

PMC-EF2a

(2.0402)

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



RECIPIENT: Kansas Corporation Commission

STATE: KS

PROJECT
TITLE : Biomethane Production - Western Plains Energy, LLC

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0000052	DE-EE0000132	GFO-0000132-009	EE132

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:

C12 Siting, construction, and operation of energy system prototypes including, but not limited to, wind resource, hydropower, geothermal, fossil fuel, biomass, and solar energy pilot projects.

Rational for determination:

Western Plains Energy, LLC is proposing to use \$12,000,000 in SEP funding to purchase equipment for a new Biomethane production facility to produce methane (Biomethane); with the goal of producing enough Biomethane to replace 100% of their current energy source (natural gas) to power WPE's existing ethanol plant.

This project consists of the siting, construction, and operation of a Biomethane production facility. Existing and potential impacts are unknown at this time. Per the DOE NEPA implementing regulations (Appendix C to Subpart D to 10 CFR Part 1021 - C12, as noted above), preparation of an Environmental Assessment is required prior to allowing the use of federal funds for this proposed project.

USDA is the lead agency for preparation of the Environmental Assessment for this project and DOE has agreed to cooperating agency status. DOE will:

- Review preliminary versions of the Draft and Final EA; and
- Engage in activities associated with publication of the EA, such as a public hearing if one is conducted; and
- Prepare of portions of the EA or responding to comments on the Draft EA relating to subject matter specific to DOE's mission and goals and its State Energy Program.

NEPA PROVISION

DOE has made a conditional NEPA determination for this award, and funding for certain tasks under this award is contingent upon the final NEPA determination.

Insert the following language in the award:

You are restricted from taking any action using federal funds, which would have an adverse affect on the environment or limit the choice of reasonable alternatives prior to DOE/NNSA providing either a NEPA clearance or a final NEPA decision regarding the project.

Prohibited actions include:

Final design, construction, and operation of the proposed Biomethane Production Facility.

This restriction does not preclude you from:

Assisting in the preparation of the Environmental Assessment being prepared by USDA and the DOE.

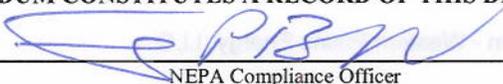
If you move forward with activities that are not authorized for federal funding by the DOE Contracting Officer in advance of the final NEPA decision, you are doing so at risk of not receiving federal funding and such costs may not be recognized as allowable cost share.

Note to Specialist :

Prepared by Melissa Rossiter

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature:



NEPA Compliance Officer

Date:

8/4/11

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:



Field Office Manager

Date:

8-5-11