

Article 10 Process

NYS Article 10/Permitting Timeline

..... 2017 2018 2019 2020 2021

PIP

PSS

Stipulations

Environmental Studies/
Site Design

Application
Submitted

Application
Complete

Certification
Decision

Start of
Construction

Commercial
Operation

Pre-Application Phase

Application Phase

Hearings & Decision Phase

Compliance Filings and Construction

Environmental Permitting Studies

Public Involvement Program (PIP) Plan filed May 2017, initiating the Article 10 process.

Preliminary Scoping Statement (PSS) filed October 2017, which described the scope and methodology of the studies to be included in the Article 10 Application. Intervener funding was made available to municipalities and local groups.

Stipulations: The Applicant has engaged with the state agencies and local municipalities to evaluate the proposed methodologies and scopes of studies to be included in the application.

Agency Review

After submittal of an Article 10 Application by the Applicant, the NYS Department of Public Service (DPS) must make a completeness determination within 60 days. If deficiencies are identified, they will be addressed through an Application Supplement. Intervenor funding available to municipalities & local groups.

Parties submit information requests, identify issues, prepare testimony, and participate in hearings

Application deemed complete. The Administrative Law Judge will set a date for a Public Statement Hearing and a Pre-Hearing Procedural Conference.

Parties may submit Information Requests (IRs) to the Applicant seeking additional information or clarification on specific topics. The Parties must also prepare testimony and identify issues that they may wish to litigate during hearings.

Decision. The Siting Board must make a decision on whether or not to issue the Certificate within one year of the Application having been deemed complete.

Project construction commences following a favorable decision and subsequent compliance filings

A Certificate issued by the Siting Board will include numerous conditions such as decommissioning, including compliance filings that must be prepared and submitted by the Applicant prior to construction.

During construction, the Applicant must implement an Environmental Compliance Monitoring Plan, including preparation of an Environmental Monitoring Manual, contractor training, pre-construction walkovers to identify sensitive sites to avoid, and daily inspections during construction and restoration activities.

