

PMC-EF2a

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



2.04.02)

RECIPIENT: Oak Ridge City Center LLC

STATE: TN

PROJECT TITLE : ORCC Technology Demonstration Project

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-EE0000116	DE-EE0002822	GFO-10-292-001	GOO

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:

A9 Information gathering (including, but not limited to, literature surveys, inventories, audits), data analysis (including computer modeling), document preparation (such as conceptual design or feasibility studies, analytical energy supply and demand studies), and dissemination (including, but not limited to, document mailings, publication, and distribution; and classroom training and informational programs), but not including site characterization or environmental monitoring.

Rational for determination:

Oak Ridge City Center LLC (ORCC) is proposing to install a hybrid Ground Source Heat Pump (GSHP) system to service the Oak Ridge City Center. This project entails demolishing (using sustainable techniques) large sections of the existing enclosed mall, and designing, engineering and constructing/installing the following: new facades; a GSHP community loop integrating the dispersed geothermal borehole field with one or more dry fluid coolers ultimately to provide heating and cooling; Water Source Heat Pumps; renovation of the two story office/retail section of the property; replacement Water Source Heat Pumps for a building and a 2-story office to replace conventional HVAC systems; newly constructed buildings with new Water Source Heat Pumps and to replace building exterior lighting and parking lot lighting fixtures; and determine specs for data to be collected, and to design and implement a data collection, analysis and reporting system, and prepare reports and marketing materials for reporting hard data on system costs, design techniques, performance and benefits across this multi-building portfolio. This project has a previous NEPA approval (GFO-10-292) from March 23, 2010. Subsequent to that NEPA determination there was a change in the Statement of Project Objectives (SOPO), therefore another NEPA review was needed.

Project work is divided into two phases with multiple tasks and sub-tasks (refer to the present SOPO for details of individual tasks and sub-tasks).

Phase 1

- 1.0 Feasibility Study and Engineering Design
- 2.0 Determine Appropriate Vehicle for System Financing/System Ownership
- 3.0 Rerun Financial Models to confirm economic feasibility

Phase 2

- 4.0 Finalize Project Financing
- 5.0 Obtain Regulatory and Environmental Permitting
- 6.0 Design/Demolition/Construction/Redevelopment
- 6.1 Design and Preparation for Retrofitting
- 6.2 Procurement and Installation of Hybrid GSHP System
- 6.3 Demolition, Re-Construction and Retrofitting
- 7.0 Cost Data Collection, Cost and Job Creation Reporting
- 8.0 Project Operation, Data Collection and Marketing

****Note:** Prior to this NEPA determination, a Limited Release of Funds was authorized via STRIPES req 10EE003248 to authorize DOE funds in the amount of \$150,000 for expenditure by ORCC. The following tasks were covered in the blanket CX for the Limited release of Funds modification:

- 1.0 Feasibility Study and Engineering Design (inclusive of all sub-tasks)

Since the design work and GSHP details have yet to be completed, Phase 2 (Task 6.2 through 8.0 – including all sub-tasks) cannot be analyzed at this time. A NEPA determination for these tasks in Phase 2 of the project would be too early to determine but would need to be made prior to ORCC beginning activities associated with those tasks.

Condition of Approval: Allowable – Phase 1 (all tasks and sub-tasks) and Phase 2 (Task 4.0 through Task 6.1);
Prohibited – Phase 2 (Task 6.2 through 8.0 – including all sub-tasks) and Phase 3 (all tasks).

Based upon the information provided, Phase 1 (all tasks and sub-tasks) and Phase 2 (Tasks 4.0 through Task 6.1) are categorically excluded under CX A9 "Information gathering/data analysis/document preparation/dissemination."

NEPA PROVISION

DOE has made a conditional NEPA determination for this award, and funding for certain tasks under this award is contingent upon the final NEPA determination.

Insert the following language in the award:

You are restricted from taking any action using federal funds, which would have an adverse affect on the environment or limit the choice of reasonable alternatives prior to DOE/NNSA providing either a NEPA clearance or a final NEPA decision regarding the project.

Prohibited actions include:

- Phase 2 - subtask 6.2 and subtask 6.3
- Phase 2 - Task 7.0 (including all subtasks)
- Phase 2 - Task 8.0 (including all subtasks)

This restriction does not preclude you from:

- Phase 1 (all tasks and sub-tasks)
- Phase 2 (Task 4.0, 5.0, and subtask 6.1)

If you move forward with activities that are not authorized for federal funding by the DOE Contracting Officer in advance of the final NEPA decision, you are doing so at risk of not receiving federal funding and such costs may not be recognized as allowable cost share.

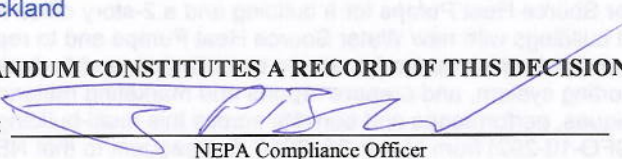
Note to Specialist :

This project involves tasks which are unallowable prior to further environmental analysis. GFO NEPA requests that this project be placed on ASAP Approval.

EF2a prepared by Casey Strickland

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature:



NEPA Compliance Officer

Date:

9/16/10

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:
