

# STATE OF NEW HAMPSHIRE SITE EVALUATION COMMITTEE

Docket No. 2016-01

## SUMMARY OF PRELIMINARY RULES REVIEW AND REVISION PROCESS PURSUANT TO RSA 162-H:10-b

In February 2014, the Site Evaluation Committee (SEC) opened Docket 2014-04, and commenced a rulemaking process that resulted in extensive amendments to Chapters Site 100-300. The 22-month process afforded the public and interested parties opportunities to submit comments and attend hearings on multiple occasions. At the end of that process, the Site Evaluation Committee readopted with amendment Site 100-300, effective December 16, 2015.

Chapter 264, Laws of N.H. 2015, codified as RSA 162-H:10-b, II, effective July 20, 2015, requires the Site Evaluation Committee to adopt rules relative to the siting of high pressure gas pipelines. While the rules as amended and effective on December 16, 2015, do have requirements that apply to the siting of high pressure gas pipelines, there are some specific areas specified in RSA 162-H:10-b, II, that are not fully addressed.

On January 25, 2016, the SEC opened a rulemaking Docket No 2016-01, which can be viewed at the following link: [http://www.nhsec.nh.gov/projects/2016-01\\_rulemaking/2016-01.htm](http://www.nhsec.nh.gov/projects/2016-01_rulemaking/2016-01.htm). On February 4, 2016, the SEC published a Request for Advance Public Comment in the *Rulemaking Register*, seeking input on specific rules language related to the following: appropriate setbacks to mitigate potential health and safety impacts; pipeline decommissioning plan requirements; specific criteria to maintain property owners' ability to use and enjoy their property; project-related sound and vibration impact assessments; and application requirements to ensure quality construction that minimizes safety issues.

In response, the SEC received comments from 45 entities, including one commenter representing a coalition of 13 Towns. All of the public comments received can be viewed at the docket link listed above. A draft proposal will be distributed to the members of the SEC and will be posted on the SEC website as soon as it is available.

The SEC will meet on **Monday, April 18, 2016 at 9:00 a.m.** to consider and provide comments to the Administrator on the draft rules and to determine whether to adopt the draft as an initial proposal for filing with the Director of the Office of Legislative Services, Administrative Rules, in order to commence the formal rulemaking process. The filing will trigger additional administrative proceedings, including a public hearing of the SEC, at which the public can provide both written and oral comments on the proposed rules for the SEC to consider in drafting a final proposal. Once the SEC adopts a final proposal, the Joint Legislative Committee on Administrative Rules will have its own public proceedings to consider the proposal.

Dated: April 11, 2016