

PMC-ND  
(1.08.09.13)

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

**RECIPIENT:** Federal Energy Management Program (FEMP)**STATE:** Mult

**PROJECT TITLE:** Federal Energy Management Program (FEMP) Energy Savings Performance Contracts (ESPC) Acquisition (2019)

<b>Funding Opportunity Announcement Number</b>	<b>Procurement Instrument Number</b>	<b>NEPA Control Number</b>	<b>CID Number</b>
N/A	DE-SOL-00007	GFO-FEMP2019-001	

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

**CX, EA, EIS APPENDIX AND NUMBER:**

Description:

**A11 Technical advice and assistance to organizations** Technical advice and planning assistance to international, national, state, and local organizations.

Rationale for determination:

**A8 AWARDS OF CERTAIN CONTRACTS** - Awards of contracts for technical support services, management and operation of a government-owned facility, and personal services.

The U.S. Department of Energy's (DOE) Federal Energy Management Program (FEMP) facilitates the federal Government's implementation of sound, cost-effective energy management and investment practices to enhance the nation's energy security and environmental stewardship. DOE FEMP succeeds in its mission by implementing a number of activities, including direct federal agency assistance to effectively participate in alternatively financed contracting mechanisms, such as Energy Savings Performance Contracts (ESPC). An ESPC allows for an Energy Services Company (ESCO) to arrange for financing to develop and install energy, water conservation, and renewable energy projects at Federal owned facilities. As part of these projects, the ESCO conducts a comprehensive energy audit and identifies improvements that will save energy and/or reduce utility bills at the facility.

DOE FEMP is proposing to provide for ESPC conservation and renewable energy services for Federal facilities through multiple Indefinite Delivery/Indefinite Quantity (IDIQ) contracts. DOE FEMP currently administers three generations of IDIQ contracts for ESPC services. These contracts are intended to promote the use of renewable energy technologies, acquire energy and water conservation services, reduce energy and water consumption and/or associated utility costs, and may reduce energy and water-related operations and maintenance costs, as specified in each Task Order issued by ordering agencies under the IDIQ contracts.

**NEPA PROVISION**

DOE has made a final NEPA determination.

**FOR CATEGORICAL EXCLUSION DETERMINATIONS**

The proposed action (or the part of the proposal defined in the Rationale above) 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 proposed action that may affect the significance of the environmental effects of the proposal.

The proposed action 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.

The proposed action is categorically excluded from further NEPA review.

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

NEPA Compliance Officer Signature:  \_\_\_\_\_ Date: 5/1/2019  
NEPA Compliance Officer

**FIELD OFFICE MANAGER DETERMINATION**

- Field Office Manager review not required
- Field Office Manager review required

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

Field Office Manager's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Field Office Manager