

November 17, 2010

Stephen S. Perkins
Director
Office of Ecosystem Protection
U.S. Environmental Protection Agency
Region 1
5 Post Office Square, Suite 100
Boston, MA 02109

Dear Mr. Perkins,

I am writing in response to your letter of October 29, 2010, in which you state that you have directed EPA staff to put "on hold" the review of our pending air permit application. For the reasons set forth below, we respectfully request that you rescind that directive and allow your staff to complete its review of the application. In response to your request, I also wish to confirm that Cape Wind has not revised its project plan, nor has it altered any portion of the air permit application as filed with your office. There has thus been no change to Cape Wind's proposal that would require EPA or any other agency to modify its review of the project.

Please be further advised that the Commonwealth's referenced proposal to develop a Multi-Purpose Marine Terminal at New Bedford remains subject to several contingencies beyond our control, and it remains unclear as to whether such a facility would be completed and available on a timeline consistent with our project construction requirements. In the event that such a facility were to become both completed and available on a timely basis and CWA proposes to use it for all or a substantial part of its staging requirements, Cape Wind would alter its project plans and make the appropriate regulatory filings at that time. As of this time, however, CWA has made no such change to its project or to its pending air application.

We also note that if CWA were to amend its project plans to reflect utilization of a staging area in New Bedford, it is unlikely that such a modification would have a significant impact upon an air permit issued in response to the currently pending application. We note in this regard that (i) Section 55.2 of the EPA's OCS Air Regulations provides that "emissions from vessels servicing or associated with an OCS source shall be considered direct emissions while at the source and while enroute to or from the source when within 25 miles of the source...." and (ii) it is unlikely that any such project modification would indicate a significant alteration to

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vessel activity within such jurisdictional area. In any event, the particulars of any such potential or future modification remain speculative at this time.

Please feel free to call if you should have any questions and we respectfully request that you allow your staff to promptly complete the review of the pending application.

Sincerely,



Dennis J. Duffy
VP – Regulatory Affairs

cc: Ira Leighton
Deputy Regional Administrator