§ 29-0105. Certification of site and disposal method selection.

1. Upon application by the commission, the department shall certify that the commission's selection of the site or sites and disposal method or methods pursuant to section 29-0305 of this article is in conformance with the applicable siting criteria promulgated pursuant to section 29-0103 of this title; shall certify that, with modifications proposed by the department, the selection would be in conformance with the applicable siting criteria; or shall refuse to certify such selection and shall specify the manner in which such selection fails to meet the applicable siting criteria. Such certification or refusal to certify shall be based upon the record. The department shall hold public hearings with respect to the draft environmental impact statement and with respect to the application for certification. Such hearings and such certification or refusal to certify shall be completed within one hundred eighty days of the commission's submission of a complete application for certification.

2. The department shall publish in the state register notice of its decision on the application for certification of the site and disposal method selection.

3. The department's decision on the application for certification of the site and disposal method selection and the accompanying final environmental impact statement shall be submitted by the department to the governor, the legislature, and the chairman of the New York state energy research and development authority. In addition to any other information otherwise required for a final environmental impact statement, such statement shall include:

a. copies of the minutes of the public hearing held on the draft environmental impact statement on siting and disposal method selection and of recommendations from the advisory committee established pursuant to section 29-0501 of this article, and the department's responses to the views, comments, information, and recommendations therein; and

b. a listing providing a brief description, identification, or

reference for each report, study, or other document relied upon by the department for information supporting its analyses or conclusions.