

PMC-ND

(1.08.09.13)

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



RECIPIENT: Nikola Corporation

STATE: AZ

PROJECT TITLE: Advanced Membrane and MEA for HD Fuel cell trucks

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0002229	DE-EE0009243	GFO-0009243-001	

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:

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.

B3.15 Small-scale indoor research and development projects using nanoscale materials Siting, construction, modification, operation, and decommissioning of facilities for indoor small-scale research and development projects and small-scale pilot projects using nanoscale materials in accordance with applicable requirements (such as engineering, worker safety, procedural, and administrative regulations) necessary to ensure the containment of any hazardous materials. Construction and modification activities would be within or contiguous to a previously disturbed or developed area (where active utilities and currently used roads are readily accessible).

Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to provide funding to Nikola Corporation to develop a novel proton exchange membrane (PEM). Nikola Corporation would perform iterative experiments, adjusting relevant variables (e.g. chemical composition), in order to identify optimal performance parameters. The project would be completed over three budget periods (BPs), with a Go/No-Go Decision Point in between each BP.

Proposed project activities would consist of material synthesis (e.g. monomers, polymers), structural and chemical characterization, membrane electrode assembly fabrication, durability testing, and process optimization. All project activities would be coordinated by Nikola Corporation. Nikola Corporation and its project partners Chemours Discovery (Newark, DE) and Arizona State University (Mesa, AZ) would perform material characterization, performance testing, and device fabrication at existing, purpose-built laboratory facilities that perform experimental chemistry as part of their regular course of business. No physical modifications to existing facilities, ground breaking activities, or changes to the use, mission, or operation of existing facilities would be required for this project. No additional permits or authorizations would be required.

Project work would involve the use and handling of industrial chemicals and compressed gases. Nanoscale materials present in metal catalysts, would also be used throughout the project. All project work would occur in controlled, laboratory environments. In order to mitigate potential risks, established corporate health and safety policies and procedures would be adhered to. This would include adherence to established procedures for the safe handling of nanoscale materials. All project personnel would receive relevant training. Potentially hazardous materials would be stored, handled, and disposed of appropriately. Nikola Corporation and its project partners would observe all applicable Federal, state, and local health, safety, and environmental regulations.

NEPA PROVISION

DOE has made a final NEPA determination.

Notes:

[Fuel Cell Technologies Office](#)

[This NEPA Determination does not require a tailored NEPA Provision.](#)

[NEPA review completed by Jonathan Hartman, 12/17/2020](#)

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.

The proposed action is categorically excluded from further NEPA review.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature:

 Electronically Signed By: **Casey Strickland**
NEPA Compliance Officer

Date: 12/17/2020

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: _____