



# U.S. Department of Energy

## Categorical Exclusion Determination Form

**Proposed Action Title:** CATEGORICAL EXCLUSION (CX) DETERMINATION FOR CLOSURE ACTIVITIES UNDER THE RESOURCE CONSERVATION AND RECOVERY ACT (RCRA) (CX-GEN-017)

**Program or Field Office:** Oak Ridge Office, Oak Ridge, Tennessee

**Location(s) (City/County/State):** Oak Ridge, TN; Berkeley, CA; Menlo Park, CA; Newport News, VA; and other DOE-operated facilities and ancillary areas associated with these sites, programs, and projects

**Proposed Action Description:**

The contractor or subcontractor performing the work would inspect, decontaminate, and provide independent certification of RCRA unit closure. Units may have been used for waste storage and/or treatment in tanks, containers, waste piles, or other regulated systems. The closure for any unit would be conducted in accordance with applicable permits, regulatory guidance, and all requirements as specified within the project work plan. Units that are authorized by a RCRA permit must be closed in accordance with the associated closure plan.

Support for these closure activities may include installing temporary mobile trailers, equipment, and materials. Prior to demobilization, all applicable equipment would be decontaminated.

The general sequence of events for closure of the units would include, but not necessarily be limited to, (1) assessment mobilization, (2) unit assessment, (3) decontamination mobilization, (4) nondestructive and/or destructive decontamination, (5) contaminated equipment removal, (6) waste minimization and disposal, and (7) site demobilization.

A visual inspection of floor surfaces for any evidence of leaks or spills via discoloration, residue, or visible stains that could be the result of a previous spill, leak, or release that occurred during waste management activities would be performed as part of the facility assessment. If contamination is present, nondestructive decontamination would be performed, and areas requiring decontamination would be decontaminated according to the approved work plan. Air suppression methods would be in place to control dust emissions and prevent any potential airborne contamination. All floor drains, storm sewers, and other collectors for surface runoff that are designed for collecting surface drainage from the facilities would be protected in accordance with industry standards. If the requirements of the closure plan cannot be achieved, destructive decontamination would be completed in accordance with the approved work plan.

For tank closures, ancillary equipment would be removed and activities could include, but not necessarily be limited to, (1) performing pipe and internal tank decontamination, (2) performing sludge removal, (3) completing pipe and internal tank decontamination, and (4) performing secondary containment decontamination. Throughout the execution of the project, inspections would be performed in the work area.

Tank loading station secondary containment material, such as poly sheeting, railroad ties, and any other existing readily-removable materials, would be removed, size reduced, loaded into intermodal containers, and disposed in accordance with the approved waste management plan.

Under normal circumstances, there are no air permitting or emission concerns associated with tank closures because the decontamination/removal process would normally employ a rotating spray nozzle inside a closed tank. In the event that other decontamination/removal methods would be utilized (i.e., manned entry to clean out tank), the contractor or subcontractor would evaluate the method and need for an air permit and provide the applicable source-term information and source-term emission calculations to the appropriate personnel for evaluation.

Equipment spill prevention measures would be considered as part of the overall project planning, and equipment would be inspected to ensure proper operation and determine if any leaks are present.

Any wastes generated would be appropriately characterized and disposed at existing permitted/approved waste storage, treatment, or disposal facilities. The proposed action would be evaluated before implementation to identify options to reduce or eliminate generation of waste materials.

The proposed RCRA closure actions that would take place on the Oak Ridge Reservation (ORR) have been reviewed in accordance with the Cultural Resource Management Plan (CRMP) or applicable sections in a ratified Programmatic Agreement document and would not result in an adverse effect to historic properties included or eligible for inclusion in the National Register of Historic Places (National Register). If the proposed ORR actions would have an adverse effect on properties included or eligible for inclusion in the National Register, DOE-ORO would consult with the State Historic Preservation Officer (SHPO) and initiate actions specified in procedures set forth in the Advisory Council's regulations in 36 CFR Part 800.

For sites other than the ORR, DOE would follow the Section 106 process and would consult with the respective SHPO, as appropriate.

To ensure that sensitive resources are protected, existing maps and surveys/studies on threatened and endangered species, wetlands and floodplains, and historically sensitive areas would be used to locate these areas. In addition, personnel responsible for identifying these resources would be consulted and, if warranted, additional surveys and walkovers would be conducted to confirm or update available information.

No known extraordinary circumstances would be associated with these actions that might affect the significance of the environmental effects of the proposed action based on past similar actions. These actions would not be connected to other actions with potentially significant impacts or related to other proposed actions with cumulatively significant impacts; they would meet the conditions that are integral elements of the classes of actions which may be categorically excluded from further National Environmental Policy Act (NEPA) documentation. Should the action not meet the conditions for CX consideration, a separate NEPA document would be prepared and submitted to DOE ORO for review and approval.

Although an action may fall under the category of "closure activities under RCRA," a separate NEPA review would be performed and documented should the action or related/cumulative effect of the action have the potential to result in an unusual or significant impact to the environment.

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**Categorical Exclusion(s) Applied:**

B1.28 – Placing a facility in an environmentally safe condition

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For the complete DOE National Environmental Policy Act regulations regarding categorical exclusions, including the full text of each categorical exclusion, see Subpart D of 10 CFR Part 1021.

Regulatory Requirements in 10 CFR 1021.410(b): (See full text in regulation)

The proposal 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 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 or facilities; (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 unpermitted releases; (4) have the potential to cause significant impacts on environmentally sensitive resources, including, but not limited to, those listed in paragraph B(4) of 10 CFR Part 1021, Subpart D, Appendix B; (5) involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those listed in paragraph B(5) of 10 CFR Part 1021, Subpart D, Appendix B.

There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal.

The proposal has not been segmented to meet the definition of a categorical exclusion. This proposal is not connected to other actions with potentially significant impacts (40 CFR 1508.25(a)(1)), is not related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.27(b)(7)), and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211 concerning limitations on actions during preparation of an environmental impact statement.

Based on my review of the proposed action, as NEPA Compliance Officer (as authorized under DOE Order 451.1B), I have determined that the proposed action fits within the specified class(es) of action, the other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

NEPA Compliance Officer: \_\_\_\_\_ /s/ \_\_\_\_\_ Date Determined: \_\_\_\_\_ 11/19/2012 \_\_\_\_\_