

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



RECIPIENT: The Research Foundation for The SUNY Stony Brook University

STATE: NY

PROJECT TITLE : HyPower: Demonstration of Offshore Wind Generated Hydrogen Usage for Domestic Heating and Power

Notice of Funding Opportunity Number

Procurement Instrument Number
DE-EE0011441

NEPA Control Number
GFO-0011441-001

CID Number
GO11441

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.)

Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to administer Congressionally Directed Spending to The Research Foundation for the SUNY Stony Brook University (Stony Brook) to design, fabricate, and test a HyPower system for the generation of hydrogen using renewable energy sources and researching novel applications for use.

Proposed activities would occur at Stony Brook's Advanced Energy Research and Technology Center (AERTC) in Stony Brook, NY. The proposed project would occur over two phases. This NEPA Determination (ND) only applies to phase I. Award activities completed in phase I would further identify activities and locations for those activities that would be completed in phase II. DOE will complete the NEPA review for phase II when sufficient information is available to conduct a meaningful review.

Proposed activities in phase I would include planning, design, techno-economic analysis, and determining final sizing and location for fabrication and testing. All proposed activities in phase I would be completed in existing, purpose-built facilities that are currently used for the type and scale of activities proposed. There would be no anticipated hazards associated with phase I of the project as all activities would be related to design and planning.

Proposed activities in phase II would include fabrication and build of the HyPower system, which may include installation and construction of a wind turbine and/or solar photovoltaic array, electrolyzers, hydrogen handling system, and hydrogen storage container. Installation would occur at a location that would be identified during phase I.

DOE has considered the scale, duration, and nature of the 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.

EERE is aware of the November 12, 2024, decision in *Marin Audubon Society v. FAA*, No. 23-1067 (D.C. Cir. Nov. 12, 2024). To the extent that a court may conclude that the Council on Environmental Quality (CEQ) regulations implementing NEPA are not judicially enforceable or binding on this agency action, EERE has nonetheless elected to follow those regulations at 40 C.F.R. Parts 1500-1508, in addition to DOE's procedures/regulations implementing NEPA at 10 C.F.R. Part 1021, to meet the agency's obligations under NEPA, 42 U.S.C. §§ 4321 et seq.

NEPA PROVISION

DOE has made a conditional NEPA determination.

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

Tasks 1 and 2

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

Tasks 3-5

Notes:

Hydrogen and Fuel Cell Technologies Office (HFTO) – Congressionally Directed Spending
NEPA review completed by Brittany White, 2/14/2025

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: Melissa Parker Date: 2/24/2025
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