

PMC-EF2a

(20402)

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



RECIPIENT: Illinois Department of Commerce & Economic Opportunity

STATE: IL

PROJECT TITLE : 2012 Illinois State Energy Program Formula Award - Modification

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0000643	DE-FG-26-07NT43162	GFO-NT43162-001	

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, analysis, and dissemination Information gathering (including, but not limited to, literature surveys, inventories, site visits, and audits), data analysis (including, but not limited to, computer modeling), document preparation (including, but not limited to, conceptual design, feasibility studies, and analytical energy supply and demand studies), and information dissemination (including, but not limited to, document publication and distribution, and classroom training and informational programs), but not including site characterization or environmental monitoring. (See also B3.1 of appendix B to this subpart.)

A11 Technical advice and assistance to organizations Technical advice and planning assistance to international, national, state, and local organizations.

B5.1 Actions to conserve energy or water (a) Actions to conserve energy or water, demonstrate potential energy or water conservation, and promote energy efficiency that would not have the potential to cause significant changes in the indoor or outdoor concentrations of potentially harmful substances. These actions may involve financial and technical assistance to individuals (such as builders, owners, consultants, manufacturers, and designers), organizations (such as utilities), and governments (such as state, local, and tribal). Covered actions include, but are not limited to weatherization (such as insulation and replacing windows and doors); programmed lowering of thermostat settings; placement of timers on hot water heaters; installation or replacement of energy efficient lighting, low-flow plumbing fixtures (such as faucets, toilets, and showerheads), heating, ventilation, and air conditioning systems, and appliances; installation of drip-irrigation systems; improvements in generator efficiency and appliance efficiency ratings; efficiency improvements for vehicles and transportation (such as fleet changeout); power storage (such as flywheels and batteries, generally less than 10 megawatt equivalent); transportation management systems (such as traffic signal control systems, car navigation, speed cameras, and automatic plate number recognition); development of energy-efficient manufacturing, industrial, or building practices; and small-scale energy efficiency and conservation research and development and small-scale pilot projects. Covered actions include building renovations or new structures, provided that they occur in a previously disturbed or developed area. Covered actions could involve commercial, residential, agricultural, academic, institutional, or industrial sectors. Covered actions do not include rulemakings, standard-settings, or proposed DOE legislation, except for those actions listed in B5.1(b) of this appendix. (b) Covered actions include rulemakings that establish energy conservation standards for consumer products and industrial equipment, provided that the actions would not: (1) have the potential to cause a significant change in manufacturing infrastructure (such as construction of new manufacturing plants with considerable associated ground disturbance); (2) involve significant unresolved conflicts concerning alternative uses of available resources (such as rare or limited raw materials); (3) have the potential to result in a significant increase in the disposal of materials posing significant risks to human health and the environment (such as RCRA hazardous wastes); or (4) have the potential to cause a significant increase in energy consumption in a state or region.

B5.19 Ground source heat pumps The installation, modification, operation, and removal of commercially available smallscale ground source heat pumps to support operations in single facilities (such as a school or community center) or contiguous facilities (such as an office complex) (1) only where (a) major associated activities (such as drilling and discharge) are regulated, and (b) appropriate leakage and contaminant control measures would be in place (including for cross-contamination between aquifers); (2) that would not have the potential to cause significant changes in subsurface temperature; and (3) would be located within a previously disturbed or developed area. Covered actions would be in accordance with applicable requirements (such as local land use and zoning requirements) in the proposed project area and would incorporate appropriate control technologies and best management practices.

Rational for determination:

The U.S. Department of Energy (DOE) provided federal funding to the Illinois Department of Commerce & Economic

Opportunity (DCEO) Illinois State Energy Office under the DOE's Annually Appropriated State Energy Program (SEP) for Fiscal Year 2012. Through a modification to their existing DOE award, DCEO proposes to use approximately \$320,000 of this funding to create a new Market Title called "HomE Lite Program – Geothermal Rebates".

A previous NEPA determination for this award's Fiscal Year 2012 funding was made on 7/23/2012 (CX A9, A11, B5.22 and B5.23). Approvals, prohibited actions and restrictions from that NEPA determination are not affected by this NEPA determination. This NEPA determination only applies to the new Market Title called "HomE Lite Program – Geothermal Rebates".

Under the HomE Lite Program, funding would be used to provide rebates to residential and small commercial member customers of the Association of Illinois Electric Cooperatives (AIEC) to install geothermal ground source heat pump systems (GSHP) and upgrade heating, ventilation, and air conditioning (HVAC) systems associated with the installation of a GSHP. To qualify for a rebate under the HomE Lite Program, GSHP systems would be vertical and/or horizontal closed-loop systems and would have a rated capacity of 5.5 tons or smaller. DCEO would work with AIEC to manage and oversee the HomE Lite Program. Each individual AIEC member Cooperative would provide individual project monitoring. Funding would also be used for AIEC program administration, marketing and energy assessments. DCEO would ensure each project is in compliance with all applicable Federal, State and Local regulation requirements, including DOE project conditions as described below prior to providing a project a rebate reimbursement.

DCEO shall fund only Projects that would not:

- (1) Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, including requirements of DOE and/or Executive Orders;
- (2) Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators);
- (3) Disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases; or
- (4) Adversely affect environmentally sensitive resources. Environmentally sensitive resources include, but are not limited to:
 - (i) Property (e.g., sites, buildings, structures, objects) of historic, archeological, or architectural significance designated by Federal, state, or local governments or property eligible for listing on the National Register of Historic Places;
 - (ii) Federally-listed threatened or endangered species or their habitat (including critical habitat), Federally- proposed or candidate species or their habitat, or state-listed endangered or threatened species or their habitat;
 - (iii) Wetlands regulated under the Clean Water Act (33 U.S.C. § 1344) and floodplains;
 - (iv) Areas having a special designation such as Federally- and state-designated wilderness areas, national parks, national natural landmarks, wild and scenic rivers, state and Federal wildlife refuges, and marine sanctuaries;
 - (v) Prime agricultural lands;
 - (vi) Special sources of water (such as sole-source aquifers, wellhead protection areas, and other water sources that are vital in a region); and
 - (vii) Tundra, coral reefs, or rain forests.

DCEO shall fund only Projects that adhere to the following -

Waste Stream Conditions:

DCEO shall obtain a waste management plan addressing waste generated by each proposed Project prior to funding the Project. This waste management plan will describe the plan to dispose of any sanitary or hazardous waste (e.g., construction and demolition debris, old light bulbs, lead ballasts, lead paint, piping, roofing material, discarded equipment, debris, and asbestos) generated as a result of the proposed Project. DCEO shall make the waste management plan and related documentation available to DOE on DOE's request (for example, during a post-award audit). DCEO shall ensure that the Project complies with all Federal, state and local regulations for waste disposal.

NHPA Conditions:

DCEO and/or other Project proponent shall comply with Section 106 of the National Historic Preservation Act (NHPA). If applicable, the DCEO or Project proponent shall contact the State Historic Preservation Officer (SHPO) and the Tribal Historic Preservation Officer (THPO). DCEO shall retain sufficient documentation, from the Project proponent or other sources, to demonstrate that the State and/or Project proponent have received required approval(s) from the SHPO or THPO. The State shall deem compliance with Section 106 of the NHPA complete only after it has this documentation. DCEO shall make this documentation available to DOE on DOE's request (for example, during a post-award audit).

Cumulative Impacts, Connected Actions and Extraordinary Circumstances:

DOE's CXs are not absolute. CXs do not apply to Projects that involve "extraordinary circumstances," connected

actions, or cumulative impacts that may have significant environmental impacts. See 10 C.F.R. § 1021.410(b). If DOE grants a CX based on descriptions in the Narrative Worksheet and Environmental Questionnaire and the State's assurances, DOE will base its decision on the lack of such "extraordinary circumstances" and significant impacts. DCEO shall review section 1021.410 and shall immediately contact DOE if, at any time, it determines that a Project may involve "extraordinary circumstances," cumulative impacts, or connected actions that could have significant environmental impacts. In these instances, the State will withhold funding for the Project until DOE completes NEPA review for the Project.

Based on review of the activities that would be funded under the "Home Lite Program – Geothermal Rebates" Market Title, DOE has determined that the program administration and GSHP rebate activities that are in accordance with the conditions described above would not have a significant individual or cumulative impact to human health and/or environment. DOE has determined the proposed activities are consistent with the actions contained in DOE categorical exclusions A9 "information gathering, analysis, and dissemination," A11 "technical advice and assistance to organizations," B5.1 "actions to conserve energy or water," B5.19 "ground source heat pumps," and are categorically excluded from further NEPA review.

NEPA PROVISION

DOE has made a final NEPA determination for this award

Insert the following language in the award:

If you intend to make changes to the scope or objective of your project you are required to contact the Project Officer identified in Block 11 of the Notice of Financial Assistance Award before proceeding. You must receive notification of approval from the DOE Contracting Officer prior to commencing with work beyond that currently approved.

Note to Specialist :

Any proposed GSHP project in the Home Lite Program that would have a rated capacity larger than 5.5 tons and/or does not meet conditions described above will require a separate DOE NEPA review.

Obadiah Broughton 12/17/2012

DOE Funding \$320,000

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: _____


NEPA Compliance Officer

Date: _____

12/19/2012

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: _____