

PMC-EF2a

(2.04.02)

U.S. DEPARTMENT OF ENERGY
EERE PROJECT MANAGEMENT CENTER
NEPA DETERMINATION



RECIPIENT: California Energy Commission

STATE: CA

PROJECT TITLE : SEP-ARRA: California's Stion MOCVD Capital Project

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0000052	DE-EE0000905	GFO-10-599-001	EE221

Based on my review of the information concerning the proposed action, as NEPA Compliance Officer (authorized under DOE Order 451.1A), I have made the following determination:

CX, EA, EIS APPENDIX AND NUMBER:

Description:

B5.1 Actions to conserve energy, demonstrate potential energy conservation, and promote energy-efficiency that do not increase the indoor concentrations of potentially harmful substances. These actions may involve financial and technical assistance to individuals (such as builders, owners, consultants, designers), organizations (such as utilities), and state and local governments. Covered actions include, but are not limited to: programmed lowering of thermostat settings, placement of timers on hot water heaters, installation of solar hot water systems, installation of efficient lighting, improvements in generator efficiency and appliance efficiency ratings, development of energy-efficient manufacturing or industrial practices, and small-scale conservation and renewable energy research and development and pilot projects. The actions could involve building renovations or new structures in commercial, residential, agricultural, or industrial sectors. These actions do not include rulemakings, standard-settings, or proposed DOE legislation.

Rational for determination:

The State of California will provide \$5,000,000 in Recovery Act funds to the Stion Corporation for the purchase of equipment to expand their solar module manufacturing capabilities. Stion is located at 6321 / 6325 San Ignacio Avenue, San Jose, CA 95119. The work will be performed at the 6321/6325 location and at an adjacent building located at 6331 San Ignacio Avenue.

The Stion Corporation manufactures the world's highest-efficiency, low-cost thin-film solar panels. Recovery Act funds will be used to purchase twenty eight (28) Metalorganic Chemical Vapor Deposition Tools (MOCVD) and ancillary components. The MOCVD system is a key component in Stion's manufacturing process and the basis of the company's expansion plans. Recovery Act funds will be used to design, build, assemble, and install the MOCVD tools. The 28 MOCVD tools will enable the production of an additional 5MW of solar panel capacity.

The added equipment will not expand the footprint of the existing manufacturing site. Rather, Stion's plan is to occupy space in an adjacent building located at 6331 San Ignacio Avenue and to resurface and regrade their existing service yard to ensure a level area with proper drainage. The service yard is approximately 30,000 sq. feet (173.2 ft X 173.2 ft.) and has an asphalt surface. Stion has already reviewed its expansion plans with the City of San Jose Planning Department. The location is zoned for light industrial use. Stion's expansion and intended use of the building and service yard is consistent with local zoning ordinances.

Stion's basic operations will not change. The work is an expansion of existing operations. The expansion; however, will require the company to obtain new permits and to modify other permits as follows:

- o City of San Jose, CA: Conditional Use; Special Use; Industrial Tool Installation; Hazardous Materials Storage and Business Plan; Emergency Generator. (new)
- o San Jose Water Pollution Control Plant: Industrial Wastewater Discharge. (modify)
- o County of Santa Clara: Hazardous Waste Generation; Tiered Permit (Fixed Treatment Unit); California Accidental Release Prevention Program Notification. (modify)
- o Federal EPA: Hazardous Waste Generator Number; Spill Containment and Countermeasure (SPCC). (modify)
- o Bay Area Air Quality Management District: Air Emissions – Stationary Point Source; Emergency Generator. (modify)

In view of the information provided by the State and recipient and subject to receipt of the necessary operation permits, DOE has determined that the work proposed is a retooling effort; one that is consistent and compatible with the company's current operations. The work will not increase the footprint of any building that Stion occupies or intends to occupy. DOE has determined that the proposed activities will present no significant impact to human health and/or environment and is consistent with activities identified in Categorical Exclusion B5.1.

NEPA PROVISION

DOE has made a final NEPA determination for this award

Insert the following language in the award:

Insert the following language in the award:

You are required to:

provide the DOE project officer with copies of the required local, state, and federal licenses and permits before commencing operation of the facility.

Note to Specialist :

According to the project officer, funding for this project is \$5,000,000. Absent a significant change in the scope of this effort, a change in funding will not affect my determination.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: _____
NEPA Compliance Officer

Date: 8/27/10

FIELD OFFICE MANAGER DETERMINATION

Field Office Manager review required

NCO REQUESTS THE FIELD OFFICE MANAGER REVIEW FOR THE FOLLOWING REASON:

- Proposed action fits within a categorical exclusion but involves a high profile or controversial issue that warrants Field Office Manager's attention.
- Proposed action falls within an EA or EIS category and therefore requires Field Office Manager's review and determination.

BASED ON MY REVIEW I CONCUR WITH THE DETERMINATION OF THE NCO :

Field Office Manager's Signature: _____
Field Office Manager

Date: _____