The proposed action, as described in the Rationale above, fits within a class of actions that is listed in Appendix B of 10 CFR Part 1021. Covered actions include building renovations or new structures, provided that they occur in a previously disturbed or developed area (where active utilities and currently used roads are readily accessible. Not included in this category are demonstration actions, meaning actions that are undertaken at a scale to show whether a technology would be viable on a larger scale and suitable for commercial deployment.

Rationale for determination:

NEPA PROVISION

DOE has made a final NEPA determination.

FOR CATEGORICAL EXCLUSION DETERMINATIONS

The proposed action (or the part of the proposal described 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 requirement for environment, safety, and health, or similar requirements of DOE or Executive Orders; (2) require siting and/or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators), but the proposal may include categorical exclusions 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; (4) involve significant unresolved conflicts concerning alternative uses of available resources (such as rare or limited natural resources); or (5) have the potential to cause a significant increase in the disposal of materials posing significant risks to human health and the environment (such as RODA hazardous wastes). For those actions listed in B5.1(b) of this appendix, (a) Covered actions include building renovations or new structures, provided that they occur in a previously disturbed or developed area. Covered actions could involve commercial, residential, agricultural, academic, institutional, or industrial sectors. Covered actions do not include demonstrations, standard-setting, or proposed DOE legislation, except for those actions listed in paragraph B(5)(a) 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, 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: Jesse Garcia Date: 8/24/2021

FIELD OFFICE MANAGER DETERMINATION

Field Office Manager review required

BASED ON MY REVIEW, I CONCUR WITH THE DETERMINATION OF THE NO:

Field Office Manager's Signature: Date: