

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

In Re:

**US Wind Inc., for the
Maryland Offshore Wind Project**

**Permit Number: Permit-to-Construct 047-0248;
NSR Approval NSR-2024-01; PSD Approval PSD-2024-01**

Appeal No. OCS 25-01

Certified Index

A. Final Decision

1. Permit-To-Construct, issued to US Wind. Inc. June 6, 2025
2. Prevention of Significant Deterioration Approval, issued to US Wind. Inc. June 6, 2025
3. Prevention of Significant Deterioration Final Determination and Fact Sheet
4. Non-Attainment New Source Review (NSR) Approval, issued to US Wind. Inc. June 6, 2025
5. Non-Attainment New Source Review (NSR) Final Determination and Fact Sheet
6. Final Determination Concerning a Permit-To-Construct, PSD Approval, and NSR Approval Application Submitted by US Wind, Inc. for the Construction and Commissioning of the Maryland Wind Offshore Project (including MDE Response to Comments)
7. Notice of Final Determination Regarding a Permit to Construct, PSD Approval, and NSR Approval for the Construction and Commissioning of the Maryland Offshore Project

B. Public Comments

1. Summary – Information Regarding an Air Quality Permit Application Submitted by US Wind, Inc., posted on MDE Website
2. Letter to Mary Cate Opila, EPA from Suna Sariscak, MDE, dated December 5, 2024
3. Transcript of Public Hearing, dated January 9, 2025
4. All Written Comments Received

5. PowerPoint Presentation – Public Hearing – US Wind, Inc. – Maryland Offshore Wind Project, January 9, 2025
6. Request for 60-Day Extension of the Comment Period
7. Email from Shannon Heafey, MDE – US Wind Comment Period Extension

C. Tentative Determination

1. Notice of Tentative Determination, Public Hearing, and Opportunity to Submit Written Comments
2. Air Quality Permit to Construct Tentative Determination and Fact Sheet
3. Non-Attainment New Source Review (NSR) Tentative Determination and Fact Sheet
4. Non-Attainment New Source Review (NSR) Proposed Approval
5. Prevention of Significant Deterioration Tentative Determination and Fact Sheet
6. Prevention of Significant Deterioration Proposed Approval

D. Application

1. Maryland Offshore Wind Project Outer Continental Shelf Air Permit Application, August 2023, Revised November 2023
2. Letter to Laurie Jodziewicz, US Wind, Inc., from Suna Sariscak, MDE, dated November 9, 2023
3. Letter to Suna Sariscak, MDE from Laurie Jodziewicz, US Wind, Inc., Re: Response to MDE Request for Additional Information for OCS Air Permit Application – Maryland Offshore Wind Project – US Wind, Inc., dated November 29, 2023
4. Maryland Offshore Wind Project Outer Continental Shelf Air Permit Application, August 2023, Revised November 2023, Addendum – January 2024
5. Letter to Laurie Jodziewicz, US Wind, Inc., from Suna Sariscak, MDE, dated January 4, 2024
6. Letter to Suna Sariscak, MDE from US Wind, Inc., Re: Response to MDE Supplemental Request for Additional Information for OCS Air Permit Application – Addendum to OCS Air Permit Application – Maryland Offshore Wind Project – US Wind, Inc., dated January 5, 2024, with attached Addendum
7. Maryland Offshore Wind Project Class I AQRV Assessment Modeling Protocol, May 2024
8. Maryland Offshore Wind Project Class I AQRV Assessment Modeling Report, July 2024
9. US Wind – OCS Air Permit Application – Sample Calculation for Cable Lay Vessel During Interarray Cable Construction
10. US Wind OCS Air Permit Application – Responses to MDE Review, November 6, 2024

E. Other Materials

1. Email to Mario Cora, MDE from Tim Allen, US FWS, dated November 13, 2024 – Fwd: US Wind, Inc. Maryland Offshore Wind Project – Need for Class I AQRV Analyses for Brigantine Wilderness Area
2. Email to LiAn Zhuang, MDE from Darin Ometz, TRC, dated January 24, 2025 – US Wind comments - draft PSD approval
3. Letter to Riccardo Toto, US Wind, Inc., from James F. Bennett, BOEM, dated March 1, 2018, with enclosed Amendment of Renewable Energy Lease OCS-A 0490
4. U.S. Department of the Interior, Bureau of Ocean Management Addendum “A”, Description of Leased Area and Lease Activities – Lease Number OCS-A 0490, Revised: December 3, 2024
5. U.S. Department of the Interior, Bureau of Ocean Management Addendum “D”, Project Easement – Lease Number OCS-A 0490, Granted: December 3, 2024
6. Letter to Riccardo Toto, US Wind, Inc., from David Diamond, BOEM, dated December 2, 2024, approving US Wind, Inc.’s Construction and Operations Plan (COP)
7. Maryland Offshore Wind Final Environmental Impact Statement, Volume 1, BOEM 2024-024, Docket Number: BOEM 2024-0033
8. Appendix A, Required Environmental Permits and Consultations to Maryland Offshore Wind Final Environmental Impact Statement, Volume I, BOEM 2024-024, Docket Number: BOEM 2024-0033
9. Appendix G, Mitigation and Monitoring to Maryland Offshore Wind Final Environmental Impact Statement, Volume I, BOEM 2024-024, Docket Number: BOEM 2024-0033
10. Appendix J, Finding of Adverse Effect for Section 106 Consultation and Attachment J-1 to Maryland Offshore Wind Final Environmental Impact Statement, Volume I, BOEM 2024-024, Docket Number: BOEM 2024-0033
11. BOEM Record of Decision, Maryland Offshore Wind Project, Construction & Operations Plan, September 4, 2024
12. Maryland Offshore Wind Project Biological Assessment, for the Fish & Wildlife Service, December 2023
13. Fish & Wildlife Service Biological Opinion for the Maryland Offshore Wind Project, May 31, 2024
14. National Marine Fisheries Service, Endangered Species Act Section 7 Consultation, Biological Opinion, June 18, 2024
15. Maryland Offshore Wind Project Essential Fish Habitat Assessment for the National Marine Fisheries Service, March 2024
16. Essential Fish Habitat Assessment, Maryland Offshore Wind Project, November 2021
17. TRC - Information to Support Essential Fish Habitat Assessment – Maryland Offshore Wind Project, July 2023

18. Letter to John Filippelli, EPA, from Michelle Morin, BOEM, dated September 24, 2018
19. EPA Region 1, Supplemental Fact Sheet, October 20, 2021 – Outer Continental Shelf Preconstruction Air Permit for South Fork Wind, LLC, EPA Draft Permit Number OCS-R1-04
20. US Wind, Inc., Construction and Operations Plan: Maryland Offshore Wind Project, VOLUME I: Project Information, Revised June 2024
21. US Wind, Inc., Construction and Operations Plan: Maryland Offshore Wind Project VOLUME II: Site Characterization & Impact Assessment, Revised July 2024
22. EPA, Assessment of the Use of Sulfur Hexafluoride (SF6) Gas Insulated Switchgears (GIS) within the Offshore Wind Sector, August 24, 2023
23. EPA Memorandum: Revised Policy on Exclusions from “Ambient Air”, from Andrew R. Wheeler, to Regional Administrators, dated December 02, 2019
24. EPA, Photochemical Model Estimated Relationships Between Offshore Wind Energy Project Precursor Emissions and Downwind Air Quality (O3 and PM2.5) Impacts, December 2022
25. EPA Memorandum: Timely Processing of Prevention of Significant Deterioration (PSD) Permits when EPA or a PSD-Delegated Air Agency Issues the Permit, from Stephen D. Page, to Regional Air Division Directors, Regions 1-10, October 15, 2012
26. U.S. EPA, Region 3, Outer Continental Shelf Air Permit, Dominion Energy, Coastal Virginia Offshore Wind Commercial Project, Response to Comments on Draft EPA Permit, OCS-R3-01
27. Mishnaevsky, L., Jr., Root Causes and Mechanisms of Failure of Wind Turbine Blades: Overview. Materials 2022, 15, 2959, available at <https://doi.org/10.3390/ma15092959>
28. U.S. Department of the Interior, Bureau of Ocean Energy Management, Office of Renewable Energy Programs, Guidelines for Lighting and Marking of Structures Supporting Renewable Energy Development, April 28, 2021
29. U.S. Department of Transportation, Federal Aviation Administration, Advisory Circular: Obstruction Marking and Lighting, AC No. 70/7460-1L, August 17, 2018
30. U.S. Department of Homeland Security, United States Coast Guard, Navigation and Vessel Inspection Circular No. 01-19: Guidance on the Coast Guard’s Roles and Responsibilities for Offshore Renewable Energy Installations (OREI), August 1, 2019

CERTIFICATE OF SERVICE

I certify that copies of the foregoing Certified Index in the matter of US Wind Inc., for the Maryland Offshore Wind Project, Permit-to-Construct 047-0248; NSR-2024-01; PSD Approval PSD-2024-01, were sent to the following persons in the manner indicated:

By first-class U.S. mail to Petitioners Mayor and City Council of Ocean City, Maryland and Commissioners of Worcester County, Maryland through their attorneys of record, Nancie G. Marzulla, and Roger J. Marzulla, at 1150 Connecticut Ave., NW, Suite 1050, Washington, D.C. 20036, on July 30, 2025;

By first-class U.S. mail to Amy Van Blarcom-Lackey, Regional Administrator of Region 3 of the Environmental Protection Agency, at 4 Penn Center, 1600 JFK Blvd., Philadelphia, PA 19103, on July 30, 2025;

By first-class U.S. mail to US Wind Inc., the permit applicant, at World Trade Center Baltimore, 401 East Pratt Street, Suite 1810, Baltimore, MD 21202, on July 30, 2025;

By e-filing system to the Environmental Appeals Board on July 30, 2025.

/s/ Kara A. Dorr
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