

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



**RECIPIENT:** Linde Inc

**STATE:** TX

**PROJECT TITLE :** LaPorte Hydrogen Refueling Station of the Future

**Notice of Funding Opportunity Number**  
DE-FOA-0003213

**Procurement Instrument Number**  
DE-EE0011525

**NEPA Control Number**  
GFO-0011525-001

**CID Number**  
GO11525

**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 Linde, Incorporated (Linde) for the design, development, construction, and operation of a hydrogen refueling station for heavy-duty trucks. The project would be completed over three Budget Periods (BPs). More specifically, proposed activities during BP1 would include the following: Task 1 Project Management, Planning and Reporting, Task 2 Community Benefits Plan, Task 3 Business development, Task 4 Technical Data and Analysis, Task 5 Engineering, Task 6 Modeling, Task 7 Safety, Security and Regulatory Requirements, Task 8 Risk Analysis and Mitigation, Task 9 Procurement, and Task 10 Fabrication.

All locations have been identified. However, this NEPA Determination only applies to tasks and subtasks included in BP1. Although the location has been identified for activities in BP2 and BP3, the proposed work is currently unrefined and is reliant on information gathered in BP1, such as site and design specifications to allow for adequate NEPA review for these BPs. Therefore, at this time, there is insufficient information related to BP2 and BP3 to perform a meaningful NEPA review.

Award activities including management, market analysis, design, development, and fabrication would take place at Linde facilities in Danbury, Connecticut, The Woodlands, Texas, Catoosa, Oklahoma, and Tonawanda, New York. Additional fabrication work would occur at Linde Hydrogen Fuel Tech GmbH (Vienna, Austria). Modelling would be conducted by Argonne National Laboratory (Lemont, IL). And office and administrative work would take place at multiple locations including facilities in Houston, Texas associated with University of Houston, The Center for Future, and GTI Energy, respectively. Office and administrative activities would also occur at GTI Energy facilities in Davis, California and Des Plaines, Illinois. Project construction would take place at Linde property in La Porte, Texas.

Individuals working on this project could be exposed to physical hazards. Existing corporate health and safety policies and procedures would be followed including employee training, proper protective equipment, engineering controls, and monitoring. Additional policies and procedures would be implemented as necessary if new health and safety risks are identified.

DOE has considered the scale, duration, and nature of the proposed activities to determine potential impacts on sensitive resources, including those of an ecological, historical, cultural, and socioeconomic nature, and found no effects that would be expected to result from the proposed project activities.

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 conditional NEPA determination.

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

BP1

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

BP2 and BP3

Notes:

Hydrogen and Fuel Cell Technologies Office (HFTO)  
NEPA review completed by James Cherry, 12/2/2024.

## 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.

DOE has determined that work to be carried out outside of the United States, its territories and possessions is exempt from further review pursuant to Section 5.1.1 of the DOE Final Guidelines for Implementation of Executive Order 12114; "Environmental Effects Abroad of Major Federal Actions."

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:



Andrew Montano

NEPA Compliance Officer

Date: 12/4/2024

## 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: \_\_\_\_\_