

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, §§ 61-62H 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, §§ 61-62H 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, §§ 61-62H 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.