

**From:** Douglas Whitbeck [<mailto:dwhitbeck@hotmail.com>]

**Sent:** Friday, February 26, 2016 2:50 PM

**To:** Holmes, Kerry

**Cc:** Monroe, Pamela; Douglas Whitbeck

**Subject:** Request to extend deadline for comments to SEC on Gas Pipeline Siting Rules

The Honorable Margaret Wood Hassan  
Governor of New Hampshire  
Office of the Governor  
State House  
107 North Main Street  
Concord, NH 03301

Dear Governor Hassan,

Reference SEC Docket 2016-08

I appreciate the concern you have expressed in the past that New Hampshire citizens have an opportunity to participate in "the process" concerning the proposed Northeast Energy Direct pipeline.

The Site Evaluation Committee (SEC) is seeking comments on rules adopted but not yet certified from a wide variety of stakeholders. I believe the request was not posted on the SEC website until February 11, 2016, but its existence was not widely known until some days later. **The commenting deadline is 2/29/2016.**

Some of us have been involved in this project for a little over a year. We are not technical experts. We have done online research, attended seminars, and searched out individuals and organizations who are technically knowledgeable in air quality, water quality, health risks, and the economics surrounding a project of this nature and scale.

There is simply not enough time for citizens to adequately review the list of proposed regulations, and either educate ourselves on their adequacy or reach out to those qualified to comment, who are willing and have the time to devote to reviewing the proposed rules and generating a constructive response.

In some areas there has not been sufficient long-term research to adequately address the issues, but much of the data acquired so far indicates the existing regulatory limits of exposure to emissions from compressor stations and other supporting infrastructure **are not adequate** to protect nearby resident.

Considering what is at stake here, I believe that rushing to advance construction of this project would be irresponsible. Please ask the SEC to extend the deadline to allow for thorough review and meaningful public input.

Thank you for your consideration.

Sincerely,  
Douglas Whitbeck  
756 Brookline Road  
Mason, NH 03048

State of New Hampshire  
**Site Evaluation Committee**

Martin P. Honigberg, Esquire  
Chairman

Thomas S. Burack, Esquire  
Vice-Chair

Pamela G. Monroe  
SEC Administrator

<http://www.nhsec.nh.gov>  
21 South Fruit St., Suite 10  
Concord, New Hampshire  
03301-2429  
Telephone (603) 271-2435  
Fax (603) 271-3878



January 25, 2016

Scott F. Eaton, Director  
Office of Legislative Services  
Division of Administrative Rules  
State House Annex, Room 219  
25 Capitol Street  
Concord, NH 03301

**Re: Rules Related to Certificates of Site and Facility, Site 300**

Dear Mr. Eaton:

Enclosed for filing with your office please find an Appendix II-A, Request for Advance Public Comment on Subject Matter of Possible Rulemaking, regarding amendments to Chapter Site 300, *Certificates of Site and Facility*. Please include this notice in the next available issue of the Rulemaking Register.

Thank you for your attention to this matter. Please feel free to contact Pamela Monroe, Administrator at [Pamela.monroe@sec.nh.gov](mailto:Pamela.monroe@sec.nh.gov) or 271-2435 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Honigberg".

Martin P. Honigberg  
Chairman  
Site Evaluation Committee

Enclosure

cc: Thomas Burack, Vice Chairman  
Pamela Monroe, Administrator

REQUEST FOR ADVANCE PUBLIC COMMENT ON SUBJECT  
MATTER OF POSSIBLE RULEMAKING

Rule Number Site 300

<p>1. Agency Name &amp; Address:</p> <p><b>Site Evaluation Committee Pamela G. Monroe, Administrator 21 South Fruit Street, Suite 10 Concord, NH 03301-2429</b></p>	<p>2. RSA Authority: <u>RSA 162-H:10-b, II</u></p> <p>3. Federal Authority: _____</p> <p>4. Type of Action:</p> <p>Adoption <u>X</u></p> <p>Amendment <u>X</u></p> <p>Repeal _____</p> <p>Readoption _____</p> <p>Readoption w/amendment <u>X</u></p>
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5. Short Title: **Site 300, Certificates of Site and Facility**

IN ACCORDANCE WITH RSA 541-A:11, VIII THIS AGENCY IS SOLICITING PUBLIC COMMENT ON A SUBJECT MATTER OF POSSIBLE RULEMAKING UNDER ACTIVE CONSIDERATION PRIOR TO FORMALLY PROPOSING RULES IN THE RULEMAKING PROCESS. WHERE, WHEN, AND HOW PERSONS MAY PROVIDE COMMENT ARE INDICATED BELOW.

6. (a) Summary of the subject matter, or summary of the rule if drafted, and the effect on those regulated:

**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. Many of the rules that would affect the siting of high pressure gas pipelines were the subject of a 22-month rulemaking process that ended in December 2015.**

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

**The Administrator of the Committee has reviewed the recently adopted rules and determined that there are areas specified in RSA 162-H:10-b, II, that are not fully addressed.**

**In particular, the Committee is seeking input on specific rules language to adopt, amend, or readopt with amendments, Site 300, regarding the following provisions related to the siting of high pressure gas pipelines: 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 addition, on December 15, 2015, the Committee voted unanimously to grant the rulemaking petition received from the Joint Legislative Committee on Administrative Rules to adopt more comprehensive rules in Site 302, relative to criteria and procedures for the suspension and revocation of certificates. The Committee is also seeking input to address the issues specified in this rulemaking petition.**

**REQUEST FOR ADVANCE PUBLIC COMMENT ON SUBJECT  
MATTER OF POSSIBLE RULEMAKING - Page 2**

**The Committee seeks input in the form of proposed specific rules language from a diverse group of stakeholders, including project developers, environmental advocates, regional organizations, municipal governments, and citizens groups. This input is expected to be helpful to the Committee in developing an initial proposal. Submissions by electronic mail are strongly preferred.**

6. (b) Brief description of the groups affected:

**The rules regarding natural gas pipelines will affect applicants for Site Evaluation Committee approval of such pipelines. Those rules will also affect interveners and other public participants in matters related to proposed natural gas pipelines, including host municipalities, abutting landowners, and other local and regional stakeholders. The rules regarding suspension and revocation affect all projects within the jurisdiction of the Site Evaluation Committee.**

7. Contact person for copies, questions, and receipt of comment including requests to accommodate persons with disabilities:

Name: **Pamela G. Monroe**

Title: **Administrator**

Address: **N.H. Site Evaluation Committee  
21 South Fruit Street, Suite 10  
Concord, NH 03301**

Phone #: **603-271-2435**

Fax#: **603-271-3878**

E-mail: **rulemaking@sec.nh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Deadline for submission of comment in writing or, if practicable for the agency, in the electronic format specified: **February 29, 2016**

Fax

E-mail

Other format (specify):

9. Public hearing scheduled for: **No public hearing is currently scheduled.**

Date and Time:

Place: