



NEPA Categorical Exclusion Determination Form

Program or Field Office: U.S. Department of Energy (DOE) Office of Legacy Management (LM)

Project Title: Install Electric Vehicle Supply Equipment at the Legacy Management Business Center

Location: Legacy Management Business Center, Morgantown, West Virginia

Proposed Action or Project Description:

The U.S. Department of Energy (DOE) Office of Legacy Management (LM) is proposing to install electric vehicle charging stations (EVCSs) at the Legacy Management Business Center in Morgantown, West Virginia. The purpose of the project is to install two level 2 dual-port EVCSs. The need for the project is to provide charging stations for the anticipated addition of electric vehicles to the LMFSC vehicle fleet in 2023.

The proposed action includes the engineering, purchase, installation, startup, and potential service and maintenance of the new charging stations. The installation of the EVCSs would occur in a parking lot used by LM and LMS staff, which may require a change in traffic patterns during installation. It is recommended that the subcontractor who conducts the work provide proper signage for rerouting the flow of traffic. It is possible that DOE would be servicing and maintaining the EVCSs at some point in the future. Construction activities include sawcut of asphalt or concrete, trenching, conduit, backfill, asphalt or concrete patch, concrete foundations, electric panels, metering, electrical wiring, terminations, permits, bollards, paint, construction oversight, and so on. Coordination would occur with the local electrical company and cellular service provider. Signage and parking space markings would be installed to identify spaces for electric vehicle charging.

The proposed work would not adversely affect any listed species or designated critical habitat as no habitat is near the project area. Noise generated by the work would be at most in the 110 decibels A-weighted (dBA) range (associated with concrete or asphalt saws) and would be minor and temporary. No potential migratory bird nests on the ground, in vegetation, or on structures are likely to be physically disturbed because the work would take place primarily in concrete or asphalt areas and outside nesting and fledgling season.

National Historic Preservation Act Section 106 consultation was conducted with the West Virginia State Historic Preservation Officer (SHPO); the SHPO concurred on September 12, 2022 with a finding of no effect on historic properties.

Activities proposed under this CXE would be valid for a period of five years from the date of signature for the activities performed within the scope and limitations described above.

Categorical Exclusion(s) Applied:

- B1.3 Routine Maintenance
- B1.32 Traffic Flow Adjustments
- B5.23 Electric Vehicle Charging Stations

For the complete DOE National Environmental Policy Act (NEPA) regulations regarding categorical exclusions, including the full text of each categorical exclusion, see Subpart D of Title 10 *Code of Federal Regulations* Section 1021 (10 CFR 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.



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- 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 by the LM Director per DOE Policy 451.1), I have determined that the proposed action fits within the specified classes 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 Signature and
Determination Date**

JOYCE CHAVEZ Digitally signed by JOYCE CHAVEZ
Date: 2022.11.22 08:06:32 -07'00'
