

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



**RECIPIENT:** Energy DELTA Lab

**STATE:** VA

**PROJECT TITLE:** Energy DELTA Lab - Project Oasis

<b>Funding Opportunity Announcement Number</b>	<b>Procurement Instrument Number</b>	<b>NEPA Control Number</b>	<b>CID Number</b>
FY23 Congressionally Directed Spending	DE-EE0010779	GFO-0010779-001	

**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.)

**A11 Technical advice and assistance to organizations**

Technical advice and planning assistance to international, national, state, and local organizations.

**B3.1 Site characterization and environmental monitoring**

Site characterization and environmental monitoring (including, but not limited to, siting, construction, modification, operation, and dismantlement and removal or otherwise proper closure (such as of a well) of characterization and monitoring devices, and siting, construction, and associated operation of a small-scale laboratory building or renovation of a room in an existing building for sample analysis). Such activities would be designed in conformance with applicable requirements and use best management practices to limit the potential effects of any resultant ground disturbance. Covered activities include, but are not limited to, site characterization and environmental monitoring under CERCLA and RCRA. (This class of actions excludes activities in aquatic environments. See B3.16 of this appendix for such activities.) Specific activities include, but are not limited to: (a) Geological, geophysical (such as gravity, magnetic, electrical, seismic, radar, and temperature gradient), geochemical, and engineering surveys and mapping, and the establishment of survey marks. Seismic techniques would not include large-scale reflection or refraction testing; (b) Installation and operation of field instruments (such as stream-gauging stations or flow-measuring devices, telemetry systems, geochemical monitoring tools, and geophysical exploration tools); (c) Drilling of wells for sampling or monitoring of groundwater or the vadose (unsaturated) zone, well logging, and installation of water-level recording devices in wells; (d) Aquifer and underground reservoir response testing; (e) Installation and operation of ambient air monitoring equipment; (f) Sampling and characterization of water, soil, rock, or contaminants (such as drilling using truck- or mobile-scale equipment, and modification, use, and plugging of boreholes); (g) Sampling and characterization of water effluents, air emissions, or solid waste streams; (h) Installation and operation of meteorological towers and associated activities (such as assessment of potential wind energy resources); (i) Sampling of flora or fauna; and (j) Archeological, historic, and cultural resource identification in compliance with 36 CFR part 800 and 43 CFR part 7.

Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to administer Congressionally Directed Spending to Energy DELTA Lab to test the feasibility of a water circulation system that provides data center cooling via water from abandoned underground mines located in Virginia.

The project would be completed over one Budget Period and eight Tasks. The project site has not yet been determined. As such, this NEPA Determination only applies Tasks 1, 2, 3 and 8. Proposed activities during Tasks 1-3 and 8 would include identifying data center targets, technology research, outreach and engagement with data center staff, reporting selecting drilling locations, procuring site access approval, refining plans for pump size and infrastructure based on site specifications, and finalizing the drilling plan. At this time, there insufficient information related to Tasks 4-7 to perform a meaningful NEPA review as location information for those tasks is currently undefined and is reliant on information gathered in Tasks 1-3, such as site and design specifications.

Award activities including planning, coordination, research, and outreach would be carried out by Energy DELTA Lab

(Bristol, VA), with engineering design assistance provided by Marshall, Miller, & Associates (Blacksburg, VA). Penn Virginia Operating Company (Laurel, VA) would carry out well pad creation, well drilling, pumping, and piping water for injection at currently unidentified sites within their Bullitt Complex.

Individuals working on this project could be exposed to physical hazards. Existing corporate health and safety policies and procedures would be followed including employee training, proper protective equipment, engineering controls, and monitoring. Additional policies and procedures would be implemented as necessary if new health and safety risks are identified.

DOE has considered the scale, duration, and nature of proposed activities to determine potential impacts on resources, including those of an ecological, historical, cultural, and socioeconomic nature. DOE does not anticipate impacts on these resources which would be considered significant or require DOE to consult with other agencies or stakeholders.

## 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 – Tasks 1, 2, 3, and 8**

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

**Budget Period 1 – Tasks 4, 5, 6, and 7**

Notes:

Geothermal Technologies Office (GTO)  
Review completed by Alex Colling on 04/13/2024.

## 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: \_\_\_\_\_



Signed By: **Andrew Montano**

NEPA Compliance Officer

Date: **5/2/2024**

**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: \_\_\_\_\_