

EPA's Public Hearing for the SouthCoast Wind Draft NPDES Permit, held virtually on Monday, November 4, 2024, at approximately 7:30 pm

Lynne Jennings:

Thank you. Good evening. I'll now call the hearing to order.

As Ellen said, my name is Lynne Jennings, and I am the manager of the Water Permits Branch for EPA Region 1.

Tonight's hearing concerns the Draft NPDES Permit issued for the South Coast Wind Farm Offshore Converter Station #1. EPA intends to issue this permit in final form upon consideration of comments received during the public comment period which will close on November 6th, 2024.

EPA issues permits under federal authority, namely, the federal Clean Water Act's National Pollutant Discharge Elimination System or NPDES. The EPA NPDES program issues permits to all facilities that discharge pollutants into waters of the United States in Massachusetts and New Hampshire. The permit writer develops effluent limits as well as monitoring and reporting requirements based on information from the facility, federal regulations, state water quality standards, technical guidance published by the EPA and the state, and state and federal policy.

More information on the NPDES program is available on EPA's website, a link is provided in the chat feature of our Zoom platform.

EPA released the Draft Permit for public comment on October 3, 2024. The Draft Permit and fact sheet, as well as supporting documents, are available for interested parties to review and comment on. Interested parties can comment by sending written comments to Sharon Demeo and/or by participating in this hearing.

As mentioned previously, the Draft Permit and Fact Sheet are available. A quick way to find the documents is to search the internet by searching for the key phrase Southcoast N P D E S. The URL for our website is also posted in the chat box.

Tonight's hearing is an informal non adversarial hearing providing interested parties with the opportunity to make oral comments and/or to submit written comments on the proposed permit. There will be no cross examination of either the panel or the commenters. Any questions directed to a commenter from a panel member or vice versa will be for clarification purposes only, which we just addressed during the information portion of the meeting.

This public hearing is being recorded. It will become a part of the official administrative record for this permit. However, in order to ensure the record's accuracy, we highly recommend written statements also be submitted in addition to any comments made orally tonight.

Following the close of the public comment period, on November 6, 2024, EPA will review and consider all significant comments received during the public comment period, both in writing and at tonight's hearing.

EPA will prepare a written document known as the response to comments that will briefly describe and address the significant issues raised during the comment period, and what provisions, if any, of the Draft Permit have been changed and the reasons for those changes. The response to comments will accompany the Final Permit and both will be posted on EPA Region One's website.

Notification of Final Permit issuance and how to obtain copies of the Final Permit and response to comments will be sent to the applicant and everyone who comments on the Draft Permit or requested notification of the Final Permit conditions.

Anyone who wishes to contest any Final Permit condition must file a petition for review or appeal with the Environmental Appeals Board also known as the EAB. A couple of important things to remember if you are considering appealing the Final Permit.

First, the petition for review or appeal must be received by the EAB within 30 days after notice is served regarding the issuance of the final permit. Information on the appeal process can be found at the EAB website, www.epa.gov/eab.

Second, only persons who have filed comments on the Draft Permit during the public comment period, or who participated in the public hearing, may petition the EAB to review the Final Permit conditions.

Third, persons seeking review of a permit decision must raise all reasonable ascertainable issues and submit all reasonable available arguments supporting that position during the comment period including at this hearing. Issues or arguments that are not raised will not be considered by the EAB on appeal.

There is one exception to the appeal procedures just described. Any person who failed to file comments or failed to participate in the public hearing may petition the EAB only to the extent of the changes from the Draft to the Final Permit decision. Please refer to the EAB website for more information.

Next I will open the meeting to comments. If you would like to make a comment, please, once again, raise your hand and I will call on people in sequence using the participant list. When I call your name, please turn your camera and microphone on to speak. I ask that, before you begin your statement, for the record, please identify yourself, your affiliation and whether you will also submit written comments.

I'll now check the participant list and start the commenting process. And once again, if you're interested in making an oral comment. Okay, I see the 1st person as identified as "me". So we are surrendering the microphone to you, you can present your comments on the record.

Katrina Hamilton Gewers ("me"):

Hi! My name is Katrina Hamilton Gewers, and I appreciate that you're here to try and educate us and guide us through this process.

I had brought brought up earlier, and I know this is now for public record. Please help me better understand the process of only assessing the damages that will be done by one permit versus a cumulative study required by this wind Farm organization for the 2 that they will ultimately need. And I'm also curious to know when you could you please better define exactly what the best practices are when you say we're used there, we're requiring of them the best technology. Where is that technology within the document? Who is responsible for that? And in real time, when does that get updated.

Lynne Jennings:

Thank you for your comment.

Looking at the participant list once again. I don't see any other hands raised. Okay, I see. I'm sorry, and I forgot what your name was. You introduced yourself, but I see the person named "me" has raised their hand again. Would you like to make another comment for the record?

Katrina Hamilton Gewers:

I would please. Yes, thank you again. My name is Katrina Hamilton, and I'm also hoping that the comment would be considered that we are currently reviewing and in process of approving permits for multiple different needs of 9 different wind farms off the coast of Rhode Island and Massachusetts. There has been no cumulative study for the impact of all of these and I would like that to be part of the record that that is not a good and sound scientific, environmental approach to any of these projects. I would like that for the record. Thank you.

Lynne Jennings:

Thank you for your comment, Katrina.

Okay, once again, just checking the participants list. Great. Well. I'm not seeing anybody else raising their hand. I'll give it one more minute for folks to.. got a lot of people up. Okay, I see another hand. Katrina? Would you like to make another comment?

Katrina Hamilton Gewers:

For just for one comment. This I know there were other meetings. To have this available 2 days prior to a deadline seems delinquent in the opportunity to give people more time. It would be extremely helpful moving forward if your organization could have meetings where questions were asked, as I was allowed to in the prior 30 minutes well in advance of a deadline that is 48 hours later. Perhaps that is why, on the eve of an election, we have 16 participants for the record which includes the presenters. Thank you.

Lynne Jennings:

Thank you, Katrina. Okay. I see Sandra Craig has raised her hand. Would you like to offer a comment for the record, Sandra?

Sandra Craig:

Yes, thank you. It's a very short question. Until what time on the 6th will written comments be allowed to be submitted by email?

Lynne Jennings:

Good question. Actually, that's more of a clarifying question. I'm I'm guessing it's just as long as it's dated the 6th we'll accept it.

Sandra Craig:

Until midnight on the 6th I mean, given the fact that we have a national election in between.

Sharon DeMeo:

That's right, Lynne.

Lynne Jennings:

If it's dated the 6th, we will accept it.

Sandra Craig:

Thank you.

Lynne Jennings:

Alright. I think seeing no more hands being raised and there are no further comments, I'm going to close the public hearing. Thank you all for coming this evening and for your interest in this permit. As mentioned previously, we will continue to accept written comments until the public comment period closes and I want to wish you all a good night. Thank you.