



U.S. Department of Energy
Portsmouth/Paducah Project Office

APPLICATION OF A CATEGORICAL EXCLUSION

Brief Description of the Action that has been categorically excluded: (indicate the site, location (e.g., building number), and describe the action in 1-3 sentences.

Granting of a real estate license by the Department of Energy to Duke Energy for the purpose of conducting site environmental evaluation activities on the north portion of the Portsmouth Gaseous Diffusion Facility to determine environmental conditions and determine if further study is warranted. Evaluation activities will consist of, but are not limited to, soil and rock sampling, geotechnical surveys, ecological surveys, and rare, threatened and endangered species evaluations.

Number and Title of the Categorical Exclusion Applied: 10 *CFR* 1021, Appendix B to Subpart D, CX. A.1 for the granting of the real estate license and B.3.1 for activities to determine environmental conditions. The regulatory requirements from 10 *CFR* Part 1021, Subpart D, Section 410(B) have been met by the proposed action.

Determination:

The proposed action was reviewed and was determined to fit within the specified class of actions found at 10 *CFR* 1021, Appendix B to Subpart D.

Date CX applied: July 22, 2010

CX applied by: (mark indicating who applied the CX)

NEPA Compliance Officer _____

Program Office _____