

PMC-ND  
(1.08.09.13)

**U.S. DEPARTMENT OF ENERGY  
OFFICE OF ENERGY EFFICIENCY AND RENEWABLE ENERGY  
NEPA DETERMINATION**



**RECIPIENT:**Rialto Bioenergy Facility, LLC

**STATE:** CA

**PROJECT TITLE :** Rialto Advanced Pyrolysis Integrated Biorefinery

<b>Funding Opportunity Announcement Number</b>	<b>Procurement Instrument Number</b>	<b>NEPA Control Number</b>	<b>CID Number</b>
DE-FOA-0001232	DE-EE0007968	GFO-0007968-001	GO7968

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, 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.)
- B3.6 Small-scale research and development, laboratory operations, and pilot projects** Siting, construction, modification, operation, and decommissioning of facilities for smallscale research and development projects; conventional laboratory operations (such as preparation of chemical standards and sample analysis); and small-scale pilot projects (generally less than 2 years) frequently conducted to verify a concept before demonstration actions, provided that construction or modification would be within or contiguous to a previously disturbed or developed area (where active utilities and currently used roads are readily accessible). Not included in this category are demonstration actions, meaning actions that are undertaken at a scale to show whether a technology would be viable on a larger scale and suitable for commercial deployment.

**Rationale for determination:**

The U.S. Department of Energy (DOE) is proposing to provide federal funding to Rialto Bioenergy Facility, LLC to validate unit processes and develop a project plan for the currently mothballed Rialto Bioenergy Facility, which would be redesigned to convert municipal solid waste into biogas. This NEPA determination is for Phase 1 Budget Period (BP) 1. Additional NEPA review will be required before proceeding with Phase 1 BP2 activities. If the recipient is selected to move forward into Phase 2, further NEPA review will be necessary once Phase 2 tasks are defined.

Phase 1 BP1 of the proposed project would be limited to data analysis and laboratory scale research/development (R&D). Office activities including reporting, design work, and grant management would take place at Anaergia Services, LLC in Carlsbad, CA and The Grant Farm in Sacramento, CA. Site visits to the Rialto Bioenergy Facility in Rialto, CA as well as other existing operational facilities would occur for the purpose of observing unit processes, but no physical work or new construction would take place at any site during Phase 1 BP1.

Indoor R&D activities associated with Phase 1 BP1 would include a demonstration of biogas yield in two 30L laboratory digesters at Anaergia’s corporate facility in Burlington, ON Canada. The test would use small quantities of bio-oil produced from approximately 25kg of dried biosolids using a bench scale pyrolyzer. The test would also use approximately 130kg of food waste collected in California at a San Bernardino waste facility, which is currently operating an existing test press to extract food waste from municipal solid waste. The recipient would ship the waste in coolers with dry ice to Ontario via FedEx following established protocols. The facility in which lab work would occur is purpose-built for the type of activities being proposed and would not require new permits for the proposed activities. No change in the use, mission or operation of existing facilities would arise out of this effort.

The proposed activities would involve the use of various hazardous chemicals including acids and bases. These substances would be handled by trained personnel following Anaergia Lab Health and Safety Procedures in accordance with all pertinent federal, state and local requirements. The lab digestion trials would produce 750L of digested sludge, which would be properly diluted and disposed of in the municipal wastewater system for further treatment.

Based on the review of the proposal, DOE has determined the tasks in Budget Period 1 fit within the class of action(s) and the integral elements of Appendix B to Subpart D of 10 CFR 1021 outlined in the DOE categorical exclusion(s)

selected above. DOE has also determined that: (1) there are no extraordinary circumstances (as defined by 10 CFR 1021.410(2)) related to the proposal that may affect the significance of the environmental effects of the proposal; (2) the proposal has not been segmented to meet the definition of a categorical exclusion; and (3) the proposal is not connected to other actions with potentially significant impacts, related to other proposals with cumulatively significant actions, or an improper interim action. Budget Period 1 tasks are categorically excluded from further NEPA review.

**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 1 Budget Period 2  
Phase 2

This restriction does not preclude you from:  
Phase 1 Budget Period 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 :

Bioenergy Technologies Office  
This NEPA determination requires a tailored NEPA Provision.  
NEPA review completed by Whitney Doss, 04/06/17

**SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.**

NEPA Compliance Officer Signature: \_\_\_\_\_



Casey Strickland

Date: \_\_\_\_\_

4/7/2017

NEPA Compliance Officer

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