

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



RECIPIENT: Comstock Inc

STATE: NV

PROJECT TITLE: Production of Renewable Diesel, Sustainable Aviation Fuel, Gasoline, and Marine Fuel from Lignocellulosic Biomass at Dramatically Improved Yield, Efficiency, and Cost.

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0002638	DE-EE0010454	GFO-0010454-001	GO10454

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.)

A11 Technical advice and assistance to organizations

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

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 Comstock, Incorporated for the development, fabrication, and testing of laboratory-scale refining equipment to be used in the development of renewable fuels. Project activities would include design and construction of equipment, laboratory work, technical assistance, and data analysis.

Comstock Fuels, a division of Comstock, Inc. (Wausau, WI), would provide project management and technical assistance. Fabrication and testing of the advanced biointermediate refining equipment would occur at the Nevada Center for Applied Research at the University of Nevada, Reno (UNR) (Reno, NV). Experimental laboratory work involving various stages of biofuel conversion, in preparation for the tests at UNR, would occur at Comstock, Xylome (Madison, WI), and Emerging Fuels Technologies (Tulsa, OK).

Data analysis would occur at all of the previously listed locations, as well as EcoEngineers (Des Moines, IA). The National Renewable Energy Laboratory (Golden, CO) would provide additional laboratory fermentation services.

All project activities would be completed in existing, purpose-built facilities using conventional technologies and techniques. While award activities would involve the fabrication of bioreactors, there would be no modifications to or change in use of existing facilities. No new permits or licenses would be needed to perform award activities.

Award activities would involve typical hazards associated with biological laboratories, including the handling and storage of pressurized gas and chemical reagents. All such handling and storage would occur within controlled laboratory settings and would follow existing policies and procedures for handling and disposal of these materials. While genetic sequencing technologies would be used, genetic engineering activities would not be completed as part of this award. Existing corporate, university, and government health, safety, and environmental policies and procedures would be followed at all facilities, including personnel training, proper personal protective equipment, engineering controls, monitoring, and internal assessments.

DOE has considered the scale, duration, and nature of proposed activities to determine potential impacts on

resources, including those of an ecological, historical, cultural, and socioeconomic nature. DOE does not anticipate impacts on these resources which would be considered significant or require DOE to consult with other agencies or stakeholders.

Any work proposed to be conducted at a federal facility may be subject to additional NEPA review by the cognizant federal official and must meet the applicable health and safety requirements of the facility.

NEPA PROVISION

DOE has made a final NEPA determination.

Notes:

Bioenergy Technology Office (BETO)
NEPA review completed by Andrew McClellan, 9 August 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: _____



Andrew Montano

NEPA Compliance Officer

Date: 8/9/2023

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: _____