

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



RECIPIENT: Rutland West Neighborhood Housing Services, Inc.

STATE: VT

PROJECT TITLE: Northeast Kingdom Home Weatherization

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
	DE-EE0010157	GFO-0010157-001	

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.

B1.16 Asbestos removal Removal of asbestos-containing materials from buildings in accordance with applicable requirements (such as 40 CFR part 61, "National Emission Standards for Hazardous Air Pollutants"; 40 CFR part 763, "Asbestos"; 29 CFR part 1910, subpart I, "Personal Protective Equipment"; and 29 CFR part 1926, "Safety and Health Regulations for Construction"; and appropriate state and local requirements, including certification of removal contractors and technicians).

B1.34 Lead-based paint containment, removal, and disposal Containment, removal, and disposal of lead-based paint in accordance with applicable requirements (such as provisions relating to the certification of removal contractors and technicians at 40 CFR part 745, "Lead-Based Paint Poisoning Prevention In Certain Residential Structures").

B5.1 Actions to conserve energy or water (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.

Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to administer Congressionally Directed Spending to Rutland West Neighborhood Housing Services, Inc. (Rutland) to support the Northeast Kingdom home weatherization project in Essex, Orleans, Caledonia, Addison, Bennington, Lamoille, Orange, Washington, and Rutland counties, Vermont (Communities). The Neighbor Works of Western Vermont (NWWVT) would perform educational energy audits at approximately 240 households and additional weatherization and energy efficiency activities would occur at approximately 120 of the 240 households. Homes would be identified with various outreach efforts in the communities and would include single and multi-family homes with up to 4-unit buildings.

Project activities would include NWWVT outreach and marketing within the Communities, hiring an energy auditor and outreach coordinator, providing educational energy audits in approximately 240 homes and based on the results, completing energy efficiency activities in approximately 120 homes. The following activities could be completed at each of the 120 homes, provided that activities adhere to the requirements of Vermont's Historic Preservation Programmatic Agreement with DOE, are appropriately sized, and are limited to:

1. Weatherization and energy efficiency improvement activities: air sealing (caulking), closed/open cell foam/cellulose/rigid board insulation in attics/basements/walls, intumescent paint on exposed foam insulation, attic hatch (rigid board insulation/plywood), bulkhead door construction (plywood/rigid board insulation), door weatherstripping, vapor barrier, replacing rotten sills, Panasonic Whisper Green bath fan with smart timer, dryer and bath fan venting to exterior, basement sump pump, energy/heat recovery ventilation
2. Heating and cooling efficiency improvements: 7,000-24,000 British thermal unit (BTU) single and multiple head cold climate heat pumps that may include concrete pad installation
3. Smoke alarm and carbon monoxide detector installation
4. Water heating improvements: 50-80 gallon heat pump hot water heaters

Project activities would improve energy efficiency, reduce greenhouse gas emissions, and reduce utility costs for residents.

Activities not listed above, including ground disturbing activities beyond the placement of a 10 square foot (sq ft) pad adjacent to the foundation of the building and trimming or removal of trees are not included under this NEPA determination and are subject to additional NEPA review and approval by DOE. For activities/projects requiring additional NEPA review, the recipient must complete the environmental questionnaire (EQ-1) found at <https://www.eere-pmc.energy.gov/NEPA.aspx> and receive notification from DOE that the NEPA review has been completed and approved by the Contracting Officer prior to initiating the project or activities.

Project activities may also include hazards associated with construction, electrical work, potential disturbance of asbestos, combustion gases, lead-based paint, mold, radon, and pollutants. The contractor would ensure proper materials handling and procedures. All hazardous materials would be managed in accordance with Federal, state, and local environmental regulations; all safety policies and procedures, including the use of personal protective equipment, would be followed. Award activities would pose no risk to residents or the public. All required permits, licenses, or authorizations, including permits from local jurisdictions, would be obtained prior to construction activities. No change in the use, mission, or operation of existing facilities would arise out of this effort.

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

The recipient is working directly with their State Historic Preservation Officer (SHPO) to ensure protection of cultural resources during the course of project activities, per their historic preservation programmatic agreement with DOE and the Vermont SHPO.

Any changes to the project activities 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.

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 the activities funded by the Congressionally Directed Spending Project, "Northeast Kingdom Home Weatherization" listed in this NEPA determination. Activities must comply with the restrictions of this NEPA determination, and the Recipient must adhere to the restrictions of their DOE executed Historic Preservation Programmatic Agreement.

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

This NEPA Determination does NOT apply to activities funded by sources other than the Congressionally Directed Spending Project, "Northeast Kingdom Home Weatherization" or to activities that do not comply with the restrictions of this NEPA determination listed above, or to activities that do not adhere to the restrictions of the Recipient's DOE executed Historic Preservation Programmatic Agreement.

Include the following condition in the financial assistance agreement:

1. Activities not listed including ground disturbing activities (beyond the installation of a 10 sq ft concrete pad adjacent to the foundation of the building) and tree removal and trimming, are subject to additional NEPA review and approval by DOE. For activities requiring additional NEPA review, the Recipient must complete the environmental questionnaire found at <https://www.eere-pmc.energy.gov/NEPA.aspx> and receive notification from DOE that the NEPA review has been completed. A DOE Contracting Officer must provide approval prior to initiating the project or activities.
2. This authorization does not include activities where the following elements exist: extraordinary circumstances; cumulative impacts or connected actions that may lead to significant effects on the human environment; or any inconsistency with the "integral elements" (as contained in 10 CFR Part 1021, Appendix B) as they relate to a particular project.
3. The Recipient must identify and promptly notify DOE of extraordinary circumstances, cumulative impacts or connected actions that may lead to significant effects on the human environment, or any inconsistency with the "integral elements" (as contained in 10 CFR Part 1021, Appendix B) as they relate to project activities.
4. The Recipient must adhere to the terms and restrictions of its DOE executed Historic Preservation Programmatic Agreement. DOE executed historic preservation programmatic agreements are available at: <https://www.energy.gov/scep/historic-preservation-executed-programmatic-agreements>.
6. The recipient is responsible for reviewing the online NEPA and Historic preservation PowerPoint trainings at www.energy.gov/node/4816816 and contacting NEPA with any questions at GONEPA@ee.doe.gov.
7. This authorization excludes any activities that are otherwise subject to a restriction set forth elsewhere in the Award.

Notes:

Office of State and Community Energy Programs (SCEP) – Congressionally Directed Project
This NEPA Determination requires legal review of the tailored NEPA provision.
Review completed by Brittany White on 7/12/2024

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:  **Electronically Signed By: Matthew Blevins** _____ Date: 7/17/2024
NEPA Compliance Officer

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: _____ Date: _____
Field Office Manager