

NYS BOARD ON ELECTRIC GENERATION SITING AND THE ENVIRONMENT

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE
Three Empire State Plaza, Albany, NY 12223-1350
www.dps.ny.gov/SitingBoard



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12023/12-F-0036

PUBLIC INPUT SOUGHT ON ARTICLE 10 SITING RULES **— Rules Proposed to Implement Siting of Major Electric Generating Facilities —**

Albany, NY—03/23/12—The New York State Board on Electric Generation Siting and the Environment (Siting Board) today decided to issue for public comment proposed regulations to implement provisions of Article 10 of the Public Service Law. The Siting Board also determined that regulations implementing Article 10 would not significantly impact the environment under requirements of the State Environmental Quality Review Act (SEQRA).

Since the Siting Board's action did not include any direct approval for the siting or construction of any facilities, but merely outlines procedural processes and filing requirements for a Certificate of Environmental Compatibility and Public Need to construct and operate major electric generation facilities in New York State, a Negative Declaration will be issued and no Environmental Impact Statement under SEQRA will be necessary.

The draft regulations are designed to, among other things: accommodate state and local permitting requirements in a streamlined regulatory process; provide for a pre-application consultation process

with established deadlines for procedures, as well as provide for active public involvement in the siting process.

Also, the draft regulations provide for: consideration of environmental justice issues early in the siting process; and intervenor funds for municipalities and local parties, during both the pre-application and post-application phases of a siting proceeding, to be available on an equitable basis in relation to the potential for such funding to make an effective contribution to the siting process.

Siting Board certification proceedings to construct and operate electric generation facilities are generally intended to be conducted within a 12-month post-application period.

The Siting Board's decision, when issued may be obtained by going the Siting Board's Web site at www.dps.ny.gov/SitingBoard and entering Case 12-F-0036 in the input box labeled "Search for Case/Matter Number." Many libraries offer free Internet access. Siting Board decisions may also be obtained from the Public Service Commission's Files Office, 14th floor, Three Empire State Plaza, Albany, NY 12223 (518-474-2500).

How to Comment

Persons wishing to make comments on the proposed regulations should submit them electronically through the Department of Public Service's Document Matter and Management (DMM) system or e-mailing them to the Secretary at secretary@dps.ny.gov.

Those unable to submit comments electronically may mail them to the Honorable Jaclyn A. Brillling, Secretary, New York State Board on Electric Generation Siting and the Environment, Three Empire

State Plaza, Albany, NY 12212-1350. All comments submitted will be posted to the Siting Board webpage and the Department of Public Service Web site and become part of the official case record.

Comments will be accepted until May 29, 2012. Those proposing a different balance among the competing considerations are strongly encouraged to file comments by April 25, 2012 and to serve them on the service list that will be established for this proceeding and posted on the Siting Board's www.dps.ny.gov/SitingBoard Web site. Those wishing to be added to the service should follow the on-line instructions to "subscribe to service list" under Case 12-F-0036 by April 5, 2012.

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