

## 980 CMR: ENERGY FACILITIES SITING BOARD

### 980 CMR 5.00: ENVIRONMENTAL ASSESSMENT AND ENVIRONMENTAL IMPACT ENERGY FACILITIES SITING COUNCIL

#### Section

#### 5.01: General

#### 5.02: Environmental Assessment

##### 5.01: General

(1) Scope. 980 CMR 5.00 governs the application of the Massachusetts Environmental Policy Act, M.G.L. c. 30, §§ 61 through 62H to proceedings of the Energy Facilities Siting Council.

(2) Statutory Authority. 980 CMR 5.00 is promulgated pursuant to the authority of M.G.L. c. 164, § 69H, 69H½, and 69I.

##### 5.02: Environmental Assessment

(1) Environmental Assessment and Impact Reports. During the course of its review of long-range forecasts, supplements, and notices of intent, the Siting Council is not required to comply with the procedural requirements of the Massachusetts Environmental Policy Act. *See* M.G.L. c. 164, § 69I. Nevertheless, the Council shall comply in all of its proceedings with the environmental policies of the Commonwealth as these are set forth in Article 49 of the Constitution, M.G.L. c. 30, § 61, and environmental statutes and regulations.

The Siting Council shall comply with procedural and substantive requirements of M.G.L. c. 30, §§ 61 through 62H and implementing regulations of the Executive Office of Environmental Affairs in all of its rulemaking proceedings pursuant to Chapter C of its regulations.

An applicant for a certificate of environmental impact and public need pursuant to Chapter F of 980 CMR 5.00 shall comply with the procedural and substantive requirements of M.G.L. c. 30, §§ 61 through 62H and implementing regulations of the Executive Office of Environmental Affairs.

#### REGULATORY AUTHORITY

980 CMR 5.00: M.G.L. c. 164, §§ 69H, 69H½, and 69I.