



U.S. Department of Energy Categorical Exclusion Determination Form

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Proposed Action Title: Notice of Proposed Rulemaking for Amended Energy Conservation Standards for Small, Large, and Very Large Air-Cooled Commercial Package Air Conditioning and Heating Equipment (RIN: 1904-AC95)

Program or Field Office: EERE- Buildings Technology Program

Location(s) (City/County/State): Nationwide

Proposed Action Description:

In this NOPR, DOE proposes amended energy conservation standards for small, large, and very large air-cooled commercial package air conditioning and heating equipment (also referred to in this notice as small, large, and very large air-cooled commercial unitary air conditioners and commercial unitary heat pumps). The proposed standards, which prescribe the minimum allowable integrated energy efficiency ratio (IEER) and, for air-cooled commercial unitary heat pumps, coefficient of performance (COP), are shown in Table I.1 of the NOPR. These proposed standards, if adopted, would apply to all equipment listed in Table I.1 and manufactured in, or imported into, the United States on or after the date three years after the publication of the final rule.

Categorical Exclusion(s) Applied:

B5.1 - Actions to conserve energy or water

For the complete DOE National Environmental Policy Act regulations regarding categorical exclusions, including the full text of each categorical exclusion, see Subpart D of 10 CFR Part 1021.

Regulatory Requirements in 10 CFR 1021.410(b): (See full text in regulation)

The proposal 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 proposal that may affect the significance of the environmental effects of the proposal.

The proposal 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.

Based on my review of the proposed action, as NEPA Compliance Officer (as authorized under DOE Order 451.1B), I have determined that the proposed action fits within the specified class(es) of action, the other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

NEPA Compliance Officer: **Lisa Jorgensen**

Digitally signed by Lisa Jorgensen
DN: cn=Lisa Jorgensen, o=Environmental Oversight Office,
ou=EERE, email=Lisa.Jorgensen@eo.doe.gov, c=US
Date: 2013.09.13 10:15:18 -0600

Date Determined: 09/13/2013