



State of New Jersey

Department of Environmental Protection

Air Quality, Energy and Sustainability

Division of Air Quality

Bureau of Stationary Sources

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COMMISSIONER

March 10, 2022

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Andrew Urquhart

Manager

Competitive Power Ventures

50 Braintree Hill Office Park, #300

Braintree, MA 02184

Re: FOURTH NOTICE OF TECHNICAL DEFICIENCIES: TITLE V SIGNIFICANT MODIFICATION

Woodbridge Energy Center (Keasbey Energy Center Project)

Permit Activity Number: BOP160004

Program Interest Number: 18940

Application Submitted August 21, 2016

Dear Mr. Urquhart:

The Department is acknowledging the receipt of your letter dated February 18, 2022, requesting an extension to respond to the Department's Fourth Notice of Deficiency ("Fourth Notice"), dated March 23, 2021, for the above-referenced application. In the Fourth Notice, the Department identified three areas where your application is incomplete and needed to be addressed in a written submission by September 30, 2021:

- the emission offset demonstration;
- air dispersion modeling; and
- miscellaneous information in the project's RADIUS application.

In your original response letter, you agreed to correct these deficiencies. Since then, you have requested, and the Department has granted, the following four extensions of the original September 30, 2021 deadline:

- First extension, dated September 21, 2021, granted an extension until November 29, 2021
- Second extension, dated November 16, 2021, granted an extension until December 28, 2021
- Third extension, dated December 20, 2021, granted an extension until January 21, 2022
- Fourth extension, dated January 26, 2022, granted an extension until February 28, 2022

To date, the Department has yet to receive all of the required information to address the deficiencies of the emission offset demonstration, as explained in the Fourth Notice. If you choose not to utilize the

CER02 form, you must provide *all equivalent information* so that the Department can determine compliance with the emission offset rules at N.J.A.C. 7:27-18. If you choose to submit a certification by a responsible corporate official, the official must certify to the equivalent information in the CER02 form. In lieu of the seller's signature, the responsible corporate official must specify the offsets, and must certify that the specified offsets are to be and will be applied to the project and will be secured prior to operation. In your September 20, 2021 letter, you provided us with a draft template for how you will submit the information without providing the specifics. If the information and certification is provided as shown in that template, it would satisfy our requirement to identify emission offsets. To date, you have not submitted this information, which is required for issuance of a draft operating permit modification. Specifically, you need to identify at least 59.00 tons/year of VOC offsets and 193.31 tons/year of NOx offsets.

We are also evaluating the RADIUS information provided in your September 20, 2021 letter. We will contact you if we require more information regarding those forms.

In your February 18, 2022 letter, you requested an extension to complete and submit the multi-source modeling. Given the amount of time this application has been pending, which necessitated the need for updated air dispersion modeling, and the fact that the Multisource Modeling Protocol was approved on November 22, 2021, the Department is granting an extension. You must provide the required information (modeling results and emission offset identification) by May 2, 2022, with no more extensions beyond that date. Please note again that failure to submit the required information by the deadline is grounds for denial of the Title V Significant Modification application pursuant to N.J.A.C 7:27-22.3(ff). Alternatively, you can withdraw the pending application BOP160004.

Additionally, because this facility has been identified as a project that is subject to the Administrative Order 2021-25 (AO-25), the Department cannot issue a draft permit for public comment until the AO-25 public engagement has been completed. We understand that you have already communicated with the Office of Permitting and Project Navigation (OPPN). Please continue to work with OPPN as expeditiously as possible in addressing the AO-25.

If you have any questions regarding this matter or wish to schedule a meeting to discuss the air dispersion modeling or emission offsets, please call me at (609) 633-1129.

Sincerely,



David J. Owen
Bureau of Stationary Sources

C: A. Khan
J. Leon
Central Regional Office
C. Bergeron, Woodbridge Energy Center