PMC-EF2a

(2.04.02)

U.S. DEPARTMENT OF ENERGY
EERE PROJECT MANAGEMENT CENTER
NEPA DETERMINATION

RECIPIENT: Lee, County of **STATE:** FL

PROJECT TITLE: eecgb block grant - Activity #8 Bio-Diesel

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0000013.001	DE-EE 0000787.001		0

Based on my review of the information concerning the proposed action, as NEPA Compliance Officer (authorized under DOE Order 451.1A), I have made the following determination:

CX, EA, EIS APPENDIX AND NUMBER:

Description:

B5.1 Actions to conserve energy, demonstrate potential energy conservation, and promote energy-efficiency that do not increase the indoor concentrations of potentially harmful substances. These actions may involve financial and technical assistance to individuals (such as builders, owners, consultants, designers), organizations (such as utilities), and state and local governments. Covered actions include, but are not limited to: programmed lowering of thermostat settings, placement of timers on hot water heaters, installation of solar hot water systems, installation of efficient lighting, improvements in generator efficiency and appliance efficiency ratings, development of energy-efficient manufacturing or industrial practices, and small-scale conservation and renewable energy research and development and pilot projects. The actions could involve building renovations or new structures in commercial, residential, agricultural, or industrial sectors. These actions do not include rulemakings, standard-settings, or proposed DOE legislation.

Rational for determination:

EECBG funds in the amount of $500,000 will be used to fund a portion of biodiesel plant in Lee County The remaining $5.5 million necessary for the plant will come from FL Biofuels, LLC. The location of the proposed facility is within the existing structural footprint of a commercial building. A pre-fabricated biodiesel plant kit will be used for the facility. Conversion of the existing commercial structure to the biodiesel plant does not require any structural modification to the existing building. Further, the plant will not impact any other existing structures. The biodiesel plant will make the biodiesel using 100% cooking oil, used grease and other recyclable/waste biomass to produce biodiesel. In the first year of operation the plant is expected to produce 4.3 million gallons of biodiesel, 500,000 of which is contracted to be used in Lee County government vehicles. The biodiesel that is contracted to Lee County will be made into B20, 20% biodiesel and 80% petroleum diesel. The biodiesel fuel that is manufactured will be distributed to commercial users located throughout Lee County.

The recipient/Lee County have the affirmative responsibility to secure the following permits prior to construction or operation of the biodiesel:

Air Quality

The recipient has met with the Florida DEP – South District (2/19/10) and it has been determined that because the facility will emit less than 10 tons per year of HAP (methanol), it will not require a non-Title V permit. However, for production of 4.4 million gallons/year of biodiesel, Lee County has the affirmative responsibility to comply with Subpart VV of SOCMI FDEP and secure an Air Construction Permit and Air Operation Permit, for which an application has already been submitted.

Stormwater Treatment:

The proposed location for the in the State Farmers Market currently has no storm water retention and all run-off goes directly to the City MS4 system (Sector C of the City NPDES permit). To comply with the City NPDES permit, Lee County has the affirmative responsibility to prepare a written Storm Water Pollution Prevention Plan (SWP3) describing standard Best Management Practices (BMPs) that will be in place for the facility.

Hazardous Materials and Spill Prevention:

The process of converting vegetable oil to biodiesel produces glycerin as a secondary by-product. The glycerin is to be packaged and sold separately. The proposed activity is not anticipated to result in any hazardous or universal waste disposal needs. However, the project proponent has the affirmative responsibility to comply with Florida DEP's

Storage Tank Registration and also address potential spills of petroleum products or hazardous substances in accordance with Chapter 62-770 or 62-780, Florida Administrative Code (F.A.C.) and spills of hazardous wastes in accordance with Chapter 62-730, F.A.C. Hazardous wastes (which includes unused methanol as well as other chemicals or byproducts that are characteristic of biofuel processes. Any spilled or waste materials must be disposed (discharge, deposit, injection, dumping, spilling, leaking, or placing) in accordance with Florida DEP's requirement that the spill be cleaned up and the collected material sent to a permitted solid waste management facility.

Wastewater Treatment:

Lee County has the affirmative responsibility to determine if the facility requires an Industrial wastewater discharge permit (IWDP) from the City of Fort Myers if the facility process or operation would contribute to a violation of any requirement of the city NPDES permit (section 405, CWA (33 USC 13-15) or any criteria, guidelines, or regulations developed pursuant to the Solid Waste Disposal Act, 42 USC 6901 et seq. (SWDA), the Clean Air Act or the Toxic Substance Control Act) (City of Ft. Myers Ord. No. 3450, § 1, 3-17-2008).

Local Permits:

The recipient Lee County has the affirmative responsibility to secure the following permits prior to construction or operation of the biodiesel facility:

Building Renovation Permit: City of Fort Myers (BLD2010-00177) application submitted in February 2010.
Containment Area/Canopy Permit: City of Fort Myers (BLD2010-00177) application submitted in February 2010.

Site Work Permit: City of Fort Myers (SIT2010-00024) application submitted in February 2010.

Fire Marshal Plan Review: FDFS State Fire Marshal Review application submitted in January 2010.

This activity is categorically excluded under NEPA under B5.1 Actions to Conserve Energy.

NEPA PROVISION

DOE has made a final NEPA determination for this award

Insert the following language in the award:

Note to Specialist :

None Given.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: _____ Date: 4/20/10

NEPA Compliance Officer

FIELD OFFICE MANAGER DETERMINATION

☐ Field Office Manager review required

NCO REQUESTS THE FIELD OFFICE MANAGER REVIEW FOR THE FOLLOWING REASON:

☐ Proposed action fits within a categorical exclusion but involves a high profile or controversial issue that warrants Field Office Manager's attention.
☐ Proposed action falls within an EA or EIS category and therefore requires Field Office Manager's review and determination.

BASED ON MY REVIEW I CONCUR WITH THE DETERMINATION OF THE NCO :

Field Office Manager's Signature: _____ Date: _____

Field Office Manager