

**Availability of an Environmental Assessment for Public Review and Comment
Funding Opportunity Announcement (FOA): DE-FOA-0002618 (FOA 2618) titled BIL - Rare Earth Element
Demonstration Facility**

In accordance with the Council on Environmental Quality (CEQ) "Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act," codified in Title 40 of the Code of Federal Regulations (CFR) in Parts 1500 through 1508 (40 CFR Parts 1500-1508) and the Department of Energy (DOE) Implementing Procedures (10 CFR Part 1021), the Office of Fossil Energy and Carbon Management (FECM) prepared an Environmental Assessment (EA) to analyze the potential environmental and social effects of funding the University of North Dakota's (UND) proposed rare earth element (REE) demonstration facilities. UND would develop two mixed rare earth carbonate (MREC) concentrate production demonstration facilities co-located with existing coal mines; one adjacent to The Falkirk Mining Company near Underwood, McLean County, North Dakota and one adjacent to BNI Coal, Ltd. in Center, Oliver County, North Dakota. The MREC concentrate from both facilities would be transported to the existing Rare Earth Salts Separation & Refining (RESS&R) facility in Beatrice, Gage County, Nebraska. At the RESS&R facility, the MREC concentrate would be refined and purified to produce individually separated rare earth oxides or oxides blends and select rare earth metals or alloys. The RESS&R facility may also separate other critical minerals products, such as a cobalt concentrate.

To address the requirement of the Bipartisan Infrastructure Law (BIL) for a REE demonstration facility, the DOE FECM, in collaboration with the Office of Manufacturing and Energy Supply Chains (MESC), issued a Funding Opportunity Announcement (FOA): DE-FOA-0002618 (FOA 2618) titled BIL - Rare Earth Element Demonstration Facility. FOA 2618 sought applications from academic institutions acting as the Prime Applicant for a Phase I Front-End Engineering Design (FEED) study and a Phase II design, construction, and operation of a first-of-a-kind, domestic, demonstration facility that produces REEs and critical minerals and materials (CMM) from domestic resources that include unconventional and secondary sources, such as acid mine drainage, mine waste, or other deleterious material. Accordingly, a key objective of the REE Demonstration Facility is the extraction, separation and refining from unconventional feedstock materials to high purity individual or binary rare earth metals (REM) and/or CMM. Another of its goals is the upgrading and modernizing of infrastructure, including by strengthening critical domestic manufacturing and supply chains to maximize the benefits of the clean energy transition as the nation works to curb the climate crisis, empower workers, and advance environmental justice. Congress appropriated significant funding for the REE Demonstration Facility in the Bipartisan Infrastructure Law (BIL). In response, FOA 2618 sought applications to address priorities in the BIL regarding the establishment of a REE Demonstration Facility as per section 40205 and rare earth minerals security as per section 41003(b).

The DOE is soliciting public comments on the EA. The EA is available for review as of August 15, 2024. All comments must be received or postmarked by September 15, 2024, to be considered. Documents are available for review online at: <https://netl.doe.gov/node/6939>

Printed versions of the EA are available upon request. You are invited to direct comments by mail:

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Comments may be emailed to harry.taylor@netl.doe.gov with the subject line: ATTENTION: UND EA (EA-2247)

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment – including your personal identifying information – will be publicly available. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. All submissions from organizations or businesses and from individuals identifying themselves as representatives or officials of organizations or businesses will be available for public review to the extent consistent with applicable law.