

Date 06/02/08



Environmental Management Consolidated Business Center (EMCBC)

Subject: DOE EMCBC NATIONAL ENVIRONMENTAL POLICY ACT COMPLIANCE PROGRAM PLAN

Plan

 APPROVED: (Signature on File)
 EMCBC Director

ISSUED BY: Office of Logistics Management

1.0 PURPOSE

This EMCBC NEPA Program Plan correlates to DOE O 451.1B, Change 1, NATIONAL ENVIRONMENTAL POLICY ACT COMPLIANCE PROGRAM, dated September 28, 2001, by assigning responsibility and accountability and providing administrative and / or contractual guidance to The Environmental Management Consolidated Business Center (EMCBC) and Service Level Agreement (SLA) projects. Nothing in this issuance changes any requirements within any U.S. Department of Energy (DOE) Directive.

2.0 SCOPE - This Plan sets forth the requirements for:

- 2.1 Administering the EMCBC or SLA NEPA Program, including reporting
- 2.2 Integrating NEPA requirements with the requirements of the Resource Conservation and Recovery Act (RCRA) and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), consistent with Secretarial Policy.
- 2.3 Determining the level of NEPA review required for proposed actions, or for changes in scope of existing actions. Appendix A, EMCBC IP-451-02 "Establishing the Level of NEPA Review" should be utilized for NEPA level determination.
- 2.4 Establishing a consistent efficient process for preparing, reviewing, and approving documents to satisfy the requirements of NEPA, including Environmental Checklists (ECLs), Categorical Exclusions (CX), Environmental Assessments (EA), Environmental Impact Statements (EIS), and associated decision documents (Finding of No Significant Impact [FONSI] and Record of Decision [ROD], respectively). Appendix B,C and D of this plan (EMCBC-IP-451-03, IP-451-04, and IP-451-05) address the preparation of a CX's, EA's and EIS's respectfully.
- 2.5 Using the NEPA process to trigger and facilitate other compliance areas (e.g., protection of wetlands, floodplains, endangered species, and culturally-or historically-significant resources, facilitating Native Americans relations and complying with Environmental Justice requirements promulgated in Executive Order 12898).

- 2.6 Defines the EMCBC or SLA projects process for implementation of all aspects of NEPA including quality assurance and public participation. Appendices E and F of this plan (EMCBC IP-451-06 and IP-451-07) address NEPA Quality Assurance and Public Participation, respectfully.

3.0 APPLICABILITY

This plan and procedures (Appendices A, B, C, D, E, and F) applies to EMCBC and sites serviced by EMCBC (if they choose to adopt this plan and associated procedures). Serviced sites may elect to implement their own DOE NEPA oversight process or supplement this plan with their own plan and associated procedures.

4.0 REQUIREMENTS AND REFERENCES

- 4.1 See Appendix A, B, C, D, E and F to this plan which are to be used as the NEPA implementing procedures and plans necessary for developing a compliant DOE NEPA program.
- 4.2 References
- 4.2.1 Department of Energy National Environmental Policy Act Compliance Guide, Volume I, "General NEPA References," August 1998.
- 4.2.2 Department of Energy National Environmental Policy Act Compliance Guide, Volume II, DOE NEPA Regulations and Guidance May 22, 1995
- 4.2.3 DOE NEPA Compliance Guide, Companion to Compact Disk, November 2005.
- 4.2.4 Recommendations for the Preparation of Environmental Assessments and Environmental Impact Statement, Second Edition, December 2004.
- 4.2.5 Department of Energy and Environmental Protection Agency "Policy on Decommissioning of DOE Facilities under CERCLA," May 22, 1995.
- 4.2.6 EH-1 (P. Brush) memorandum to Secretarial Officers and Heads of Field Organizations, "Guidance on NEPA Review for Corrective Actions under RCRA," December 23, 1997.
- 4.2.7 EH-1 memorandum on "Guidance on NEPA Review for Corrective Actions under RCRA," December 23, 1997.
- 4.2.8 DOE Office of NEPA Oversight, "Recommendations for the Preparation of EAs and EIS's," Second Edition, December 2004.
- 4.2.9 EH-1 memorandum on "Designating and Supporting NEPA Document Managers," November 24, 1998.

5.0 DEFINITIONS

- 5.1 Refer to Glossary of Terms used in the DOE NEPA Documents dated September 1998, located at <http://www.eh.doe.gov/hepa/tools/guidance/glossary.pdf>

6.0 RESPONSIBILITIES

- 6.1 EMCBC Director or SLA Site Directors have authority over site-wide NEPA actions.
- 6.1.1 Performs those tasks identified in DOE O 451.1B. Refer to Appendices A, B, C, D, E, and F of this plan for specific EMCBC or SLA procedures and plans for the process and concurrence chain leading to determinations of the appropriate level of NEPA review and documentation. A flowchart depicting the process and steps is presented on Attachment E, Figure 1, of this Plan.
 - 6.1.2 Maintains a staff of qualified and trained subject matter experts in all relevant environmental specialties to carry out the duties of the Office and to provide expert technical and regulatory support to Program managers. These experts provide multidisciplinary review of NEPA documents, when needed, as determined by the NEPA Compliance Officer (NCO).
 - 6.1.3 Performs duties indicated by any other delegations of NEPA authority from DOE Headquarters.
 - 6.1.4 Delegates authority for some NEPA-related responsibilities at EMCBC or SLA Site.
- 6.2 NEPA Compliance Officer
- 6.2.1 Develops EMCBC or SLA Site NEPA procedures and documents the office's compliance with those procedures and requirements. Appendices A, B, C, D, E, and F of this plan are the NEPA procedures and plans that should be followed for determination of compliant NEPA review and associated NEPA documentation.
 - 6.2.2 For actions specifically listed in Appendix A or B to Subpart D of 10 CFR 1021, makes Categorical Exclusion (CX) determinations and approves and issues any required associated floodplain and wetland documents. These responsibilities may not be delegated except as provided for in DOE O 451.1B, Change 1. Appendix B, EMCBC IP-451-03, should be followed when performing a CX evaluation.
 - 6.2.3 Reports to the Office of NEPA Policy and Compliance on lessons learned after completing each Environmental Impact Statement (EIS) and Environmental Assessment (EA).
 - 6.2.4 Coordinates NEPA compliance strategies for matters within EMCBC or SLA purview.

- 6.2.5 Consults with the HQ Office of General Counsel, NEPA Policy and Compliance and Secretarial Officers, as appropriate, concerning NEPA processes and determinations in accordance with subparagraph 5d of DOE O 451.1B, Change 1.
- 6.2.6 Advise on NEPA-related matters, including the provisions of the Regulations; the DOE NEPA Compliance Guide; DOE O 451.1B Change 1; and any related requirements and guidance.
- 6.2.7 Supplies information to the NEPA Document Manager (NDM) concerning changes in NEPA guidance that would affect the accuracy and objectivity of NEPA documents as identified in subparagraphs 5d(5) and (9) of DOE O 451.1B, Change 1.
- 6.2.8 Recommends to the EMCBC or SLA Director whether an EA or EIS is appropriate or required. Appendix A of this Plan, Establishing Level of NEPA Review should be followed for NEPA determinations.
- 6.2.9 Assists with the NEPA process and document preparation.
- 6.2.10 Advises on the adequacy of NEPA documents and other related documents.
- 6.2.11 Participates in periodic NEPA meetings and workshops conducted by the Office of NEPA Policy and Compliance, provides NEPA training, and disseminates NEPA guidance materials and related information.
- 6.2.12 Concurs with final NEPA documents prior to final approval.
- 6.2.13 Notifies the Office of NEPA Policy and Compliance promptly-generally, within two weeks of:
 - 6.2.13.1 The Designation of a NDM.
 - 6.2.13.2 A determination to prepare an EA.
 - 6.2.13.3 A transmittal of an EA to states, tribes and, when applicable, members of the public, other Federal Agencies, and local governments for pre-approval review.
 - 6.2.13.4 A determination to prepare an EIS.
- 6.2.14 Provides the Office of NEPA Policy and Compliance promptly generally, within two weeks of the availability – five copies and one electronic file of:
 - 6.2.14.1 An approved EA and any Finding of No Significant Impact (FONSI).
 - 6.2.14.2 A proposed FONSI required under the Council on Environmental Quality (CEQ) Regulations.

- 6.2.14.3 An approved draft of final EIS.
- 6.2.14.4 An approved draft final EIS.
- 6.2.14.5 A record of decision for an EIS.
- 6.2.14.6 A Mitigation Action Plan (MAP) and corresponding annual mitigation report. The mitigation report may be submitted following the anniversary of a MAP.
- 6.2.14.7 An EIS Supplement Analysis and any determination based on it.
- 6.3 Director, Procurement and Contracts Division coordinates and supports those tasks identified in subparagraphs 5a (4) and 5e (3) of DOE O 451.1B, Change 1.
- 6.4 Office of Chief Counsel (OCC) reviews and concurs on NEPA and NEPA - related documents in accordance with DOE O 451.1B, Change 1.
- 6.5 NEPA Document Managers
 - 6.5.1 Perform those tasks identified in Subparagraph 5e of DOE O 451.1B, Change 1. If technical assistance is needed by the NDMs, they should seek help from the NCO.
 - 6.5.2 Perform or manage those tasks identified in Subparagraph 5d (7) of DOE O 451.1B, Change 1.
 - 6.5.3 Support those tasks identified in Subparagraph 5a (5) of DOE O 451.1B, Change 1, concerning incorporating NEPA milestones into project planning documents and provide to the NCO.
 - 6.5.4 Supply information to the NCO concerning program considerations, new information, and changes that would bear on the accuracy and objectivity of NEPA documents as identified in 5d (6) and (8) of DOE O 451.1B, Change 1.
 - 6.5.5 Lead preparation of Environmental Assessment Determinations (EADs), Notices of Intent (NOIs), EAs, EISs, and other NEPA documentation with the assistance of the NCO and provide schedules to the NCO to support Subparagraph 5d (6) of DOE O 451.1B, Change 1.
 - 6.5.6 Assemble NEPA Project Team.
 - 6.5.7 Provide a NEPA documentation mitigation activities list to the NCO when the FONSI is approved signed. Provide a NEPA MAP to the NCO if required as part of EIS.

7.0 RECORDS MAINTENANCE

- 7.1 All records generated by this plan shall be prepared, maintained, and stored in accordance with DOE 0 200.1, Information Management Program.
- 7.2 All records are required to comply with the EMCBC IP 243-03, Identifying, Filing, and Maintaining Records.

8.0 ATTACHMENTS

- 8.1 Attachment A - PL-451-01-F1- Environmental Checklist Form
- 8.2 Attachment B - PL-451-01-F2 - Environmental Questionnaire Form
- 8.3 Attachment C- PL-451-01-F3- Categorical Exclusion Form
- 8.4 Attachment D- Example - Environmental Assessment Determination
- 8.5 Attachment E - EMCBC / SLA NEPA Process Flow

9.0 APPENDICES

- 9.1 Appendix A - EMCBC / SLA National Environmental Policy Act (NEPA) EMCBC IP-451-02, Establishing the level of NEPA Review & Documentation.
- 9.2 Appendix B – EMCBC / SLA National Environmental Policy Act (NEPA) EMCBC IP-451-03, Categorical Exclusion (CX) Process.
- 9.3 Appendix C - EMCBC / SLA National Environmental Policy Act (NEPA) EMCBC IP-451-04, Environmental Assessment (EA) Process.
- 9.4 Appendix D – EMCBC / SLA National Environmental Policy Act (NEPA) EMCBC IP-451-05, Environmental Impact Statement Process (EIS) Process.
- 9.5 Appendix E – Quality Assurance Plan (QAP) EMCBC / SLA National Environmental Policy Act (NEPA) Process, EMCBC PL-451-06.
- 9.6 Appendix F - EMCBC / SLA National Environmental Policy Act (NEPA) EMCBC PL-451-07, Public Participation Under NEPA.

| |
|------------------------|
| Form # PL-451-01-F1 |
|------------------------|

EMCBC/SLA

Environmental Checklist

| | |
|------------------------------------|-----------------------------------|
| Project/Activity Title: | NEPA ID Number: Rev. #:0 Date: |
| Contractor Project Manager: | Phone: |
| Contractor NEPA Coordinator: | Phone: |
| DOE EMCBC NEPA Compliance Officer: | Phone: |

A: BRIEF PROJECT/ACTIVITY DESCRIPTION: (Attach detailed description or Statement of Work, if necessary)

B. SOURCES OF IMPACTS: Would the proposed action involve, generate, or result in changes to any of the following?

| | YES | NO | | YES | NO |
|----------------------------|--------------------------|--------------------------|--|--------------------------|--------------------------|
| 1. Air emissions | <input type="checkbox"/> | <input type="checkbox"/> | 12. Water Use/Diversion | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Liquid effluents | <input type="checkbox"/> | <input type="checkbox"/> | 13. Water Treatment | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Solid waste | <input type="checkbox"/> | <input type="checkbox"/> | 14. Waterway modification | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Radioactive waste/soil | <input type="checkbox"/> | <input type="checkbox"/> | 15. Radiation/toxic chemical exposures | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Hazardous waste | <input type="checkbox"/> | <input type="checkbox"/> | 16. Pesticide/herbicide use | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Mixed waste | <input type="checkbox"/> | <input type="checkbox"/> | 17. High energy source/explosives | <input type="checkbox"/> | <input type="checkbox"/> |
| 7. Chemical storage/use | <input type="checkbox"/> | <input type="checkbox"/> | 18. Transportation | <input type="checkbox"/> | <input type="checkbox"/> |
| 8. Petroleum storage/use | <input type="checkbox"/> | <input type="checkbox"/> | 19. Noise levels | <input type="checkbox"/> | <input type="checkbox"/> |
| 9. Asbestos | <input type="checkbox"/> | <input type="checkbox"/> | 20. Workforce adjustment | <input type="checkbox"/> | <input type="checkbox"/> |
| 10. Utilities | <input type="checkbox"/> | <input type="checkbox"/> | 21. OTHER: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| 11. Clearing or excavation | <input type="checkbox"/> | <input type="checkbox"/> | 22. OTHER: _____ | <input type="checkbox"/> | <input type="checkbox"/> |

Explanation and Qualification of specific "YES" responses:

Number **Explanation**

C. EVALUATION CRITERIA:

| | YES | NO |
|---|--------------------------|--------------------------|
| 1. (10 CFR 1021.410 [b] [1]) Does the proposed action fit within a class of actions listed in Appendix A or B to Subpart D of 10 CFR 1021? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. (10 CFR 1021.410 [b] [2]) Are there any extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal? Extraordinary circumstances are unique situations presented by specific proposals, such as scientific controversy about the environmental effects of the proposal; uncertain effects or effects involving unique or unknown risks; or unresolved conflicts concerning alternative uses of available resources within the meaning of Section 102 (2) (E) of NEPA. | <input type="checkbox"/> | <input type="checkbox"/> |

3. (10 CFR 1021.410 [b] [3]) Is the proposal "connected" (40 CFR 1508.25 [a] [1]) to other actions with potentially significant impacts; or is it **related** to other proposed actions with cumulatively significant impacts (40 CFR 1508.25 [a] [2]); or is it precluded by 40 CFR 1506.1 or 10 CFR 1021.211?
4. (10 CFR 1021, Appendix B to Subpart D, B[1] through B [4][vii]) For a proposed action to be categorically excluded, certain **integral elements** must be included. For example, would the proposed action:
- Threaten a violation of applicable statutory, regulatory or permit requirements for ES&H, including requirements of DOE Orders?
 - Require siting, construction or major expansion of waste storage, disposal, recovery or treatment facilities?
 - NOTE:** proposed action may include categorically excluded facilities.
 - Disturb hazardous substances, pollutants, contaminants or CERCLA-excluded petroleum and natural gas products that pre-exist in the environment, such that there would be uncontrolled or unpermitted releases?
 - Adversely affect environmentally sensitive resources including, but not limited to: structures of historic, archaeological or architectural significance; threatened or endangered species, or migratory birds, amphibians, floodplains or wetlands; wildlife refuges, prime agricultural lands or special sources of water (e.g., sole-source aquifer)? **NOTE:** A "No" response indicates that all reviews and discussions supporting the Agency's determination that the proposed action would not have an adverse effect on the resource will be completed before the proposed action is allowed to proceed.
5. Additional impacts that should be considered during the NEPA evaluation of the proposed action include the following six items. Would the action:
- a. Take place in an area of previous or ongoing disturbance?
 - b. Require any federal, state or local permits, approvals, Etc.?
 - c. Create hazardous, radioactive or mixed waste for which no disposal is available?
 - d. Impact a RCRA-regulated unit or facility?
 - Force a low-income or ethnic minority population to shoulder a disproportionate share of the negative environmental impacts of pollution or environmental hazards because of a lack of political or economic strength (i.e., an issue of "Environmental Justice")?
 - f. [for those actions that would involve air emissions] be located within an air pollutant *non-attainment* or *maintenance area* for any of the Criteria pollutants?
 - NOTE:** If "Yes," then additional analysis may be required to determine if emissions would be above *de minimus* thresholds and/or if emissions would be regionally significant. Pending completion of this analysis, requirements stated in 40 CFR 93.158 may be imposed before the proposed action could proceed.

Explanation and Qualification of specific "YES" responses:

Number **Explanation**

D. RECOMMENDATION AND DETERMINATION

EMCBC NEPA Compliance Officer's Recommendation:

- The proposed action described in this checklist (EMCBC-2007-01) involves the land transfer of approximately 3953.03 acres from the U.S. Department of Energy to the Department of Interior, U.S. Fish and Wildlife Service. Specifically, this land transfer action for formal establishment of the Rocky Flats National Wildlife Refuge falls within the bounds of the categorized exclusion B1.25 (10 CFR 1021.410):

Signature: _____ Date: _____
EMCBC NEPA Compliance Officer

EMCBC FORM #:
PL-451-01-F2

U.S DEPARTMENT OF ENERGY

Attachment B

ENVIRONMENTAL QUESTIONNAIRE

I. BACKGROUND

The Department of Energy (DOE) National Environmental Policy Act (NEPA) Implementing Procedures (10 CFR 1021) require careful consideration of the potential environmental consequences of all proposed actions during the early planning stages of a project or activity. DOE policy directs at the earliest possible stage in a project whether such actions will require preparation of an Environmental Assessment, an Environmental Impact Statement, or a Categorical Exclusion. To comply with these requirements, an Environmental Questionnaire (EMCBC Form #) must be completed for each proposed action to provide DOE with the information necessary to determine the appropriate level of NEPA review and documentation. If the proposed project qualifies for the Categorical Exclusion designation, a Categorical Designation Form (EMCBC Form #) will also be completed in addition to the Environmental Questionnaire.

II. INSTRUCTIONS

Separate copies of the Environmental Questionnaire and Categorical Exclusion Designation Form (if required) should be completed by the principal proper and principal subcontractor(s). In addition, if the proposed project includes activities at different locations, an independent questionnaire should be prepared for each location. Supporting information can be provided as attachments.

In completing this Questionnaire, the proposer is requested to provide specific information and quantities, when applicable, regarding air emissions, wastewater discharges, solid waste, etc., to facilitate the necessary review. The proposer should identify the locations of the project and specifically describe the activities that would occur at that location. In addition, the proposer will be required to submit an official copy of the project's statement of work (SOW) or statement of project objective (SOPO) that will be used in the contract/agreement between the proposer and DOE.

III. QUESTIONNAIRE

A. PROJECT SUMMARY

- 1. Solicitation/Project Number: _____
2. Proposer and Subcontractors: _____
3. Principal Investigator: _____
Telephone Number: _____
4. Project Title: _____
5. Duration: _____
6. Location(s) of Performance (City/Township, County, State): _____
7. Identify and select checkbox with the predominant project work activities under group A-7a, A-7b, or A-7c.

Group A-7a

[] Categorical Exclusion CX-A: Routine administrative, procurement, training, and personnel actions. Contract activities/awards for management support, financial assistance, and technical services in support of agency business, programs, projects, and goals. Literature searches and information gathering, material inventories, property surveys; data analysis, computer modeling, analytical reviews, technical summary, conceptual design, feasibility studies, document preparation, data dissemination, and paper studies. Technical assistance including financial planning, assistance, classroom

training, public meetings, management training, survey participation, academic contribution, technical consultation, stakeholders surveys. Workshop and conference planning, preparation, and implementation which may involve promoting energy efficiency, renewable energy, and energy conservation.

Group A-7b

- Categorical Exclusion CX-B, Laboratory Scale Research, Bench Scale Research, Pilot Scale Research, Proof-of-Concept Scale Research or Field Test Research. Work DOES NOT involve new building/facilities construction and site excavation/groundbreaking activities. This work typically involves routine operation of existing laboratories, commercial buildings/properties, offices and homes, project test facilities, factories/power plants, vehicles test stands and components, refueling facilities, utility systems, or other existing structures/facilities. Work will NOT involve major changes in facilities missions and operations, land use planning, new/modified regulatory/operating permit requirements. Includes work specific to routine DOE Site operations and Lab research work activities, but NOT building construction and site preparations. DOE work typically involves laboratory facilities and lab equipment operations, buildings and grounds management activities; and buildings and facilities maintenance, repairs, reconfiguration, remodeling, equipment use and replacement.

Group A-7c

- Categorical Exclusion CX-B, Environmental Assessment (EA), Environmental Impact Statement (EIS): Pilot Test Facilities Construction, Pilot Scale Research, Field Scale Demonstration, or Commercial Scale Application. Work typically involves facility construction, site preparation/excavation/groundbreaking, and/or demolition. This work would include construction, retrofit, replacement, and/or major modifications of laboratories, test facilities, energy system prototypes, and power generation infrastructure. Work may also involve construction and maintenance of utilities system right-of-ways, roads vehicle test facilities, commercial buildings/properties, fuel refinery/mixing facilities, refueling facility, power plants, underground wells, and pipelines, and other types of energy research related facilities. This work may require new or modified regulatory permits, environmental sampling requirements, master planning, public involvement, and environmental impact review. Includes work specific to DOE Site Operations and Lab operation activities involving buildings and facilities construction, replacement, Site Operations and Lab operations involving building and facilities construction, replacement, decommissioning/demolition, site preparation, land use changes, or change in research facilities mission or operations.
- Other (please describe):

If all activities related to this project can be classified and described within categories under item A-7a, it is a categorically excluded action. Proceed directly to Section IV CERTIFICATION BY PROPOSER, completing Information and signatures as requested. The questionnaire is now complete and no additional information is required

If project activities are described under either item(s) A-7b or A-7c; then continue filling out the questionnaire starting below with question A.8.

8. Summarize the objectives of the proposed work. List activities planned at the location as covered by this Environmental Questionnaire.

9. List all other locations where work would be performed by the primary contractor of the project and primary subcontractor(s). (Note: An environmental questionnaire may be required for each new location after reviewing the SOW/SOPO, project scope, tasks, and environmental affects).

10. Identify major materials that would be used and produced by the project when projects are larger than lab or bench scale.

| Materials Used (Input) | (Estimate Quantity) | Materials Produced (output) | (Estimate Quantity) |
|---|---------------------|--|---------------------|
| <input type="checkbox"/> Coal | | <input type="checkbox"/> Wastewater | |
| <input type="checkbox"/> Natural Gas | | <input type="checkbox"/> Air Emissions | |
| <input type="checkbox"/> Oil | | <input type="checkbox"/> Solid Waste | |
| <input type="checkbox"/> Electricity | | <input type="checkbox"/> Hazardous Waste | |
| <input type="checkbox"/> Water | | <input type="checkbox"/> Others -- List | |
| <input type="checkbox"/> Others -- List | | | |

B. PROPOSED PROJECT ALTERNATIVES

1. If applicable, list any project alternatives considered to achieve the project objectives.

C. PROJECT LOCATION

4. Provide a brief description of the project location (physical location, surrounding area, adjacent structures).

5. Attach a project site location map of the project work area. Project site photos and topographical maps may be requested for further review.

D. ENVIRONMENTAL IMPACTS

This section is designed to obtain information concerning environmental impacts and regulatory compliance of a proposed project. NEPA procedures require evaluations of possible effects (including land use, energy resource use, natural, historic and cultural resources, and pollutants) from proposed projects on the environment.

1. Land Use

a. Characterize present land use where the proposed project would be located.

| | | | |
|-----------------------------------|--|--------------------------------------|--|
| <input type="checkbox"/> Urban | <input type="checkbox"/> Industrial | <input type="checkbox"/> Commercial | <input type="checkbox"/> Agricultural |
| <input type="checkbox"/> Suburban | <input type="checkbox"/> Rural | <input type="checkbox"/> Residential | <input type="checkbox"/> Research Facilities |
| <input type="checkbox"/> Forest | <input type="checkbox"/> University Campus | <input type="checkbox"/> Other | |

b. Identify the total size of the facility, structure, or system and what portion would be used for the proposed project

c. Describe planned construction, installation, and/or demolition activities, i.e., roads, utilities system, right-of-ways, parking lots, buildings, laboratories, storage tanks, fueling facilities, underground wells, pipelines, or other structures.

No construction would be anticipated for this project

d. Describe how land use would be affected by operations activities associated with the proposed project.

No land areas would be affected

e. Describe any plans to reclaim areas that would be affected by the proposed project.

No land areas would be affected

f. Would the proposed project affect any unique or unusual landforms (e.g. cliffs, waterfalls, etc.)?

- No Yes (describe)

g. Would the proposed project be located in or near local, state, or federal parks; forests; monuments; scenic waterways; wilderness; recreation facilities; or tribal lands?

- No Yes (describe)

If project work activities fall under item A-7b; then proceed directly to question D.6 (Atmospheric Conditions/ Air Quality) and continue to fill out the questionnaire.

If project work falls under item A-7c; then proceed directly to question D.2 (Construction Activities and/or Operations) and continue to fill out questionnaire.

2. Construction Activities and/or Operation

a. Identify project structure(s), power line(s), pipeline(s), utilities system(s), right-of-way(s), or road(s) that will be constructed and clearly mark them on a project site map or topographic map as appropriate.

- None

b. Would the proposed project require the construction of waste pits or settling ponds?

- No Yes (describe and identify location, and estimate surface area disturbed)

c. Would the proposed project affect any existing body of water?

- No Yes (describe)

d. Would the proposed project impact a floodplain or wetland?

- No Yes (describe)

e. Would the proposed project cause runoff/sedimentation/erosion?

- No Yes

f. Describe any instability (e.g., subsidence, perma-frost, erosion, faulting/fracturing) affecting building construction, site development, and/or project operation.

3. Vegetation and Wildlife Resources

a. Identify any State- or Federal-listed endangered or threatened plant or animal species affected by the proposed project.

- None

b. Would any threatened or endangered species habitat be affected by the proposed project?

- No Yes (describe)

c. Describe any impacts that construction would have on any other type of sensitive or unique habitats.

- No planned construction No habitats None Impact (describe)

d. Would any unnatural substance/materials be introduced into ground or surface waters, soil, or other earth/geologic resource because of project activities? How would these foreign substances affect the water, soil and geologic resources.

- No Yes (describe)

e. Would any migratory animal corridors be impacted or disrupted by the proposed project?

- No Yes (describe)

4. Socioeconomic and Infrastructure Conditions

- a. Would local socio-economic changed result from the proposed project?
 No Yes (describe)
- b. Would the proposed project generate increased traffic use of roads through local neighborhoods, urban or rural areas?
 No Yes (describe)
- c. Would the proposed project require new transportation access (roads, rail, etc.)? Describe location, impacts, costs.
 No Yes (describe)
- d. Would the proposed project create a significant increase in local energy usage?
 No Yes (describe)

5. Historical/Cultural Resources

- a. Describe any historical, archeological, or cultural sites in the vicinity of the proposed project; note any sites included on the National Register of Historic Places
 None
- b. Would construction or operational activities planned under the proposed project disturb any historical, archeological, or cultural sites?
 No planned construction No historical sites None Impact (describe)
- c. Has the State Historic Preservation Office been contacted in regard to this project?
 No Yes (describe)
- d. Would the proposed project interfere with visual resources (e.g., eliminate scenic views) or alter the present landscape?
 No Yes (describe)

For all proposed project work activities identified under item A-7b, respond to item D6 directly below and continue filling out the environmental questionnaire.

6. Atmospheric Conditions/Air Quality

- a. Identify air quality conditions in the immediate vicinity of the proposed project with regard to attainment of National Ambient Air Quality Standards (NAAQS). This information is available under the Green Book Nonattainment Areas for Criteria Pollutants located at <http://epa.gov/oaqps/greenbk> or <http://www.epa.gov/air/oaqps/greenbk/astate.html>

| | <u>Attainment</u> | <u>Non-Attainment</u> |
|-------------------------|--------------------------|--------------------------|
| O ₃ – 1 hour | <input type="checkbox"/> | <input type="checkbox"/> |
| O ₃ – 8 hour | <input type="checkbox"/> | <input type="checkbox"/> |
| SO _x | <input type="checkbox"/> | <input type="checkbox"/> |
| PM – 2.5 | <input type="checkbox"/> | <input type="checkbox"/> |
| PM – 10 | <input type="checkbox"/> | <input type="checkbox"/> |
| CO | <input type="checkbox"/> | <input type="checkbox"/> |
| NO ₂ | <input type="checkbox"/> | <input type="checkbox"/> |
| Lead | <input type="checkbox"/> | <input type="checkbox"/> |

- b. Would the proposed project require issuance of new or modified local, state or federal air permits to perform project related work and activities?
 No Yes (describe)

- c. Would the proposed project be in compliance with local and state air quality requirements?
 No (explain) Yes
- d. Would the proposed project be classified as either a New Source of a major modification to an existing source?
 No Yes (describe)
- e. What type of air emissions, including fugitive emissions, would be anticipated from the proposed project, and what would be the maximum annual rate of emissions for this project?

| | Maximum per year | Total for Project |
|---|------------------|-------------------|
| SO _x | | |
| NO _x | | |
| PM – 2.5 | | |
| PM – 10 | | |
| CO | | |
| CO ₂ | | |
| Lead | | |
| H ₂ S | | |
| Organic Solvent Vapors or other volatile organic compounds. List. | | |
| Hazardous air pollutants. List. | | |
| Other. List | | |
| None | | |

- f. Would any type of emission control or particle collection devices be used?
 No Yes (describe, including collection efficiencies)
- g. If no control devices are used, how would emissions be vented?

7. Hydrologic Conditions/Water Quality

- a. What is the closest body of water to the proposed project area and what is its distance from the project site?
- b. What sources would supply potable and process water for the proposed project?
- c. Quantify the daily or annual amount of wastewater that would be generated by the proposed project.

| | |
|---|-----------------|
| <input type="checkbox"/> None | |
| <input type="checkbox"/> Non-contact cooling water | (gallons) |
| <input type="checkbox"/> Process water | (gallons) |
| <input type="checkbox"/> Sanitary and/or grey water | (gallons) |
| <input type="checkbox"/> Other-describe | (gallons) |

- d. What would be the major components of each type of wastewater (e.g., coal fines)?
 No wastewater produced
- e. Identify the local treatment facility that would receive wastewater from the proposed project.
 No discharges to local treatment facility
- f. Describe how wastewater would be collected and treated.
- g. Would any run-off leachates be produced from storage piles or waste disposal sites?
 No Yes (describe)

- h. Would the project require issuance of new or modified water permits to perform project work or site development activities?
 No Yes (describe)
- i. Where would wastewater effluents from the proposed project be discharged?
 No wastewater produced
- j. Would the proposed project be permitted to discharge effluents into an existing body of water?
 No Yes (describe water use and effluent impact)
- k. Would a new or modified National Pollutant Discharge Elimination System (NPDES) permit be required?
 No Yes (describe)
- l. Would the proposed project adversely affect the quality or movement of groundwater?
 No Yes (describe)
- m. Would the proposed project require issuance of an Underground Injection Control (UIC) permit?
 No Yes (describe)

8. Solid and Hazardous Wastes

- a. Identify and estimate major nonhazardous solid wastes that would be generated from the project. Solid wastes are defined as any solid, liquid, semi-solid, or contained gaseous material that is discarded or has served its intended purpose, or is a manufacturing or mining by-product (See EPA Municipal Solid Waste at <http://www.epa.gov/msw/> and Municipal Solid by State at <http://www.epa.gov/msw/states.htm>).

| | Annual Quantity |
|---|-----------------|
| <input type="checkbox"/> None | |
| <input type="checkbox"/> Municipal solid waste, i.e., paper, plastic, etc | |
| <input type="checkbox"/> Coal or coal by-products | |
| <input type="checkbox"/> Other - identify | |

- b. Would project require issuance of new or modified solid and/or hazardous waste related permits to perform project work activities?
 No Yes (explain)
- c. How and where would solid waste disposal be accomplished?
 On-site (identify and describe location)
 Off-site (identify location and describe facility and treatment)
- d. How would wastes for disposal be transported?
- e. Identify hazardous wastes that would be generated, used, or stored under this project. Hazardous information can be found at EPA Hazardous Waste website at <http://epa.gov/epaoswer/osw/hazwaste.htm>.
 None
- f. How would hazardous or toxic waste be collected and stored?
 None used or produced

g. If hazardous wastes would require off-site disposal, have arrangements been made with a certified TSD (Treatment, Storage, and Disposal) facility?

- Not required Arrangements not yet made Arrangements made with certified TSD facility
(identify):

Health/Safety Factors

a. Identify hazardous or toxic materials that would be used in the proposed project.

- None Hazardous or toxic substances that would be used (identify):

b. What would be the likely impacts of these project related hazardous materials on human health and the environments?

- None Yes (explain)

c. Would there be any special physical hazards or health risks associated with the project?

- No Yes (describe)

d. Does a worker safety program exist at the location of the proposed project?

- No Yes (describe)

e. Would safety training be necessary for any laboratory, equipment, or processes involved with the project?

- No Yes (describe)

f. Describe any increases in ambient noise levels to the public from construction and operational activities.

- None Increase in ambient noise level (describe)

g. Would project construction result in the removal of natural barriers that act as noise screens?

- No construction planned No Yes (describe)

h. Would hearing protection be required for workers?

- No Yes (describe)

10. Environmental Restoration and/or Waste Management

a. Would the proposed project include CERCLA removals or similar actions under RCRA or other authorities?

- No Yes (describe)

b. Would the proposed project include siting, construction, and operation of temporary pilot-scale waste collection and treatment facilities or pilot-scale waste stabilization and containment facilities?

- No Yes (describe)

c. Would the proposed project involve operations of environmental monitoring and control systems?

- No Yes (describe)

d. Would the proposed project involve siting, construction, operation, and decommissioning of a facility for storing packaged hazardous waste for 90 days or less?

- No Yes (describe)

E. Regulatory Compliance

1. For the following laws, describe any existing permits, new or modified permits, manifests, responsible authorities or agencies, contracts, etc., that would be required for the proposed project (Information on the following environmental laws can be found at the Major Environmental Law website <http://www.epa.gov/epahome/lawas.htm>:

a. Resource Conservation and Recovery Act (RCRA)

- None Required (describe)

b. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA):

- None Required (describe)

c. Toxic substance Control Act (TCSA):

- None Required (describe)

d. Clean Water Act (CWA):

- None Required (describe)

e. Underground Storage Tank Control Program (UST):

- None Required (describe)

f. Underground Injection Control Program (UIC):

- None Required (describe)

g. Clean Air Act (CAA):

- None Required (describe)

h. Endangered Species Act (ESA):

- None Required (describe)

i. Floodplains and Wetlands Regulations:

- None Required (describe)

j. Fish and Wildlife Coordination Act (FWCA)

- None Required (describe)

k. National Historic Preservation Act (NHPA):

- None Required (describe)

l. Coastal Zone Management Act (CZMA):

- None Required (describe)

2. Identify any other environmental laws and regulations (Federal, state and local) for which compliance would be necessary for this project, and describe the permits, manifests, and contracts that would be required.

F. DESCRIBE ANY ISSUES THAT WOULD GENERATE PUBLIC CONTROVERSY REGARDING THE PROPOSED PROJECT.

- None

| |
|------------------------|
| Form # PL-451-01-F3 |
|------------------------|

**U.S Department of Energy
CATEGORICAL EXCLUSION (CX) DESIGNATION FORM**

Action or Project No. _____ FY: _____

Title: _____ Performance Period: _____

Performing Organization: _____ Location: _____

THE PROPOSED ACTION FALLS WITHIN THE FOLLOWING CX CLASS OF ACTIONS FOUND IN APPENDIX A and/or B OF THE DOE NEP IMPLEMENTING PROCEDURES. (CHECK ONE OR MORE)

General Administration/Management

- A1 – Routine business actions
- A2 – Administrative contract amendments
- A4 – Interpretations/rulings for existing regulations
- A5 – Regulatory interpretations without environmental effect
- A6 – Procedural rulemaking
- A7 – Transfer of property, use unchanged
- A8 – Award of technical support/M&O/personal service contracts
- A9 – Info gathering, analysis, documentation, dissemination, and training
- A10 – Reports on non-DOE legislation
- A11 – Technical advice and planning assistance
- A12 – Emergency Preparedness planning
- A13 – Procedural Orders, Notices, and Guidelines
- A14 – Approval of technical exchange arrangements
- A15 – International umbrella agreements for energy R&D

Facility Operations

- B1.2 – Training exercises and simulation
- B1.3 – Routine maintenance and custodial services
- B1.4 – Air conditioning installation for existing equipment
- B1.5 – Cooling water system improvements in existing structures
- B1.6 – Installation of runoff-spill control retention tanks and basins
- B1.7 – Communication system and data processing equipment acquisition, installation, operation, removal
- B1.8 – Screened water intake/outflow structure mods, within permits
- B1.11 – Fence installation, no adverse effect on wildlife or water flow
- B1.12 – Detonation/burning of failed/damaged high explosives or propellants in designated areas, within permits
- B1.13 – On-site pathway or short access road construction/acquisition
- B1.15 – Support building or structure, non-waste storage, const/oper
- B1.16 – Removal of asbestos in accordance with regulations
- B1.17 – Removal of PCB items from aboveground structures
- B1.18 – Water supply well const/oper, from existing field, no degradation
- B1.21 – Noise abatement
- B1.22 – Building relocation to developed area/demolition/disposal
- B1.23 – Demolition/disposal of buildings, equipment, and structures
- B1.24 – Transfer, disposition, or acquisition of uncontaminated structures or equipment, environmental, environmental quality maintained
- B1.25 – Transfer, disposition, or acquisition of uncontaminated land for habitat preservation/wildlife management
- B1.26 – Small (<240,000 GPD) WWT facility const/oper/decom
- B1.27 – Disconnection of utilities
- B1.28 – Placement of unused facilities in environmentally safe condition
- B1.29 – Small on-site const/demolition waste disposal facility const/oper/decom
- B1.30 – Transfer/transportation actions, quantities incidental to amounts at receiving site
- B1.31 – Relocation/operation of machinery or equipment, similar use
- B1.32 – Traffic flow adjustments, existing roads

Safety and Health

- B2.1 – Modifications to enhance workplace habitability
- B2.2 – Installation/improvement of building/equipment instrumentation
- B2.3 – Installation of equipment for personnel safety and health
- B2.5 – Facility safety and environmental improvements, replacement or upgrade of facility components, no change in useful life

General Research

- B3.1 – Site characterization/environmental monitoring
- B3.3 – Research related to conservation of fish and wildlife
- B3.4 – Transport packaging tests for radioactive/hazardous material
- B3.6 – R&D or pilot facility construction/operation/decommissioning
- B3.7 – New infill exploratory, experimental oil/gas/geothermal well construction/operation
- B3.8 – Outdoor ecological/environmental research in small area
- B3.9 – Certain CCT demonstration activities, emissions unchanged
- B3.11 – Outdoor tests, experiments on materials and equipment components, no source special nuclear, or by-product materials

Conservation, Fossil and Renewable Energy Activities

- B5.1 – Actions to conserve energy, no indoor air quality degradation
- B5.2 – Modification to oil/gas/geothermal pumps and piping, no flow changes, or air emission effects
- B5.3 – Modification (not expansion)/abandonment of oil storage access/brine injection/gas/geothermal wells; no site closure
- B5.4 – Repair/replacement of pipeline sections within maintenance provisions of a Section 404 permit
- B5.5 – Short crude oil/gas/steam/geothermal pipeline const/oper within a single industrial complex/existing right-of-way
- B5.6 – Oil spill cleanup operations
- B5.12 – Workover of existing oil, gas, geothermal wells to restore production

Environmental Restoration/Waste Minimization

- B6.1 – Cleanup actions: small-scale, short-term (<\$5MM and 5 years)
- B6.2 – Siting/construction operation of temporary pilot-scale waste collection/treatment/stabilization/containment facilities
- B6.3 – Environmental control system improvements in existing structures recycle/release/disposal within permitted facility
- B6.4 – Packaged hazardous waste storage facility const/oper/decom
- B6.5 – Const/oper/decom of on-site facility for characterizing/sorting or overpacking previously packaged waste (not high-level or spent nuclear fuel; no unpacking)
- B6.6 – Modification of facility for storing, packaging, or repacking waste (not high-level or spent nuclear fuel)
- B6.8 – Minor operational changes to minimize waste or reuse materials
- B6.9 – Small-scale, temporary measures to reduce contaminated GW migration
- B6.10 – Upgraded waste storage facility (<50,000 ft) for existing waste const/oper/decom

Other

- Specify Category

This action would not (1) violate applicable ES&H requirements, (2) require siting waste TSD or recovery facilities, (3) disturb hazardous substances (excluding naturally occurring petroleum and natural gas), thus producing uncontrolled or unpermitted releases, and (4) adversely affect sensitive resources. Furthermore, this action (1) would not present any extraordinary circumstances such that the action might have a significant impact on the

human environment, (2) is not connected to other actions with potentially significant impacts, and (3) is not related to other actions with cumulatively significant impacts. Therefore, the proposed action may be CX'ed from further review.

INITIATOR SIGNATURE: _____
_____/_____/_____

year

TYPED NAME: _____

NEPA Compliance Officer _____
_____/_____/_____

DATE:

month day

DATE: -

EXAMPLE OF AN ENVIRONMENTAL ASSESSMENT DETERMINATION

ENVIRONMENTAL ASSESSMENT DETERMINATION (EAD)

**U.S. DEPARTMENT OF ENERGY
QUADRANT II CORRECTIVE MEASURES IMPLEMENTATION AT THE PORTSMOUTH GASEOUS
DIFFUSION PLANT
(NON-SUBPART D)
EAD PORTS – 2002-001**

Proposed Action: To implement corrective measures activities in Quadrant II at the Portsmouth Gaseous Diffusion Plant.

Location: The location of the proposed action is the Portsmouth Gaseous Diffusion Plant (PORTS), Piketon, Ohio.

Brief Description of the Proposed Action: The U.S. Department of Energy (DOE) proposes to implement corrective measures in Quadrant II at PORTS. The environmental corrective measures are necessary to comply with the DOE signed compliance agreement with the U.S. Environmental Protection Agency (EPA) and the Ohio EPA that require DOE to conduct RCRA corrective measures at PORTS to remediate soil and groundwater in portions of Quadrant II, which are contaminated at levels exceeding acceptable risk criteria. A system was developed to evaluate Solid Waste Management Units (SWMU) in Quadrant II which are considered a source or potential source of contamination. Each SWMU was categorized on the basis of current and realistic future risk determined by analyzing data from the RCRA Facility Investigation (RFI) Baseline Risk Assessment. The units were placed in categories of SWMUs requiring remedial action alternatives developed in a Corrective Action Study/Corrective Measures Study (CAS/CMS).

Two units were determined to require development of remedial action alternatives. There were the X-701B Holding Pond and Retention Basins Area and the X-701B Groundwater Plume Area. A wide range of corrective measures technologies and methods were evaluated as part of the Quadrant II CAS/CMS. At the X-701B Groundwater Plume Area, the potential corrective measures ranged from institutional controls to various combinations of ex-situ and in-situ treatment including bio-and phyto-remediation and steam stripping or electrical resistance heating with vapor extraction. The proposed action is to implement an as yet undetermined combination of these technologies to remediate groundwater and soil contamination in two areas of Quadrant II.

Class of Action: Non-Subpart D

Based on my review, I recommend that an Environmental Assessment (EA) be prepared to assess the impacts of the proposed action.

David R. Allen, ORO
National Environmental Policy Act Compliance Officer

Date

Based on my review and the recommendation of the ORO NEPA Compliance Officer, I recommend that an EA be prepared to assess the impacts of the proposed action.

Gerald G. Boyd, ORO
Assistant Manager for Environmental Management

Date

Based on the recommendation of the ORO NEPA Compliance Officer and the Assistant Manager for Environmental Management, I have determined that an EA will be prepared to assess the impacts of the proposed action. Based on the analysis in the EA, DOE will either prepare a Finding of No Significant Impact and proceed with the action or will prepare an Environmental Impact Statement if the EA reveals the potential for significant impacts.

James A. Turi, Acting Manager
Oak Ridge Operation Office

Date

Figure 1
NEPA Flow Chart

