



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF  
ENERGY AND ENVIRONMENTAL AFFAIRS  
**DEPARTMENT OF ENERGY RESOURCES**  
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**Maura T. Healey**  
Governor

**Rebecca L. Tepper**  
Secretary

**Kimberley Driscoll**  
Lt. Governor

**Elizabeth Mahony**  
Commissioner

### **NOTICE OF PUBLIC COMMENT AND HEARING**

Notice is hereby given that the Massachusetts Department of Energy Resources (DOER), acting under Section 41 of Chapter 179 of the Acts of 2022 (Act), codified as G.L. c. 25A, § 20, and in conformance with Chapter 30A of the General Laws, is holding a public hearing on the newly proposed regulation 225 CMR 29.00 Small Clean Energy Infrastructure Facility Siting and Permitting. The regulation implements the requirements of St. 2024, c. 239, §§ 17, 23, codified as G.L. c. 25A, §§ 2, 23, creating the Division of Clean Energy Siting and Permitting within DOER which is tasked with creating standard conditions, requirements, and criteria for the permitting of “Small Clean Energy Infrastructure Facilities” (SCEIF) at the local government level. This regulation includes processes and timelines for the preparation, filing, and review of a standard consolidated local permit application to achieve an efficient, consistent, and transparent process for SCEIF siting and permitting across the Commonwealth. The regulation covers conditions for constructive approval of consolidated local permit applications, a de novo review process, the application of site suitability guidance developed by the Executive Office of Environmental Affairs, a model bylaw, and other provisions related to the administration of these regulations.

A virtual public hearing will be conducted to receive verbal and written comments on the regulation.

**Location: Virtual Hearing via Zoom**

[https://zoom.us/webinar/register/WN\\_0dAEZmgoRqq5NywZXHLQjw](https://zoom.us/webinar/register/WN_0dAEZmgoRqq5NywZXHLQjw)

**Date:** Wednesday October 15, 2025, 7:00pm

Verbal testimony will be accepted at the hearing; however, parties may also provide written copies of their testimony. Written comments will be accepted beginning September 26, 2025 and ending at 5:00pm October 17, 2025. DOER requests that written comments be submitted as attached pdf files to [DOER.Siting.Permitting@mass.gov](mailto:DOER.Siting.Permitting@mass.gov) with the words, S&P FOLLOW ON RULEMAKING COMMENTS, in the subject line. Alternatively, comments can be submitted via mail to Rick Collins, 100 Cambridge Street, 9th Floor, Boston, MA 02114. Copies of the proposed regulations may be obtained from the DOER website at [www.mass.gov/info-details/clean-energy-siting-permitting-regulations](http://www.mass.gov/info-details/clean-energy-siting-permitting-regulations), or by contacting Rick Collins at [Rick.Collins@mass.gov](mailto:Rick.Collins@mass.gov).

BY ORDER OF: Elizabeth Mahony, Commissioner  
Department of Energy Resources September 12, 2025

## Small Business Impact Statement

*(As required by M.G.L. c. 30A §§ 2, 3 & 5)*

**CMR No: 225 CMR 29.00**

**Estimate of the Number of Small Businesses Impacted by the Regulation:** Estimated 400

### Select Yes or No and Briefly Explain

Yes	No <input type="checkbox"/>	Will small businesses have to create, file, or issue additional reports? Small businesses will not have to complete additional reports – the regulation should result in a streamlined process for reports they already issue for small clean energy projects.
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Will small businesses have to implement additional recordkeeping procedures? Yes, additional recordkeeping will be needed to keep track of completing the regulated pre-filing process and to ensure the completeness of the consolidated application.
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Will small businesses have to provide additional administrative oversight? Additional administrative oversight will be needed to complete the recordkeeping procedures as explained above.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will small businesses have to hire additional employees in order to comply with the proposed regulation? No, small clean energy developers should not need to hire additional employees to comply with the proposed regulation. Existing employees will need to change existing practices related to preparing project applications, but the process is meant to simplify the process and create consistency across all municipalities in the Commonwealth.
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)? Small businesses will have to hire other professionals, such as wetland scientists, surveyors, and engineers to assist them with preparing clean energy infrastructure application materials. Those professionals have subject matter expertise in land use and site design that small clean energy developers may not have.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation? The primary objective of the regulation is to streamline the current permitting process for clean energy infrastructure; no capital investments are needed to comply.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective? Design/operational standards are necessary to accomplish the regulatory objective. Clear design and operational standards create a transparent framework for small businesses to site and design their clean energy projects. Design/operational standards also comply with local and state health, safety, and environmental standards.
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Do any other regulations duplicate or conflict with the proposed regulation? No other regulations duplicate or conflict with the proposed regulation. The regulation streamlines processes and consolidate local permit requirements to reduce redundancy or conflict.

Yes X <input type="checkbox"/>	No <input type="checkbox"/>	Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities? Small businesses will still be required to comply with mandated inspections and enforcement related to ensure that small clean energy infrastructure facilities adhere to local and state health, safety, and environmental standards.
Yes <input type="checkbox"/>	No X <input type="checkbox"/>	Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements? Educational services will not need to be provided my small businesses. The Department will provide technical assistance to small businesses/clean energy developers as needed to help them comply with the new regulatory requirements.
Yes <input type="checkbox"/>	No X <input type="checkbox"/>	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts? The regulation is intended to streamline permitting processes, which can be costly for small businesses. By removing these barriers, the regulation is likely not to deter the formation of small businesses.
Yes X <input type="checkbox"/>	No <input type="checkbox"/>	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts? Since the regulation will streamline permitting processes, resulting in savings for small businesses, small businesses in the clean energy sector will be encouraged to grow.
Yes <input type="checkbox"/>	No X <input type="checkbox"/>	Does the regulation provide for less stringent compliance or reporting requirements for small businesses? The regulation does not provide for less stringent compliance or reporting requirements for small businesses. Small businesses will still have to comply with local and state compliance requirements related to local zoning, building standards, and state environmental standards.
Yes <input type="checkbox"/>	No X <input type="checkbox"/>	Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses? The regulation requires local governments to issue decisions within a 12-month timeframe, which reduces some permitting process that have taken years to complete. Small businesses will still need to adhere to compliance or reporting requirements as mandated by local or state law.
Yes X <input type="checkbox"/>	No <input type="checkbox"/>	Did the agency consolidate or simplify compliance or reporting requirements for small businesses? The Department has developed regulations that consolidate local permitting for small clean energy infrastructure facilities into one permit, which local governments must issue a decision on within 12 months. This simplifies a prior process wherein a small business may spend years obtaining various local or state permits.
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective? Performance standards cannot replace design or operational standards without hindering delivery of the regulatory objective because design and operational standards guarantee greater transparency, predictability, and adherence to state and local environmental, health and safety standards. Design and operational standards also help local governments make decisions on small clean energy projects, thus facilitating the expedited permitting process.
Yes <input type="checkbox"/>	No X <input type="checkbox"/>	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? This regulation addresses adverse impacts small businesses have faced in terms of long, unpredictable permitting processes at the local level.