

To: Office of Planning and Research
 PO Box 3044
 1400 Tenth Street, Room 113
 Sacramento, CA 95812-3044

From: California Energy Commission
 1516 Ninth Street, MS-48
 Sacramento, CA 95814

Project Applicant: Opus 12, Inc.

Project Title: Low rate production pilot line for CO2 electroreduction Membrane Electrode Assembly fabrication

Project Location – Specific: 614 Bancroft Way

Project Location – City: Berkeley 94710

Project Location – County: Alameda

Description of Nature, Purpose and Beneficiaries of Project:

The purpose of this project is to design, build, and validate a Low Rate Initial Production (LRIP) pilot line for the manufacture of innovative membrane electrode assemblies (MEAs) that use carbon dioxide emissions as feedstock to produce valuable carbon compounds with the input of renewable electricity. The MEAs provide a technological pathway to electrify and decarbonize the production of chemical and industrial products, and improve the marginal value of new solar PV generation by enabling on-demand production of these materials during times of potential overgeneration.

Beneficiaries will include California's investor-owned electric utilities and their customers (i.e., ratepayers), along with the public at large and the environment. The grant project is intended to result in the ratepayer benefits of lower costs, greater electricity reliability and increased safety.

Name of Public Agency Approving Project: California Energy Commission

Name of Person or Agency Carrying Out Project: Opus 12

Exempt Status: *(check one)*

- Ministerial Exemption (Pub. Resources Code § 21080(b)(1); Cal. Code Regs., tit. 14, § 15268);
- Declared Emergency (Pub. Resources Code § 21080(b)(3); Cal. Code Regs., tit. 14, § 15269(a));
- Emergency Project (Pub. Resources Code § 21080(b)(4); Cal. Code Regs., tit. 14, § 15269(b)(c));
- Categorical Exemption. State type and section number
Cal. Code Regs., tit. 14, § 15301
- Statutory Exemptions. State code number.
- Common Sense Exemption. (Cal. Code Regs., tit. 14, §15061(b)(3))

Reasons why project is exempt:

The reason for the CEQA categorical exemptions is as follows:

For Cal. Code Regs. (CCR), Title 14, Section 15301: This project will involve the design, build, and validation of a Low Rate Initial Production (LRIP) pilot line for the manufacture of innovative membrane electrode assemblies (MEAs) that use carbon dioxide emissions as feedstock to produce valuable carbon compounds with the input of

Authority cited: Sections 21083 and 21110, Public Resources Code. Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

renewable electricity. The project will be carried out in an existing facility in Berkeley, California. The improvements to the building will involve adding seismic support to the manufacturing equipment, installing exhaust, and replacing existing HVAC units. The improvements described above will occur within an existing building that is used for light industrial use (currently lab space). Additionally, the project will not result in the addition of floorspace to the existing facility. Therefore, since only minor changes are planned to occur within the existing facility, the project is categorically exempt from the provisions of CEQA pursuant under the Class 1 Categorical Exemption of the State CEQA Guidelines for Existing Facilities (14 CCR, Section 15301).

Lead Agency

Contact Person: Benson Gilbert **Area code/Telephone/Ext:** 916-776-0763

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Benson Gilbert **Date:** 11-18-2021 **Title:** ECS I

Signed by Responsible Agency

Signed by Lead Agency

Signed by Applicant

Date received for filing at OPR: _____