



National Environmental Policy Act (NEPA) Determination Categorical Exclusion

Recipient: Nucor Corporation

State: TBD

Project Title: Project Hlsarna – Phase 1

Funding Opportunity Announcement Number: DE-FOA-0002936

Award Number: DE-CD0000160

OCED NEPA Control Number: OCED-000160-001-CX

Categorical Exclusion Appendix, Number, and 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: DOE's Office of Clean Energy Demonstrations (OCED) is proposing to provide funding to Nucor Corporation (Nucor) in support of Phase 1 of Project Hlsarna, a commercial scale demonstration of a Hlsarna pig iron manufacturing plant integrated with carbon capture and storage (CCS) with the use of biochar or other non-coal fuel sources as alternative fuels.

The scope of Phase 1 would include administrative activities only. No fieldwork or construction activities would be conducted during this phase.

Specifically, Phase 1 would include the following activities:

- Design and engineering;
- Project feasibility analysis;
- Financial and commercial planning and analysis;
- Construction, operation, and organizational planning;
- Development and refinement of project plans and agreements;
- Refinement of analysis modeling;
- Community Benefits tasks;
- Stakeholder consultation;
- Preparation of NEPA documentation; and
- Development of a Permitting Plan.

Planning and design activities completed in Phase 1 would inform additional DOE NEPA review and a go/no-go decision prior to authorizing federal funding in support of subsequent project phases.

Related regulatory requirements: None

Signature of this Categorical Exclusion determination affirms that:

The proposed action (or the part of the proposal described in ‘rationale for determination’) 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.

Consistent with all applicable regulations, this proposal is not connected to other actions with potentially significant impacts, is not related to other actions with individually insignificant but cumulatively significant impacts and is not precluded by any applicable regulations concerning limitations on actions during preparation of an environmental impact statement.

Any 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.”

Conditions:

1. If the Recipient proposes to add to or modify the activities or locations described herein, those new activities/locations will be subject to additional NEPA review.

2. All required permits and approvals must be obtained before work can begin and all work must be completed in accordance with all required permits and approvals.
3. All cultural resource identification activities (e.g., archaeological, historic above ground, historic visual assessments) must be completed in accordance with applicable guidelines and standards provided by the State Historic Preservation Office (SHPO) or Tribal Historic Preservation Office (THPO) and the Secretary of the Interior's Identification Standards. Coordination with DOE is required to establish an Area of Potential Effects (APE) and scope of effort (i.e., research design) prior to geotechnical surveys and cultural resource field investigations. DOE will initiate Section 106 consultation prior to any geotechnical surveys and cultural resource field investigations in order to support coordination with SHPO/THPO, Tribes, and other Section 106 consulting parties.

Signature of this memorandum constitutes a record of this decision.

OCED NEPA Compliance Officer Signature:

Date: