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From: DOER.Siting.Permitting@mass.gov (ENE)
Sent: Friday, October 17, 2025 5:17 PM
To: Meno, Stephen (ENE); Gage, Allison (ENE); Castillo, Marcela (ENE); Rockett, Connor (ENE); Bickford, Bailey (ENE); Droogan, Hailey (ENE)
Subject: FW: Comments on new solar siting regulation

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From: Michelle Hatfield <michelle.margaret@gmail.com>
Sent: Friday, October 17, 2025 3:11 PM
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Subject: Comments on new solar siting regulation

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Comments on Draft Regulations: 225 CMR 29.00 – Small Clean Energy Infrastructure Facility Siting and Permitting

Submitted to: Massachusetts Department of Energy Resources
Email: DOER.Siting.Permitting@mass.gov
Subject: Comments
Submitted by: Michelle Hatfield, Duxbury, MA
Date: October 17, 2025

Dear DOER Clean Energy Siting and Permitting Team,

1. Soil permeability should be added as factor to consider in overall scoring system

Solar energy production and storage installations pose significant risk to the shallow aquifer system in

Southeastern MA, which is protected only by sand, topsoil, and vegetation. The vulnerability of Plymouth-Carver sole source aquifer to pollution is documented by the EPA:

1. The Plymouth-Carver Aquifer is the sole source of drinking water for nearly all of the residents within the service area.
2. There exists no reasonably available alternative drinking water source or combination of sources of sufficient quantity to supply the designated service area.
3. The petitioners, with EPA assistance, have appropriately delineated the boundaries of the designated aquifer area, the aquifer recharge area, the project review area and the aquifer's service area.
4. Although the quality of the aquifer's ground water is rated as good to excellent, it is highly vulnerable to contamination due to its geological characteristics. Because of this, contaminants can be rapidly introduced into the aquifer system from a number of sources with minimal assimilation. This may include contamination from several sources such as the following: chemical spills; highway, urban and rural runoff; septic systems; leaking storage tanks, both above and underground; road salting operations; saltwater intrusion; and landfill leachate. Since nearly all residents are dependent upon the aquifer for their drinking water, a serious contamination incident could pose a significant public health hazard and place a severe financial burden on the service area's residents.

Source: Plymouth/Carver FR (55 FR 32137), NOTICES, ENVIRONMENTAL PROTECTION AGENCY [FRL-3817-7] Sole Source Aquifer Designation for the Plymouth-Carver Aquifer, Massachusetts, Tuesday, August 7, 1990.

Fire control measures and their potential effect on drinking water supply have not been studied or tested extensively enough to allow the serious risk of contamination to our only source of drinking water. Lithium ion battery fires emit many toxic chemicals, and likewise the water or other agents used to extinguish such fires carry chemical pollutants that threaten ground water and therefore drinking water.

2. Municipal overload

Municipalities should be permitted to enact reasonable limits on the number of applications for such installations they are to consider at a given time. Otherwise the provision for constructive approval will doubtlessly be exploited by developers.

Cumulative impact considerations and protections for burdened communities must be strengthened and reinforced in the regulation.

Avoidance through segmentation: Because many BESS facilities are modular by design, a developer could segment a larger project into multiple sub-one-acre parcels or “pods,” each technically below the one-acre threshold, thereby avoiding meaningful environmental review, mitigation, and public scrutiny. The result would be an effective bypass of the Commonwealth’s environmental and public-health safeguards. Therefore all BESS installations should be subject to the full review process regardless of size.

3. Biodiversity and Deforestation

Adopt the moratorium on tree removal during nesting season as recommended by the gentleman from Barnstable during the Public Hearing.

Alternatively, enact a 5-year moratorium on clear cutting for solar installs, subsidies to built environment install only. Change the economics for decision-makers.

Trees do more than just sequester carbon. They serve an essential function in the water cycle, and provide cooling, shade, habitat, and wind breaks. Without shade and cooling, hotter air, therefore more air conditioning and energy usage. Without windbreaks, there will be more storm damage.

In conclusion, the Regulations should make it work financially to add solar to the built environment, and pause subsidies on installations that require deforestation.

Note: Deforestation opens up the possibility for earth removal (a.k.a. sand mining here in Southeastern MA) which interested parties are looking for any loophole to exploit because the price of sand is high. Sand mining endangers the aquifer both by direct exposure and by removing the natural filter of sand, and causes particulate pollution in the form of respirable crystalline silica.