



NATIONAL ENERGY TECHNOLOGY LABORATORY
Albany, OR • Morgantown, WV • Pittsburgh, PA



January 28, 2011

PA Department of Environmental Protection
Attn: Margaret Allen
400 Market Street
Harrisburg, PA 17101-2063

SUBJECT: Individual NEPA Determination under the Recovery Act State Energy Program
Award: DE-EE0000115 with the Commonwealth of Pennsylvania

Dear Ms. Allen:

DOE has become aware of new information regarding the Pennsylvania Department of Environmental Protection's Conergy Project. The information provided by Pennsylvania Department of Environmental Protection in December 2009 was the basis for a NEPA determination issued by DOE in January 2010.

DOE has become aware that the information upon which DOE made its NEPA determination is no longer accurate. In Accordance with the Special Terms and Conditions, Article entitled "NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) REQUIREMENTS," approval is hereby rescinded for the Pennsylvania Department of Environmental Protection to perform the following activity under the market titles: PEDA Sustainable Business Recovery.

- PEDA Sustainable Business Recovery – Conergy Projects (Philadelphia Navy Yard Solar):
Installation of a 1.4 MW solar photovoltaic system on brownfield site within the Philadelphia Navy Yard.

If you move forward with activities that are not authorized for federal funding by the DOE Contracting Officer in advance of the final NEPA decision, you are doing so at risk of not receiving federal funding and such costs may not be recognized as allowable cost share.

The Pennsylvania Department of Environmental Protection is responsible for managing the projects under the State Energy Program and providing updated information when projects are altered. A new submission containing complete and accurate information regarding the current project must be submitted to DOE if the state elects to pursue this project.

Should you have any questions or concerns regarding this approval, please contact the Contract Specialist Carla Winaught (304) 285-4530 or at carla.winaught@netl.doe.gov.

Sincerely,


Raymond R. Jarr
Contracting Officer
Acquisition and Assistance Division

cc:

DE-BE0000115

Carla Winaught, NETL

Darren Stevenson, NETL

Cliff Whyte, NETL

CATEGORICAL EXCLUSION (CX) DESIGNATION FORM

ARRA ☒ Yes ☐ No Grant No.: EE0000115

DOE Sponsoring Org. (FE, OE, EE, etc.): EE

NETL Sponsoring Org.: PMC

NETL Contact: Darren Stevenson

Brief Title of Proposed Action:

PA Rev2- PEDAs Sustainable Business Recovery -- Philadelphia Navy Yard

Recipient Name: Pennsylvania

Action or Project No.:

FY: 2009

Performance Period: 2009-12

Location: Philadelphia Navy Yard

Brief Description of Proposed Action:

Installation of 1.4 MW solar photovoltaic system on brownfield site within Navy Yard. Complete CX.

THE PROPOSED ACTION FALLS WITHIN THE FOLLOWING CATEGORICAL EXCLUSION(S) FROM APPENDICES A AND B OF DOE NEPA IMPLEMENTING PROCEDURE:

General Administration/Management

- ☐ A1 - Routine business actions
- ☐ A2 - Administrative contract amendments
- ☐ A7 - Transfer of property, use unchanged
- ☐ A8 - Award of technical support/M&O/personal service contracts
- ☐ A9 - Info gathering, analysis, documentation, dissemination, and training
- ☐ A11 - Technical advice and planning assistance
- ☐ A12 - Emergency Preparedness planning
- ☐ A14 - Approval of technical exchange arrangements

Facility Operations

- ☐ B1.2 - Training exercises and simulation
- ☐ B1.3 - Routine maintenance and custodial services
- ☐ B1.4 - Air conditioning installation for existing structures
- ☐ B1.5 - Cooling water system improvements in existing structures
- ☐ B1.7 - Communication system and data processing equipment acquisition, installation, operation, removal
- ☐ B1.13 - On-site pathway or short access road construction/acquisition
- ☒ B1.15 - Support building or structure, non-waste storage, construction/operation
- ☐ B1.16 - Removal of asbestos in accordance with regulations
- ☐ B1.22 - Building relocation to developed area/demolition/disposal
- ☐ B1.23 - Demolition/disposal of buildings, equipment, and structures
- ☒ B1.24 - Transfer, disposition, or acquisition of uncontaminated structures or equipment, environmental quality maintained
- ☐ B1.25 - Transfer, disposition, or acquisition of uncontaminated land for habitat preservation/wildlife management
- ☐ B1.26 - Small (<250,000 GPD) WWT facility const/oper/decom
- ☐ B1.27 - Disconnection of utilities
- ☐ B1.28 - Placement of unused facilities in environmentally safe condition
- ☐ B1.29 - Small on-site const/demolition waste disposal facility const/oper
- ☐ B1.30 - Transfer/transportation actions
- ☐ B1.31 - Relocation/operation of machinery or equipment, similar use
- ☐ B1.32 - Traffic flow adjustments, existing roads

Safety and Health

- ☐ B2.1 - Modifications to enhance workplace habitability
- ☐ B2.2 - Installation/improvement of building/equipment instrumentation
- ☐ B2.3 - Installation of equipment for personnel safety and health
- ☐ B2.5 - Facility safety and environmental improvements, replacement or upgrade of facility components, no change in useful life

General Research

- ☐ B3.1 - Site characterization/environmental monitoring
- ☐ B3.3 - Research related to conservation of fish and wildlife
- ☐ B3.6 - R&D or pilot facility construction/operation/decommissioning
- ☐ B3.7 - New infill exploratory, experimental oil/gas/geothermal well construction/operation construction/operation
- ☐ B3.8 - Outdoor ecological/environmental research in small area
- ☐ B3.9 - Certain CCT demonstration activities, emissions unchanged
- ☐ B3.11 - Outdoor tests, experiments on materials and equipment components

Power Resources Distribution/Facilities/Generation/Operations/Management

- ☐ B4.1 - Acquisition/utilization of excess electric power without: integration of new generation source(s), major physical changes to transmission system, or changes to normal generation operating limits
- ☐ B4.4 - Power service storage, load shaping, seasonal adjustments
- ☐ B4.6 - Transmission support addition/modifications at developed facility site
- ☐ B4.8 - Transmission agreements/modifications using one transmission system to transfer power to and from another system, without new generation sources or major physical changes to transmission systems
- ☐ B4.11 - Construction of power substations/support equipment/facilities with power delivery at < 230kV to include project power lines development <10 miles or power line relocation <20 miles; no integration of major new generation resources into a main transmission system.

Conservation, Fossil, and Renewable Energy Activities

- ☒ B5.1 - Actions to conserve energy, no indoor air quality degradation
- ☐ B5.2 - Modification to oil/gas/geothermal pumps and piping, no flow changes or air emission effects
- ☐ B5.3 - Modification (not expansion)/abandonment of oil storage access/brine injection/gas/geothermal wells; no site closure
- ☐ B5.4 - Repair/replacement of pipeline sections within maintenance provisions of a Section 404 permit
- ☐ B5.5 - Short crude oil/gas/steam/geothermal pipeline const/oper within a single industrial complex/existing right-of-way
- ☐ B5.12 - Workover of existing oil, gas, geothermal wells to restore production

Environmental Restoration/Waste Minimization

- ☐ B6.1 - Cleanup actions: small-scale, short-term (< \$5M and 5 years)
- ☐ B6.3 - Environmental control system improvements in existing structures, recycle/release/disposal within permitted facility

Other

- ☐ Specify category: _____

This action would not (1) violate applicable ES&H requirements, (2) require siting of waste TSD or recovery facilities, (3) disturb hazardous substances (excluding substances that are naturally occurring in the project area), or (4) adversely affect environmentally sensitive resources. Furthermore, this action (1) would not present any extraordinary circumstances such that the action might have a significant impact upon the human environment; (2) is not connected to other actions with potentially significant impacts; (3) is not related to other actions with cumulatively significant impacts; and (4) and is not inconsistent with 10 CFR 1021.211 or 40 CFR 1506.1. Therefore, the proposed action may be categorically excluded from further NEPA review.

DOE INITIATOR SIGNATURE: _____

NEPA Compliance Officer: R.P. Detwiler

DATE: ____/____/____

DATE: 01 / 31 / 2010
month day year