



November 17, 2009

Dr. Motice Bruce
Director
Mississippi Development Authority, Energy Division
P.O. Box 849
Jackson, MS 39205

SUBJECT: Individual NEPA Determination Pursuant to Condition on Market Title "Mississippi Job Protection Through Energy Economic Development" in Award No. DE-EE0000192

Dear Dr. Bruce:

In accordance with the Special Terms and Conditions Article entitled NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) REQUIREMENTS, the Mississippi Development Authority Energy Division (MDA-ED) submitted information to the Department of Energy (DOE) seeking an individual NEPA determination for seven types of building retrofit projects that would be funded under the market title "Mississippi Job Protection Through Energy Economic Development" in Mississippi's Recovery Act State Energy Program Award No. DE-EE0000192.

Based on the information provided by the MDA-ED, DOE has determined that these seven types of retrofit projects are categorically excluded from further NEPA review. Accordingly, MDA-ED may proceed with these projects subject to the other terms and conditions in the award.

This individual NEPA determination does not affect application of the NEPA condition in Mississippi's award to other projects that it may fund under this market title. Unless a project was specifically exempted from this condition in the award, Mississippi must seek a separate NEPA determination for that project by completing an environmental questionnaire and submitting it to DOE for review. In addition, if Mississippi determines that the environmental impacts of any of these seven projects are significantly different than those it anticipated when it submitted to DOE the information on which this determination is based, Mississippi must inform DOE of that within 10 business days.

If you move forward with activities that are not authorized for federal funding by the DOE Contracting Officer in advance of a 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.

As a result of this authorization, please provide any updates to your Annual Plan, if necessary, to the DOE Project Officer identified in Block 15 of the Assistance Agreement Cover Page, within ten (10) days of receipt of this letter. These updates will be incorporated through an amendment to the agreement. In addition, please continue to work with the project officer to address NEPA on the remaining conditioned activities: ***Remaining projects under Mississippi Job Protection Through Energy Economic Development; Building Energy Codes and Beyond Energy Codes; Energy Efficient Buildings - Performance Contracting; and Market Transformation and Technology Deployment – Renewable Energy Projects.***

Should you have any questions or concerns regarding this NEPA determination, the NEPA condition in your award or other aspects of the award, please contact the Contract Specialist, James Parker, at 304-285-5249.

Sincerely,



Keith Carrington
Contracting Officer
Acquisitions and Assistance Division

cc: Linda Perry, SEP Manager, MDA-ED
Martin V. Cooley, Project Manager, MDA-ED
Vicki Duvall, Project Officer, NETL
James Parker, Contract Specialist, NETL
Award No. DE-EE0000192