

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

**Construction and Maintenance Activities at Existing Field Offices and Operation Centers  
Rocky Mountain Region, Colorado, Wyoming, Nebraska, Montana, Utah, and New Mexico**

**A. Brief Description of Proposal:** Western Area Power Administration (Western), Rocky Mountain Region (RMR), owns and operates 10 field offices and operation centers located in Colorado, Nebraska, Wyoming, Utah, and New Mexico. The facilities vary in size from approximately 2 acres up to 38 acres. These facilities have varying numbers of buildings and/or shops and have chain link fences and locked gates surrounding them. Due to activities at the time of original construction, all the area within each of the facilities perimeter is previously disturbed ground. This determination includes all routine maintenance, renovations, and grounds work within the facilities perimeter. Typical and common work includes but is not limited to:

- 1) Maintenance of lawns, sprinkler systems and landscaping activities;
- 2) Snow removal;
- 3) Installation, repair and replacement of fencing and gates;
- 4) Roof and siding repair;
- 5) Internal building structure maintenance and renovations including interior and exterior painting, and roof, ceiling, floor, wall, window, and door maintenance. Note that special stipulations apply (see below, section D. Special Stipulations Pertaining to the Proposal);
- 6) Plumbing and electrical maintenance and renovation;
- 7) Maintenance, installation and removal of solar power array and controller;
- 8) Clean up of oil and chemical spills that don't reach reportable quantities;
- 9) Asbestos and lead-based paint testing and removal;
- 10) Construction of buildings and foundations;
- 11) Installation, operation, modification, and removal of fiber optic cable, communication systems, data processing equipment, and similar electronic equipment;
- 12) Application of soil sterilants, herbicides, insecticides and rodenticides by state certified applicators;
- 13) Clearing vegetation by hand or using machinery;
- 14) Installation or repair of culverts;
- 15) Grounds maintenance for existing facilities;
- 16) Parking lot work including asphalt, concrete, and gravel surfaces;
- 17) Erosion control projects within an existing facility;
- 18) Installation, repair, or modification of air conditioning and heating systems; and
- 19) Removal of nuisance wildlife or nests (e.g., rodents and bird nests) causing damage to property or interfering with normal maintenance activities. Note that special stipulations apply (see below, section D. Special Stipulations Pertaining to the Proposal).

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

**B1.3. Routine Maintenance**

Routine maintenance activities and custodial services for buildings, structures, rights-of-way, infrastructures (including, but not limited to, pathways, roads, and railroads), vehicles and equipment, and localized vegetation and pest control, during which operations may be suspended and resumed, provided that the activities would be conducted in a manner in accordance with applicable requirements.

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Custodial services are activities to preserve facility appearance, working conditions, and sanitation (such as cleaning, window washing, lawn mowing, trash collection, painting, and snow removal). Routine maintenance activities, corrective (that is, repair), preventive, and predictive, are required to maintain and preserve buildings, structures, infrastructures, and equipment in a condition suitable for a facility to be used for its designated purpose. Such maintenance may occur as a result of severe weather (such as hurricanes, floods, and tornados), wildfires, and other such events. Routine maintenance may result in replacement to the extent that replacement is in-kind and is not a substantial upgrade or improvement. In-kind replacement includes installation of new components to replace outmoded components, provided that the replacement does not result in a significant change in the expected useful life, design capacity, or function of the facility. Routine maintenance does not include replacement of a major component that significantly extends the originally intended useful life of a facility (for example, it does not include the replacement of a reactor vessel near the end of its useful life). Routine maintenance activities include, but are not limited to:

- (a) Repair or replacement of facility equipment, such as lathes, mills, pumps, and presses;
- (b) Door and window repair or replacement;
- (c) Wall, ceiling, or floor repair or replacement;
- (d) Reroofing;
- (e) Plumbing, electrical utility, lighting, and telephone service repair or replacement;
- (f) Routine replacement of high-efficiency particulate air filters;
- (g) Inspection and/or treatment of currently installed utility poles;
- (h) Repair of road embankments;
- (i) Repair or replacement of fire protection sprinkler systems;
- (j) Road and parking area resurfacing, including construction of temporary access to facilitate resurfacing, and scraping and grading of unpaved surfaces;
- (k) Erosion control and soil stabilization measures (such as reseeding, gabions, grading, and revegetation);
- (l) Surveillance and maintenance of surplus facilities in accordance with DOE Order 435.1, "Radioactive Waste Management," or its successor;
- (m) Repair and maintenance of transmission facilities, such as replacement of conductors of the same nominal voltage, poles, circuit breakers, transformers, capacitors, crossarms, insulators, and downed powerlines, in accordance, where appropriate, with 40 CFR part 761 ("Polychlorinated Biphenyls Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions") or its successor;
- (n) Routine testing and calibration of facility components, subsystems, or portable equipment (such as control valves, in-core monitoring devices, transformers, capacitors, monitoring wells, lysimeters, weather stations, and flumes);
- (o) Routine decontamination of the surfaces of equipment, rooms, hot cells, or other interior surfaces of buildings (by such activities as wiping with rags, using strippable latex, and minor vacuuming), and removal of contaminated intact equipment and other material (not including spent nuclear fuel or special nuclear material in nuclear reactors); and
- (p) Removal of debris.

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**B1.4. Air Conditioning Systems For Existing Equipment**

Installation or modification of air conditioning systems required for temperature control for operation of existing equipment.

**B1.11. Fencing**

Installation of fencing, including, but not limited to, border marking, that would not have the potential to significantly impede wildlife population movement (including migration) or surface water flow.

**B1.16. Asbestos Removal**

Removal of asbestos-containing materials from buildings in accordance with applicable requirements (such as 40 CFR part 61, "National Emission Standards for Hazardous Air Pollutants"; 40 CFR part 763, "Asbestos"; 29 CFR part 1910, subpart I, "Personal Protective Equipment"; and 29 CFR part 1926, "Safety and Health Regulations for Construction"; and appropriate State and local requirements, including certification of removal contractors and technicians).

**B1.17. Polychlorinated Biphenyl Removal**

Removal of polychlorinated biphenyl (PCB)-containing items (including, but not limited to, transformers and capacitors), PCB-containing oils flushed from transformers, PCB-flushing solutions, and PCB-containing spill materials from buildings or other aboveground locations in accordance with applicable requirements (such as 40 CFR part 761).

**B1.27. Disconnection of Utilities**

Activities that are required for the disconnection of utility services (including, but not limited to, water, steam, telecommunications, and electrical power) after it has been determined that the continued operation of these systems is not needed for safety.

**B1.31. Installation or Relocation of Machinery and Equipment**

Installation or relocation and operation of machinery and equipment (including, but not limited to, laboratory equipment, electronic hardware, manufacturing machinery, maintenance equipment, and health and safety equipment), provided that uses of the installed or relocated items are consistent with the general missions of the receiving structure. Covered actions include modifications to an existing building, within or contiguous to a previously disturbed or developed area, that are necessary for equipment installation and relocation. Such modifications would not appreciably increase the footprint or height of the existing building or have the potential to cause significant changes to the type and magnitude of environmental impacts.

**B1.33. Stormwater Runoff Control**

Design, construction, and operation of control practices to reduce stormwater runoff and maintain natural hydrology. Activities include, but are not limited to, those that reduce impervious surfaces (such as vegetative practices and use of porous pavements), best management practices (such as silt fences, straw wattles, and fiber rolls), and use of green infrastructure or other low impact development practices (such as cisterns and green roofs).

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**B1.34. Lead-Based Paint Containment, Removal, and Disposal**

Containment, removal, and disposal of lead-based paint in accordance with applicable requirements (such as provisions relating to the certification of removal contractors and technicians at 40 CFR part 745, "Lead-Based Paint Poisoning Prevention In Certain Residential Structures").

**B2.2. Building and Equipment Instrumentation**

Installation of, or improvements to, building and equipment instrumentation (including, but not limited to, remote control panels, remote monitoring capability, alarm and surveillance systems, control systems to provide automatic shutdown, fire detection and protection systems, water consumption monitors and flow control systems, announcement and emergency warning systems, criticality and radiation monitors and alarms, and safeguards and security equipment).

**B2.3. Personnel Safety and Health Equipment**

Installation of, or improvements to, equipment for personnel safety and health (including, but not limited to, eye washes, safety showers, radiation monitoring devices, fumehoods and associated collection and exhaust systems), provided that the covered actions would not have the potential to cause a significant increase in emissions.

**B2.5. Facility Safety and Environmental Improvements**

Safety and environmental improvements of a facility (including, but not limited to, replacement and upgrade of facility components) that do not result in a significant change in the expected useful life, design capacity, or function of the facility and during which operations may be suspended and then resumed. Improvements include, but are not limited to, replacement/upgrade of control valves, in-core monitoring devices, facility air filtration systems, or substation transformers or capacitors; addition of structural bracing to meet earthquake standards and/or sustain high wind loading; and replacement of aboveground or belowground tanks and related piping, provided that there is no evidence of leakage, based on testing in accordance with applicable requirements (such as 40 CFR part 265, "Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities" and 40 CFR part 280, "Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks"). These actions do not include rebuilding or modifying substantial portions of a facility (such as replacing a reactor vessel).

**B4.7. Fiber Optic Cable**

Adding fiber optic cables to transmission facilities or burying fiber optic cable in existing powerline or pipeline rights-of-way. Covered actions may include associated vaults and pulling and tensioning sites outside of rights-of-way in nearby previously disturbed or developed areas.

**B5.1. Actions to Conserve Energy or Water**

(a) Actions to conserve energy or water, demonstrate potential energy or water conservation, and promote energy-efficiency that would not have the potential to cause significant changes in the indoor or outdoor concentrations of potentially harmful substances. These actions may involve financial and technical assistance to individuals (such as builders, owners, consultants, manufacturers, and designers), organizations (such as utilities), and governments (such as State, local, and tribal). Covered actions include, but are not limited to, weatherization (such as

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insulation and replacing windows and doors), programmed lowering of thermostat settings, placement of timers on hot water heaters, installation or replacement of energy efficient lighting, low-flow plumbing fixtures (such as faucets, toilets, and showerheads), heating, ventilation, and air conditioning systems, and appliances, installation of drip-irrigation systems, improvements in generator efficiency and appliance efficiency ratings, efficiency improvements for vehicles and transportation (such as fleet changeout), power storage (such as flywheels and batteries, generally less than 10-megawatt equivalent), transportation management systems (such as traffic signal control systems, car navigation, speed cameras, and automatic plate number recognition), development of energy-efficient manufacturing, industrial, or building practices, and small-scale energy efficiency and conservation research and development and small-scale pilot projects. Covered actions include building renovations or new structures, provided that they occur in a previously disturbed or developed area. Covered actions could involve commercial, residential, agricultural, academic, institutional, or industrial sectors. Covered actions do not include rulemakings, standard-settings, or proposed DOE (Department of Energy) legislation, except for those actions listed in B5.1(b) of this appendix.

- (b) Covered actions include rulemakings that establish energy conservation standards for consumer products and industrial equipment, provided that the actions would not: (1) have the potential to cause a significant change in manufacturing infrastructure (such as construction of new manufacturing plants with considerable associated ground disturbance); (2) involve significant unresolved conflicts concerning alternative uses of available resources (such as rare or limited raw materials); (3) have the potential to result in a significant increase in the disposal of materials posing significant risks to human health and the environment (such as RCRA hazardous wastes); or (4) have the potential to cause a significant increase in energy consumption in a state or region.

**B5.16. Solar Photovoltaic Systems**

The installation, modification, operation, and removal of commercially available solar photovoltaic systems located on a building or other structure (such as rooftop, parking lot or facility, and mounted to signage, lighting, gates, or fences), or if located on land, generally comprising less than 10 acres within a previously disturbed or developed area. Covered actions would be in accordance with applicable requirements (such as local land use and zoning requirements) in the proposed project area and would incorporate appropriate control technologies and best management practices.

**B5.17. Solar Thermal Systems**

The installation, modification, operation, and removal of commercially available small-scale solar thermal systems (including, but not limited to, solar hot water systems) located on or contiguous to a building, and if located on land, generally comprising less than 10 acres within a previously disturbed or developed area. Covered actions would be in accordance with applicable requirements (such as local land use and zoning requirements) in the proposed project area and would incorporate appropriate control technologies and best management practices.

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##### **B5.23. Electric Vehicle Charging Stations**

The installation, modification, operation, and removal of electric vehicle charging stations, using commercially available technology, within a previously disturbed or developed area. Covered actions are limited to areas where access and parking are in accordance with applicable requirements (such as local land use and zoning requirements) in the proposed project area and would incorporate appropriate control technologies and best management practices.

#### **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 listed in Appendix A or B to Subpart D.

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

- Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders;
  - 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;
  - 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;
  - Have the potential to cause significant impacts on environmentally sensitive resources. An environmentally sensitive resource is typically a resource that has been identified as needing protection through Executive Order, statute, or regulation by Federal, State, or local government, or a federally recognized Indian tribe. An action may be categorically excluded if, although sensitive resources are present, the action would not have the potential to cause significant impacts on those resources (such as construction of a building with its foundation well above a sole-source aquifer or upland surface soil removal on a site that has wetlands). Environmentally sensitive resources include, but are not limited to, those listed in paragraph B. (4) (see Attachment A).
- 2) There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal.
  - 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.

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**D. Special Stipulations Pertaining to the Proposal:**

Project Managers implementing projects under this Categorical Exclusion (CX) shall contact Western's RMR Environmental Division to ensure the action is covered by this CX. If the scope of work for a project is not as described in Section A, Western's RMR Environmental Division may need to perform additional environmental review.

No active avian nests shall be disturbed or damaged. The Project Manager may request an environmental monitor from Environment.

Removal of wildlife or nests must comply with pertinent laws and regulations (i.e., Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, Endangered Species Act, and Federal Insecticide, Fungicide and Rodenticide Act) and the Memorandum of Understanding between DOE and US Fish and Wildlife Service (September, 2013); and should be coordinated with the RMR Environment Division for monitoring, permitting, and or timing of the action as appropriate.

This CX is valid for 1 year after the signature date or until an updated version is executed by Western's RMR Environmental Division, whichever comes first.

Work outside the perimeter of the facility is not covered by this CX and Western's RMR Environmental Division must be contacted to review the proposed work prior to construction.

Storm Water Pollution Prevention Plans are prepared and related NPDES permits are obtained for work involving more than 1 acre of ground disturbance.

If any oil containing equipment is installed, replaced, or retrofitted within a facility, the Environmental Division shall be contacted in order to evaluate the Spill Prevention, Control, and Countermeasures (SPCC) status for that site.

If the facility is within a 100 or 500-year floodplain as described by the Federal Emergency Management Agency's Flood Insurance Rate Maps, the Environmental Division must be notified if any new equipment or fill is to be placed at that facility. If the project manager is unsure if the facility is within a floodplain, contact Environment prior to construction to obtain a determination prior to any work being done.

Lead-based paint, asbestos, PCB, and other environmentally regulated materials requirements shall be met.

Facility work on buildings will conform to sustainability goals outlined in Western's Sustainability Plan for compliance with Executive Order 13514.

If a proposed action has the potential to demolish, alter, or impact an existing building and/or structure that is older than 50 years, Western's RMR Environmental Division must be contacted to review the proposed prior to construction.

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If any cultural materials are discovered during construction, work in the area shall halt immediately, Western's RMR Regional Preservation Officer 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).

- 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.

  
Signature

Date: 10/17/13

Gene Iley, Jr.  
NEPA Compliance Officer  
Rocky Mountain Customer Service Region  
Western Area Power Administration



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**ATTACHMENT A**

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

Checklist for Categorical Exclusion Determination, revised Nov. 2011

<b>Application of Categorical Exclusions (1021.410)</b>	<b>Disagree</b>	<b>Agree</b>	<b>Unknown</b>
(b)(1) The proposal fits within a class of actions that is listed in appendix B to subpart D.		X	
(b)(2) There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal, including, but not limited to, scientific controversy about the environmental effects of the proposal; uncertain effects or effects involving unique or unknown risks; and unresolved conflicts concerning alternate uses of available resources.		X	
(b)(3) The proposal has not been segmented to meet the definition of a categorical exclusion. Segmentation can occur when a proposal is broken down into small parts in order to avoid the appearance of significance of the total action. The scope of a proposal must include the consideration of connected and cumulative actions, that is, the 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 § 1021.211 of this part concerning limitations on actions during EIS preparation.		X	
<b>B. Conditions that are Integral Elements of the Classes of Actions in Appendix B.</b>	NO	YES	Unknown
(1) Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety and health, or similar requirements of DOE or Executive Orders.	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 or facilities;	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 unpermitted releases;	X		
(4) Have the potential to cause significant impacts on environmentally sensitive resources. An environmentally sensitive resource is typically a resource that has been	X		

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identified as needing protection through Executive Order, statute, or regulation by Federal, State, or local government, or a federally recognized Indian tribe. An action may be categorically excluded if, although sensitive resources are present, the action would not have the potential to cause significant impacts on those resources (such as construction of a building with its foundation well above a sole-source aquifer or upland surface soil removal on a site that has wetlands). Environmentally sensitive resources include, but are not limited to:			
(i) Property (such as sites, buildings, structures, and objects) of historic, archaeological, or architectural significance designated by a Federal, State, or local government, or property determined to be eligible for listing on the National Register of Historic Places;	X		
(ii) Federally-listed threatened or endangered species or their habitat (including critical habitat) or federally-proposed or candidate species or their habitat (Endangered Species Act); state-listed or state-proposed endangered or threatened species or their habitat; Federally-protected marine mammals and Essential Fish Habitat (Marine Mammal Protection Act; Magnuson-Stevens Fishery Conservation and Management Act); and otherwise federally-protected species (such as under the Bald and Golden Eagle Protection Act or the Migratory Bird Treaty Act);	X		
(iii) Floodplains and wetlands (as defined in 10 CFR 1022.4, — Compliance with Floodplain and Wetland Environmental Review Requirements: “Definitions,” or its successor);	X		
(iv) Areas having a special designation such as federally- and state-designated wilderness areas, national parks, national monuments, national natural landmarks, wild and scenic rivers, State and Federal wildlife refuges, scenic areas (such as National Scenic and Historic Trails or National Scenic Areas), and marine sanctuaries;	X		
(v) Prime or unique farmland, or other farmland of statewide or local importance, as defined at 7 CFR 658.2(a), — Farmland Protection Policy Act: Definitions, or its successor;	X		
(vi) Special sources of water (such as sole-source aquifers, wellhead protection areas, and other water sources that are vital in a region); and	X		
(vii) Tundra, coral reefs, or rain forests; or	X		

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(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 of the Department of Agriculture, the Environmental Protection Agency, and the National Institutes of Health.	X		
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