



National Environmental Policy Act (NEPA) Determination Categorical Exclusion

Recipient:	X-Energy, LLC
State:	Texas
Project Title:	Support Trailers for Site Characterization and Environmental Monitoring Activities
Funding Opportunity Announcement Number:	DE-FOA-0002271 (Amendment 0002)
Award Number:	DE-NE0009040
OCED NEPA Control Number:	OCED-09040-0012-CX

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:

CATEGORICAL EXCLUSION APPENDIX, NUMBER, AND DESCRIPTION: B1.15 Support Buildings: Siting, construction or modification, and operation of support buildings and support structures (including, but not limited to, trailers and prefabricated and modular buildings) within or contiguous to an already developed area (where active utilities and currently used roads are readily accessible). Covered support buildings and structures include, but are not limited to, those for office purposes; parking; cafeteria services; education and training; visitor reception; computer and data processing services; health services or recreation activities; routine maintenance activities; storage of supplies and equipment for administrative services and routine maintenance activities; security (such as security posts); fire protection; small-scale fabrication (such as machine shop activities), assembly, and testing of non-nuclear equipment or components; and similar support purposes, but exclude facilities for nuclear weapons activities and waste storage activities, such as activities covered in B1.10, B1.29, B1.35, B2.6, B6.2, B6.4, B6.5, B6.6, and B6.10 of this appendix.

Rationale for Determination:

In February 2021, the U.S. Department of Energy's (DOE) Advanced Reactor Demonstration Program entered into a cooperative agreement with X-energy for the development and demonstration of an advanced nuclear reactor. Prior to entering into the cooperative agreement with X-energy, DOE completed a NEPA review and issued a categorical exclusion for design, planning, and administrative activities. The scope of the cooperative agreement includes, among other elements, the development and operation of a training facility. DOE completed a NEPA review and issued a categorical exclusion for

the development and operation of a training facility in February 2023 and a categorical exclusion for the non-ground disturbing activities for site characterization and environmental monitoring in April 2023. DOE has provided initial funding to X-energy in support of those activities. Authorization of federal funding for other project activities is contingent upon additional NEPA review.

At this time, DOE's Office of Clean Energy Demonstrations (OCED) is proposing to provide funding to X-energy (XE), under the existing cooperative agreement, to install up to support trailers and associated facilities to store materials and perform office administration activities. XE is proposing to place the trailers within the Dow Industrial Site fence line in one of four locations on the property. The proposed activities would include the following:

- 3 60' x 12' portable office trailers
- 1 20' Conex temperature controlled sample storage container
- 2 20' Conex containers for equipment and supply storage
- 1 100 KVA generator
- 4 portable toilets

All trailers will require a stable base and therefore may require a layer of aggregate base prior to placing the trailers. Also, a layer of aggregate base and fabric may be required on the parking lot to prevent rutting from the increased vehicle traffic.

DOE has considered potential impacts on resources, including those of an ecological, historical, and cultural nature. DOE does not anticipate adverse impacts to any sensitive resources as a result of the proposed trailers and support facilities.

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 1501.9(e)(1)), is not related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.1(g)(3)) 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.

A portion of the proposed action is categorically excluded from further NEPA review.

Notes: This categorical exclusion applies to those activities associated with the installation of a maximum of four trailers for storage and office administration along with portable toilets and a 100 KW generator on Dow's property. Any changes to the project activities or location are subject to additional NEPA review by DOE and are not authorized for federal funding unless and until the Contracting Officer provides written authorization on those additions or modifications.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

OCED NEPA Compliance Officer Signature:

Date: 08/22/2023