

## Record of Categorical Exclusion for

Project AMP: Distributed Photovoltaic Solar Generation

██████████ Project Company, LLC.

### Description of Proposed Action:

The Department of Energy's (DOE's) proposed action is to issue a loan guarantee to the ██████████ Project Company, LLC (██████████) as borrower for construction of a multi-phase megawatt distributed photovoltaic (PV) solar generation project ██████████

██████████, is the lender-applicant for the project. ██████████, which will construct the project, was formed by ██████████ Solar Development Company, LLC, owned by an ██████████ and other equity participants. This project will select ██████████ to site PV solar panels from a pool of approximately ██████████ potential ██████████

The construction of the project will extend over an approximately ██████████ ██████████ and would be undertaken in a number of separate self-contained Phases. The first of these Phases would involve the generation of approximately ██████████ MW on ██████████

This and subsequent Phases would involve fixed-tilt PV arrays mounted on module racks and rails to convert solar radiation into DC power. These passive non-concentrating solar PV systems contain no moving parts. Inverters would convert the DC power to AC power, which would be fed to a designated point of interconnection to the transmission grid. Installation would include ██████████ preparation; installation of racking system; PV modules; inverters; and balance of system equipment such as cabling, combiner boxes, etc. No hazardous wastes or emissions would result from each project Phase or the project as a whole.

The anticipated maximum direct jobs would be 1,028 during construction of the full project, and 42 direct jobs during project operation. These totals are exclusive of direct and indirect panel and system hardware manufacturing jobs.

The proposed loan guarantee would be made pursuant to Title XVII of the Energy Policy Act of 2005 which authorized DOE to make loan guarantees for projects that "avoid, reduce, or sequester air pollutants or anthropogenic emissions of greenhouse gases; and employ new or significantly improved technologies as compared to commercial technologies in service in the United States at the time the guarantee is issued." The two principal goals of the Title XVII loan guarantee program are to encourage commercial use in the United States of new or significantly improved energy-related technologies and to achieve substantial environmental benefits.

### **Number and Title of Categorical Exclusion:**

The actions that would be taken pursuant to the loan guarantee for Project AMP for distributed PV solar generation are consistent with and are covered by categorical exclusions B5.1. The full texts of the categorical exclusion is as follows:

B5.1, as provided in 10 CFR § 1021, Appendix B to Subpart D, 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.

### **Regulatory Requirements defined in 10 CFR § 1021.410 (b):**

The proposed loan guarantee and related actions described above were subjected to an environmental due diligence review by DOE Loan Programs Office (LPO) staff to ensure they are consistent with the specific category of actions (categorical exclusion) contained in Appendix B of 10 CFR Part 1021 and the conditions for applying categorical exclusions specified in Section 410 of Part 1021. To ensure that the requirements of Appendix B were met, the original [REDACTED] loan guarantee application submitted in November 2010 was reviewed, as well as supplemental documentation received on 1-14-2011 and 5-24-2011. In addition, numerous conference calls were conducted with [REDACTED] staff, their [REDACTED] agents, and their environmental contractors to fully understand the scope of the activities being proposed. An extensive review of detailed site information received on 5-24-2011 was conducted by LPO staff. In that information the applicant provided three volumes of photographic documentation (e.g., satellite photographs) to record each of the approximately [REDACTED] sites for this project. The [REDACTED]

[REDACTED] were catalogued for all of the potential project sites. Spreadsheets of the catalogued data were provided for LPO environmental staff review. The results of the environmental due diligence review produced the following findings:

- The proposed loan guarantee project does not threaten a violation of applicable statutory, regulatory or permit requirements for environmental, safety and health, including DOE and /or Executive Orders;
- The proposed loan guarantee project does not require siting, construction, or major expansion of waste storage, disposal, recovery, or treatment facilities;
- The proposed action is not a connected action as set forth in 40 CFR § 1508.25(a)(2)); and
- The proposed action is not part of a DOE proposal for which an EIS is being prepared and therefore a Categorical Exclusion is not precluded by 40 CFR § 1506.1 or 10 CFR § 1021.211.

The environmental due diligence review also determined that the proposed project associated with the loan guarantee does not adversely affect any environmentally sensitive resources, including the following:

- Property of historic, archaeological, or architectural significance designated by Federal, state, or local governments or property eligible for listing on the National Register of Historic Places;
- Federally-listed threatened or endangered species or their habitat (including critical habitat), Federally-proposed or candidate species or their habitat, or state-listed endangered species or their habitat;
- Wetlands regulated under the Clean Water Act (33 U.S.C. 1344) and floodplains; or
- Special sources of water (such as sole source aquifers, wellhead protection areas, and other water sources) that are vital in a region.

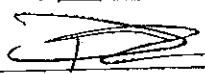
The Comment section below is provided for any necessary clarifications concerning the findings listed above. Signature by [redacted]'s designated representative in the Corporate Validation section is an indication of [redacted]'s concurrence with the findings and determinations presented above.

**Comment:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Corporate Validation:**

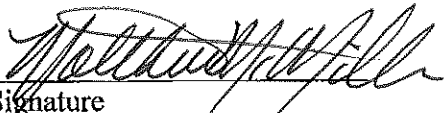
Name and Title (Print): [redacted]

Date: 05/31/2011

Signature: 

**Determination:**

Based on my review of information conveyed to me and in my possession concerning the proposed action, as NEPA Compliance Officer (as prescribed by DOE Order 451.1B), I have determined that the proposed loan guarantee and associated actions involve no extraordinary circumstances (10 CFR 1021.410(b)) and fit within the specified category of actions in Appendix B of 10 CFR 1021 described above, and are hereby categorically excluded from further review under the National Environmental Policy Act (42 USC 4321, as amended).

  
Signature  
Matthew C. McMillen  
NEPA Compliance Officer  
Loan Programs Office

6-1-11  
Date