PSD") and Nonattainment New Source Review requirements, federal standards that apply to diesel engines, and several New Jersey State air regulations. A detailed description of the air requirements that apply to the Atlantic Shores Project is included in the Fact Sheet which is available on the EPA's website as detailed below.

#### **Air Quality Impacts:**

Air quality analysis showed that the impacts on air quality from the construction and operation of the Atlantic Shores Project will not cause or contribute to a violation of applicable National Ambient Air Quality Standards ("NAAQS") or PSD increments. The NAAQS are health-based standards that the EPA sets to protect public health and welfare with an adequate margin of safety. The PSD increments are standards designed to ensure that the air quality in an area that meets the NAAQS does not significantly deteriorate from baseline levels. In addition, an Air Quality Related Values ("AQRV")

analysis, including a visibility analysis, was conducted to address the project impacts on the nearby Class I area, as required by the PSD regulations.

**ADMINISTRATIVE RECORD:** EPA has prepared a draft OCS air permit (EPA Permit Number: OCS-EPA-R2 NJ 02) for public comment, as well as a Fact Sheet that explains the basis of the draft permit conditions, both of which are available on EPA’s website at <https://www.epa.gov/caa-permitting/caa-permits-issued-epa-region-2>. The application and other supporting documents are available at docket number EPA-R02-OAR-2024-0312 at [regulations.gov](https://www.regulations.gov).

**PUBLIC COMMENT:** The purpose of this notice is to solicit comments from the public on EPA’s preliminary determination to approve Atlantic Shores’ OCS air permit. Persons wishing to comment on this draft permit must do so in writing by the public comment period closure date shown above. Any interested person may submit written comments on the draft permit during the public comment period. If you believe that any conditions in this draft OCS air permit are inappropriate, you must raise all reasonably ascertainable issues and submit all reasonably available arguments supporting your position by the end of the comment period. Any documents supporting your comments must be included in full and may not be incorporated by reference unless they are already part of the administrative record for this permit or consist of state or federal statutes or regulations, EPA documents of general applicability, or other generally available reference materials. All comments received prior to the close of the public comment period will be included in the administrative record and will be made available to the public. All comments received during the public comment period or made during the public hearing will be considered in arriving at the final permit decision. A statement of reasons for any changes made from the draft to the final permit and responses to comments received will be sent to persons who commented in writing on the draft permit or provided oral testimony during the public hearing. Please note that an email address must be provided with your comments if you wish to receive direct notification of EPA’s final permit decision and/or the response to comments document. Written comments on the draft permit may be submitted by email to:

Frank Jon, Environmental Engineer  
U.S. EPA, Region 2  
Permitting Section  
Air and Radiation Division  
Phone: (212) 637-4085  
Email: [jon.frank@epa.gov](mailto:jon.frank@epa.gov)

**PUBLIC HEARING:** Pursuant to 40 C.F.R. § 124.12, the EPA shall hold a public hearing if the Regional Administrator determines that there is a significant degree of public interest in the draft permit. The EPA, through this public notice, is announcing that it will hold a public hearing for the Atlantic Shores draft OCS air permit at 6 p.m. EST on August 12, 2024, that will be conducted according to the procedures of 40 C.F.R. § 124.12. The hearing will be held virtually via Zoom. Any person who wishes to participate in the public hearing must register using the public hearing registration form located at [https://www.epa.gov/region2/atlantic-shores-draft-ocs-air-permit-public-hearing](#). The Zoom link for the public hearing will then be sent to the email address provided in the registration form. Any person who plans to provide public comment during the hearing should register by August 8, 2024.

The hearing will be conducted in the English language. If you cannot speak, read, write, or understand the English language or you are a person with disabilities and need reasonable modifications and/or auxiliary aids and services, please email [greally.maya@epa.gov](mailto:greally.maya@epa.gov) or call her at 212-637-3588 to request

services free of charge no later than July 31, 2024. The hearing will end when all attendees wishing to speak have spoken, or at 8 p.m. EST, whichever is sooner. If no registered parties join the hearing by 6:30 p.m. EST, EPA will close the hearing. Depending on the number of attendees that wish to speak, the Presiding Officer may set reasonable limits on the time allowed for oral statements. We request, if possible, that you provide a written copy of any testimony you intend to present during the hearing to Mr. Frank Jon at the above email address by August 12, 2024. A written transcript of the public hearing will be made available in the docket afterwards.

**APPEAL PROCEDURES:** EPA’s final permit decision may be appealed administratively within 30 days of service of notice of the final determination. The procedures for administrative review are provided at 40 C.F.R. § 124.19 (“Appeal of RCRA, UIC, NPDES and PSD Permits”). Only those persons who filed comments or participated in the public hearing on the draft permit may petition for administrative review. Persons who failed to file comments or participate in the public hearing may petition for review only to the extent of changes from the draft permit to the final permit decision. If no comments are received and EPA makes no changes from the draft permit to the final permit decision, no administrative review will be made available. Upon completion of the administrative review process (if applicable), the final permit decision will become final agency action and will be published in the Federal Register. Judicial review of this final action is available in the United States Court of Appeals within 60 days from the date on which this action appears in the Federal Register. A petition for administrative review is a prerequisite to seeking judicial review of final agency actions.