

PMC-ND  
(1.08.09.13)

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



**RECIPIENT:** Open Market ESCO LLC

**STATE:** MA

**PROJECT TITLE:** Transforming Public Housing with Deep Energy Retrofits

<b>Funding Opportunity Announcement Number</b>	<b>Procurement Instrument Number</b>	<b>NEPA Control Number</b>	<b>CID Number</b>
DE-FOA-0002099	DE-EE0009062	GFO-0009062-001	G09062

**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 federal funding to Open Market ESCO, LLC (OME) to develop an approach to occupied rehab projects for affordable multifamily housing by establishing a documented and managed integrated project delivery process for deep energy retrofits, including low-carbon design concept, construction pricing, and financing options. This process would be optimized to be scalable across a large portion of public housing units slated for Rental Assistance Demonstration (RAD) program conversions. Project work would occur at OME's office facility in Boston, MA. Renovation of an existing property is not included in the proposed activities but work may include field tests of the existing façade, structural evaluations and laser scanning of the existing building dimensions at the Eva White Apartments in Boston, MA as a representative property on which to base the integrated project delivery process. The project would be completed over two Budget Periods (BPs), with a Go/No-Go Decision Point in between each BP. OME would only move into BP2 after this project has completed an application process at the end of BP1 and if DOE selects OME's project through a down-selection process. BP2 activities would then be developed and structured. Because BP2 activities are not currently known, this NEPA review will only be applicable to BP1 activities. BP2 activities would be reviewed at a later date if and when OME's project is selected to move into the subsequent BP.

BP1 would include stakeholder engagement and analyses as well as scans and inspections to complete façade panel specifications and initiate design development. This information would be used to develop contractor engagement and transparent bidding as well as financing and deal structuring options. OME would document its findings in a Replicability Roadmap for financing. Education and training protocols and platforms for residents and facilities management would be created in order to ensure modeled energy savings and operating assumptions materialize in future deep energy retrofit projects. A replicability analysis would be completed to help inform a replicability model and potential BP2 demonstration project. The project team would collaborate in the Advanced Building Construction (ABC) Initiative by participating with the ABC Collaborative.

BP1 activities would require no physical modifications or ground disturbing activities and no change in the use of facilities would result from project activities. No modifications to permits or new permits, additional licenses and/or authorizations would be necessary for proposed project activities. There are no expected health or safety hazards to either the public or project workers that would result from or are associated with the proposed project activities. DOE does not anticipate any impacts to resources of concern due to the proposed BP1 activities of the project.

**NEPA PROVISION**

DOE has made a conditional NEPA determination.

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

[All BP1 Tasks and Subtasks.](#)

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

[All BP2 Tasks and Subtasks.](#)

Notes:

[Building Technologies Office](#)

[This NEPA determination requires a tailored NEPA provision.](#)

**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: [Casey Strickland](#)  
NEPA Compliance Officer

Date: 6/11/2020

**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: \_\_\_\_\_