

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



RECIPIENT: Rhode Island

STATE: RI

PROJECT TITLE : Energy Improvement for Rhode Island Schools

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
FY22 CDP	DE-EE0010138	GFO-0010138-001	GO10138

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.)

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.

B1.31 Installation or relocation of machinery and equipment

Installation or relocation and operation of machinery and equipment (including, but not limited to, laboratory equipment, electronic hardware, manufacturing machinery, maintenance equipment, and health and safety equipment), provided that uses of the installed or relocated items are consistent with the general missions of the receiving structure. Covered actions include modifications to an existing building, within or contiguous to a previously disturbed or developed area, that are necessary for equipment installation and relocation. Such modifications would not appreciably increase the footprint or height of the existing building or have the potential to cause significant changes to the type and magnitude of environmental impacts.

Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to administer Congressionally Directed Spending to the Rhode Island Office of Energy Resources to provide energy efficiency education and outreach, and to design, procure, and install energy efficiency upgrades in Rhode Island public school buildings.

Proposed energy efficiency upgrades include building automation systems (BAS), HVAC replacement, installation of insulation, heat pump water heaters, and LED lighting. The award would be executed over three budget periods

(BPs). The first BP would involve hiring technical staff, implementation of an energy efficiency outreach program, and two pilot installation projects at select Rhode Island public school buildings. After the pilot projects, additional schools would be upgraded in BP2 and BP3. Exact upgrades in BP2 and BP3 would not be identified until the completion of BP1's pilot projects but would be selected from the upgrades listed above.

Proposed upgrades would not impact the exterior of the buildings and would not involve any ground disturbance. DOE has determined that the terms of the DOE-executed Historic Preservation Programmatic Agreement (PA) with the State of Rhode Island apply to the proposed projects. The Rhode Island Office of Energy Resources shall adhere to the restrictions and requirements of the PA.

The Recipient is required to review the PowerPoint presentations on NEPA and historic preservation prior to commencing work on the above activities. The presentations are available at www.energy.gov/node/4816816. The Recipient is responsible for contacting the DOE NEPA division with any NEPA or historic preservation questions at GONEPA@ee.doe.gov.

Minimal air emissions may result from the use of diesel-powered vehicles and equipment during the installation of upgrades. However, significant air impacts are not anticipated as emissions would be temporary and intermittent. Installation of upgrades may involve the use of power tools, machinery, scaffolding and lifts, working with electricity, and potential exposure to lead-based paint and asbestos. Potential hazards would be mitigated through adherence to established government and corporate health and safety policies and procedures. The Rhode Island Office of Energy Resources would adhere to all applicable federal, state, and local health, safety, and environmental regulations. Proposed activities would occur entirely within existing facilities; therefore, no adverse impacts to sensitive resources are expected as a result of the proposed activities. No change in the use, mission, or operation of existing facilities would arise out of this effort.

NEPA PROVISION

DOE has made a final NEPA determination.

Include the following condition in the financial assistance agreement:

1. This NEPA Determination only applies to activities funded by the Congressionally Directed Spending provided for Energy Improvements for Rhode Island Schools.
2. The Recipient shall adhere to the restrictions and requirements of the DOE-executed Historic Preservation Programmatic Agreement. The agreement is available at <https://www.energy.gov/scep/historic-preservation-executed-programmatic-agreements>.
3. The Recipient is required to review the PowerPoint presentations on NEPA and historic preservation prior to commencing work on the above activities. The presentations are available at www.energy.gov/node/4816816. The Recipient is responsible for contacting NEPA with any NEPA or historic preservation questions at GONEPA@ee.doe.gov.

Notes:

Building Technologies Office (BTO)

This NEPA determination requires legal review of the tailored NEPA provision.

NEPA review completed by Amy Lukens, 4/7/2023.

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.

The proposed action is categorically excluded from further NEPA review.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature:  Electronically Signed By: Casey Strickland Date: 4/7/2023
NEPA Compliance Officer

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: _____ Date: _____
Field Office Manager