

## RECORD OF CATEGORICAL EXCLUSION DETERMINATION

**Project ID No.** WH-MM-1251

**Title:** Demolish State Police Radio Tower at WH

**Description:** Subcontractor shall provide all materials, tools, equipment, supplies, transportation, facilities, labor, supervision, and services required to demolish the State Police Radio Tower and all its appurtenances located at the West Hackberry SPR site. Subcontractor shall recycle all demolished materials as scrap or for reuse.

**Regulatory Requirements:** [NEPA Implementing Procedures \(10 CFR 1021\)](#)

### **10 CFR 1021.410 (Application of Categorical Exclusions)**

(a) The actions listed in Appendices A and B of Subpart D are classes of actions that DOE has determined do not individually or cumulatively have a significant effect on the human environment (categorical exclusions).

(b) To find that a proposal is categorically excluded, DOE shall determine the following:

- (1) The proposed action fits within a class of actions that is listed in Appendix A or B of Subpart D;
- (2) There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal; and
- (3) The proposal is not "connected" (40 CFR 1508.25(a)(1)) to other actions with potentially significant impact, is not related to other proposed actions with cumulatively significant impacts (40 CFR 1508.25(a)(2)), and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211.

### **Appendix B (Categorical Exclusions Applicable to Specific Agency Actions)**

The proposed action must not:

1. Threaten a violation of statutory, regulatory, or permit requirements for environment, safety, and health, including requirements of DOE and/or Executive Orders.
2. Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities, but the proposal may include categorically excluded waste storage, disposal, recovery, or treatment actions.
3. Disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and /natural gas products that preexist in the environment such that would be uncontrolled or unpermitted releases; or
4. Adversely affect environmentally sensitive resources.

**Categorical Exclusion to be applied:** B1.19

Siting, construction, modification, operation, and removal of microwave, radio communication, and meteorological towers and associated facilities, provided that the towers and associated facilities would not be in a government designated scenic area unless otherwise authorized by the appropriate government entity.

**Electronic approval via NEPA Workflow**  
**Approved by SPRPMO**  
**NEPA Compliance Officer**

**12/10/13**  
**Determination Date**