

Record of Categorical Exclusion
for
PosiGen Inc.'s (PosiGen) Project Rampart

Description of Categorically Excluded Action:

The US Department of Energy (DOE) Loan Programs Office (LPO) is considering whether to issue a Title XVII Innovative Clean Energy Program loan guarantee to PosiGen Inc.'s (PosiGen) Project Rampart to support the acquisition, deployment, and installation of up to 45,000 residential solar and energy efficiency services to underserved communities in existing and new markets. PosiGen applied for a loan guarantee under LPO's Title 17 Clean Energy Financing Program established pursuant to Title XVII of the Energy Policy Act of 2005, as amended, which provides for loans to projects that avoid, reduce, utilize, or sequester air pollutants or anthropogenic emissions of greenhouse gases and employ new or significantly improved technologies as compared to commercial technologies in service in the United States.

Project Description:

Project Rampart (Project) consists of the acquisition, deployment, and installation of residential solar and energy efficiency services for low-to-moderate income (LMI) homeowners across the United States. PosiGen's typical residential solar and energy efficiency systems range from 4 - 13 kW (average size of 7 kW), depending on the size of the building and the customer's energy usage profile, with a goal of covering close to but not exceeding the customer's entire load. These systems consist of photovoltaic modules, inverters, racking, electrical wire, power conversion equipment, storage, and other balance-of-system ("BOS") electrical components. A small percentage of systems will include wall-mounted battery systems (lithium-ion batteries sized for residential systems in the 18kWh range when stacking them).

PosiGen's system installation process includes the installation of electrical service and structural upgrades needed to support the system, as well as the modules themselves. Qualified installers also commission and inspect the quality of the system during installation or prior to activation. Installation crews operate as teams of 2-5 members, including a site manager. Installation crews conduct safety meetings and align daily schedules, transport to site, and proceed with installation of the pre-designed system, which can generally be completed in a single working day.

PosiGen is active in Louisiana (where it is headquartered), California, Connecticut, Massachusetts, Mississippi, New Jersey, New York, Pennsylvania, and Washington, D.C., adding on Rhode Island and West Virginia. PosiGen expects to add nearly 340 MWDC of new capacity across the country over the next three years, through both new state expansion and growth within currently active states.

The majority of the approvals for the Project are related to installation licenses. PosiGen files all permits, including electrical and building, with local jurisdictions. In some cases, coordination with homeowner's association for validation and approval is required. PosiGen checks the title to ensure that the customer owns the home. Because of Posigen's focus on low-to-moderate (LMI) communities and customers, historic property restrictions are rare. PosiGen and its subcontractors will follow all applicable regulations and guidelines by authorities having jurisdiction.

In addition, all equipment is above ground (roof, wall mounted, etc.) with no disturbances to land. Systems are installed on existing residential structures and no ground disturbance or vegetation removal is required.

Number and Title of Categorical Exclusion:

The actions being proposed under this Title XVII loan guarantee for Project Rampart are consistent with and are covered by DOE categorical exclusions in 10 Code of Federal Regulations (CFR) 1021, Appendix B (B4.14 and B5.16) because the Project involves the acquisition and installation of new solar generation systems and battery storage on existing residential structures that have been subject to screening reviews as well as certifications and approvals. The following categorical exclusions to further NEPA review apply:

B4.14 "Construction and operation of electrochemical-battery or flywheel energy storage systems"

Construction, operation, upgrade, or decommissioning of an electrochemical-battery or flywheel energy storage system within a previously disturbed or developed area or within a small (as discussed at 10 CFR 1021.410(g)(2)) area contiguous to a previously disturbed or developed area. Covered actions would be in accordance with applicable requirements (such as land use and zoning requirements) in the proposed project area and the integral elements listed at the start of appendix B of this part, and would incorporate appropriate safety standards (including the current National Fire Protection Association 855, Standard for the Installation of Stationary Energy Storage Systems), design and construction standards, control technologies, and best management practices.

B5.16 "Solar photovoltaic systems"

The installation, modification, operation, and removal of commercially available solar photovoltaic systems located on a building or other structure (such as rooftop, parking lot or facility, and mounted to signage, lighting, gates, or fences), or if located on land, generally comprising less than 10 acres within a previously disturbed or developed area. Covered actions would be in accordance with applicable requirements (such as local land use and zoning requirements) in the proposed project area and would incorporate appropriate control technologies and best management practices.

Regulatory Requirements defined in 10 CFR § 1021.410 (b):

The proposed loan guarantee and related actions described above were subjected to an environmental due diligence review by DOE LPO staff to ensure they are consistent with the specific category of actions (categorical exclusion) contained in Appendix B of 10 CFR Part 1021 and the conditions for applying categorical exclusions specified in Section 410 of Part 1021. To ensure that the requirements of Appendix B were met, LPO Environmental Compliance staff reviewed numerous project-related documents obtained between August 2023 and May 2024 and participated in several conference calls with PosiGen staff to ensure a complete understanding of the activities associated with the project.

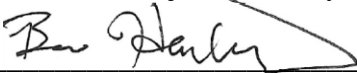
The environmental due diligence review determined that there is no controversy regarding the potential environmental impacts of the proposed Project Rampart, and that the actions associated with the loan guarantee would not adversely affect any physical, biological, or socio-cultural resources at the facility or surrounding environment.

The Comment section below is provided for any necessary clarifications concerning the findings listed above. Signature by PosiGen’s designated representative in the Corporate Validation section is an indication of PosiGen’s concurrence with the findings and determinations presented above.

Comment: _____

Corporate Validation:

Name and Title (Print): Benjamin Healey, Chief Financial Officer

Signature:  Date: July 31, 2024

Determination:

Based on my review of information conveyed to me and in my possession concerning the actions associated with the proposed Title XVII loan guarantee described above, as NEPA Compliance Officer (as prescribed by DOE Policy Directive 451.1), I have determined that the actions involve no extraordinary circumstances and fit within the specified category of actions in Appendix B of 10 CFR 1021 described above, and are hereby categorically excluded from further review under the National Environmental Policy Act (42 USC 4321, as amended).

Signature and Date
Todd Stribley
NEPA Compliance Officer
Loan Programs Office