

PMC-ND

(1.08.09.13)

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

**RECIPIENT:** General Atomics**STATE:** CA

PROJECT TITLE: GENERAL ATOMICS RARE EARTH ELEMENT (REE) SEPARATION AND PROCESSING DEMONSTRATION PROJECT
GENERAL ATOMICS RARE EARTH ELEMENT (REE) SEPARATION AND PROCESSING DEMONSTRATION PROJECT

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0002322	DE-EE0009428	GFO-0009428-001	GO9428

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.)

Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to provide federal funding to General Atomics for the design, construction and operation of a rare earth element separation and processing plant to demonstrate higher efficiency and lower cost production of separated rare earth elements. Design activities would occur at General Atomics (GA), Rare Element Resources (RER), Umwelt- und Ingenieurtechnik GmbH Dresden (UIT), and LNV, a subsidiary of Ardurra Group, Inc. business locations. Construction/refurbishment and operation of the plant would be conducted at an existing facility located in an industrial park in Upton, WY. Minor road improvement work would be conducted on a U.S. Forest Service Road near previously extracted ore being stored on private land to allow on-road truck access to the material. Since the ore contains naturally occurring radioactive material (NORM), a source materials possession license would be obtained from the U.S. Nuclear Regulatory Commission.

Project activities are divided into three budget periods (BP) with a Go/No Go Decision Point between the BPs. This NEPA review is limited to BP1 project activities such as facility/process engineering and design (preliminary and detailed); development of a hardware procurement plan, work statements, supplier and vendor identifications, and quote solicitations; licensing and permitting; process modeling and techno-economic analysis; and management and coordination. These tasks are limited to intellectual, academic, analytical, or dissemination activities that will help to define the remaining project tasks. There is insufficient information available at this time to complete a thorough review of all project tasks. Additional NEPA review will be required once the remaining project activities are further defined.

NEPA PROVISION

DOE has made a conditional NEPA determination.

The NEPA Determination applies to the following Topic Areas, Budget Periods, and/or tasks:

Budget Period 1

The NEPA Determination does not apply to the following Topic Area, Budget Periods, and/or tasks:

Budget Period 2

Budget Period 3

Notes:

Advanced Manufacturing Office

This NEPA determination requires a tailored NEPA provision.

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."

A portion of the proposed action is categorically excluded from further NEPA review. The NEPA Provision identifies Topic Areas, Budget Periods, tasks, and/or subtasks that are subject to additional NEPA review.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: _____



Casey Strickland

NEPA Compliance Officer

Date: 7/30/2021**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: _____