Equity and Access - Examples from Regulatory Proceedings

MA Attorney General’s Workgroup on DPU Access

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Relevant MassDEP Proceedings

- “Significant” Permit Reviews
- Regulation Development
  - Proposed regulations
  - Hearings – Opportunities/Challenges
  - Final regulation documents
1 “Significant” Permits
Weymouth Compressor Station

Weymouth documents

• Helpful?
  • https://www.mass.gov/service-details/algonguin-natural-gas-compressor-station-weymouth

• Less helpful?

• Acronyms, Permit terms, Permit documents
Another idea

- Helpful?

- Title a bit misleading

- New requirement
  - “To help ensure that Environmental Justice (EJ) populations are notified of Comprehensive Plan Applications with the potential to affect them, and are meaningfully involved in the agency review process, MassDEP requires applicants to submit draft two- to four-page Fact Sheets providing details about their proposed projects and neighboring communities.”
2 Regulation Development
Regulation Steps - 1

- Pre-regulation workshops
- Technical Support Document (TSD) with regulation – areas for comments usually included
  - Example regulation - 310 CMR 7.74 – Power plant cap regulation
    https://www.mass.gov/guides/electricity-generator-emissions-limits-310-cmr-774
  - “an archive of documents related to development of the regulation establishing a declining limit on CO2 emissions from large power plants in Massachusetts.”
Regulation Steps - 2

- Hearings – oral/written comment
- Limitations – comment period, time per speaker at public hearings
- Challenges to providing comments—technical issues, needed expertise
Regulation Steps - 3

- Final Regulation
- Response to Comments (RTC)
- Sample Response to Comments (RTC) from Power Plant Cap rule

- [https://www.mass.gov/doc/310-cmr-774-response-to-comment-0/download](https://www.mass.gov/doc/310-cmr-774-response-to-comment-0/download) - short and sweet document from 2018
Other State Examples

- California Public Utility Commission
- Maine Public Utility Commission - Case Management System
- Colorado PUC guide to public participation
About RAP

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