

COMMONWEALTH OF MASSACHUSETTS
Energy Facilities Siting Board
EFSB 25-07

Siting Board Staff’s Proposed Amendments to the Tentative Decision
June 24, 2026

Page	Line	Amendment
x	17-18	<p>Replace "The Company intends to register the Project in the Massachusetts Clean Peak Program and the ISO-New England wholesale energy, ancillary services, and capacity markets. The Company proposes to charge the BESS at times when renewable energy production is typically high and demand is low and to discharge the BESS during times of peak demand, in accordance with the Clean Peak Standard."</p> <p>with</p> <p>"The Company intends to register the Project in the ISO-New England wholesale energy, ancillary services, and capacity markets and proposes to charge the BESS at times when renewable energy production is typically high and demand is low and to discharge the BESS during times of peak demand, in accordance with the Clean Peak Standard."</p>
20	5	<p>Insert "<u>Trimount ESS at 14; Park City Wind at 175; NSTAR Electric Company d/b/a Eversource Energy, EFSB 19-06/D.P.U. 19-142/19-143, at 101 (2022) (“Mid Cape Reliability Project”)</u>"</p> <p>after the following sentence:</p> <p>"When making a determination as to whether a petitioner’s present or proposed use is reasonably necessary for the public convenience or welfare, the Siting Board examines (1) the need for, or public benefits of, the present or proposed use; (2) the present or proposed use and any alternatives or alternative sites identified; and (3) the environmental impacts or any other impacts of the present or proposed use."</p>
21	16	<p>Replace "prior to" with "after"</p>
22	4-6	<p>Replace "The Company argues that the Project is needed because it would support the CPS and help remedy the undersupply of CPECs, and in doing so would help enable greater integration of renewable energy resources, manage peak demand, and maintain system reliability"</p> <p>with</p>

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		"The Company argues that the Project is needed because it would help enable greater integration of renewable energy resources, manage peak demand, and maintain system reliability, and in doing so will help remedy the undersupply of CPECs".
26	14	Insert "quantify grid services to" after "which are designed to".
27	9-10	Delete "attainment of". Insert "and air emission benefits are captured and, therefore, ratepayers receive the benefits of the Project operating as proposed" after "renewable energy benefits".
94	18	Insert the following sentence at the end of the paragraph: "The Company shall consult with the Town on the selection of the LSP by proffering three prospective LSPs with a request for a recommendation by the Town on a preferred LSP candidate, which shall be provided by the Town within seven days of the request."
138	Condition B	Replace existing Condition B with the following language: "To help ensure the Project's asserted renewable energy and air emission benefits are captured and, therefore, ratepayers receive the benefits of the Project operating as proposed, the Siting Board directs the Company to submit an application to register the Project as an eligible resource with the Clean Peak Program within 120 days of Project's commercial operation and to submit confirmation of acceptance into the program to the Siting Board once received."
139	Condition D	In Condition D, change "relevant municipal authority" to "Oakham Selectboard or designee".
141	Condition M	Replace existing Condition M with the following language: "The Siting Board directs the Company to (1) conduct pre- and post-construction visual inspections of the Town roadways and culverts along the travel route of Project construction vehicles, equipment, and deliveries; (2) maintain or improve the condition of such roadways and culverts as established before beginning construction; (3) provide funds for repaving projects or road repairs to compensate for any road damage or accelerated deterioration caused by construction traffic; and (4) should any dispute arise from any request by the Town for reimbursement from the Company of the cost of repairing road damage caused by the Company or its contractors, the Company must first seek resolution from the Oakham Highway Superintendent. If the Company is not satisfied with the Superintendent's decision, the Company may seek a public hearing from the Oakham Selectboard."
142	Condition U	Insert the following language at the end of Condition U: "Any exceedance of this 40 percent limit shall be deemed a violation of this requirement. The Siting Board directs the Company to report any

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		violations of this condition to the Siting Board and the Town of Oakham within 24 hours of occurrence."
142	Condition V	Replace existing Condition V with the following language: "The Siting Board directs the Company to conduct sound testing with all BESS units operating at maximum sound conditions (at 40 percent fan speed and maximum charge rate) during nighttime charging hours within 30 days of the Project's commercial operation and within 30 days of any augmentation to the Project, and to submit a report to the Town of Oakham and the Siting Board showing consistency with the limits set forth in the MassDEP Noise Policy. The Company shall consult with the Town on the selection of the contractor conducting sound testing or sound modeling by proffering three prospective contractors with a request for a recommendation by the Town on a preferred contractor candidate, which shall be provided by the Town within seven days of the request. The Siting Board further directs the Company to consult with the Town on sound testing and any future sound modeling, including soliciting input on noise monitoring locations. The Siting Board encourages the Company to reduce Project noise impacts below the MassDEP Noise Policy limits, as practicable.
143	Condition W	Replace existing Condition W with the following language: "The Siting Board directs the Company to engage with a licensed site professional ("LSP") prior to the engagement of any construction activities or other site alterations to ensure the Project complies with the Massachusetts Contingency Plan ("MCP") throughout Project construction including all associated cleanup efforts, and when appropriate or required by the MCP during Project operations, future augmentation, and decommissioning. The Company shall consult with the Town on the selection of the LSP by proffering three prospective LSPs with a request for a recommendation by the Town on a preferred LSP candidate, which shall be provided by the Town within seven days of the request."
143	Condition X	Replace existing Condition X with the following language: "The Siting Board directs the Company to complete the following actions no later than within one year of commercial operations: (1) remove and properly dispose of the aboveground oil tanks, drums/containers containing petroleum products, and waste vehicle fluids, as identified and recommended for removal by the SWCA Phase I ESA; (2) comply with any final requirements of regulatory action or remediation related to debris within and along the all boundaries of the Project Site; (3) schedule a site visit for the Oakham Conservation Commission to investigate this violation and cooperate with any final enforcement actions for remnant auto parts and chassis within the BVW in the southeastern part of the Project Site; and (4) remove and properly dispose of all automobile debris, including large, discrete pieces of

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		visible surface debris (e.g., cars, chassis, tires, car parts, metal drums, or other debris exceeding a diameter of six inches) within the entire 42.9 acre Project Site. The Siting Board further directs the Company to submit a status report to the Siting Board on these activities at least 30 days before Project's commercial operation, and thereafter, every three months until the conclusion of these cleanup activities.
144	Condition CC	In Condition CC, change "30 days" to "60 days". Replace the bullet point "Training for local first responders on the contents of the plan, and protocols and schedules for conducting drills of the above procedures;" with "Training for local first responders on the contents of the plan, in consultation with the Massachusetts Clean Energy Center, and protocols and schedules for conducting drills of the above procedures;"
144	Condition EE	In Condition EE, replace "to provide contact information" with "to provide and maintain the accuracy of contact information".
146	Condition FF	Replace existing Condition FF with the following language: "The Siting Board directs the Company to identify potential solutions to supplement the Oakham Fire Department's water supply (e.g., onsite water storage) in consultation with the Oakham Fire Department and to submit a report on the result of these discussions to the Siting Board. The Siting Board directs the Company to implement any identified solutions for supplementing the Oakham Fire Department's water supply prior to the commercial operation of the Project as practicable."
145	Condition HH	Change "notification" to "the response".
145	Condition II	Replace existing Condition II with the following language: "The Siting Board directs the Company to provide the Town of Oakham with an annual report by November 1 of each year detailing (1) a summary of any safety incidents that required response of local first responders along with any changes the Company made in response to each incident, and (2) an itemized log and a narrative summary of Project complaints received by the Company, including the nature and source of the complaint, the Company's response to the complaint, the dates of the complaint receipt and response, and the Company's resolution of the complaint. Additionally, for the first five years of operation, the Siting Board directs the Company to file such a safety incident summary report on a quarterly basis."
146	New Condition	Add new Condition MM: "The Siting Board directs the Company to identify no less than one acre of the wooded area of the Project Site to be preserved for the life of the Project and to submit an updated map of the Project Site indicating the selected area not less than 60 days before beginning construction."
146	New Condition	Insert new Condition NN: "The Company shall notify the Director of the Siting Board and the service list for the proceeding of any incidents

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		at the Project that (1) consist of a reportable release or (2) require a response from the Oakham Fire Department. The Company shall provide such notification by email within 24 hours of the incident.
146	New Condition	Insert new Condition OO: "The Siting Board directs the Company to work with the Oakham Fire Department and Oakham Police Department to determine if any on-site signage in addition to those required by code would be desirable. Additionally, the Siting Board directs the Company to remove the existing sign for the former auto recycling facility."
146	New Condition	Insert new Condition PP: "The Siting Board directs the Company to work with the Oakham Fire Department to identify any additional tools or resources that would be necessary to address a BESS fire, and to provide funding to the Town to address these items as agreed."
146	New Condition	Insert new Condition QQ: "The Siting Board directs the Company to provide Project updates at the completion of 60 percent and 90 percent Project design stages to the Town and the Siting Board."
146	New Condition	Insert new Condition RR: "The Siting Board directs the Company to endeavor to test all proximate private water supply wells within one-half mile of the Project Site before construction, after construction, and after an incident involving reportable quantities regarding the discharge of firefighting water effluent, or any hazardous materials to surface water or groundwater resources. If any detectable water contamination is attributable to the Project's effluent discharge that makes the well unusable, the Company shall remediate the water quality deficiency and provide an alternative source of potable water until the water quality issue is resolved."
147	10	Insert "Michael P. Cahill, Mayor of Beverly, Massachusetts, Public Member;" immediately before "and Joseph C. Bonfiglio, Public Member,".

Note: Where condition language has been revised in this Amendment Sheet, Staff will revise the language of the Final Decision to be consistent with the Amendment sheet language as approved by the Siting Board.