

PMC-EF2a

(20402)

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



RECIPIENT: State Of Wisconsin SEP ARRA EE0000163-Frito Lay

STATE: WI

PROJECT TITLE : SEP - Energy Efficiency

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE FOA 0000052	DE EE0000163	GFO-0000163-026	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:

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:

Frito Lay is proposing to use \$3,000,000 in SEP funding to purchase and install a biomass wood fired high pressure boiler and three process steam heat exchangers at the Frito-Lay manufacturing plant located in Beloit, Wisconsin.

This project consists of the siting, construction, and operation of a biomass energy system. 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.

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:

The siting, construction, and operation of the proposed biomass boiler and steam generation facility.

This restriction does not preclude you from:

Frito Lay is authorized to initiate the preparation of an EA by a third-party contractor, consistent with DOE NEPA implementing regulations.

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.

Insert the following language in the award:

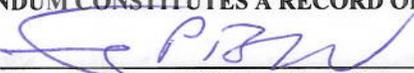
You are required to:

Frito Lay is authorized to initiate the preparation of an EA, consistent with DOE NEPA implementing regulations and in coordination with their designated DOE Project Officer

Note to Specialist :

EF2a completed by Logan Sholar

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: 
NEPA Compliance Officer

Date: 12/17/10

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: 
Acting Field Office Manager

Date: 12/17/10