

PMC-ND
(1.08.09.13)

U.S. DEPARTMENT OF ENERGY
OFFICE OF ENERGY EFFICIENCY AND RENEWABLE ENERGY
NEPA DETERMINATION



RECIPIENT: Oscilla Power Inc.

STATE: WA

PROJECT TITLE: Demonstration of an Advanced Multi-Point Absorber for Wave Energy Conversion

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0001418	DE-EE0007819	GFO-0007819-002	GO7819

Based on my review of the information concerning the proposed action, as NEPA Compliance Officer (authorized under DOE Policy 451.1), 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.)
- B3.6 Small-scale research and development, laboratory operations, and pilot projects** Siting, construction, modification, operation, and decommissioning of facilities for smallscale research and development projects; conventional laboratory operations (such as preparation of chemical standards and sample analysis); and small-scale pilot projects (generally less than 2 years) frequently conducted to verify a concept before demonstration actions, provided that construction or modification would be within or contiguous to a previously disturbed or developed area (where active utilities and currently used roads are readily accessible). Not included in this category are demonstration actions, meaning actions that are undertaken at a scale to show whether a technology would be viable on a larger scale and suitable for commercial deployment.

Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to provide funding to Oscilla Power Inc. (OPI) to design, fabricate, and demonstrate a full scale wave energy device, known as the Triton-C.

The proposed project is divided into three Budget Periods, with a Go/No Go decision point between each Budget Period (BP). DOE previously completed a NEPA review for BP 1 (Tasks 1-7) of the proposed project (GFO-0007819-001; CX A9; 12/21/2016). DOE is now proposing to fund BP 2 activities. This NEPA review is for Budget Period 2 (BP2) only.

BP2 activities would include five new tasks, Tasks 8 - 12. In addition, work would continue on Task 6, which was previously reviewed as part of BP1 and will not be further reviewed here.

Tasks 8, 11, and 12 would involve development of installation and operational plans, obtaining permits for deployment, and reporting. These tasks would be limited to information gathering.

Task 9 would involve fabrication of the system components. The hull would be fabricated by Snow and Company in Seattle, Washington at their ship building and shipping facility. The hull would be consist of approximately 12 tons of steel, along with small amounts of plastics for seals. The remaining components would be fabricated by various suppliers and would include the electrical cabinet, the instrumentation package, drivetrains, seals, mooring lines and anchors, and other small parts. Material used for these components would include steel, plastics, concrete, rebar, and copper. All components would be fabricated by companies that engage in similar fabrication as their ordinary business.

No new permits or modifications to facilities would be required for the fabrication of components. All appropriate health and safety regulations and internal company safety processes would be followed. Excess material from fabrication would be recycled. Once completed, all components would be shipped to Snow and Company's facilities for eventual integration into the main hull.

Task 10 would include the integration of and assembly of all components into the hull. Assembly of these components, to create the final Triton-C, would occur at Snow and Company.

NEPA PROVISION

DOE has made a conditional NEPA determination.

The NEPA Determination applies to the following Topic Areas, Budget Periods, and/or tasks:

[All Budget Period 2 Tasks](#)

The NEPA Determination does not apply to the following Topic Area, Budget Periods, and/or tasks:

[All Budget Period 3 Tasks](#)

Notes:

[Water Power Program](#)

[This NEPA determination does require a tailored NEPA provision](#)

[NEPA review completed by Roak Parker 12.07.18](#)

FOR CATEGORICAL EXCLUSION DETERMINATIONS

The proposed action (or the part of the proposal defined in the Rationale above) fits within a class of actions that is listed in Appendix A or B to 10 CFR Part 1021, Subpart D. To fit within the classes of actions listed in 10 CFR Part 1021, Subpart D, Appendix B, a proposal must be one that would not: (1) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders; (2) require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators), but the proposal may include categorically excluded waste storage, disposal, recovery, or treatment actions or facilities; (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; (4) have the potential to cause significant impacts on environmentally sensitive resources, including, but not limited to, those listed in paragraph B(4) of 10 CFR Part 1021, Subpart D, Appendix B; (5) involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those listed in paragraph B(5) of 10 CFR Part 1021, Subpart D, Appendix B.

There are no extraordinary circumstances related to the proposed action that may affect the significance of the environmental effects of the proposal.

The proposed action has not been segmented to meet the definition of a categorical exclusion. This proposal is not connected to other actions with potentially significant impacts (40 CFR 1508.25(a)(1)), is not related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.27(b)(7)), and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211 concerning limitations on actions during preparation of an environmental impact statement.

A portion of the proposed action is categorically excluded from further NEPA review. The NEPA Provision identifies Topic Areas, Budget Periods, tasks, and/or subtasks that are subject to additional NEPA review.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: _____

 Electronically Signed By: [Kristin Kerwin](#)

NEPA Compliance Officer

Date: 12/12/2018

FIELD OFFICE MANAGER DETERMINATION

☒ Field Office Manager review not required

☐ Field Office Manager review required

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

Field Office Manager's Signature: _____

Field Office Manager

Date: _____