From: [redacted]
To: SitingBoard Filing (DPU)
Subject: Stakeholder Procedural Regulations Straw Proposal comments
Date: Wednesday, April 23, 2025 8:44:13 PM

Hello,

I wanted to address some items I'd like to address with the Procedural Regulations stakeholder session and the straw proposal for same.

One thing that has bothered me since the Climate Act 2024 came into play is that it was created as a law with no regulations in play, no public diatribe, but a law created by companies lobbying lobbyists. I honestly believe not having the "ducks in a row" or the "t's crossed" or the "I's dotted" PRIOR to rolling out this law makes it basically unconstitutional because it is vague and overly broad, making it difficult to determine what it means or how to apply it. There is no public health and safety aspect. It's about green energy, renewable energy but it's a forced law with undue hardship being placed on cities and towns. We are not all created equal and this law is so broad it acts as if every city and town is the same. There were no regulations about proper siting, no regulations on sizes, no regulations on decommissioning, no regulations or processes because it is a new technology. This begs to question is all of Massachusetts supposed to be a Guinea pig to an experiment it cannot control? Shouldn't these processes be determined PRIOR to it even being the law? This seems so backward. Stakeholder meetings are set up to discuss and get comments on how this should be going forward, but those cities and towns that are facing large and/or small BESS's in their cities and towns, should absolutely have a say in whether they should be allowed in those cities or towns. THEY know their city/town best. No one from Boston, where you are all located, would have the slightest idea of where and what is a good location in any city/town other than where you come from. Without city/town participation, bad mistakes are going to happen.
The permit application doesn't even come to the city/town? This just feels unconstitutional and in of itself, should be against the law. The environmental assessment and environmental impact regulations are proposed to be repealed? This makes no sense. Isn't it your job to be sure that there will be no environmental impacts to the city/towns? I see a lot of pro company in this new law and not much that protects the taxpayer, the resident, the businesses, the children, animals, livestock or farming industries of any city or town. That is injustice.
You cannot implement a law that has no regulations to implement. the idea of putting the regulations in play for March 1, 2026 should mean that until then, each city and town has the right to decide what comes or goes in their city or town. Period. Additionally, there should be written procedures that clarify a high dollar amount of money that goes into a fund for each city and town to keep, on a yearly basis. Not just a small tax payment. These companies are getting financial incentive monies from the State and Federal government, but the townspeople and the city people are getting nothing. This is injustice. These companies should have to pay each city and

town a substantial amount, an amount decided by each city and town to determine, if said BESS is to be installed in their city/town. There is nothing about funding disasters when they happen. There will be many expenses when that happens. The government is all about providing the money to help these companies, but nothing for the people. The people who live and work in these towns and cities will have to deal with thermal runaway and toxic metals. The people who own the companies live elsewhere. The government officials forcing these unlawfully on the cities and towns don't live where they are being slated to be located.

The mailed notice practices should be for all taxpaying residents. A battery energy storage system fire, particularly one of the larger storage systems will affect an entire city or town, and those around them. The fall out does not stop at a property line. The mailed notices should go to everyone that lives in an abutting city or town of the proposed application site as well. Do some due diligence. There may be aquifers containing public drinking water that serves several cities or towns. Telling just abutters that live within a half mile of or a 300 foot line is not due diligence and is no way enough.

The intervener option of funding being available after the March 1, 2026 deadline is no good to ANY city or town currently with an application on your docket now. That is unjust and should be unconstitutional and goes back to my first reasoning of why this is even a law when nothing is in place for it yet. There absolutely should be rules on decommissioning, site restoration, timeframe for removal, the costs, ensuring with a bond to the city or town of however much money it will take to do all of the work needed with regard to decommissioning as well as when a fire happens.

Hearing notices should be sent out to all city and towns, a newspaper article, meant to be free and non subscribing so that those who do not subscribe to online papers can still read the article in its entirety. There also should be social media notification and all these should be done at minimum twice.
siting Board staff site visits to the locations should be open to the public. You say transparency. Prove it.
There should be no steps limiting the scope of subject matter being explored during the adjudication. This is more proof that you are more for the companies than you are for the residents you are officials sworn to protect.

All current applications in front of the EFSB should be halted from any decisions until this law is regulated. I have seen some cities and towns having applications pushed through in less than 12 months by the state with no regard to public health and safety. As stated above numerous times, this is unjust and walking a fine line on unconstitutional.

Thank you for your time.

Carolyn Healey
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