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**CATEGORICAL EXCLUSION DETERMINATION  
FEMP SMOKING SHELTER INSTALLATION  
PROJECT NEPA DOC. NO. 439**

**01/21/94**

**NEPA DOC 439  
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CAT EX**

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

CATEGORICAL EXCLUSION (CX) DETERMINATION

FEMP SMOKING SHELTER INSTALLATION PROJECT  
NEPA Document No. 439

Fernald Environmental Management Project  
Fernald, Ohio

Proposed Action

The United States Department of Energy (DOE) proposes to install 10 smoking shelters to allow smokers a place to smoke outdoors, protected from the weather, and segregated from non-smokers.

Location

The proposed action will occur within the boundaries of the uncontrolled area of the Fernald Environmental Management Project (FEMP). The FEMP site is located approximately 29 km (18 miles) north of downtown Cincinnati, Ohio.

Background

DOE Orders have eliminated all smoking in FEMP buildings and trailers; consequently, smokers are required to smoke outdoors in the elements. This action has caused individuals to smoke in areas close to building entrances where non-smokers are exposed to second-hand smoke. The unrestricted discard of cigarette butts also poses sanitary and fire safety problems. The shelters to be installed will be movable structures that can be relocated within the FEMP as site conditions and needs change.

Description of the Proposed Action

The proposed action will involve a variety of construction activities including the following:

- a) Site preparation will involve the use of clean fill or gravel with minimum scraping or excavation. This will ensure that the area in which the smoke shelters and walkways will be placed is level.
- b) Nine concrete foundations (concrete pads) will be installed. (One concrete foundation for the placement of the tenth shelter already exists.)
- c) The shelters will be assembled at each of the placement locations and attached to the concrete foundations and walkways.
- d) Each work location will be seeded and covered with a non-combustible material to promote germination of grass.
- e) The shelters will be relocated as needed.

Categorical Exclusion to be Applied

The authority for finding this project to be subject to NEPA Categorical Exclusion is contained in Subpart D of the revision to 10 CFR 1021, entitled "National Environmental Policy Act Implementing Procedures and Guidelines." The Final Rule and Notice, effective May 26, 1992, includes a revised and expanded list of categorical exclusions that are classes of actions that normally do not require the preparation of either an Environmental Impact Statement or an Environmental Assessment.

The Final Rule and Notice specifically lists in Part 1021, Appendix B to Subpart D, Sec. 1021.410, B1.15 and Sec 1021.410, B1.22, the following as types of actions that are Categorical Exclusions applicable to Specific Agency Actions:

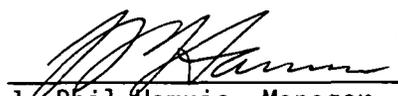
B1.15 - Siting, construction, and operation of small-scale support buildings and support structures (including prefabricated buildings and trailers) and/or small-scale modifications of existing buildings or structures within or contiguous to an already developed area (where site utilities and roads are available). Covered support buildings and structures (and/or modifications) include those for office purposes: parking; cafeteria services; education and training; visitor reception; computer and data processing services; employee health services or recreation activities; routine maintenance activities; storage of supplies and equipment for administrative services and routine maintenance activities; security (including security posts); fire protection; and similar support purposes, but excluding facilities for waste storage activities, except as provided in other parts of this appendix.

B1.22 - Relocation of buildings (including, but limited to, trailers and prefabricated buildings) to an already developed area where site utilities and roads are available and demolition and subsequent disposal of buildings and support structures (including, but limited to, smoke stacks and parking lot surfaces).

These Categorical Exclusions are appropriate since the proposed actions as described will be the installation and relocation of 10 smoking shelters in various locations within the FEMP site boundaries. The proposed actions will have no significant adverse impact on any environmentally sensitive areas (e.g., wetlands, floodplains, or the sole-source aquifer) and will be conducted as permitted activities.

Compliance Action

I have determined that the proposed action meets the requirements for the CX referenced. Therefore, the proposed action is categorically excluded from further NEPA review and documentation.

Approval:   
J. Phil Hamric, Manager  
U.S. Department of Energy, Fernald Field Office

Date: 1/21/94