

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



RECIPIENT: Plug Power

STATE: WA

PROJECT TITLE : HYPER-Fuel: Next-Generation Heavy-Duty H2 Refueling Station

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0003213	DE-EE0011524	GFO-0011524-001	GO11524

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.)

B3.11 Outdoor tests and experiments on materials and equipment components

Outdoor tests and experiments for the development, quality assurance, or reliability of materials and equipment (including, but not limited to, weapon system components) under controlled conditions. Covered actions include, but are not limited to, burn tests (such as tests of electric cable fire resistance or the combustion characteristics of fuels), impact tests (such as pneumatic ejector tests using earthen embankments or concrete slabs designated and routinely used for that purpose), or drop, puncture, water-immersion, or thermal tests. Covered actions would not involve source, special nuclear, or byproduct materials, except encapsulated sources manufactured to applicable standards that contain source, special nuclear, or byproduct materials may be used for nondestructive actions such as detector/sensor development and testing and first responder field training.

B5.22 Alternative fuel vehicle fueling stations

The installation, modification, operation, and removal of alternative fuel vehicle fueling stations (such as for compressed natural gas, hydrogen, ethanol and other commercially available biofuels) on the site of a current or former fueling station, or within a previously disturbed or developed area within the boundaries of a facility managed by the owners of a vehicle fleet. 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.

Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to provide federal funding to Plug Power to construct a HYPER-fuel heavy-duty hydrogen refueling station. The facility would be used to conduct research on liquid hydrogen pumps and refueling stations.

Award activities would occur over four budget periods (BP). BP1 would include system specification, process, and equipment design. BP2 would include equipment fabrication, site construction, site installation, and site startup. BP3 would include equipment fabrication, site installation, and site startup. BP4 would include operation of the full refueling station.

Award activities would occur at Washington State University in Pullman, WA; Plug HQ in Slingerlands, NY; UMD Labs in College Park, MD; New Mexico State University in Las Cruces, NM; University of Wisconsin Madison in Madison, WI; National Fuel Cell Research Center at UC-Irvine in Irvine, CA; and the National Renewable Energy Lab in Golden, CO.

Refueling station installation would occur at one of two known equipment storage lots located on the Washington State University campus, to be selected at a later date. Installation of the refueling station would include construction of a 100 feet by 75 feet concrete pad, which would require excavation to prep the base for concrete. Electric power connection would occur on a nearby 480-volt ground hookup. Both potential installation locations are previously disturbed lots on the WSU campus adjacent to existing liquid hydrogen facilities. No adverse impacts to sensitive resources are expected as a result of the proposed activities at these locations.

Award activities would involve the storage and transfer of hydrogen at high pressures and in cryogenic or liquid states.

HYPER lab policies and safety plans have been evaluated by the DOE's Hydrogen Safety Panel and the AIChE Center for hydrogen safety. Project activities involving hazardous materials would pose no risk to the public. Hazardous materials would be utilized, managed, stored, and disposed of in accordance with applicable federal, state, and local environmental regulations. Existing laboratory and governmental health and safety policies and procedures would be followed, including employee training, proper protective equipment, engineering controls, monitoring, and internal assessments.

All other award activities would be intellectual, academic, or analytical in nature and would occur entirely within existing research and development facilities that are purpose-built for the type and scale of activities being proposed. No change in the use, mission, or operation of existing facilities would arise out of this effort.

DOE has considered the scale, duration, and nature of the proposed activities to determine potential impacts on sensitive resources, including those of an ecological, historical, cultural, and socioeconomic nature, and found no effects that would be expected to result from the proposed project activities.

Any work proposed to be conducted at a federal facility may be subject to additional NEPA review by the cognizant federal official and must meet the applicable health and safety requirements of the facility.

NEPA PROVISION

DOE has made a final NEPA determination.

Include the following condition in the financial assistance agreement:

- Upon completion of the required Washington State Environmental Policy Act (SEPA) and State of Washington Department of Archaeology and Historical Preservation reviews, the recipient must provide that documentation to the DOE Project Officer.
- If during project activities the recipient or their contractors encounter any cultural materials (i.e. historic or prehistoric), all activities must cease in the vicinity of the discovery immediately. The recipient must inform the DOE Project Officer of the discovery so that an evaluation of the discovery can be completed prior to continuing work.

Notes:

Hydrogen and Fuel Cell Technologies Office (HFTO)
This NEPA determination requires legal review of the tailored NEPA provision.
NEPA review completed by Dustin Hill, 9/25/2024

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.

The proposed action is categorically excluded from further NEPA review.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature:  _____ Date: 10/8/2024
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