

PMC-EF2a

(2.04.02)

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



RECIPIENT: State of Wisconsin SEP ARRA EE0000163-Sun Power Biodiesel, LLC

STATE: WI

PROJECT
TITLE : Biodiesel Production Expansion

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE FOA 0000052	DE EE0000163	GFO-10-479	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:

The State of Wisconsin will provide \$800,000 in Recovery Act funds to Sun Power Biodiesel, LLC to purchase equipment and working capital that will enable the company to expand their biodiesel production capacity from 3 million gallons to 5 million gallons. The project consists of two phases, esterification and glycerolysis. Recovery Act funds will be used for purchasing a piece of glycerolysis equipment called the MGEN and for the purchase of feedstock for both esterification and glycerolysis.

Esterification implementation will enable Sun Power to process a wider variety and quality of feedstock. Additionally, it may allow for the expansion of the processing capacity to 6 million gallons. The glycerolysis implementation phase consists of purchasing and installing a MGEN, which is the actual glycerolysis system. Like Esterification, it removes the impurities in oil; however, glycerolysis uses heat to drive the reaction instead of acid. Both processes are necessary to attain higher production levels. The equipment will not require new permitting or licensing or lead to significant changes in the routine operations of the plant. Likewise, the Recovery Act project will not expand the footprint of the existing building, nor will it require significant construction or repairs of the building.

The new plant capabilities will lead to an increase in air emissions. The State, upon reviewing the information submitted, determined that the operation as proposed qualified "to be exempt from the need to obtain an air pollution control permit under ss. NR 406.04(1q) and NR 407.03(1m), Wis. Adm. Code". "The determination was based on the understanding that the proposed biodiesel operation will emit less than the reporting threshold of 6000 pounds of VOC per year and is subject only to the recordkeeping requirements of ch. NR 440, Wis. Adm. Code, New Source Performance Standards, NSPS because the design capacity will not allow the facility to produce more than 1,100 tons per year of glycerin".

Waste Stream Requirements:

Prior to the expenditure of Federal funds to implement any of the above-mentioned activities, the State of Wisconsin has the affirmative responsibility to ensure or certify that it has been provided by its sub-recipients a waste management plan addressing waste generated by their proposed actions. The plan will describe the sub-recipients plan to dispose of any sanitary or hazardous waste, e.g. construction and demolition debris, old light bulbs, lead ballasts, piping, roofing materials, discarded equipment, debris, asbestos, etc. generated as a result of the proposed project. The sub-recipients must ensure that it will comply with all federal, state and local regulations for waste disposal.

NHPA Requirements:

Prior to the expenditure of Federal funds to implement any of the above activities, the State of Wisconsin has the affirmative responsibility to ensure the sub-recipient is in compliance with Sec. 106 of the National Historic

Preservation Act (NHPA), consistent with DOE's 2009 letter of delegation of authority regarding the NHPA. If applicable, the sub-recipient must contact the State Historic Preservation Officer.

Based on the information provided by the State and Recipient, it has been determined that the project is not likely to have a significant impact to human health and/or environment. The work outlined is consistent with activities identified in Categorical Exclusion 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 :

According to the project officer, funding for this project is \$800,000. Absent a significant change in the scope of this effort, a change in funding will not affect my determination.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: _____

NEPA Compliance Officer

Date: _____

6/28/10

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: _____