



## NEPA Categorical Exclusion Determination Form

**Program or Field Office:** U.S. Department of Energy (DOE) Office of Legacy Management (LM)

**Project Title:** Ongoing Operations and Routine Actions at the Legacy Management Business Center (LMBC)

**Location:** Morgantown, West Virginia

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### **Proposed Action or Project Description:**

DOE LM is proposing to conduct the following ongoing operations activities and routine maintenance actions at the DOE LMBC, a U.S. General Services Administration leased facility located within the West Virginia University Research Park in Morgantown, West Virginia.

#### *Records Storage and Management*

Standard records activities occur on a daily basis, such as the shipping and receipt, placement, and retrieval of boxes and records of all kinds (paper, film, photographs, blueprints, microfiche, and digital format) from other LM sites. Some forms of microfiche contain hazardous properties; storage, transportation, and disposal of this material requires compliance with hazardous waste disposal and transportation regulations. Activities also include scanning and review of documents in paper and electronic form and other general records identification, classification, retrieval, and disposition activities. Occasionally, LMBC staff brings in outside vendors to assist with proper records disposition, destruction, and recycling when records have surpassed their disposition schedule (i.e., their useful life). Large sets of records requiring shredding are picked up by a vendor and shredded in their offsite recycling facility.

#### *Information Technology*

The LMBC is also the primary LM data center. It stores over 14 racks of equipment and runs over 100 virtual servers and includes 3 in-row air conditioners and on-the-roof condenser units to support storage of more than 200 terabytes of LM files. The in-row air conditioning units necessitate routine maintenance to ensure they provide adequate cooling. The power entering the room is backed up by a diesel generator outside the building and requires routine maintenance. The generator contains a 3,000-gallon fuel tank, requiring a spill prevention and control plan, an air permit and annual registration from the State of West Virginia. All data center hardware is protected with a 40-kilowatt (kw) and a 100kw uninterruptible power supply system. Within the data center, LM has an AFM-200 fire suppression system and an airgapped water suppression system.

#### *Administrative Actions*

Numerous administrative actions take place at the facility, including but not limited to, routine DOE business actions, awarding of government contracts, procedural documentation and rulemaking, emergency preparedness planning and training exercises, as well as routine paper shredding.

#### *Maintenance Actions*

Outside vendors provide routine maintenance to the exercise equipment and the generator. The generator is run for approximately half an hour each month and then for an additional hour twice a year. Refueling is infrequent. Outside vendors also maintain the two mechanical lifts located in the records storage facility. Equipment (e.g., pallet jacks, wave machines, scales) is periodically maintained, tuned, and deemed qualified.

#### *Landlord Actions*

The sustainable building design (Leadership in Energy and Environmental Development Gold certified) incorporates many natural daylighting features to reduce artificial lighting demands, much of the structural material contain recycled materials, occupancy sensor lighting and automatic dimming are in place, and water usage is reduced via low-flow fixtures and waterless urinals. Many of these structural and building features are maintained by the landlord and therefore do not fall within LM's or the Legacy Management Support (LMS) contractor's purview. Occasionally, DOE may fund landlord actions for sustainability upgrades or facility enhancements such as security upgrades and modification of the pavilion or other areas of the facility. Near-future actions may include physical, electrical, and mechanical upgrades and facility expansion. Internal or external modifications would be performed by the landlord or their subcontractors as required by LM-issued work orders or lease agreements.

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### Categorical Exclusion(s) Applied:

A1 Routine DOE Business Actions, B1.3 Routine Maintenance, B1.7 Electronic Equipment, B1.15 Support buildings, B1.24 Property transfers, B1.30 Transfer actions, B2.1 Workplace Enhancements, B2.2 Building and equipment instrumentation, and B6.4 Facilities for storing packaged hazardous waste for 90 days or less.

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For the complete DOE National Environmental Policy Act (NEPA) regulations regarding categorical exclusions, including the full text of each categorical exclusion, see Subpart D of Title 10 *Code of Federal Regulations* Section 1021 (10 CFR 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 by the LM Director per DOE Policy 451.1), I have determined that the proposed action fits within the specified classes of action, the other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

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NEPA Compliance Officer Signature and  
Determination Date

TRACY RIBEIRO

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Date: 2019.12.09 15:23:38 -07'00'

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