Based on my review of the information concerning the proposed action, as NEPA Compliance Officer (authorized under DOE Policy 451.1), I have made the following determination:

**Rationale for determination:**

DOE has made a final NEPA determination.

Notes:

This project number and recipient have previously received a CX on previous work. This new CX has been signed due to the recipient adding an additional sub and location. The control number reflects the prime recipient who has received multiple NEPA determinations. As noted by the NEPA Control Number NETL-0009861-002, this is the second CX associated with the initial award.

A completed EQ is required for the TBD field site. A separate NEPA review is required for the TBD field site. This CX covers all activities except the TBD field site. CX does not cover field testing on historic buildings or structures. These properties should be avoided.

**FOR CATEGORICAL EXCLUSION DETERMINATIONS**

The proposed action (for the proposal definition the Rationale above) fits within a class of actions that is listed in Appendix A or B to 10 CFR Part 1021, Subpart D. To fit within the classes of actions listed in 10 CFR Part 1021, Subpart D, Appendix B, a proposal must be one that would not: (1) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders; (2) require siting and permit applications for environment, safety, and health, or similar requirements of DOE or Executive Orders; (3) disturb sensitive resources, including, but not limited to, those listed in paragraph B(4) of 10 CFR Part 1021, Subpart D, Appendix B to this subpart.)

Covered actions include building renovations or new structures, provided that they occur in a previously disturbed or developed area (where active utilities and currently used roads are readily accessible). Not included in this class are demonstration actions, meaning actions that are undertaken at a scale to show whether a technology would be viable on a larger scale and suitable for commercial deployment.

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 research and development projects or DOE legislation, except for those actions listed in 105.1(b) of this appendix. Covered actions include piloting of new technologies 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 unforeseen conflicts concerning availability of available resources (such as rare or limited raw materials); (3) require the potential to result in a significant increase in the disposal of materials posing significant risks to human health and the environment (such as ROFA hazardous wastes); or (4) have the potential to cause a significant increase in energy consumption in a state or region.

**SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.**

NEPA Compliance Officer Signature:  
NEPA Compliance Officer  
Date: 9/22/2021

**FIELD OFFICE MANAGER DETERMINATION**

Field Office Manager review not required

**BASED ON MY REVIEW I CONCUR WITH THE DETERMINATION OF THE NO:**

Field Office Manager's Signature:  
Field Office Manager  
Date:  

**RECIPIENT:** University of Maryland  
**STATE:** MD