

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



**RECIPIENT:** Vermont Public Power Supply Authority

**STATE:** VT

**PROJECT TITLE:** Vermont Public Power Supply Authority Business Energy Repayment Assistance Program (BERAP)

<b>Funding Opportunity Announcement Number</b>	<b>Procurement Instrument Number</b>	<b>NEPA Control Number</b>	<b>CID Number</b>
	DE-EE0010173	GFO-0010173-001	GO10173

**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:

- |  |  |
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| <b>A9 Information gathering, analysis, and dissemination</b>       | 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.)   |
| <b>A11 Technical advice and assistance to organizations</b>        | Technical advice and planning assistance to international, national, state, and local organizations.   |
| <b>B1.31 Installation or relocation of machinery and equipment</b> | Installation or relocation and operation of machinery and equipment (including, but not limited to, laboratory equipment, electronic hardware, manufacturing machinery, maintenance equipment, and health and safety equipment), provided that uses of the installed or relocated items are consistent with the general missions of the receiving structure. Covered actions include modifications to an existing building, within or contiguous to a previously disturbed or developed area, that are necessary for equipment installation and relocation. Such modifications would not appreciably increase the footprint or height of the existing building or have the potential to cause significant changes to the type and magnitude of environmental impacts.  |
| <b>B2.2 Building and equipment instrumentation</b>                 | Installation of, or improvements to, building and equipment instrumentation (including, but not limited to, remote control panels, remote monitoring capability, alarm and surveillance systems, control systems to provide automatic shutdown, fire detection and protection systems, water consumption monitors and flow control systems, announcement and emergency warning systems, criticality and radiation monitors and alarms, and safeguards and security equipment).   |
| <b>B5.1 Actions to conserve energy or water</b>                    | (a) Actions to conserve energy or water, demonstrate potential energy or water conservation, and promote energy efficiency that would not have the potential to cause significant changes in the indoor or outdoor concentrations of potentially harmful substances. These actions may involve financial and technical assistance to individuals (such as builders, owners, consultants, manufacturers, and designers), organizations (such as utilities), and governments (such as state, local, and tribal). Covered actions include, but are not limited to weatherization (such as insulation and replacing windows and doors); programmed lowering of thermostat settings; placement of timers on hot water heaters; installation or replacement of energy efficient lighting, low-flow plumbing fixtures (such as faucets, toilets, and showerheads), heating, ventilation, and air conditioning systems, and appliances; installation of drip-irrigation systems; improvements in generator efficiency and appliance efficiency ratings; efficiency improvements for vehicles and transportation (such as fleet changeout); power storage (such as flywheels and batteries, generally less than 10 megawatt equivalent); transportation management systems (such as traffic signal control systems, car navigation, speed cameras, and automatic plate number recognition); development of energy-efficient manufacturing, industrial, or building practices; and small-scale energy efficiency and conservation research and development and small-scale pilot projects. Covered actions include building renovations or new structures, provided that they occur in a previously disturbed or developed area. Covered actions could involve commercial, residential, agricultural, academic, institutional, or industrial sectors. Covered actions do not include rulemakings, standard-settings, or proposed DOE legislation, except for those actions listed in B5.1(b) of this appendix. (b) Covered actions include rulemakings that establish energy conservation standards for consumer products and industrial equipment, provided that the actions would not: (1) have the potential to cause a significant change in manufacturing infrastructure (such as construction of new manufacturing plants with considerable associated ground disturbance); (2) involve significant unresolved conflicts concerning alternative uses of available resources (such as rare or limited raw materials); (3) have the potential to result in a significant increase in the disposal of materials posing significant risks to human health and the environment (such as |

RCRA hazardous wastes); or (4) have the potential to cause a significant increase in energy consumption in a state or region.

**B4.12  
Construction of  
powerlines**

Construction of electric powerlines approximately 10 miles in length or less, or approximately 20 miles in length or less within previously disturbed or developed powerline or pipeline rights-of-way.

Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to administer Congressionally Directed Spending to the Vermont Public Power Supply Authority (VPPSA) for the development of a Business Energy Repayment Assistance Program (BERAP), a low-to-no interest on-bill financing mechanism that would enable Vermont businesses to pursue and fund energy transformation projects to reduce carbon emissions.

This award would involve designing and planning the BERAP, development of partnerships, identifying program criteria and metrics, creating a screening template, and developing outreach and engagement strategies. Once developed, VPPSA and participating host utility companies would engage potential clients wishing to pursue energy transformation projects. Projects and clients would be screened by previously developed program criteria. Policy and procedures for the BERAP would be developed, along with loan structures, and billing/payment agreements with partnered financial institutions.

A variety of participants and projects may be funded through the BERAP with the objective to reduce carbon emissions. All projects would be within the State of Vermont. In order to expedite NEPA review, project activities listed within the conditions of this NEPA determination (ND) are categorically excluded from further NEPA review, absent extraordinary circumstances, cumulative impacts, or connected actions that may lead to significant impacts on the environment, or any inconsistency with "integral elements" (as contained in 10 C.F.R. Part 1021, Appendix B) that relate to a funded project. DOE does not anticipate any impacts to resources of concern due to the development and implementation of the BERAP, provided the conditions of this NEPA determination are met.

In the event activities in a project proposed to participate in BERAP are not listed within the conditions of this ND, the client would work with their host utility and VPPSA to request an individual NEPA review for their proposed project. For activities requiring individual NEPA review, an environmental questionnaire (found at <https://www.eere-pmc.energy.gov/NEPA.aspx>) must be submitted for review by the DOE.

**NEPA PROVISION**

DOE has made a conditional NEPA determination.

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

This NEPA Determination only applies to activities funded by this Congressionally Directed Spending award (DE-EE0010173) to the Vermont Public Power Supply Authority (VPPSA).

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

This NEPA Determination does not apply to any activities not funded by this Congressionally Directed Spending award (DE-EE0010173) to the Vermont Public Power Supply Authority (VPPSA).

Include the following condition in the financial assistance agreement:

1. If historic properties or resources are discovered, or there are unanticipated effects on historic properties located within a project's footprint after the undertaking has been initiated, the Recipient shall immediately cease all operations and contact their Project Officer and [GONEPA@ee.doe.gov](mailto:GONEPA@ee.doe.gov).

2. DOE has determined the following list of activities would not require additional review:

- a. Energy audits and feasibility studies.
- b. Projects proposed within interior spaces where the work will not be visible from the public right of way. no structural alterations are made. no demolition of walls, ceilings or floors occurs. no removal of historic trim, doors, staircases, balustrades, or original decorative features. no drop ceilings are added. and no walls are leveled with furring or moved.
- c. Conversion of fossil fuel based industrial process equipment to electrical operation equipment that is not visible from any public right of way, does not affect character-defining features of the building, and would not affect the exterior of the building.

- d. Exterior air sealing of the building shell, including caulking, weather-stripping, and other air infiltration control measures on windows and doors, and installing thresholds in a manner that does not harm or obscure historic windows or trim.
- e. Interior air sealing using weather stripping, door sweeps, and caulk and sealing major air leaks associated with bypasses, ducts, air conditioning units, etc.
- f. Duct sealing, insulation, repair, or replacement in unoccupied areas.
- g. Thermal insulation (excluding spray foam insulation), such as non-toxic fiberglass and foil-wrapped, in walls, floors, ceilings, attics, crawl spaces, and foundations of wood frame structures in a manner that does not harm, or damage historic fabric and a mechanical ventilation system is present to direct moisture out of the building.
- h. Dense-pack cellulose wall insulation in wood frame structures where no holes are drilled through exterior siding, or where holes have no permanent visible alteration to a historic structure, no decorative plaster is damaged, and a mechanical ventilation system is present to direct moisture out of the building.
- i. Install insulation on water heater tanks, heating and cooling systems, and pipes.
- j. Repair of minor roof and wall leaks prior to insulating attics or walls, provided repairs closely resemble existing surface.
- k. Installing vents (such as continuous ridge vents covered with ridge shingles or boards, roof vents, bath and kitchen vents, soffit and frieze board vents or combustion appliance flues) if not located on a primary roof elevation or not visible from the public right-of-way.
- l. Installing foundation vents, if painted or finished to match the existing foundation material and not visible from the public right of way.
- m. Plumbing work, including installation of water heaters, which would not affect the exterior of the building.
- n. Electrical work, which would not affect the exterior of the building.
- o. Upgrading non-historic exterior lighting fixtures (replacement with metal halide bulbs, LEDs, or others) along with ballasts, sensors, and energy storage devices not visible from any public right of way, and which would not affect the exterior of the building.
- p. Incorporate other lighting technologies such as dimmable ballasts, day lighting, controls, and occupant-controlled dimming, which would not affect the exterior of the building.
- q. Convert incandescent lighting to fluorescent or LED.
- r. Add reflectors, LED exit signs, efficient HID fixtures, and occupancy (motion) sensors.
- s. Upgrade of electric utility service panel to accommodate electrification of HVAC, Industrial Process, Electric Vehicles, or other electric equipment.
- t. Installation of a utility connection (line extension) to replace onsite fossil fuel generation provided all necessary permits are obtained for the utility connection, no trees are cut or trimmed, and ground disturbing work would occur within the boundaries of a facility (defined as an already disturbed area due to regular ground maintenance).
- u. Repair or replace water heaters, which would not affect the exterior of the building.
- v. Adding repairing, and replacing electric adjustable speed drives, motors, and motor controls such as fans on air handling units, cooling tower fans, and pumps, which would not affect the exterior of the building.
- w. Install waste heat recovery devices, including desuperheater water heaters, condensing heat exchangers, heat pump and water heating heat recovery systems, and other energy recovery equipment, which would not affect the exterior of the building.
- x. Replacement of existing HVAC equipment including pumps, motors, boilers, chillers, cooling towers, air handling units, package units, condensers, compressors or heat exchangers that do not require a change to existing ducting, plumbing, electrical, controls or a new location, or if ducting, plumbing, electrical and controls are on the rear of the structure or not visible from any public right of way, and provided such work does not affect character-defining features of the building, and would not affect the exterior of the building.
- y. Modify duct and pipe systems so heating and cooling systems operate efficiently and effectively, including adding return ducts, replace diffusers and registers, replace air filters, install thermostatic radiator controls on steam and hot water heating systems, provided such work does not affect character-defining features of the building.
- z. Adding or replacing existing building controls systems including HVAC control systems and the replacement of building-wide pneumatic controls with digital controls, thermostats, dampers, and other individual sensors like smoke detectors and carbon monoxide detectors (wired or non-wired), provided such work does not affect character-defining features of the building, and would not affect the exterior of the building.
- aa. New installation of non-hard wired devices including photo-controls, occupancy sensors, carbon dioxide, thermostats, humidity, light meters, and other building control sensors, provided the work conforms with applicable state and local permitting requirements.
- bb. Installation of new electrically based industrial process equipment indoors, that is not visible from any public right of way, does not affect character-defining features of the building, and meets all regulatory requirements.
- cc. Installation of programmable thermostats, outdoor reset controls, UL listed energy management systems or building automation systems and other HVAC control systems, provided such work does not affect character-defining features of the building.
- dd. Furnace or hot water tank replacement that does not require a visible new supply or venting.
- ee. Clean, tune, repair or replace heating systems, including furnaces, boilers, heat pumps, vented space heaters, and wood stoves.
- ff. Clean, tune repair or replace cooling systems, including central air conditioners, window air conditioners, heat pumps, and evaporative coolers.

gg. Conduct other efficiency improvements on heating and cooling systems, including replacing standing pilot lights with electronic ignition devices and installing vent dampers.

3. For activities not listed above, an individual NEPA review is required. The awardee shall coordinate with their DOE Project Officer to submit the required environmental questionnaire (found at <https://www.eere-pmc.energy.gov/NEPA.aspx>). The awardee must receive notification from DOE that the NEPA review has been completed and approved by the Contracting Officer prior to initiating the project or activities.

Notes:

Building Technologies Office (BTO)

This NEPA determination requires legal review of the tailored NEPA provision.

NEPA review completed by Amy Lukens, 7/7/2023.

### 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.

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:

  
NEPA Compliance Officer

Date: 7/10/2023

### 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: