

**ENVIRONMENTAL REVIEW for CATEGORICAL EXCLUSION DETERMINATION
Rocky Mountain Region, Western Area Power Administration**

CURECANTI SUBSTATION CONTAINMENT WALL, MONTROSE COUNTY, CO

A. Brief Description of Proposal: To strengthen its environmental compliance Western intends to construct an oil and water separation and containment wall in a dry storm-water drainage ditch adjacent to the Curecanti Substation in previously disturbed ground. The original ditch design is to direct substation runoff rainwater and to contain any fluid substances in case of a facility leak. Due to proximity to the Cimarron River, the wall structure design is to withstand the dual events of a facility leak and a 500-year storm event occurring simultaneously. The dimensions of the wall would be 16 feet long by 6 foot 8 inches high by 10 inches thick consisting of concrete and reinforcing rod. A metal standpipe would allow water to flow out of the containment pond during an event while retaining any oil that may flow into the ditch due to a facility leak. The project is in a developed area within a few feet of the substation perimeter fence, in an existing ditch, on Western owned land, and has been previously surveyed for cultural resources with no resources found.

B. Number and Title of the Categorical Exclusion Being Applied: (See text in 10 CFR Part 1021, Subpart D.)

Appendix B1.6 “Installation or modification of retention tanks or small (normally under one acre) basins and associated piping and pumps for existing operations to control runoff or spills (such as under 40 CFR part 112). Modifications include, but are not limited to, installing liners or covers.”

C. Regulatory Requirements in 10 CFR 1021.410 (b): (See full text in regulation and attached checklist.)

- 1) The proposed action fits within a class of actions that is listed in Appendix A or B to Subpart D.

For classes of actions listed in Appendix B, the following conditions are integral elements; i.e., to fit within a class, the proposal must not:

- Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, including DOE and/or Executive Orders;
- Require siting, construction, or major expansion of waste storage, disposal, recover, or treatment facilities, but may include such 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; or
- Adversely affect environmentally sensitive resources (including but not limited to those listed in paragraph B. (4)).¹

- 2) There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal; and
- 3) The proposal is not “connected” to other actions with potentially significant impacts, is not related to other proposed actions with cumulatively significant impacts, and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211.

D. Special Stipulations Pertaining to the Proposal:

If the scope of work of this project changes you must contact Western’s Environmental Division for additional environmental review.

If any cultural materials are discovered during construction, work in the area shall halt immediately, Western and the Wyoming SHPO staff shall be contacted, and the material be evaluated by an archaeologist or historian meeting the Secretary of the Interior’s Professional Qualification Standards (48 FR 22716, Sept. 1983).

This CX is valid for 3 years after the signature date. If construction has not commenced within that time, contact Western’s Environmental Division for an updated environmental review prior to construction.

E. Determination: Based on my review of information provided to me and in my possession concerning the proposed action, I determined that the proposed action fits within the specified class of actions, the other regulatory requirements set forth above are met, and the proposed action is categorically excluded from requirements for an EA or an EIS.

C. Shane Collins

Signature

Date: 5/19/11

C. Shane Collins
NEPA Compliance Officer
Western Area Power Administration

- 1 All reviews and discussions supporting the "not adversely affect" determination have been completed.

ATTACHMENT A

Conditions That Are Integral Elements of the Classes of Action in Appendix B That Apply to This Proposal

| Application of Categorical Exclusions (1021.410) | Disagree | Agree | Unknown |
|--|-----------------|--------------|----------------|
| 1) The proposal fits within a class of actions that is listed in appendix A or B to subpart D. | | x | |
| 2) There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effect of the proposal, (e.g. scientific controversy about environmental effects; uncertain effects or effects involving unique or unknown risks; unresolved conflicts concerning alternate uses of available resources (see NEPA 102(2)(E)) | | x | |
| 3) The proposal is not connected (40 CFR 1508.25(a)(1) to other actions with potentially significant impacts, is not related to other proposed actions with cumulatively significant impacts (40 CFR 1508.25(a)(2)), and is not precluded by 40 CFR 1506.1 or § 1021.211. | | x | |
| Conditions that are Integral Elements of the Classes of Actions in Appendix B | NO | YES | UNKNOWN |
| 1) Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety and health, including requirements of DOE and/or Executive Orders ¹ . | x | | |
| 2) Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators), but the proposal may include categorically excluded waste storage disposal, recovery, or treatment actions. | x | | |
| 3) Disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or intermittent releases; or | x | | |
| 4) Adversely affect environmentally sensitive resources. Including but not limited to: <ul style="list-style-type: none"> • Property of historic, archaeological, or architectural significance designated by Federal, state, or local governments or property eligible for listing on the National Register of Historic Places | x | | |

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| <ul style="list-style-type: none"> Federally-listed threatened or endangered species or their habitat (including critical habitat), federally-proposed or candidate species or their habitat, or state-listed endangered or threatened species or their habitat; | x | | |
| <ul style="list-style-type: none"> Wetlands regulated under the Clean Water Act and Floodplains; | x | | |
| <ul style="list-style-type: none"> Areas having a special designation such as Federally- and state-designated wilderness areas, national parks, national natural landmarks, wild and scenic rivers, state and Federal wildlife refuges and marine sanctuaries; | x | | |
| <ul style="list-style-type: none"> Prime agricultural lands; | x | | |
| <ul style="list-style-type: none"> Special sources of water (such as sole-source aquifers, wellhead protection areas, and other water sources that are vital in a region); and | x | | |
| <ul style="list-style-type: none"> Tundra, coral reefs, or rain forests. | | | |

¹Applicable statutory, regulatory, or permit requirements for environment, safety and health, including requirements of DOE and/or Executive Orders (in addition to those listed above)

Department of Energy Floodplain and Wetland Regulations (10 CFR 1022) (Not in 500 year floodplain or impacts on wetlands).

Clean Water Act

- Complies with Section 404 requirements

Complies with National Pollutant Discharge Elimination System Permitting requirements

Complies with Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (February 11, 1994, with Presidential Memorandum)

Complies with Executive Order 13186, Responsibilities of Federal Agencies to Protect Migratory Birds. (January 10, 2001)

