

PMC-EF2a

(20402)

**U.S. DEPARTMENT OF ENERGY
EERE PROJECT MANAGEMENT CENTER
NEPA DETERMINATION**



RECIPIENT: Oak Ridge City Center LLC

STATE: TN

PROJECT TITLE : ORCC Technology Demonstration Project

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-EE0000116	DE-EE0002822	GFO-10-292	GO2822

Based on my review of the information concerning the proposed action, as NEPA Compliance Officer (authorized under DOE Order 451.1A), I have made the following determination:

CX, EA, EIS APPENDIX AND NUMBER:

Description:

- A9** Information gathering (including, but not limited to, literature surveys, inventories, audits), data analysis (including computer modeling), document preparation (such as conceptual design or feasibility studies, analytical energy supply and demand studies), and dissemination (including, but not limited to, document mailings, publication, and distribution; and classroom training and informational programs), but not including site characterization or environmental monitoring.
- A11** Technical advice and planning assistance to international, national, state, and local organizations.

Rational for determination:

Oak Ridge City Center LLC is proposing to install a Ground Source Heat Pump system to service the Oak Ridge City Center. However this project is in the process of conducting their feasibility study and has yet to select neither a Ground Source Heat Pump system nor the exact project locations for installation. Therefore DOE will issue a determination for Phase 1 "Feasibility Study and Conceptual Engineering Design" of the project. Phase 2; Task 6.0 "Demolition/Construction and Retrofitting" will require further NEPA review immediately following site selection and conceptual system design. Please note Tasks 4.0, 4.2, 5.0, and the design portion of Task 6.0 are allowable activities. DOE will require all information collected during Phase 1 and Phase 2; Tasks 4.0-6.0 (Conceptual Design) to be submitted to the Department for further NEPA review before project implementation can occur.

This information gathering presents no environmental impact and therefore this task is Categorically Excluded under CX A9 "Information Gathering" and CX A11 "technical advice" from further NEPA review.

NEPA PROVISION

DOE has made a conditional NEPA determination for this award, and funding for certain tasks under this award is contingent upon the final NEPA determination.

Insert the following language in the award:

You are restricted from taking any action using federal funds, which would have an adverse affect on the environment or limit the choice of reasonable alternatives prior to DOE/NNSA providing either a NEPA clearance or a final NEPA decision regarding the project.

Prohibited actions include:

Phase 2 "Installation and Commissioning of Equipment"

Final or Intial Design, Demolition, Construction, and/or Installation related to the proposed project.

This restriction does not preclude you from:

Phase 1 "Feasibility Study and Conceptual Engineering Design"

All other actions which involve information gathering (including, but not limited to, literature surveys, inventories, audits), data analysis (including computer modeling), document preparation (such as conceptual design or feasibility studies, analytical energy supply and demand studies), and dissemination (including, but not limited to, document

mailings, publication, and distribution; and classroom training and informational programs).

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.

Note to Specialist :

None Given.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature:


NEPA Compliance Officer

Date:

3/23/10

FIELD OFFICE MANAGER DETERMINATION

Field Office Manager review required

NCO REQUESTS THE FIELD OFFICE MANAGER REVIEW FOR THE FOLLOWING REASON:

- Proposed action fits within a categorical exclusion but involves a high profile or controversial issue that warrants Field Office Manager's attention.
- Proposed action falls within an EA or EIS category and therefore requires Field Office Manager's review and determination.

BASED ON MY REVIEW I CONCUR WITH THE DETERMINATION OF THE NCO :

Field Office Manager's Signature:

Field Office Manager

Date:
