

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

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0001232	DE-EE0007968	GFO-0007968-003	GO7968

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:

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 (Rialto) 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.

Two previous NEPA determinations (GFO-0007968-001; CX A9, B3.6; 04/06/17; GFO-007968-002; CX A9, B1.3, B3.1: 11/22/2017) reviewed Budget Period (BP) 1 and BP2. Recipient has proposed modifications to the SOPO to add additional subtasks under BP2. This NEPA determination reviews all additional subtasks associated with BP2.

Previously reviewed activities associated with BP1 and BP2 of the proposed project would include: project planning and reporting; process and financial modeling; emission calculations; engineering drawings and preliminary design of the proposed facility and unit operations; business development (permitting, utility agreements, contract negotiations, and market analysis); indoor R&D activities including demonstration of biogas yields at both the Rialto facility and at Anaergia's facility in Burlington, ON Canada; the inspection, repair, and/or removal of previously installed, nonoperational equipment; and site characterization to include water infiltration testing and geotechnical boring.

Rialto proposes to add three additional subtasks: Task 2.1 Subtask 3, Task 2.1 Subtask 4, and Task 3.2 Subtask 5.

Under Task 2.1 Rialto proposes to add Subtask 3 – Confirmation of Pyrolysis Design Basis, and Subtask 4 – Update Pyrolysis Design. These tasks would include work similar to work completed in BP1. In these two subtasks Rialto would collect approximately 2000 kg of biosolids from waste water treatment facilities and would conduct pilot scale pyrolysis tests of the materials at the American Renewable Energy test facility in Rosamond, California as well as laboratory scale tests at Anaergia's facility in Burlington, ON Canada. Processes would produce approximately 250 kg of pyrolysis gas, 250 kg of sludge, and 500 kg of biochar. Pyrolysis gas would be generated, tested and disposed using the pilot test unit burner. Wastes produced (the 250 kg of sludge) would be disposed of in accordance with

Federal, state and local regulations. The biochar would be tested as described in Subtask 5, below.

The proposed activities under Task 2.1 would involve the use of various hazardous chemicals including acids and bases. These substances would be handled by trained personnel following appropriate Health and Safety Procedures including personal protective equipment in accordance with all pertinent Federal, state and local requirements. The facilities in which lab work would occur are 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 and no new construction would be required. At the Rosamond facility modifications needed to accommodate testing would include programming changes and minor modifications to the gear box and valves to accommodate changes in speed.

Under Task 3.2 Rialto proposes to add Subtask 5 – Biochar Market Validation. Under Subtask 5 Rialto would transport the biochar to FEECO International in Green Bay, WI for granular testing. All testing would be small scale and would occur in FEECO's preexisting purpose built facility. All substances would be handled by trained personnel following appropriate Health and Safety Procedures including personal protective equipment in accordance with all pertinent Federal, state and local requirements.

NEPA PROVISION

DOE has made a final NEPA determination.

Notes:

Bio Energy Technology Office

This NEPA determination does NOT require a tailored NEPA provision

Roak Parker 1/16/2020

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.

DOE has determined that work to be carried out outside of the United States, its territories and possessions is exempt from further review pursuant to Section 5.1.1 of the DOE Final Guidelines for Implementation of Executive Order 12114; "Environmental Effects Abroad of Major Federal Actions."

The proposed action is categorically excluded from further NEPA review.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: _____



Signed By: Casey Strickland

NEPA Compliance Officer

Date: 1/16/2020

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: _____

Field Office Manager

Date: _____