

PMC-EF2a

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



RECIPIENT: State of Wisconsin SEP ARRA EE0000163-Richland Center Renewable Energy, LLC **STATE:** WI

PROJECT TITLE : SEP - Anaerobic Digester--Waste To Energy

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE FOA 0000052	DE EE0000163	GFO-0000163-025	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:

Richland Center Renewable Energy, LLC is proposing to use \$3,500,000 in SEP funding to purchase process equipment for an anaerobic digester. The digester will take existing waste streams for at least 3 major food processors in the City of Richland Center and divert their waste to the new digester and combine these flows at the digester with the waste stream from a contract waste hauler.

The SEP funded equipment purchase is part of a larger scope of work that includes construction of a new anaerobic digester facility that will produce electricity to be sold to a local utility. SEP funding comprises 36% of the total project costs.

Richland Center will also be receiving a \$3,500,000 through 1603. In order for Richland to meet the 1603 safe harbor deadline, December 31, 2010, \$1,139,770 (or 5%) of their SEP ARRA funding needs to be released. The released funding will be used to purchase a GE Jenbacher engine. This piece of equipment can be easily sold or held as collateral if the proposed project does not end up going through.

Per the descriptions in the attached schedule of project activities, all activities related to final design, construction and/or ground breaking, and commissioning and/or operation of the proposed project are prohibited until a final NEPA determination has been made.

Per the description in the attached schedule of project activities, Richland Center Renewable Energy, LLC is allowed to use SEP ARRA funding to purchase a GE Jenbacher JGC420 Containerized Genset with Heat Recovery Accessories at the time this conditional NEPA determination is made.

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 - C-12, 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:

Any actions related to final design, construction and/or ground-breaking, commissioning and/or operation of the proposed digester and electricity generation facility.

This restriction does not preclude you from:

Richland Center Renewable Energy, LLC is authorized to initiate the preparation of an EA by a third-party contractor, consistent with DOE NEPA implementing regulations.

Richland Center Renewable Energy, LLC may use \$1,139,770 in SEP ARRA funding for the purchase of the GE Jenbacher JGC420 Containerized Genset with Heat Recovery Accessories.

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:

Richland Center Renewable Energy, LLC 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 :

NEPA recommends the following language be placed in the award letter: This determination is specific only to the advance purchase of the GE Jenbacher JGC420 Containerized Genset with Heat Recovery Accessories. Therefore, DOE is not committed to approving the proposed project based on the funds released in this determination.

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

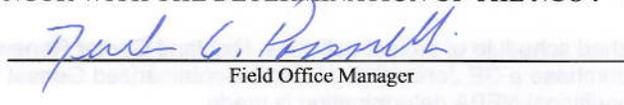
Field Office Manager review required

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:


Field Office Manager

Date:

12/17/10