

U.S. DEPARTMENT OF ENERGY
OFFICE OF ENERGY EFFICIENCY AND RENEWABLE ENERGY
NEPA DETERMINATION



RECIPIENT: Internal Revenue Service

STATE: WV

PROJECT TITLE: Internal Revenue Service Martinsburg Enterprise Computing Center ESPC

Funding Opportunity Announcement Number	Procurement Instrument Number	NEPA Control Number	CID Number
DE-FOA-0002329	DE-EE0009316	GFO-0009316-001	

Based on my review of the information concerning the proposed action, as NEPA Compliance Officer (authorized under DOE Policy 451.1), I have made the following determination:

CX, EA, EIS APPENDIX AND NUMBER:

Description:

A1 Routine DOE business actions Routine actions necessary to support the normal conduct of DOE business limited to administrative, financial, and personnel actions.

Rationale for determination:

The U.S. Department of Energy (DOE) is proposing to provide federal funding to the Internal Revenue Service (IRS) as part of the Assisting Federal Facilities with Energy Conservation Technologies (AFFECT) grant program. The funding provided would assist in energy conservation measures at the IRS Martinsburg facility in Kearneysville, West Virginia.

AFFECT funding for this award would total \$500,000 and would be applied the design and installation of natural-gas and dual fuel boiler. This National Environmental Policy Act (NEPA) Determination applies to the distribution of funds only. Because IRS is a federal agency, it is required to comply with NEPA for this project. This would include completing an environmental review for the project, including any necessary consultations and geotechnical or other surveys prior to a decision whether to proceed. If IRS proceeds with the proposed project after their NEPA review, they would be required to obtain all necessary permits and follow appropriate environmental, health, and safety measures. IRS must provide its final NEPA Determination(s) to their DOE Federal Energy Management Program (FEMP) Technical Project Officer (TPO) or point of contact.

NEPA PROVISION

DOE has made a final NEPA determination.

Include the following condition in the financial assistance agreement:

Because IRS is a federal agency, it is required to comply with the National Environmental Policy Act (NEPA). When IRS has completed its NEPA review process for the proposed project, IRS would provide its final NEPA Determination(s) to their DOE FEMP TPO or point of contact.

Notes:

Federal Energy Management Program
This NEPA Determination requires legal review of the tailored NEPA provision.
NEPA review completed by Jason Spencer, 09/23/2024

FOR CATEGORICAL EXCLUSION DETERMINATIONS

The proposed action (or the part of the proposal defined in the Rationale above) 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 proposed action that may affect the significance of the environmental effects of the proposal.

The proposed action 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.

The proposed action is categorically excluded from further NEPA review.

SIGNATURE OF THIS MEMORANDUM CONSTITUTES A RECORD OF THIS DECISION.

NEPA Compliance Officer Signature: _____



Andrew Montano

NEPA Compliance Officer

Date: 9/24/2024

FIELD OFFICE MANAGER DETERMINATION

- Field Office Manager review not required
- Field Office Manager review required

BASED ON MY REVIEW I CONCUR WITH THE DETERMINATION OF THE NCO :

Field Office Manager's Signature: _____

Field Office Manager

Date: _____