

US EPA ARCHIVE DOCUMENT

UNITED STATES OF AMERICA  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 1

In the Matter of:

PUBLIC HEARING:

RE: OUTER CONTINENTAL SHELF AIR PERMIT TO  
CAPE WIND ASSOCIATES LLC, FOR THE CONSTRUCTION AND OPERATION  
OF THE CAPE WIND RENEWABLE ENERGY PROJECT ON HORSESHOE SHOAL  
IN NANTUCKET SOUND, MASSACHUSETTS

Nantucket Community School  
10 Surfside Road  
Mary P. Walker Auditorium  
Nantucket, MA 02554

Tuesday  
July 13, 2010

The above entitled matter came on for hearing,  
pursuant to Notice at 5:06 p.m.

BEFORE:

IDA McDONNELL, Manager  
BRENDAN McCAHILL, Permitting Engineer  
Air Permits, Toxics and Indoor Air Programs Unit  
RONALD FEIN, Counsel  
Office of Regional Counsel,  
U.S. Environmental Protection Agency  
New England Region 1  
5 Post Office Square, Suite 100  
Boston, MA 02109

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## P R O C E E D I N G S

(5:06 p.m.)

HEARING OFFICER MCDONNELL: Good evening, ladies and gentlemen. My name is Ida McDonnell. I am the Manager for the Air Permits, Toxics and Indoor Air Programs Unit with the New England Regional Office of the United States Environmental Protection Agency, also known as EPA Region 1. And I am the presiding officer for this hearing.

Joining me here tonight are Brendan McCahill, in the back, who works in my unit as the Permitting Engineer for the Cape Wind Air permit, and Ronald Fein, right here, from EPA Region 1's office of Regional Counsel, who is the counsel for the Cape Wind Air permit.

I'd like to begin by setting the context for tonight's hearing. I will first summarize the draft air permit that is the subject of the hearing, then discuss the permitting process so far, the nature of tonight's hearing, and what happens after the hearing. Finally, I'll discuss the process for giving oral comments at tonight's hearing.

I will begin with a summary of the draft air permit. Tonight's hearing concerns the issuance of an outer continental shelf or OCS air permit to Cape Wind Associates LLC, which I will call Cape Wind for short, for the construction and operation of the Cape Wind Renewable Energy Project on Horseshoe Shoal in Nantucket Sound,

1 Massachusetts. The project includes the construction and  
2 operation of a 130 wind turbine generators at the Nantucket  
3 Sound location. EPA has reviewed the information in the  
4 application and other documentation and has issued a draft  
5 OCS air permit for Cape Wind, along with an accompanying  
6 fact sheet which explains the decisions made in the draft  
7 permit.

8 The legal and factual background for the draft air  
9 permit are explained in detail in the fact sheet. But, I  
10 will give you a short summary.

11 Under Section 328 of the Federal Clean Air Act,  
12 EPA must establish air pollution control requirements for  
13 sources of air pollution located within 25 miles of the  
14 State's seaward boundaries that are the same as the onshore  
15 State requirements. Under the Clean Air Act, the proposed  
16 Cape Wind project is an outer continental shelf source,  
17 subject to Section 328 of the Clean Air Act and EPA's  
18 implementing regulations at 40 Code of Federal Regulations  
19 part 55. Under these Federal regulations, when developing  
20 an air permit for an OCS source, EPA applies certain air  
21 pollution control regulations of the corresponding onshore  
22 area which in this case is the Commonwealth of  
23 Massachusetts.

24 The emissions from the Cape Wind project are  
25 emitted from the engines used on the equipment to construct

1 and maintain the wind turbine generators and from the  
2 vessels that support the project and that operate within 25  
3 miles of the project. The wind turbine generators do not  
4 themselves emit any air pollutants, and Cape Wind does not  
5 intend to operate any stationary sources of air emissions at  
6 the project location.

7 EPA is proposing to issue an OCS air permit to  
8 Cape Wind that would cover the project's construction phase,  
9 which we call Phase 1, and its operational phase, which we  
10 call Phase 2. EPA's draft air permit requires Cape Wind to  
11 control air emissions from its vessel construction engines  
12 using two emission control technologies.

13 First, the draft permit requires Cape Wind to use  
14 engines that meet the new Federal requirements for internal  
15 combustion engines under EPA's standards of performance for  
16 stationary compression ignition internal combustion engines.  
17 Use of these engines will control emissions of nitrogen  
18 oxides which we abbreviate NOX or NOX, particulate matter,  
19 carbon monoxide and volatile organic compounds.

20 Second, the draft permit requires construction  
21 engines to use only ultra low sulfur diesel oil which will  
22 control sulfur dioxide and particulate matter emissions.

23 Because Massachusetts has not currently attained a  
24 Federal ambient air quality standard for ozone, and nitrogen  
25 oxides contribute to ozone formation, the draft permit also

1 requires Cape Wind to obtain emission reductions of NOX from  
2 other sources so as to provide a positive net air quality  
3 benefit.

4 Specifically, the draft permit requires Cape Wind  
5 to obtain 285 tons of NOX emissions reductions before  
6 beginning construction. This is actually 1.26 times as many  
7 tons of NOX as Cape Wind is expected to emit during the  
8 construction phase. These emission reductions would be  
9 obtained according to the Massachusetts Air Pollution  
10 Control Regulation including its offset trading bank.

11 For the operations of the Cape Wind project  
12 referred to as Phase 2 in the permit, EPA is proposing to  
13 limit the emissions of nitrogen oxides to 49 tons per year.  
14 This allows Cape Wind the ability to conduct any necessary  
15 repair activities without the need to obtain a revised  
16 permit. Cape Wind would not be allowed to emit more than 49  
17 tons per year of nitrogen oxides without seeking a new  
18 permit.

19 EPA is also requiring Cape Wind to continue using  
20 the same emissions control technologies during Phase 2 as  
21 during Phase 1.

22 Finally, Cape Wind provided an air quality  
23 analysis that showed, when you take the background air  
24 pollutant concentrations and add the emissions from the  
25 project, the resulting concentrations are well below State

1 and Federal ambient air quality standards. The one  
2 exception is ozone. And as I mentioned before, the project  
3 nitrogen oxides emissions during the construction phase will  
4 be more than fully offset through emission reduction  
5 credits.

6 Now, I'd like to explain the permitting process up  
7 to this point. EPA released a draft permit for public  
8 notice on June 11, 2010 which opened the public comment  
9 period through July 16, 2010. The legal notice for this  
10 hearing was published in the Cape Cod Times and the Boston  
11 Globe on June 11, 2010. And copies of the public notice  
12 were sent to a list of known interested persons.

13 Since June 11, 2010, the draft permit, the fact  
14 sheet which explains the decisions made in the draft permit,  
15 and the supporting documents have been available for  
16 interested parties to review and to comment on at EPA's  
17 Boston office, and on the EPA Region 1 web site at  
18 <http://epa.gov/ne/communities/nsemissions.html>. Copies of  
19 the draft permit and fact sheet are available at this  
20 hearing as well as a short informational summary.

21 Tonight's hearing is part of the permitting  
22 process. This hearing is an informal non-adversarial  
23 hearing that gives interested parties the opportunity to  
24 make oral comments and/or submit written comments on the  
25 proposed air permit. There will be no cross examination of

1 either the panel or the commenters. Any questions directed  
2 to a commenter from a panel member will be for clarification  
3 purposes only.

4 This public hearing is being recorded. The  
5 transcription will become part of the official  
6 administrative record for this permit.

7 However, in order to ensure the record's accuracy,  
8 we encourage you to submit written statements in addition to  
9 any comments you make tonight.

10 The public comment period will close at midnight  
11 on July 16, 2010. After the close of the public comment  
12 period, EPA will review and consider all comments received  
13 during the public comment period, both in writing and at  
14 tonight's public hearing.

15 EPA will prepare a document known as the response  
16 to comments that will briefly describe and address the  
17 significant issues raised during the public comment period,  
18 including comments submitted at tonight's hearing and what  
19 provisions, if any, of the draft permit have been changed  
20 and the reasons for the changes.

21 The response to comments will accompany the final  
22 permit for Cape Wind when the final permit is issued.

23 Notice of the availability of the response to  
24 comments and the final permit will be mailed or e-mailed to  
25 everyone who commented on the draft permit. To save paper,

1 we encourage you to provide an e-mail address if you have  
2 one, and are willing to receive notice through e-mail.

3 After the final permit has been issued, anyone who  
4 wishes to contest the final permit must file a petition for  
5 review, which is an appeal, with the Environmental Appeals  
6 Board, also known as EAB in Washington DC. Here are a  
7 couple of important things to remember if you are  
8 considering appealing the final permit.

9 First, the petition for review must be received by  
10 the EAB within 30 days of the date that the final permit is  
11 issued. More information on how exactly to calculate this  
12 period will be included in an attachment to the final  
13 permit.

14 Second, only persons who file comments on the  
15 draft permit during the public comment period or who  
16 provided comments during a public hearing may petition the  
17 EAB to review final permit conditions.

18 Third, any persons seeking review of a permit  
19 decision must raise all reasonably ascertainable issues and  
20 submit all reasonably available arguments supporting their  
21 position during the comment period, including any public  
22 hearing. Issues or arguments that are not raised during the  
23 comment period will not be considered by the EAB on appeal.

24 There is one exception to this rule. Any person  
25 who failed to file comments or failed to participate in the

1 public hearing may petition the EAB only to the extent of  
2 the changes from the draft to the final permit. More  
3 information on the appeals process can be found on the EPA  
4 web site and at the time of the final permit decision.

5 Let's now talk about the process of the hearing  
6 itself. To begin hearing your comments, I will first  
7 request comments from Federal, Tribal, State and local  
8 elected officials in that order. I will then request  
9 comments from members of the public. I will use the  
10 attendance cards to call on people who wish to comment. And  
11 once we get past the government officials, the cards will be  
12 called in the order they were submitted.

13 The speakers should come to the podium to speak  
14 and speak clearly into the microphone. Even if you do not  
15 wish to speak tonight, you may want to fill out a card and  
16 include your contact information so that you will be  
17 notified of our subsequent final permit decision.

18 To help make tonight's hearing as smooth as  
19 possible, I ask the following. First, before you begin your  
20 statement, please identify yourself and your affiliation, if  
21 any, for the record. Second, please speak clearly into the  
22 microphone for the transcript. And when you use your own  
23 name or anyone else's, or any abbreviations, please spell  
24 them out loud for the benefit of the transcript.

25 Third, please focus your comments on EPA's

1 proposed air permit and issues related to this air permit.  
2 Fourth, please remember that this is an opportunity for you  
3 to state your comments and that EPA will carefully consider  
4 everyone's comments after the close of the public comment  
5 period. This means that EPA's responses to your comments  
6 will come in a written response to comments, not tonight.

7 Fifth, I ask that members of the audience please  
8 not interrupt or make excessive noise while someone is  
9 speaking.

10 Although the room looks fairly thin now, it is  
11 possible that more people may trickle in. And in order that  
12 as many participants as possible get a chance to express  
13 their views, I ask that you limit your comments to five  
14 minutes. To assist you in this, we will show cards that  
15 indicate when you have two minutes left, then one minute  
16 left, then, when it is time to wrap up.

17 At any time, if you are asked to stop and you have  
18 not finished, I will ask that you defer the remainder of  
19 your comments until each person has had an initial  
20 opportunity to comment. Then, if there is time at the end  
21 of the evening, we will give you a short opportunity to  
22 finish your comments.

23 If you have a written statement, you may read it  
24 if it can be done in the time period allowed. And if not,  
25 then I ask you to please summarize your statement. In

1 either case, I encourage you to submit the written comments  
2 tonight.

3 With that, let's begin with the comments and I  
4 will call out the names based on the cards in the order I  
5 discussed before.

6 Audra Parker.

7 MS. PARKER: Thank you for the opportunity to  
8 comment. My name is Audra Parker. I'm the President and  
9 CEO of the Alliance to Protect Nantucket Sound.

10 The EPA has long been involved in the permitting  
11 process for Cape Wind and has been critical of the review of  
12 this controversial project. Not only did the EPA call the  
13 Army Corp's review of Cape Wind inadequate, it criticized  
14 the Department of the Interior for rushing its review  
15 process to issue a final environmental report to meet an  
16 arbitrary deadline and compromising the review of this large  
17 and complex project. The Alliance appreciates EPA's  
18 continued diligence and independence.

19 Generating clean energy is not an all or nothing  
20 venture. It is not a choice between Cape Wind's  
21 controversial projects and no clean energy at all. Rather,  
22 it is about finding the right place to build with the least  
23 amount of negative impact overall. Clearly that place is  
24 not Nantucket Sound.

25 During construction, Cape Wind would operate

1 equipment powered with diesel compression ignition engines  
2 which would emit nitrogen oxides, carbon monoxide,  
3 particular matter, sulfur dioxide and other pollutants.  
4 Cape Wind would also emit pollutants during operations and  
5 maintenance. These emissions would occur in the  
6 environmentally sensitive Sound which is already subject to  
7 emissions from commercial and recreational marine vessels,  
8 air traffic and surrounding land based activity.

9           There are numerous alternatives, including energy  
10 efficiency and land based wind projects that would have far  
11 fewer impacts than the proposed project that should be  
12 seriously considered.

13           The EPA criticized both the Army Corps and  
14 Interior's analysis of alternatives during the NEPA process  
15 for this project. In 2008, EPA commented that the draft  
16 environmental report, "did not provide enough information to  
17 fully characterize baseline environmental conditions and  
18 environmental impacts of the proposed project, and did not  
19 adequately consider alternatives to avoid or minimize  
20 impacts."

21           Neither Cape Wind nor Interior provided the  
22 requested information. Nor did Interior provide additional  
23 analysis of alternatives. EPA should now obtain the  
24 additional information needed to fully characterize the  
25 baseline environmental conditions and conduct its own

1 independent analysis of alternatives rather than accept and  
2 rely on Interior's flawed findings.

3 EPA should also avoid relying on Interior for  
4 compliance with the National Historic Preservation Act. To  
5 date, EPA has inappropriately used Interior's consultations  
6 to satisfy EPA's own consultation obligations under the  
7 statute. EPA needs to independently consult with the Mass  
8 State Historic Preservation Officer, as well as the Tribal  
9 Historic Preservation Officers. It also has the independent  
10 responsibility to respond to the recommendations of the  
11 Advisory Council on Historic Preservation which strongly  
12 recommended to Interior, based on unavoidable harm to Tribal  
13 and cultural resources, that the Cape Wind application be  
14 denied or relocated to a better alternative site. Unlike  
15 Interior which ran roughshod over historic preservation  
16 concerns, EPA should adopt the Advisory Council's position.

17 EPA also has an independent duty to comply with  
18 the Endangered Species Act. This means EPA must initiate  
19 consultations for the effects of this action on both bird  
20 and whale species. The biological opinions issued to date  
21 are defective. And both Interior and the Fish and Wildlife  
22 Service have been sued for their failure to comply with the  
23 Endangered Species Act.

24 Interior unlawfully allowed Cape Wind to dictate  
25 the terms of the incidental take statement for impact to

1 birds. It did so by overruling the Fish and Wildlife  
2 Service's recommendation, relying instead on the basis of a  
3 flawed economic argument by Cape Wind. Neither the Fish and  
4 Wildlife Service nor Interior questioned Cape Wind's  
5 erroneous and self-serving claim that the temporary project  
6 shut down required to detect birds would destroy project  
7 viability.

8 EPA should not allow Cape Wind or political  
9 interference to perpetuate this error. The best science  
10 should control. EPA therefore must initiate from the  
11 beginning, a new ESA Section 7 compliance, which would  
12 require a new formal consultation with the Fish and Wildlife  
13 Service.

14 Finally, new air quality emissions standards for  
15 nitrogen oxide emissions have been issued and need to be  
16 applied to Cape Wind. EPA at this point has not modeled  
17 Cape Wind's compliance with the new air quality standards.  
18 There are also new standards for sulfur dioxide emissions  
19 that have not applied. EPA should apply these to Cape Wind.

20 Given EPA's unrelenting integrity in the Cape Wind  
21 permitting process, I urge you to continue to review this  
22 project critically and follow these recommendations rather  
23 than succumb to political pressure as has been the case with  
24 so many of the other agencies involved in the review of this  
25 flawed project.

1 Thank you.

2 HEARING OFFICER MCDONNELL: Ara Charder.

3 MS. CHARDER: Good evening. I want to thank you  
4 all for coming down to Nantucket. I have been on the  
5 island, living here for 34 years. I'd like to have you all  
6 really review this project and am really concerned about the  
7 location of this project. We really would like to have  
8 clean air. We just don't like the location of this.

9 Thank you.

10 HEARING OFFICER MCDONNELL: Caroline Marshall.

11 MS. MARSHALL: Hello. My name is Caroline  
12 Marshall. I am 16 years old and I've decided to speak at  
13 tonight's hearing in support of Cape Wind.

14 The purpose of tonight's hearing is to discuss the  
15 permitting process of the Cape Wind energy project by the  
16 EPA. This hearing addresses the potential effects of the  
17 construction of the wind turbines in Nantucket Sound.

18 In the long run, I believe the numerous positive  
19 outcomes of this project greatly outweigh the obstacles  
20 associated with the construction process. The OCS air  
21 permit application submitted by Cape Wind on December 17,  
22 2008 states that Cape Wind would take significant measures  
23 to meet Federal requirements. Cape Wind will apply the  
24 lowest achievable emission rate for nitrogen oxide emissions  
25 during the construction phase, obtain nitrogen oxide

1 emission reduction to offset nitrogen oxide emissions,  
2 perform air quality analysis and comply with all other State  
3 and Federal regulations.

4 As far as I'm concerned, the aforementioned  
5 efforts on the part of Cape Wind to offset and reduce  
6 potential effects of this project should satisfy the EPA.

7 I live in Central New York. And during the  
8 summer, I am fortunate enough to live with my grandparents  
9 in their home on Cape Cod. There are two wind farms close  
10 to my home in New York. Both the Fenner and Madison wind  
11 farms are of a significantly smaller scale than Cape wind  
12 would be. Fenner contains 20 turbines and Madison contains  
13 only seven.

14 Though arguments opposing wind projects state that  
15 the construction of wind turbines would decrease tourist  
16 appeal of an area, I feel otherwise. In my community, the  
17 windmills are a majestic symbol of clean power. Classes in  
18 school districts from all over the county take field trips  
19 to the windmills which are viewed as beautiful and necessary  
20 additions to the rural landscape.

21 Though these wind farms in New York were built  
22 with a progressive state of mind, their combined output only  
23 supplies 42 megawatts of energy. Cape Wind, however, would  
24 supply 454 megawatts of energy, enough for 75 percent of  
25 Cape Cod.

1           During the summer, I run on the Cape Canal bike  
2 path. The beautiful historic canal is marred by the  
3 presence of an unsightly power plant. The pollution being  
4 emitted from the power plant is a further reminder to me of  
5 why Cape Wind needs to come to fruition.

6           Given the current state of our environment, it is  
7 difficult for me to see any fault with the Cape Wind  
8 project. With BP oil continuing to leak into the Gulf of  
9 Mexico, clean energy is a necessity now more so than ever  
10 before.

11           I have been coming here to the Cape and Islands to  
12 spend time with family and visit my favorite places for as  
13 long as I can remember. This part of the world has always  
14 been the most beautiful, wonderful place to me. Windmills  
15 are not an eyesore. They are a symbol of the future of  
16 energy. And I believe that, when they exist in the windiest  
17 places, off the shores of our entire country, we will  
18 finally be heading towards true sustainability.

19           My generation is the future. And energy is a  
20 problem. Cape Wind is a clean and sustainable solution.  
21 Though you may be blind by the temporary obstacles at hand,  
22 the long-term benefits of this project cannot be ignored.

23           Thank you for listening.

24           HEARING OFFICER MCDONNELL: Mark Rodgers.

25           MR. RODGERS: Thank you. My name is Mark Rogers.

1 I am the Communications Director of Cape Wind.

2 Thank you for holding this hearing tonight and the  
3 others that you will hold this week.

4 On a personal note, how I got first knowledgeable  
5 about and involved in energy and environmental issues was  
6 part of the Cape Wind, it was in the 1990s. I was a founder  
7 and director of an organization called Health Link in Salem,  
8 Massachusetts. And we were organized around the negative  
9 human health impacts from power plant pollution like sulfur  
10 dioxide and nitrogen oxide from the Salem Harbor where we  
11 lived, but also, more broadly, other facilities like it that  
12 we rely upon to provide electricity.

13 Through a lot of the research in those years, I  
14 became very alarmed about the substantial negative human  
15 health impacts of these pollutants. So I appreciate the  
16 work the EPA performs daily in trying to control these  
17 emissions in this country.

18 It's -- it's a little bit ironic that, in the case  
19 of the wind farm, that over its life is going to  
20 substantially reduce these pollution emissions in New  
21 England. They're adding a separate regulatory layer  
22 specifically to regulate emissions in the construction  
23 period. But, I am glad that it is happening nonetheless.

24 I just want to point out by way of context, that,  
25 after the construction period, during the operations of this

1 wind farm, and in the introduction, you correctly noted that  
2 there is a plan in place for offsetting Cape Wind's  
3 emissions during construction, but, thinking about the  
4 operations, and looking at not nitrogen oxide, which is the  
5 largest pollutant that would occur during the operations --  
6 during the construction phase, we would offset that within  
7 the first three months of operations of the wind farm.

8 So, the remaining 24 years, nine months will all  
9 be going in the right direction.

10 As far as sulfur dioxide, that will occur within  
11 the first few minutes of operation of the wind farm.

12 And I think, it is because of the benefits of  
13 cleaner air and the other benefits, and the fact that the  
14 site is the right site, and has been vetted through a very  
15 careful nine year regulatory review that, pretty much all  
16 the major environmental organizations in the country and in  
17 the region, support Cape Wind.

18 Thank you.

19 HEARING OFFICER MCDONNELL: Victoria Merson  
20 Pickwick.

21 MS. PICKWICK: Good evening. I'd like to thank  
22 the EPA for coming to Nantucket.

23 I urge the permitting process to occur rapidly.  
24 We've been looking forward to this for nine years. And I  
25 feel increasingly like to get the show on the road and start

1 construction.

2 I have visited Denmark. And they had a lot of the  
3 same fears that people in this area have. And two years  
4 later, they were very proud of their wind farm and none of  
5 the concerns that they had that have been named by the  
6 Alliance have come true in any way.

7 And so, I look forward to seeing a wind farm on  
8 Horseshoe Shoal. And they will be beautiful aesthetic  
9 sculptures.

10 Thanks.

11 HEARING OFFICER MCDONNELL: Whiting Willauer.

12 MR. WILLAUER: I am Whiting Willauer. I am on the  
13 Board of Selectmen. I'm speaking as a private citizen. And  
14 I thank you all for coming here today. Sorry. I was a  
15 little bit late, but I was at another meeting.

16 The windmills themselves don't provide any value  
17 directly to Nantucket. That must go elsewhere.

18 So, actually, we've probably got some negative  
19 impact.

20 Nantucket Sound is becoming more and more polluted  
21 with boat traffic back and forth. So much so that, when we  
22 do our environmental assessments within the harbor, we are  
23 flushing the harbor with water that is becoming more and  
24 more polluted, which is negatively impacting our scallop  
25 population. We have to have clean wanted to get rid of the

1 waters from the nitrates coming in the harbor.

2 We are trying to establish a Federal no discharge  
3 zone for all of the Sound. Right now, for over three  
4 nautical miles outside, you can dump. You can dump all your  
5 pollutants and everything else like that. So, we are having  
6 problems with that.

7 Then, you put these turbines up there, and they're  
8 not going to always run perfectly. They are going to begin  
9 to have problems. We've had problems here. There are  
10 problems all over the world with fires and everything else  
11 like that.

12 And that would put more pollutants into our very  
13 fragile ecosystem.

14 So, looking from a very selfish point of view,  
15 there has to be some way to mitigate the problem as far as  
16 the health of Nantucket Sound itself. It's becoming  
17 overused. We have 40 boat trips per day back and forth.  
18 And they are able to dump out in the ocean.

19 Now, they are going to begin to have holding tanks  
20 and then pump out either side. But, this is just one more  
21 situation that needs to have better mitigation.

22 Thank you very much.

23 HEARING OFFICER MCDONNELL: Brendan just told me  
24 that right now, no one else is lined up to speak.

25 So, we are going to take a 15 minute recess to see

1 if any more people come in. Thank you.

2 (Off the record from 5:40 p.m. to 5:55 p.m.)

3 HEARING OFFICER MCDONNELL: Has anyone arrived  
4 during the recess that would like to speak? Or, if you were  
5 here before, and you would like to speak?

6 We are committed to staying here at least 'til  
7 7:00 o'clock. So, we're going to stay off record unless  
8 somebody comes in and would like to speak or if one of you  
9 would like to.

10 You're free to say and you're free to go.

11 Thank you.

12 (Off the record from 5:56 p.m. to 6:46 p.m.)

13 HEARING OFFICER MCDONNELL: We're going to go back  
14 on the record now.

15 And Cynthia Gaynor, when you are ready, you can  
16 speak to us. Okay?

17 MS. GAYNOR: Good evening. My name is Cynthia  
18 Gaynor and I am a resident of Nantucket and a citizen.

19 My concerns tonight that are specific to this  
20 hearing deal with the level of nitrogen oxide and the sulfur  
21 dioxide and other pollutants as that is your purview, the  
22 purview of this hearing.

23 I would hope the permit, which I'm trying to read  
24 here, must require that the nitrous oxide emissions rate and  
25 that Cape Wind offset remaining nitrous oxide emissions or

1 emission reductions from other sources. The EPA should  
2 verify that there is sufficient offsets in the Massachusetts  
3 emissions standard to cover Cape Wind's NOX emissions.

4 The air quality emissions standards for nitrous  
5 oxide have been issued and need to be applied to Cape Wind.  
6 The EPA explains it is not involved with Cape Wind's  
7 compliance with the new air quality standards. And there  
8 are also new standards for sulfur dioxide that have not been  
9 applied. The EPA also -- should also be required to apply  
10 these to Cape Wind.

11 I'm 100 percent against this project. And I know  
12 that this is a limited purview of the EPA tonight of the air  
13 quality control, but, I do stand very firmly on the fact  
14 that Nantucket Sound is an national treasure. And it should  
15 be preserved as a marine national sanctuary. Not just an  
16 historic site.

17 So, I don't want any more trash in my ocean of any  
18 kind.

19 And I was thinking also about particular problems,  
20 like the blades that break and fall off these windmills.  
21 And I guess, that doesn't really affect air quality, but  
22 they are very hard to replace.

23 Thank you very much to EPA. You folks have done a  
24 very good job on this project, more so than some of the  
25 other Federal agencies around. And I want to express my

1 gratitude to you for doing that.

2 Thank you very much. And thank you for coming,  
3 being here tonight.

4 HEARING OFFICER MCDONNELL: We're going to go off  
5 the record again for a few minutes.

6 (Off the record from 6:50 p.m. to 7:01 p.m.)

7 HEARING OFFICER MCDONNELL: Since there are no  
8 other speakers present, we will now adjourn the meeting.

9 (Whereupon, at 7:01 p.m., the proceedings were  
10 concluded.)

11

CERTIFICATE OF REPORTER AND TRANSCRIBER

This is to certify that the attached proceedings  
before: U.S. ENVIRONMENTAL PROTECTION AGENCY  
in the Matter of:

RE: OUTER CONTINENTAL SHELF AIR PERMIT TO  
CAPE WIND ASSOCIATES LLC, FOR THE CONSTRUCTION AND OPERATION  
OF THE CAPE WIND RENEWABLE ENERGY PROJECT ON HORSESHOE SHOAL  
IN NANTUCKET SOUND, MASSACHUSETTS

Place: Nantucket, Massachusetts

Date: July 13, 2010

were held as herein appears, and that this is the true,  
accurate and complete transcript prepared from the notes  
and/or recordings taken of the above entitled proceeding.

M. Rossi

07/13/10

Reporter

Date

M. Rossi

08/03/10

Transcriber

Date