



NEPA Categorical Exclusion Determination Form

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

Project Title: Removal and Replacement of Backup Power Generator, Morgantown, West Virginia, Site

Location: Legacy Management Business Center (LMBC) in Morgantown, West Virginia

Proposed Action or Project Description:

U.S. Department of Energy (DOE) Office of Legacy Management (LM) is proposing to remove and replace the backup power supply generator at the Legacy Management Business Center (LMBC) in Morgantown, West Virginia. The LMBC is owned by a private firm and leased to the General Services Administration (GSA). DOE LM currently has an agreement in place with GSA for use of the facility. The GSA would contract with the landlord to oversee the proposed actions of this project.

The current emergency power generator at the LMBC is outdated and unreliable. Upgrading to a new unit is necessary for maintaining reliable back-up power and for preventing power interruptions to essential operations. Therefore, the LMBC landlord, through a contract with GSA, is proposing to replace the existing 1,000-kilowatt (KW) diesel generator and the 3,000 gallon above-ground storage tank (AST) with a 500 KW diesel generator and an 894-gallon AST. Additionally, a third automatic transfer switch would be installed outside the building, so the entire LMBC facility will operate on standby power in the event of loss of utility electricity. DOE-LM would maintain ownership of the new generator.

During the generator replacement, LMBC would experience facility electrical outages to include (1) shutting down the LMBC Data Center and (2) inhibiting the building fire suppression system. While the fire suppression system is disabled, Legacy Management Support (LMS) Staff would keep a fire watch. Additionally, a new concrete pad would be poured in the LMBC yard near the existing generator to support the AST.

The current air permit would not be applicable to the proposed action and a new air permit would be issued by the West Virginia Department of Environmental Protection. The proposed action would not proceed until issuance of the air permit.

Upon approval of the purchase order, the vendor would install within two weeks of receipt of the generator and the air permit.

Work would be performed via contracts with the LMBC landlord and would be conducted by licensed electricians and certified generator technicians.

Categorical Exclusion(s) Applied:

- B1.27 Disconnection of utilities
- B1.31 Installation or relocation of machinery and equipment
- B4.6 Additions and modifications to transmission facilities

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.

**U.S. Department of Energy
Office of Legacy Management**



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- 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.

**NEPA Compliance Officer Signature and
Determination Date**

TRACY RIBEIRO Digitally signed by TRACY RIBEIRO
Date: 2020.10.01 11:25:38 -06'00'
