

**ENVIRONMENTAL REVIEW FOR CATEGORICAL EXCLUSION DETERMINATION**  
**Rocky Mountain Region, Western Area Power Administration**

**Lusk Town Substation**  
**Flood Repair**  
**Niobrara County, Wyoming**  
***Project Number: 2015-087***

**A. Brief Description of Proposal:** Western Area Power Administration (Western) proposes to hire a contractor to repair and replace flood damage at the Lusk Town Substation. In the early morning of June 4, 2015, due to heavy rainfall, the Niobrara River overtopped its bank near the Lusk Substation. The flood waters caused severe damage to the substation. The Control Building flooded and was lifted from its original foundation skid. The Control Building was relocated on top of the spill berm and no longer sits flat on the ground. All equipment located in the building and the conduit running into the building were damaged. The flooding also damaged the spill containment berm, buried conduit, transformer control panel doors, and junction boxes.

Temporary controls to run the Lusk Substation were set up in a temporary plastidome building arranged by Western's Maintenance Division. The previous pre-flood location of the control building on the east side of the substation yard hinders maintenance work inside the yard. Due to the proximity of the existing fence line and sewer manhole, installing a proper foundation to anchor the building and prevent future relocations during large flooding events is not practical. Western's preference is to relocate the new control building to the west side of the existing yard to allow for better access to the building and to aid in bringing large equipment into the yard for substation maintenance. The containment spill berm was also damaged during flooding and requires replacement. The existing berm style containment hinders accessibility for substation maintenance work and a level style spill containment will be installed.

The principal components of work include design and construction of a service building anchored to a building foundation system, which consists of; a concrete entry pad; buried power and control cable (in conduit) running into a concrete pull box and up into the building via an enclosed cable ladder system; an oil containment system; removal of abandoned foundations; removal and replacement of surfacing material to include expanded site; removal, repair, and installation of new fencing and gate; repair and installation of new ground conductor and grounding of steel structures and electrical equipment; and removal of the existing building which is not in service.

Due to the historical use of the property, Western has had a Phase I and II Environmental Site Assessments (ESA) performed for the project area. As part of the ESAs, two test holes were drilled in the project area. Results from the tests performed as part of the ESAs showed diesel-range organic at a level above the allowable site-specific concentration, according to the Wyoming Department of Environmental Quality (WDEQ). According to the Phase II ESA, this material was located in the southern most test hole below a depth of 5 feet. Arsenic was also detected above the Environmental Protection Agency (EPA) Regional Screening Levels in both test holes. Because arsenic is naturally occurring in soil throughout Wyoming, WDEQ has indicated that the statewide average background concentration of 12 mg/kg is a starting point to gauge anthropogenic versus natural concentrations. None of the arsenic concentrations in either of the test holes exceeded this average background concentration. It is not anticipated that any of the contaminated materials discovered during the Phase II ESA will be located within the soils from the excavation for the foundation or other onsite excavation locations. Any possible contaminated waste material, as identified in the Phase I and II ESAs, that is discovered during excavation shall be segregated for proper characterization prior to disposal and coordinated with Western's on site personnel. The

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Contractor will be responsible for the characterization and disposal of all contaminated soil and waste materials.

**B. Number and Title of the Categorical Exclusion Being Applied:** (See text in 10 CFR Part 1021, Subpart D.)

**B1.15 Support Buildings:**

Siting, construction, or modification, and operation of support buildings and support structures (including, but not limited to, trailers and prefabricated and modular buildings) within or contiguous to an already developed area (where active utilities and currently used roads are readily accessible). Covered support buildings and structures include, but are not limited to: those for office purposes; parking; cafeteria services; education and training; visitor reception; computer and data processing services; health services or recreation activities; routine maintenance activities; storage of supplies and equipment for administrative services and routine maintenance activities; security (such as security posts); fire protection; small-scale fabrication (such as machine shop activities), assembly, and testing of non-nuclear equipment or components; and similar support purposes, but exclude facilities for nuclear weapons activities and waste storage activities, such as activities covered in B1.10, B1.29, B1.35, B2.6, B6.2, B6.4, B6.5, B6.6, and B6.10 of this appendix.

**C. Regulatory Requirements in 10 CFR 1021.410 (b):** (See full text in regulation and attached checklist.)

1) The proposed action fits within a class of actions listed in Appendix A or B to Subpart D.

For classes of actions listed in Appendix B, the following conditions are integral elements. To fit within a class, the proposal must not:

- Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders;
- 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;
- 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; and
- Have the potential to cause significant impacts on environmentally sensitive resources. An environmentally sensitive resource is typically a resource that has been identified as needing protection through Executive Order, statute, or regulation by Federal, State, or local government, or a federally recognized Indian tribe. An action may be categorically excluded if, although sensitive resources are present, the action would not have the potential to cause significant impacts on those resources (such as construction of a building with its foundation well above a sole-source aquifer or upland surface soil removal on a site that has

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wetlands). Environmentally sensitive resources include, but are not limited to, those listed in paragraph B. (4) (see Attachment A).

- 2) There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal.
- 3) The proposal is not “connected” to other actions with potentially significant impacts, is not related to other proposed actions with cumulatively significant impacts, and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211.

**D. Special Stipulations Pertaining to the Proposal:**

If the scope of work of this project changes, Western’s Environmental Division must be contacted for additional environmental review.

**This Categorical Exclusion expires one year after signature date.** If all project work has not been completed by the expiration date, or if need for an environmental compliance extension is anticipated, Western’s Environmental Division must be contacted for an updated environmental review.

To comply with the Migratory Bird Treaty Act, maintenance work should be scheduled outside the March 1 through July 31 general nesting periods. If the maintenance work is to be done during this period, contact Western’s Environmental Division so that they may arrange for a pedestrian survey to be conducted in advance of the maintenance crews to identify active nests that are to be avoided.

If any cultural resources are inadvertently discovered during implementation of the proposed action, work within 50 feet of the discovery area shall halt immediately, Western’s archaeologist shall be contacted, and the resource shall be evaluated by an archaeologist or historian who meets the Secretary of the Interior’s Professional Qualification Standards (36 CFR Part 61). Work in the area of discovery may not resume until notification is provided by Western’s archaeologist.

Western shall exercise care to preserve the natural landscape and shall conduct operations to prevent any unnecessary destruction, scarring, or defacing of the natural surroundings in the project vicinity.

All equipment used shall be cleaned prior to use in the area to prevent transporting of invasive plant or noxious weed seeds.

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**E. Determination:** Based on my review of information provided to me and in my possession concerning the proposed action, I have determined that the proposed action fits within the specified class of actions, the other regulatory requirements set forth above are met, and the proposed action is categorically excluded from requirements for an EA or an EIS.

  
Signature

Date: 19 APRIL 2016

Brian Little  
NEPA Compliance Officer  
Rocky Mountain Customer Service Region  
Western Area Power Administration

Prepared by: Brian Little

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**ATTACHMENT A  
Conditions That Are Integral Elements of the Classes  
of Actions in Appendix B That Apply to This Proposal  
Checklist for Categorical Exclusion Determination, revised Nov. 2011**

<b>Application of Categorical Exclusions (1021.410)</b>	<b>Disagree</b>	<b>Agree</b>	<b>Unknown</b>
(b)(1) The proposal fits within a class of actions that is listed in appendix B to subpart D.		X	
(b)(2) There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal, including, but not limited to, scientific controversy about the environmental effects of the proposal; uncertain effects or effects involving unique or unknown risks; and unresolved conflicts concerning alternate uses of available resources.		X	
(b)(3) The proposal has not been segmented to meet the definition of a categorical exclusion. Segmentation can occur when a proposal is broken down into small parts in order to avoid the appearance of significance of the total action. The scope of a proposal must include the consideration of connected and cumulative actions, that is, the 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 § 1021.211 of this part concerning limitations on actions during EIS preparation.		X	
<b>B. Conditions that are Integral Elements of the Classes of Actions in Appendix B.</b>	NO	YES	Unknown
(1) Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety and health, or similar requirements of DOE or Executive Orders.	X		
(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;	X		
(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;	X		
(4) Have the potential to cause significant impacts on environmentally sensitive resources. An environmentally sensitive resource is typically a resource that has been identified	X		

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as needing protection through Executive Order, statute, or regulation by Federal, State, or local government, or a federally recognized Indian tribe. An action may be categorically excluded if, although sensitive resources are present, the action would not have the potential to cause significant impacts on those resources (such as construction of a building with its foundation well above a sole-source aquifer or upland surface soil removal on a site that has wetlands). Environmentally sensitive resources include, but are not limited to:			
(i) Property (such as sites, buildings, structures, and objects) of historic, archaeological, or architectural significance designated by a Federal, State, or local government, or property determined to be eligible for listing on the National Register of Historic Places;	X		
(ii) Federally-listed threatened or endangered species or their habitat (including critical habitat) or federally- proposed or candidate species or their habitat (Endangered Species Act); state-listed or state-proposed endangered or threatened species or their habitat; Federally-protected marine mammals and Essential Fish Habitat (Marine Mammal Protection Act; Magnuson-Stevens Fishery Conservation and Management Act); and otherwise federally-protected species (such as under the Bald and Golden Eagle Protection Act or the Migratory Bird Treaty Act);	X		
(iii) Floodplains and wetlands (as defined in 10 CFR 1022.4, — Compliance with Floodplain and Wetland Environmental Review Requirements: “Definitions,” or its successor);	X		
(iv) Areas having a special designation such as federally- and state-designated wilderness areas, national parks, national monuments, national natural landmarks, wild and scenic rivers, State and Federal wildlife refuges, scenic areas (such as National Scenic and Historic Trails or National Scenic Areas), and marine sanctuaries;	X		
(v) Prime or unique farmland, or other farmland of statewide or local importance, as defined at 7 CFR 658.2(a), — Farmland Protection Policy Act: Definitions, or its successor;	X		
(vi) Special sources of water (such as sole-source aquifers, wellhead protection areas, and other water sources that are vital in a region); and	X		
(vii) Tundra, coral reefs, or rain forests; or	X		

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(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 of the Department of Agriculture, the Environmental Protection Agency, and the National Institutes of Health.	X		
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