



Department of Energy
National Nuclear Security Administration
Categorical Exclusion Determination Form



Categorical Exclusion (CX) ID#: NA-21-0009

Proposed Action Title: Removal of Special Nuclear Material from Europe to Alternate Ports in the United States (U.S.)

Program or Field Office: Material Management and Minimization (NA-23), Office of Nuclear Material Removal (NA-232)

Location(s) (City/County/State): Philadelphia, PA and Houston, TX

Proposed Action Description

The U.S. Department of Energy (DOE) National Nuclear Security Administration's (NNSA's) Office of Nuclear Material Removal (NA-232) proposes to import by ship less than one kilogram of Special Nuclear Material (SNM) from Europe to a U.S. port. Before shipment, the SNM would be oxidized, stabilized, characterized, and packaged to U.S. and international safety and security standards for transport by ship. Once the SNM arrives at a U.S. port, it would then be transported by road to Oak Ridge National Laboratory (ORNL) for use in Radiological Signature Training Devices (RSTDs). The material would be transported in a U.S.-licensed Type B package. This shipment would be undertaken in support of DOE/NNSA's efforts to secure and eliminate excess nuclear materials globally.

The SNM to be shipped would be classified as DOE Category IV-C and IAEA Category III based on the material's form and quantity. Because of these categorizations, the material meets the international requirements to be transported by a commercial ship instead of a chartered vessel. If this shipment were not initiated by DOE/NNSA or another part of the U.S. Federal government, it could be received at a commercial port.

NA-232 currently conducts nuclear material removals to the U.S., relying on the 1996 Final Environmental Impact Statement (EIS) on a Proposed Nuclear Weapons Nonproliferation Policy Concerning Foreign Research Reactor Spent Nuclear Fuel (DOE/EIS-218F, FRR SNF EIS) along with multiple related Records of Decision (RODs), Supplement Analyses, and Environmental Assessments. As part of the 1996 FRR SNF EIS, DOE evaluated ten ports of entry for receipt of FRR SNF and determined that all would be appropriate. The types and amounts of spent nuclear fuel that were analyzed for marine vessel transportation, typical management and accident management during marine transport, and port activities (typical and accident) were much more radioactive and in significantly greater quantities than this SNM shipment would be.

DOE/NNSA proposes to import the SNM to either the Port of Philadelphia, PA or to the Port of Houston, TX. DOE/NNSA would not take title or custody of the SNM until it arrived at the designated receipt facility (in this case, ORNL). Activities at ORNL for this material are already covered by a previous CX completed by DOE's Office of Science titled "Categorical Exclusion Determination for Nuclear Material



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and Radiochemical Processing Research and Development at ORNL” and signed by the DOE Office of Science’s NEPA Compliance Officer on January 12, 2021.

Categorical Exclusion(s) Applied

B1.30 - Transfer actions

B7.2 - Import and export of special nuclear or isotopic materials

Regulatory Requirements in 10 CFR 1021

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 1021.

To find that a proposal is categorically excluded, DOE shall determine the following:

- (1) The proposal fits within a class of actions listed in Appendix A or B to 10 CFR Part 1021, Subpart D;
- (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 has not been segmented to meet the definition of a categorical exclusion. 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 10 CFR 1021.211 concerning limitations on actions during preparation of an environmental impact statement.

The classes of actions listed in 10 CFR Part 1021, Subpart D, Appendix B, include the following conditions as integral elements of the classes of actions. To fit within the classes of actions in 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 of the Department of Agriculture, the Environmental Protection Agency, and the National Institutes of Health.



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NEPA Compliance Officer Determination

Based on my review of information conveyed to me and in my possession concerning the proposed action, as NEPA Compliance Officer (as authorized under NNSA NAP 451.1 and DOE P 451.1), I have determined that the proposed action fits within the specified class(es) of action and I have reviewed the proposal for integral elements. I have determined that there are no extraordinary circumstances present and that the proposal has not been segmented to meet the definition of a categorical exclusion. Therefore, the application of a categorical exclusion is appropriate.

NEPA Compliance Officer:

Date Determined:

Lynn D.
Alexander

Digitally signed by
Lynn D. Alexander
Date: 2021.10.29
14:26:22 -04'00'

October 29, 2021