

# CATEGORICAL EXCLUSION DETERMINATION



Western Area  
Power Administration  
Rocky Mountain Region

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**Proposed Action Title: Thermopolis Service Center License Agreement and Routine Maintenance Activities**

**Location: Hot Springs County, Wyoming**

**Project Number: 2023-030**

**Expiration Date: December 31, 2028**

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## **A. PROPOSED ACTION DESCRIPTION:**

Western Area Power Administration (WAPA), Rocky Mountain Region (RMR), proposes to grant a revocable, non-exclusive license agreement to Tri-State Generation and Transmission (Tri-State; Licensee) for the use and routine maintenance of approximately 4,000 square feet at WAPA's existing Thermopolis Service Center (THM) in Hot Springs County, Wyoming. Additionally, this agreement will allow Tri-State to use and maintain storage areas in WAPA's adjacent Thermopolis pole yard. The THM facility and pole yard are surrounded by security fences, and the entire area within the fenced perimeters has been previously disturbed.

The following routine maintenance activities occurring within the existing fenced perimeters of the THM facility and pole yard are covered by this Categorical Exclusion (CX):

- (1) Servicing and testing of equipment;
- (2) Maintenance and installation of above ground propane tanks;
- (3) Repair and replacement of wiring;
- (4) Cleanup of spills that don't reach reportable quantities, as defined by RMR's Spill Response Plan (SRP);
- (5) Maintenance and repair of buildings and structures less than 45 years old;
- (6) Repair, replacement, and removal of existing fences and gates, where existing postholes are reused, and no new postholes are required;
- (7) Pest management within buildings;
- (8) Vegetation management, including herbicide application;
- (9) Grounds maintenance including snowplowing, mowing, and servicing septic tanks;
- (10) Testing for asbestos-containing materials (ACMs), polychlorinated biphenyls (PCBs), and lead-based paint;
- (11) Repair and replacement of existing asphalt, concrete, and gravel surfaces;
- (12) Any ground disturbing activity, not to exceed current depth of disturbance; and
- (13) Maintenance of existing spill containment, control, and countermeasure (SPCC) structures.

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**B. STIPULATIONS PERTAINING TO PROPOSAL:**

- 1) **This CX is valid until December 31, 2028**, or until an updated version is executed by RMR's Environment Department, whichever comes first.
- 2) If any cultural resources are inadvertently discovered during implementation of the proposed action, work within 100 feet of the discovery area must halt immediately, and an RMR Archaeologist must be contacted immediately at (970) 302-4753 or (970) 286-3523. Work in the area of discovery must not resume until written notification to proceed is provided by an RMR Archaeologist.
- 3) If any possible human remains are inadvertently discovered during implementation of the proposed action, work within 100 feet of the discovery area must halt immediately, and an RMR Archaeologist must be notified immediately at (970) 302-4753 or (970) 286-3523 (no later than 24 hours from the time of discovery). A reasonable effort must be made to protect the remains from looting and/or further damage. Work in the area of discovery must not resume until written notification to proceed is provided by an RMR Archaeologist.
- 4) Pesticide and herbicide applicators must meet all state licensing requirements and must follow all applicable federal, state, and local laws, regulations, and guidelines. Applicators must use only EPA-registered pesticides and herbicides that are approved for the intended use and location, and must follow all applicable label directions.
- 5) Activities involving the use of fuel, oil, hydraulic fluid, or other petroleum products must comply with RMR's Spill Response Plan (SRP).
- 6) Handling and disposal of lead-based paint, asbestos, PCB, and other environmentally regulated materials must comply with local, State, and Federal regulations.

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**C. NUMBER AND TITLE OF THE CATEGORICAL EXCLUSION BEING APPLIED:**

(See text in 10 CFR 1021, Subpart D.)

B1.3. Routine Maintenance

B1.24. Property Transfers

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**D. REGULATORY REQUIREMENTS 10 CFR 1021.410 (b):** (See full text in regulation)

The proposed action fits within a class of actions that is listed in Appendix A or B of 10 CFR 1021.

To fit within the classes of actions listed 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 the Department of Energy (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 Comprehensive Environmental Response, Compensation, and Liability Act (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 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.

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 improperly segmented, and 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.

## E. DETERMINATION:

Based on my review of information conveyed to me and in my possession (or attached) concerning 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.

James Wood Digitally signed by  
James Wood  
Date: 2023.03.15  
17:35:52 -06'00'

Signature and Date

James Wood, Regional Environmental Manager  
Rocky Mountain Region  
Western Area Power Administration

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