

**Commonwealth of Massachusetts  
Executive Office of Energy and Environmental Affairs  
DEPARTMENT OF ENERGY RESOURCES**

**SMALL CLEAN ENERGY INFRASTRUCTURE FACILITY SITING & PERMITTING  
(225 CMR 29.00)**

**DRAFT GUIDELINE**

**Guideline on Common Conditions**

**Effective Date: March xx, 2026**

**Background and Purpose**

In accordance with the requirements of 225 CMR 29.12, a Consolidated Local Permit Application must meet these common conditions and requirements to receive Constructive Approval. The Common Conditions apply throughout the design, construction, operation, maintenance, and decommissioning of a Small Clean Energy Infrastructure Facility (SCEIF). The Common Conditions are separated into four categories: Administrative/Legal, Construction, Operations & Maintenance, and Decommissioning. This guidance is further organized by standards that apply to all SCEIFs (section I, below), and those that only apply to specific types of SCEIFs (sections II – VI below).

**1. Common Conditions that Apply to All Small Clean Energy Infrastructure Facilities**

<b>SCEIF – All Facilities</b>	
<b>Phase: Administrative/Legal</b>	
<b>Project Commencement</b>	Projects that receive a Consolidated Local Permit must commence construction within a timeframe determined by the Local Government, provided that such time frame is not less than two years and not more five years. The time allowed shall counted from the time the Consolidated Local Permit is issued. The Applicant may seek and extension for good cause such as in the case of De Novo Adjudication or judicial appeal. The time frame may be between two and five years from the date of the issuance of the Final Decision. If the project has not commenced construction within the established timeframe, the Local Government may withdraw the Permit after providing 30 days notice to the holder of the Permit. The Applicant may seek an extension for good cause such as in the case of De Novo Adjudication or judicial appeal.
<b>Final Plan Submittals</b>	The Applicant shall deliver final plans to the Local Government at least one week prior to the pre-construction meeting and shall include an original set of plans on mylar in addition to hard copies of the final plan

	in accordance with the relevant municipal departments. The Applicant shall also provide to the Local Government an electronic file of all sheets of the final plan as well as AutoCAD files for the project. Final plans shall include final legal addresses, as approved by the Board of Assessors, for the subject lot and all structures on the subject lot.
<b>Project Alterations</b>	The Applicant shall not alter final plans after submission of the final plan without permission from the Local Government. Minor changes that do not impact structure footprints may be approved by the Building Commissioner.
<b>Compliance with All Laws</b>	The Applicant and its agents shall obtain all necessary licenses, permits, and approvals and comply with all applicable local, state, and federal laws and regulations prior to the start of construction. The Applicant shall meet the requirements established under 310 CMR 10.00 Wetlands Protection, including review under 310 CMR 10.00, and obtain a valid Final Order of Conditions
<b>Compliance with Public Health, Safety, Environmental and Other Standards</b>	The Applicant shall comply with all applicable Public Health, Safety, Environmental and Other Standards established in 225 CMR 29.06.
<b>Transfer of Ownership</b>	Local Government Officials shall be notified by United States Postal Service First Class Mail 30 days prior to any change of ownership of the SCEIF or property, change of lease holder, or change of plant operating company. Applicants must provide proof to the Local Government of the transfer to a successor. Within 30 days of such notice, or at a mutually convenient time, the successor shall meet with the Local Government to review the pre-construction or ongoing construction activities, or if the facility is in operation, the operating conditions of the SCEIF.
<b>State Permits</b>	The Applicant shall provide the Local Government with a copy of all permits issued by Massachusetts Department of Transportation (MassDOT), Massachusetts Department of Environmental Protection (MassDEP), and other state agencies pertaining to the SCEIF provided that the issuance of any local decisions or permits is not delayed waiting for the receipt of any state permits.
<b>Bond and Fee Payments</b>	Bond and Fee payments shall be submitted to the Local Government before the holding of the pre-construction meeting or the issuance of the Final Issuance to Build.
<b>Phase: Construction</b>	
<b>Pre-Construction Meeting</b>	The Applicant shall hold a pre-construction meeting with the Local Government's Planning Department, Department of Public Works, and appropriate municipal staff determined by the Local Government prior to any construction. The Applicant shall contact the appropriate Local Government municipal staff and departments to schedule this meeting.
<b>Traffic Management Plan</b>	The Applicant, in consultation with Local Government officials, shall develop and implement a traffic management plan ("TMP") for the

	<p>construction of a SCEIF. The TMP's requirements shall include, but not be limited to: (i) signage identifying construction work zones and support areas, worksite access points, and emergency access routes; (ii) use of traffic control techniques, as necessary, such as detour routes for public traffic, traffic control devices like road markings or barricades, and temporary traffic signals or flaggers/police details; and (iii) all alterations to construction work times based on impacts on rush hour traffic. The TMP shall also require the following measures to minimize vehicular impacts in surrounding neighborhoods: (i) designated speed limits; (ii) staggered arrival and departure times; (iii) proper vehicle maintenance protocols; (iv) limited or no use of high beams and loud sound systems; (v) carpool incentives; and (vi) on-site parking plans or, if the site does not accommodate on-site parking, off-site parking plans that will not impede traffic flow. The Applicant shall submit the final TMP to the Local Government no later than 30 days before construction commencement, and, if applicable, at the time of submittal, shall publish the TMP on the Applicant's SCEIF website to ensure availability of traffic-related planning information for the SCEIF area.</p> <p>When practicable, the Applicant shall arrange for off-peak delivery of all SCEIF equipment and materials.</p>
<b>Provide Decision to General Contractor</b>	The Applicant shall provide a copy of the decision on the Consolidated Local Permit Application, including all conditions and attachments, to its general contractor no later than 30 days prior to construction commencement.
<b>Third-Party Construction Inspections</b>	All third-party inspections and reviews shall be at the Applicant's expense, including during the construction phase.
<b>Community Outreach Plan</b>	<p>The Applicant shall, in consultation with the Local Government and other stakeholders, develop a community outreach plan for SCEIF construction. The community outreach plan shall be made available to the Local Government no later than 30 days prior to construction commencement, and shall list all residents, officials, businesses, and others with whom the Applicant will engage with. Further, the plan shall specify procedures for providing prior notification to affected residents regarding: (i) the scheduled start, duration, and hours of construction; (ii) construction specific to particular areas; (iii) construction that must occur outside of the hours detailed above (including night hours); and (iv) anticipated street closures or detours. Further, the community engagement plan shall detail communication methods that the Applicant will employ in its engagement efforts, which shall include, but not be limited to: (i) the SCEIF's website that provides regular construction updates; (ii) email and/or text (via cell phone) updates sent to the public; and (iii) a phone number and email address to be used by the public to contact the Applicant with SCEIF-</p>

	<p>based concerns. The community outreach plan shall require the Applicant to respond to all such concerns within 48 hours of receipt of call or email, and maintain a log of dates, times, and reasons for each call or email, and the Applicant's response. The community engagement plan shall require that the Applicant, in good faith, work to rectify SCEIF-based concerns in a reasonable timeframe and to the reasonable satisfaction of negatively affected parties. Further, the plan shall use plain, concise language, and shall be translated into other languages, if and as necessary.</p> <p>The Applicant shall consider using maps and other visual media to disseminate SCEIF information to the public. Such media may include: (i) schematics, maps, elevations, renderings, or other visual material from the SCEIF's construction documentation; (ii) three-dimensional fly-through simulations, or videos; and (iii) real-time maps, charts, graphs, or other media that track construction progress, display the anticipated progression of future construction, or track construction impacts and disruptions (e.g., physical obstructions, traffic congestion, parking limits, access limits).</p>
<b>Debris Clean-Up</b>	<p>The Applicant shall provide, within 60 days of construction completion, a report to the Local Government confirming that it has completed the clean-up of all construction debris and that any complaints concerning construction debris have been properly addressed.</p>
<b>Construction Work Hours</b>	<p>The Applicant shall limit construction work hours of the Project to 7:00 a.m. to 7:00 p.m. Monday to Friday, and 8:00 a.m. to 6:00 p.m. on Saturdays. Normal construction work hours shall not include Sundays or state or federal holidays. Should the construction work extend beyond the above-noted hours and days, with the exception of emergency circumstances on a given day necessitating extended hours, the Applicant shall seek written permission from the Local Government before commencing such work. The Applicant shall promptly inform the relevant Local Government Representative of any emergency work occurring outside of normal construction work hours.</p> <p>The Applicant shall notify the Local Government in the TMP if anticipated work hours will negatively impact rush-hour traffic conditions. The Applicant may suggest alternative work hours to offset impacts on rush-hour traffic.</p>
<b>Staging and Laydown Plan</b>	<p>The Applicant shall produce a staging and laydown plan to be submitted to the Local Government no later than 60 days before construction commencement. At minimum, the plan shall detail the SCEIF's staging and laydown site location(s) and, for each site, the timeline for use, the proposed activities and hours of occurrence, use restrictions, mitigation methods to minimize impacts to surrounding areas, and post-use restoration plans</p>

<b>Air Impacts from Vehicles and Equipment</b>	<p>The Applicant shall use electric vehicles and equipment when practicable during the SCEIF's construction. The Applicant shall document the use of electric vehicles and equipment.</p> <p>The Applicant shall ensure that all diesel-powered, non-road construction equipment with engine horsepower ratings of 50 and above, and to be used for 30 or more days over the course of SCIEF construction, be certified to the most recent U.S. EPA Tier 4 emissions standards or have U.S. EPA-verified (or equivalent) emissions control devices, such as oxidation catalysts, particulate filters, or other comparable technologies (to the extent that they are commercially available), installed on the exhaust system side of the diesel combustion engine.</p> <p>The Applicant shall use ultra-low diesel fuel for off-road construction equipment. Further, the Applicant, shall limit unnecessary idling of off-road construction vehicles to a maximum of five minutes, pursuant to 310 CMR 7.11(1)(b)</p>
<b>Noise Impacts</b>	<p>The Applicant shall locate any stationary equipment that emits noise that is 10 decibels above ambient per 310 CMR 7.10 at the maximum possible distance from residents and other sensitive receptors during construction.</p> <p>The Applicant, as practicable, shall use the quietest available noise generating equipment, including generators and portable HVAC units during construction.</p> <p>The Applicant shall develop a noise mitigation plan for selective use of portable noise barriers that would balance the benefit of reducing noise at locations where maximum noise impacts are expected for significant durations with site conditions that may not allow for effective use of regular noise barriers (e.g., heavy pedestrian or vehicular traffic).</p> <p>The Applicant shall submit a noise evaluation and mitigation plan to the Local Government no later than 30 days before construction commencement. At minimum, the evaluation and plan shall require: (i) Applicant-generated data demonstrating current and continued compliance with all applicable noise control regulations, including Massachusetts Department of Environmental Protection ("MassDEP") noise control regulations; (ii) Applicant noise-testing protocols to be employed during construction; (iii) remedies and response actions for noise violations or complaints; (iv) inspections and measurements, conducted by relevant municipal authorities, as necessary, to ensure compliance; and (v) mitigation measures.</p>

<b>Preserving Natural Vegetation and Visual Impacts</b>	The Applicant shall design a SCEIF to minimize visual impacts, including preserving natural vegetation to the maximum extent possible, blending in equipment with the surroundings, adding vegetative buffers to provide an effective visual barrier from adjacent roads and driveways, and screening abutting residential dwellings.
<b>Landscaping Plan</b>	The Applicant shall submit a landscaping plan for the SCEIF's site(s) to the Local Government no later than 30 days before construction commencement. At minimum, the plan shall detail existing topography and vegetation, and any proposed: (i) vegetation removal; (ii) hardscape (e.g., walkways) and softscape (e.g., vegetative buffering) measures; (iii) woodland preservation; (iv) structural screening (e.g., fencing, decorative masonry and sound walls); (v) site layout measures (e.g., strategic setbacks, orientation, and grading); (vi) integration of materials and designs into the existing landscape (e.g., use of matching palates); (vii) lighting control (e.g., turning off lights when not in use, motion detectors, dimmers, shielded light fixtures, warm-colored bulbs); (viii) irrigation and drainage; (ix) erosion and sediment control; and (x) maintenance protocols. The plan shall include native, drought-resistant plantings and shall not include any invasive and/or nuisance plantings listed in the most recent Massachusetts Prohibited Plant list as published by the Massachusetts Department of Agricultural Resources.
<b>Site Visits</b>	Local Government shall have the right to conduct site visits during construction and upon completion of the project for the purpose of verifying compliance with permit conditions and other requirements.
<b>Earth Removal</b>	No earthwork, including grading, soil removal, hauling in of soils, hammering, and blasting, shall take place without first receiving all required permits from the Local Government.
<b>Vegetation</b>	Vegetative buffering and screening at an SCEIF shall meet all local requirements, provided that the plantings used shall be native drought-resistant species and shall not include any invasive and/or nuisance plantings listed in the most recent Massachusetts Prohibited Plant list as published by the Massachusetts Department of Agricultural Resources.
<b>Lighting</b>	All exterior lighting used during construction must be directed downward and prevent light from straying beyond the property boundary (commonly known as Dark-Sky type).
<b>Dust Control</b>	During construction, all disturbed soils and unpaved roads shall be adequately watered to keep soil moist and control dust.
<b>Soil</b>	Except for well-drained, stable gravel, 6 inches of topsoil shall be applied to areas stripped of topsoil during contouring or other site preparation. Wherever practicable, the Applicant shall re-use on-site topsoil from excavated areas to establish a vegetative cover that blends disturbed areas into the surrounding landscape once the SCEIF is completed. Topsoil shall not be imported unless the Applicant provides information to the relevant Local Government of a demonstrated engineering need, and such imports must be approved by the Local Government prior to any introduction, with particular attention paid to

	preventing importation of invasive species. No topsoil may be removed from the site. Provisions shall be made to stabilize any topsoil banks or berms.
<b>Stormwater Prevention Pollution Plan</b>	<p>During land disturbance and construction activities, project Applicants must implement controls specified in the Massachusetts Construction Period Erosion, Sedimentation and Pollution Prevention Plan (CP4) and/or Stormwater Pollution Prevention Plan (SWPPP) (note that an Applicant can prepare a single document that satisfies the SWPPP requirements of the Construction General Permit and the CP4 requirements of the Wetlands Protection Act). Applicants shall control sediment movement and stabilize exposed soils to prevent pollutants from moving offsite or entering waters or wetlands. Land disturbance activities include demolition, construction, clearing, excavation, grading, filling, and reconstruction.</p> <p>During construction, at the cost of the Applicant, a third-party inspector shall submit monthly reports to the Local Government. The third-party inspector shall go to site after significant storm events to confirm compliance with the Applicant's CP4 or SWPPP. A significant storm event shall be defined as more than 1 inch of rainfall in a 24-hour period. The minimum qualifications for the third-party inspector shall consist either of an educational degree in or related to the field at issue or three or more years of practice in the field at issue or a related field.</p>
<b>Chemicals and Hazardous Materials</b>	<p>All chemicals and hazardous materials shall be handled in accordance with local, state, and federal laws and regulations.</p> <p>Prior to construction and updated monthly, the Applicant shall provide to the Local Government a full list of chemical and hazardous materials that will be present on site. All equipment refueling, servicing or cleaning shall occur in designated areas outside of Wetlands resource areas. A spill kit, including adsorbents, shall be present at the site at all times for all equipment. Operators of the SCEIF must be trained to report and respond to fuel, lubricant, or other releases. All hazardous waste shall be handled in accordance with 310 CMR 30.000.</p> <p>All Safety Data Sheets (SDS) for the hazardous materials shall be maintained at the SCEIF. SDS shall be reviewed with the SCEIF's employees at the time of their employment and on an annual basis thereafter. SDS shall be made available to all employees upon request.</p>
<b>Horizontal Directional</b>	If applicable, the Applicant shall submit a horizontal directional drilling (HDD) contingency report to the Local Government no later than thirty

<b>Drilling (HDD): Management of Drilling Fluid Risks</b>	(30) days prior to construction commencement. The plan shall detail any measures that the Applicant will employ to minimize the risk of drilling fluids inadvertently returning to the surface, and any emergency response protocols that the Applicant will implement in the event of said scenario
<b>Recycling and Reuse</b>	The Applicant shall provide the Local Government with a recycling and reuse plan for SCEIF construction and operations no later than 30 days before construction commencement. The plan shall include targets for demolition and construction waste, the anticipated recycling rate for operational waste, and an explanation of how these are consistent with the goals of the Commonwealth. Further, after the first year of SCEIF's operations, the Applicant shall submit to the Local Government a report on the SCEIF's recycling rate for construction debris, the percentage of construction waste materials by waste type that was recycled, operational recycling rates for the first year of SCEIF operation, and the percentage of operational waste materials by waste type that was recycled during the first year.
<b>Sulfur Hexafluoride</b>	The Applicant shall investigate lower impact alternatives to using SF <sub>6</sub> at the SCEIF, and, whenever possible and cost-justified, employ such alternatives. Further, the Applicant shall inform the Local Government when viable alternatives are identified. Facilities that use SF <sub>6</sub> in gas-insulated switchgear shall follow all regulatory requirements of 310 CMR 7.72.
<b>Phase: Operations and Maintenance</b>	
<b>Herbicide/Pesticide Application</b>	The clearing of natural vegetation from the SCEIF's site shall be limited to what is necessary for the construction, operation, and maintenance of the SCEIF. If applicable, the Applicant shall ensure that any herbicide or pesticide application is approved by Massachusetts Department of Agricultural Resources ("MDAR") and consistent with all local regulations.
<b>Storage of Chemicals and Hazardous Waste</b>	SCEIFs shall store all hazardous waste pursuant to the requirements of M.G.L. c. 21C and 310 CMR 30.000. Hazardous waste shall be stored in a building with an impervious floor that is not adjacent to any floor drains, to prevent discharge to the outdoor environment.
<b>Access Roads</b>	The Applicant shall be responsible for maintaining the access roads to the SCEIF in a viable condition for emergency vehicles to travel on. If an installation of a SCEIF occurs using an unpaved access road, the Local Government may require mitigation measures such as drainage improvements, dust suppression, widening, or re-surfacing.
<b>Operations and Maintenance Plan</b>	Prior to commercial operation, the Applicant shall submit to the Local Government a plan for the operation and maintenance of the SCEIF concurrently with the submission of the Building Permit Application. That plan shall include measures for maintaining safe access to the SCEIF, stormwater management control, and general procedures for operational maintenance of the SCEIF. The Applicant shall maintain



	the SCEIF in good condition. Maintenance shall also include, but not be limited to, painting structures, structural repairs, and integrity of security measures.
<b>Insurance and Surety</b>	Proof of Liability insurance and financial surety shall be submitted to the Local Government concurrently with the submittal of the Final Issuance to Build.
<b>Maintenance of Existing Recreational Uses</b>	The Applicant shall work with the Local Government to ensure that any existing recreational uses are maintained and publicly accessible. If there is any need to alter existing recreational uses (e.g. relocating a portion of a trail), the Applicant shall work with the Local Government Representative to identify the optimal location(s). To maintain connectivity, construction of any relocated recreational use shall occur during the land clearing stage.
<b>Snow Removal and Storage</b>	Snow shall not be stored at an SCEIF in areas that inhibit vehicular access or sight lines. If snow cannot be stored safely on at an SCEIF, then the Operator of the SCEIF shall remove and properly dispose of it from the site. Snow piles shall not be stored next to wetlands resources to refrain from potential salt contamination. Snow shall be disposed of in accordance with MassDEP's most current Snow Disposal Guidance.
<b>As-Built Plans</b>	After construction is completed, the Applicant shall provide an As-Built plan to the Local Government. Original As-Built plans for the final plan shall be printed on mylar and stamped by a professional land surveyor. The As-Built Plans shall also include a certification stamped by a professional engineer indicating the project was constructed in accordance with the approved plans. An electronic file of the As-Built Plan sheets and AutoCAD files of the As-Built Plan for the project shall be submitted concurrently with the hard copies. Elevations on the As-Built Plans shall reference the municipal GIS datum.
<b>Periodic Sea Level Rise Impact Assessment</b>	If the project is vulnerable to coastal flooding, as determined by FEMA flood maps, the Applicant shall submit a report to the Local Government on the necessity, appropriateness, and cost of implementing additional flood mitigation measures to protect the SCEIF from inundation and/or additional flood risk. The report shall also detail the potential for any associated detrimental impacts on areas surrounding the SCEIF, such as increased flood risk. In preparing each report, the Applicant shall consult with agencies including, but not limited to, the Massachusetts Emergency Management Agency (MEMA), Office of Coastal Zone Management (CZM), and DEP. The Local Government shall review each report and determine whether any of the additional flood mitigation measures are necessary and appropriate and shall be implemented.
<b>Phase: Decommissioning</b>	
<b>Decommissioning/ Abandonment</b>	Prior to construction, the SCEIF owner shall provide to the Local Government, in cash, bond, letter of credit, escrow, or another form reasonably acceptable to the Local Government a surety to cover the cost of removal in the event the Local Government must remove the

	<p>SCEIF Installation and remediate the landscape. The amount of the surety shall be 125% of a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer and labor rates outlined by the Massachusetts Department of Labor Standard's Prevailing Wage Program and shall account for increased costs due to inflation at a rate of 2.5 percent per year. The Local Government shall reserve the right to have the decommissioning plan reviewed by a third-party engineer at cost to the SCEIF owner.</p> <p>The SCEIF owner shall provide an updated estimate after ten years of project operation and subsequent updates in five-year intervals after that date, for the remainder of the project's lifetime. If the updated estimate exceeds the balance of the surety the SCEIF owner shall provide additional surety in the amount of 125% of the most recent estimated cost of decommissioning. This surety will not be required for municipally or state-owned facilities.</p> <p>In the absence of a proposed date of decommissioning or written notice of extenuating circumstances, a SCEIF shall be considered abandoned when it ceases to operate, meaning the SCEIF is not performing the normal functions associated with the SCEIF and its equipment on a continuous and ongoing basis, for more than twelve (12) months, without written consent of the Local Government. The Local Government shall provide written notification of abandonment to the SCEIF's owner and operator.</p> <p>Decommissioning shall include removal of all structures, buildings, cabling, electrical components, security barriers, roads, foundations, pilings, and any other associated components and facilities, so that any agricultural ground upon which the SCEIF and/or system was located is restored to its predevelopment condition. Disturbed earth shall be graded and re-seeded as necessary to minimize erosion unless the landowner requests in writing that the access roads or other land surface areas not be restored. Any restoration should utilize native plant species and restore like-for-like habitats. Hazardous waste from the SCEIF shall be disposed of in accordance with federal, state, and local law. The decommissioning plan shall also utilize best recycling practices to the maximum feasible extent.</p>
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## 2. Common Conditions that Apply Only to Small Clean Energy Storage Facilities

<b>SCEIF – Storage Facilities Only</b>
<b>Phase: Administrative and Legal</b>

<p><b>Emergency Response Plan (“ERP”)</b></p>	<p>The Applicant shall develop an emergency response plan ("ERP") that meets the requirements of National Fire Protection Association (“NFPA”) 855 and state and local fire laws and regulations. The ERP shall: (i) be developed in consultation with the Local Government’s public safety officials; and (ii) require close coordination between the Applicant and emergency responders to ensure that emergency responders are fully informed about potential emergency events and understand how to address such events without assuming unnecessary personal risk. The Emergency Response Plan shall include, but not be limited to, the following information:</p> <ol style="list-style-type: none"> <li>1. Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe start-up following cessation of emergency conditions;</li> <li>2. Procedures for inspection and testing of associated alarms, interlocks, and controls;</li> <li>3. Procedures to be followed in response to notifications from the Battery Energy Storage System (“BESS”) management system, when provided, that could signify potentially dangerous conditions, including shutting down equipment, summoning service and repair personnel, and providing agreed upon notification to fire department personnel for potentially hazardous conditions in the event of a system failure;</li> <li>4. Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions. Procedures may include sounding the alarm, notifying the Local Government’s fire department, evacuating personnel, de-energizing equipment, and controlling and extinguishing the fire.</li> <li>5. Response considerations similar to a SDS that will address response safety concerns and extinguishment when an SDS is not required;</li> <li>6. Procedures for dealing with BESS equipment damaged in a fire or other emergency event, including maintaining contact information for personnel qualified to safely remove damaged BESS equipment from the facility;</li> <li>7. Other procedures as determined necessary by the Local Government to provide for the safety of occupants, neighboring properties, and emergency responders; and</li> <li>8. Training for local first responders on the contents of the plan, and protocols and schedules for conducting drills of the above procedures.</li> </ol> <p>Additionally, the ERP shall include: (i) a communications plan for nearby residents who may be impacted by an emergency event that</p>
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	<p>shall outline the parties responsible for contacting nearby residents; (ii) evacuation and shelter-in-place protocols for residents near the SCEIF; and (iii) the names and phone numbers of local, state, and federal agencies and officials to be contacted in the event of an emergency.</p> <p>Further, the Applicant shall work with the fire departments in the SCEIF's vicinity to determine whether to develop a joint action plan as part of the ERP. The joint action plan shall provide neighboring fire departments with the proper information and necessary training to understand potential emergency risks caused by the SCEIF and provide, if necessary, a coordinated response.</p> <p>The Applicant shall provide the Local Government with the ERP no later than sixty (60) days before commencement of the SCEIF's operations.</p> <p>The Applicant shall provide a report to the Local Government within one week of any incident at the SCEIF requiring notification to first responders. The report shall include a description of the incident and response, and the date(s) and time(s) of the incident and response.</p> <p>The Applicant shall submit an annual report to the Local Government detailing: (i) any safety incidents that required notification of local safety authorities, including a full description of each incident and response, and the necessary, if any, changes the owner and/or operator of the SCEIF made in response to each incident and response; and (ii) a summary of any complaints about the SCEIF received by the owner and/or operator, including the nature of the complaint and date received, the owner and/or operator's response and date of response, the complaint's resolution, and identification of the individual(s) and/or party/parties who issued the complaint.</p> <p>In an emergency incident, including a fire, the Applicant shall follow all federal, state, and local emergency response protocols outlining mandatory containment, remediation, testing, and monitoring efforts including but not limited to 310 CMR 22.00 and 310 CMR 40.0000.</p>
<b>Phase: Construction</b>	
<b>Chemicals and Hazardous Waste</b>	<p>The Applicant shall certify to the Local Government that non-PFAS fire suppression foams shall be employed to the extent that such products are commercially available and efficacious, and all chemicals and hazardous waste shall be managed by the Applicant in accordance with 310 CMR 30.000.</p>
<b>Storage Containment</b>	<p>Battery storage container installation and operation shall comply with all relevant codes and regulations and shall be reviewed by the Local Government's Fire Department and Building Department before installation. All liquid hazardous materials and wastes shall be stored in</p>

	a containment area capable of containing 110% of the largest volume stored in the containment area.
<b>Phase: Operation and Maintenance</b>	
<b>Repair, Augmentation, and Repowering</b>	In addition to repairing or replacing BESS components to maintain the system, a BESS may, at any time, be augmented or repowered without the need to submit a new site plan so long as the augmentation or repowering is within the same footprint (e.g., same dedicated use building or on footings/foundations in the same location) as detailed in the SCEIF's as-built plan and there is no significant change in the battery chemistry (e.g., a change from one lithium-ion battery type, such as Lithium Iron Phosphate, to another, such as Nickel Manganese Cobalt). A proposal to change the SCEIF's footprint shall be considered a new application, subject to the local and state standards at the time of the request. Significant changes to the battery chemistry shall be subject to review by the Building Commissioner and Fire Department. If the Building Commissioner and/or Fire Department determines the chemistry change requires alterations to the site footprint, the proposal shall be considered a new application.

### 3. Additional Common Conditions that Apply Only to Ground-Mounted Solar Facilities

<b>SCEIF – Ground-Mounted Solar Facilities Only</b>	
<b>Phase: Administrative and Legal</b>	
<b>Emergency Response Plan ("ERP")</b>	The Applicant shall create an ERP that shall: (1) be developed in consultation with local public safety officials; and (2) require close coordination between the developer and first responders to ensure that first responders are fully informed about emergency events and understand how to address such events without assuming unnecessary personal risk. The ERP shall include: (1) equipment types and layouts without compromising Critical Energy/Electric Infrastructure Information (CEII); (2) Safety data sheets (SDS) for materials used or stored at the SCEIF; (3) a plan drafted in collaboration with the Local Government's Fire Department with suggested response procedures for various emergency conditions; and (4) the operator's responsibilities in response to an emergency at the SCEIF.

### 4. Additional Common Conditions that Apply Only to Small Clean Transmission and Distribution Infrastructure Facilities

<b>SCEIF – Transmission &amp; Distribution Facilities Only</b>	
<b>Phase: Construction</b>	
<b>Nighttime Construction Mitigation Plan</b>	If applicable, the Applicant must prepare a nighttime construction mitigation plan in consultation with relevant local stakeholders. The Applicant shall submit the plan to the Local Government for approval

	no later than thirty days before commencement of nighttime construction, which shall be defined as any construction occurring between the hours of 7:00 p.m. and 5:00 a.m. The plan shall detail any potential impacts beyond the SCEIF's site (e.g., illumination spill-over and glare, noise and traffic disruptions).
<b>Nighttime Cable Splicing</b>	The Applicant shall use new, lower-noise-generating equipment for cable splicing. The Applicant shall use portable noise barriers to mitigate noise impacts on residential areas from nighttime cable splicing, as necessary.
<b>Road Damage/Repair</b>	In the event of damage to any public road, or any private road not owned by the Applicant, due to the construction of the SCEIF, the Applicant shall repair damage no later than sixty days after construction is completed, according to local standards. If the damage occurs between November and March, the Applicant shall make temporary repairs within 60 days and final repairs once asphalt plants reopen from seasonal closures.

## 5. Additional Common Conditions that Apply Only to Wind Facilities

<b>SCEIF – Wind Facilities Only</b>	
<b>Phase: Administrative and Legal</b>	
<b>Emergency Response Plan ("ERP")</b>	The Applicant shall create an ERP that shall: (1) be developed in consultation with local public safety officials; and (2) require close coordination between the developer and first responders to ensure that first responders are fully informed about emergency events and understand how to address such events without assuming unnecessary personal risk. The ERP shall include: (1) equipment types and layouts without compromising Critical Energy/Electric Infrastructure Information (CEII); (2) safety data sheets SDS for materials used or stored at the SCEIF; (3) a plan drafted in collaboration with the Local Government's Fire Department with suggested response procedures for various emergency conditions; and (4) the operator's responsibilities in response to an emergency at the SCEIF.

## 6. Additional Common Conditions that Apply Only to Small Anaerobic Digestion Facilities

<b>SCEIF – Anaerobic Digestion Facilities Only</b>	
<b>Solid Waste Facility Standards</b>	Anaerobic Digestion Facilities shall comply with all relevant requirements of 310 CMR 16.00 and 310 CMR 19.00.