PMC-EF2a

(2.06.02)

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

RECIPIENT: Alabama Department of Economic and Community Affairs - Energy Division **STATE:** AL

PROJECT TITLE : State Energy Program Annual PY12 (FY13)

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0000643	DE-EE0004122	GFO-0004122-001	

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:

A11 Technical advice and assistance to organizations	Technical advice and planning assistance to international, national, state, and local organizations.
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.)
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.

Rational for determination:

The U.S. Department of Energy (DOE) provided $462,000 of federal funding to the State of Alabama under DOE's Annually Appropriated State Energy Program (SEP) for 2012. Alabama will match the federal funding with $145,381 in State funds and $185,000 in Petroleum Violation Escrows (PVE) funds. Additionally, Alabama will carry over $167,058 of federal appropriations, for a total of $959,439.

Alabama, through the Department of Economic and Community Affairs (ADECA), proposes to fund the following Market Titles:

ADECA Program Support and Energy Emergency and Assurance:
Under this Market Title, funding would be used to increase awareness of energy efficiency products, services and

practices, and promote and expand renewable energy technologies, alternative transportation fuels, and the reduction of energy use in public buildings. The State would coordinate with State agencies and energy industries on the Energy Emergency and Assurance Program.

Alternative Transportation Fuels and Transportation Rideshare:
Under this Market Title, funding would be used to promote the production, distribution and use of alternative transportation fuels through outreach, marketing and education in partnership with Clean Cities Coalition. The state would promote carpools, vanpools public transportation and CommuteSmart online ride matching services. All SEP funds associated with this program would be used for administrative costs only.

Any activities funded under this Market Title that involve ground-breaking, retrofit or energy efficient activities not listed above, equipment purchase, and/or construction or installation of renewable energy projects must be submitted for NEPA review prior to implementation.

ARRA Financing Program: RLF/LLR/IRB- Alabama SAVES:
Under this Market Title, funding would be used to coordinate with a third party administrator to provide low cost loans and loan subsidies for energy efficiency and renewable energy projects at industrial, commercial and institutional facilities. All SEP FY2012 funds associated with this program would be used for administrative costs only. Any ARRA funded projects under this financing project that do not remain within the bounds of Alabama's Template for Expedited NEPA Review will be submitted for additional NEPA Review.

Any activities funded under 2012 appropriations that involve ground-breaking, retrofit or energy efficient activities not listed above, equipment purchase, and/or construction or installation of renewable energy projects must be submitted for NEPA review prior to implementation.

Energy Education and Consumer Outreach and Energy Efficient Procurement:
Under this Market Title, funding would be used to provide updates to the Purchasing Division of the Alabama Finance Department on energy efficient products and services available to the State. Alabama would develop and implement an Energy Patrol program in schools to educate students about energy efficiency. In conjunction with the Energy Patrol program, the state would provide training opportunities on energy efficiency and Energy Star for K-12 representatives through webinars, workshops and/or on-site visits.

Industrial Energy:
Under this Market Title, funding would be used to promote energy efficiency in industrial facilities, and participation in the U.S. DOE's Advanced Manufacturing Office's Industrial Technologies Program.

Renewable Energy Program:
Under this Market Title, funding would be used to promote the use of renewable energy in the State; promoting biofuels, solar technologies, and renewable energy policy choices. Alabama would partner with the University of Alabama in Huntsville to administer and promote a Biomass Energy Program (BEP) and partner with a third party to develop policies and procedures that would streamline permitting for solar projects. The BEP program is an interest subsidy program for companies installing biomass energy systems. All SEP funding would be used to support the administration of these programs, including the promotion and communication of the BEP. Any activities funded under this Market Title that involve ground-breaking, retrofit or energy efficient activities not listed above, equipment purchase, and/or construction or installation of renewable energy projects must be submitted for NEPA review prior to implementation.

State Building Energy Efficiency Program, Building Codes, Local Government Energy Loan Program:
Under this Market Title, funding would be used to implement and enforce the Alabama Energy and Residential Codes and provide assistance to building inspectors and code officials statewide. Through administrative support, Alabama would promote zero-interest loans from corresponding agencies to local governments, K-12 school systems, colleges and universities for conservation improvements, energy audits and building retrofits. All SEP funds associated with this program would be used for administrative costs. Any activities funded under this Market Title that involve ground-breaking, retrofit or energy efficient activities not listed above, equipment purchase, and/or construction or installation of renewable energy projects must be submitted for NEPA review prior to implementation.

Alabama Energy Plan:
Under this Market Title, funding would be used to partner with a subgrantee to work with energy stakeholders in the state to develop a comprehensive Alabama Energy Plan.

Building Energy Codes Training:
Under this Market Title, funding would be sub-granted to a third party to develop the Building Energy Code Training Program, which would provide training and technical assistance to parties interested in the implementation of state building energy codes.

Energy Efficient Retrofits of Local Government Facilities:

Under this Market Title, funding would be used to award three to six subgrants for the purchase and installation of energy-efficient equipment and materials for municipal buildings. SEP funds would be used for installing retrofits in local government buildings.

Retrofit installations would be limited to conventional lighting and high bay lighting, lighting controls, energy management controls, HVAC replacement and insulation. Based on the unknown locations and scope of work, any proposed project locations that involve solar thermal, solar arrays, geothermal systems or any renewable energy systems are conditioned pending further NEPA review.

Realtor and Appraiser Trainings:
Under this Market Title, funding would be used to provide trainings for realtors and appraisers on the features and benefits of new and existing green homes, the advantages of energy efficiency, energy labeling and how to explain green features to clients.

Retrofits of K-12 Schools:
Under this Market Title, funding would be used install retrofits in K-12 school buildings. Retrofit installations would be limited to conventional lighting and high bay lighting, lighting controls, energy management controls, HVAC replacement and insulation.

Based on the unknown locations and scope of work, any proposed project locations that involve solar thermal, solar arrays, geothermal systems or any renewable energy systems are conditioned pending further NEPA review.

Rural Water Leak Detection Program:
Under this Market Title, funding would be used to perform leak-detection surveys in rural water systems and provide operators with training in leak-detection techniques. All SEP funds would be used to reimburse a third-party subgrantee, and efficiency retrofits or renewable energy projects implemented under this Market Title are subject to additional NEPA review.

Based on a review of the activities that would be funded under the above Market Titles, DOE has determined the projects that would be funded under these Market Titles will not significantly impact the human health and/or environment and they are categorically excluded from further NEPA review under CX A9 "information gathering," CX A11 "technical advice," and B5.1 "actions to conserve energy."

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:
Any 2012 annual appropriations activities funded under the "ARRA Financing Program: RLF/LLR/IRB- Alabama SAVES," Market Title that involve ground-breaking activities, retrofits, or equipment purchase and/or installation are conditioned pending additional NEPA review.

Any new activities funded by the ARRA Financing Program that do not fall within the bounds of Alabama's Template for Expedited NEPA Review are subject to additional NEPA review.

Any activities funded under 'Alternative Transportation Fuels and Transportation Ride Share,' 'Renewable Energy Program,' 'State Building Energy Efficiency Program, Building Codes, Local Government Energy Loan Program,' 'Energy Efficient Retrofits of Local Government Facilities,' and 'Retrofits of K-12 Schools,' that involve retrofit or energy efficient activities not listed, equipment purchase, ground-breaking, and/or construction or installation of renewable energy projects must be submitted for NEPA review prior to implementation.

This restriction does not preclude you from:
Market Titles: 'ADECA Program Support and Energy Emergency and Assurance', 'Energy Education and Consumer Outreach and Energy Efficient Procurement', 'Industrial Energy,' 'Alabama Energy Plan,' 'Building Energy Codes Training, Realtor and Appraiser Trainings.'

Activities that are administrative in nature and activities under market titles that are limited to information gathering, analysis, and dissemination, technical advice and assistance.

Retrofit activities including conventional lighting and high bay lighting, lighting controls, energy management controls, HVAC replacement and insulation.

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 :

Kelly Daigle 8.29.2012

DOE Funds: $462,000
Leveraged Funds: $497,439
Total Project Cost: $959,439

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: Electronically Signed By Lori Gray Date: 8/29/2012
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