



U.S. Department of Energy Categorical Exclusion Determination Form

Proposed Action Title: Lease Agreement for 314 Mill Street, Lead, SD 57754 LB-CX-13-01

Program or Field Office: Berkeley Site Office

Location(s) (City/County/State): Lead, South Dakota

Proposed Action Description:

Landlord leases to tenant and tenant leases from landlord the entire premises located at 314 Mill Street, Lead, SD 57754. The purpose of this lease is to house scientific and technical staff from the Sanford Underground Research Facility (SURF) operations office and from the Large Underground Xenon/MAJORANA Demonstrator (LUX/MJD) experiments office during their stay in South Dakota. A leased house in Lead, South Dakota, is the most cost effective means of housing scientific and technical staff that routinely travel from California to Lead, and staff are required to stay in Lead from days to weeks to meet responsibilities for the management of SURF and to work on the LUX/MJD experiments.

Categorical Exclusion(s) Applied:

B1.24 - Property transfers

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.

I concur that the above description accurately describes the proposed action.

BSO Project Manager: Rick Chapman /s/ **Date Determined:** 11/28/2012

The above description accurately describes the proposed action, which reflects the requirements of the CX cited above. Therefore, I recommend that the proposed action be categorically excluded from further NEPA review and documentation.

BSO NEPA Program Manager: Kim Abbott /s/ **Date Determined:** 11/28/2012

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: Gary S. Hartman /s/ **Date Determined:** 11/28/2012