



U.S. Department of Energy

Categorical Exclusion Determination Form

Proposed Action Title: CATEGORICAL EXCLUSION (CX) DETERMINATION FOR DIKE CONSTRUCTION AND MODIFICATIONS (CX-GEN-006)

Program or Field Office: Oak Ridge Office, Oak Ridge, Tennessee

Location(s) (City/County/State): Oak Ridge, TN; Berkeley, CA; Menlo Park, CA; Newport News, VA; and other DOE-operated facilities and ancillary areas associated with these sites, programs, and projects

Proposed Action Description:

The proposed actions would involve construction or modification of new or existing secondary containment structures such as dikes, berms, curbing, diversion structures, weirs, booms, and other barriers which would meet the requirements for secondary containment, as specified in 40 CFR Part 112.7(c), to prevent accidental discharges from reaching navigable water courses. The actions taken would include, but would not be limited to, the following types of actions: excavation of dirt, clay, gravel, rock, etc.; pouring and/or forming of concrete; demolition of existing dikes, berms, curbing, etc.; application of coatings, sealants, or liners to the walls and/or floors of dikes, berms, curbing, etc.; erection of roofs and walls around secondary containment areas; and installation of sump pumps and associated piping.

Any wastes generated would be appropriately characterized and then disposed of in existing permitted/approved facilities. The proposed action would be evaluated before implementation to identify options to reduce or eliminate generation of waste materials.

The proposed dike construction and modification actions that would take place on the Oak Ridge Reservation (ORR) have been reviewed in accordance with the Cultural Resource Management Plan (CRMP) or applicable sections in a ratified Programmatic Agreement document and would not result in an adverse effect to historic properties included or eligible for inclusion in the National Register of Historic Places (National Register). If the proposed ORR actions would have an adverse effect on properties included or eligible for inclusion in the National Register, DOE would consult with the State Historic Preservation Officer (SHPO) and initiate actions specified in procedures set forth in the Advisory Council's regulations in 36 CFR Part 800.

For sites other than the ORR, DOE would follow the Section 106 process and would consult with the respective SHPO, as appropriate.

Should the proposed dike construction and modification actions involve ground disturbances at locations where an archeological survey had not been conducted or take place at previously disturbed locations where the potential exists to exceed the depth of previous ground disturbances, DOE would consult with the SHPO to determine whether an archeological survey is warranted prior to initiating the proposed actions.

To ensure that sensitive resources are protected, existing maps and surveys/studies on threatened and endangered species, wetlands and floodplains, and historically sensitive areas would be used to locate these areas. In addition, personnel responsible for identifying these resources would be consulted and, if warranted, additional surveys and walkovers would be conducted to confirm or update available information.

No known extraordinary circumstances would be associated with these actions that might affect the significance of the environmental effects of the proposed action based on past similar actions. These actions would not be connected to other actions with potentially significant impacts or related to other proposed actions with cumulatively significant impacts; they would meet the conditions that are integral elements of the classes of actions which may be categorically excluded from further National Environmental Policy Act (NEPA) documentation. Should the action not meet the conditions for CX consideration, a separate NEPA document would be prepared and submitted to DOE-ORO for review and approval.

Although an action might fall under the category of "dike construction and modification," a separate NEPA review would be performed and documented should the action or related/cumulative effect of the action have the potential to result in an unusual or significant impact to the environment. In addition, should the proposed action involve Corps of Engineers coordination and review or review under 10 CFR 1022, the action would not proceed until such reviews had been completed.

Categorical Exclusion(s) Applied:

B1.6 - Tanks and equipment to control runoff and spills

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 Part 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 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.

NEPA Compliance Officer: _____ Signed by Gary S. Hartman _____ Date Determined: _____ 11/19/2012 _____