HOUSE DOCKET, NO. 4556 FILED ON: 4/10/2025

HOUSE . . . . . No. 4689

The Commonwealth of Massachusetts

PRESENTED BY:

Kelly W. Pease

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing buffer zones for battery storage facilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Kelly W. Pease	*4th Hampden*	*4/10/2025*
Lindsay N. Sabadosa	*1st Hampshire*	*4/17/2025*
Homar Gómez	*2nd Hampshire*	*5/5/2025*
Peter J. Durant	*Worcester and Hampshire*	*5/12/2025*
John J. Marsi	*6th Worcester*	*5/23/2025*
David F. DeCoste	*5th Plymouth*	*5/27/2025*
Joseph D. McKenna	*18th Worcester*	*6/6/2025*
John C. Velis	*Hampden and Hampshire*	*7/9/2025*
Kenneth P. Sweezey	*6th Plymouth*	*9/17/2025*
David Allen Robertson	*19th Middlesex*	*10/9/2025*
Steven George Xiarhos	*5th Barnstable*	*10/9/2025*
Kimberly N. Ferguson	*1st Worcester*	*10/9/2025*
Justin Thurber	*5th Bristol*	*3/11/2026*

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By Representative Pease of Westfield, a petition (subject to Joint Rule 12) of Kelly W. Pease and Lindsay N. Sabadosa for legislation to establish buffer zones for battery storage facilities. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act establishing buffer zones for battery storage facilities.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 21A of the General Laws, as appearing in the most recent edition, is hereby amended by adding the following new section:

Battery Energy Storage Facility Buffer Zones.

(a) Definitions. As used in this section, the following words shall have the following meanings:

"Battery storage facility"-a facility that uses batteries to store and distribute electrical energy.

"Buffer zone"- a designated distance from certain areas within which battery energy storage facilities shall not be constructed or operated.

"Ecologically protected area"- any land designated under state or federal law as a protected environmental zone, including wetlands, wildlife reserves, and conservation areas.

"Populated area"- any residentially zoned area, school, hospital, or other location with high human occupancy.

(b) Buffer Zone Requirements- (1) No battery storage facility shall be constructed or operated within 2000 feet of a populated area. (2) No battery storage facility shall be constructed or operated within 3,000 feet of an ecologically protected area. (3) The Department of Environmental Protection, in consultation with the Department of Fire Services, may adjust buffer distances based on facility size, battery chemistry, and risk assessment.

(c) Fire Mitigation and Emergency Preparedness- (1) All potential battery storage facilities shall submit a fire mitigation and emergency response plan to the Department of Fire Services and the local fire department before starting building. (2) Facilities utilizing lithium-ion or similarly volatile battery chemistries shall install fire suppression systems in accordance with regulations set forth by the Department of Fire Services.

(d) Environmental Protection Measures- (1) Facilities shall implement groundwater and soil contamination prevention measures, including secondary containment and spill response plans. (2) The Department of Environmental Protection shall establish guidelines for monitoring and mitigating environmental risks posed by battery storage facilities.

(e) Enforcement and Penalties- (1) The Department of Environmental Protection shall have the authority to enforce this section and may impose fines of up to $50,000 per violation for noncompliance. (2) Any facility found to be in violation of this section shall be subject to suspension of operating permits until compliance is achieved.

SECTION 2. Chapter 148 of the General Laws, as appearing in the most recent edition, is hereby amended by adding the following new section:

Battery Storage Facility Fire Safety Standards.

The State Fire Marshal, in coordination with the Department of Environmental Protection, shall establish safety and fire prevention standards specific to battery energy storage facilities, including but not limited to: fire suppression and containment requirements, emergency response protocols, and mandatory inspections and risk assessments at regular intervals.

SECTION 3. This act shall take effect immediately upon passage.