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**CATEGORICAL EXCLUSION DETERMINATION
SHIPMENT OF IGNITABLE AND COMBUSTIBLE
LIQUIDS NEPA DOC. NO. 445**

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CATEGORICAL EXCLUSION (CX) DETERMINATION

Shipment of Ignitable and Combustible Liquids FEMP NEPA Document No. 445 Fernald Environmental Management Project Fernald, Ohio

Proposed Action

The United States Department of Energy (DOE) proposes to transfer ignitable and combustible liquid waste mixtures from the Fernald Environmental Management Project (FEMP) to the K-25 Toxic Substances Control Act (TSCA) Incinerator located in Oak Ridge, Tennessee.

Location

The proposed action would provide for the handling, loading, and shipment of ignitable and combustible waste from the FEMP to Oak Ridge, Tennessee. Packaging and loading activities would take place within the former Production Area located near the center of the FEMP site. The FEMP site occupies 425 hectares (ha) (1,051 acres) and is located approximately 29 km (18 miles) northwest of downtown Cincinnati, Ohio.

Background

The DOE has several 55-gallon drums that contain ignitable and combustible liquids. The liquid waste will be separated from all solid and sludge materials which might restrict the flow during transfer, and placed into bulk liquid storage tanks. Once the waste has met waste acceptance criteria, it will be shipped in batch form to the Oak Ridge, Tennessee K-25 TSCA Incinerator. The proposed action will involve a total of approximately 22 shipments: approximately 21 shipments containing ignitable and combustible liquids and one shipment containing radioactive polychlorinated biphenyls (PCBs). The proposed action will comply with all regulatory policy under the U.S. Department of Transportation (DOT), TSCA, and Resource Conservation and Recovery Act (RCRA) regulations concerning transportation of hazardous materials.

Description of the Proposed Action

This project includes the activities necessary to transfer ignitable and combustible liquid wastes and sludge mixtures presently stored at the FEMP to the K-25 TSCA Incinerator located in Oak Ridge, Tennessee.

Beginning with the first shipment, the duration of the proposed action will be approximately 18 months. The project constitutes a six phase work effort that includes the following:

- testing the waste to verify compatibility before consolidation and shipping

CX - Shipment of Ignitable and Combustible Liquids

2 of 3

- transferring ignitable and combustible liquid wastes, currently stored in drums, to bulk liquid storage tanks
- consolidating sludge and solids recovered during transfer to bulk liquid storage tanks
- sampling storage tank contents for analysis according to the Waste Acceptance Plan of the K-25 TSCA Incinerator.
- transferring the liquid wastes from storage tanks to tanker trailers
- shipping the waste via a DOT-approved tanker trucks making approximately 22 trips.

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 revised 10 C.F.R. 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, Section 1021.410, B6.1(b), the following as types of actions that are Categorical Exclusions applicable to Environmental Restoration and Waste Management Activities:

B6.1 Removal actions under CERCLA (including those taken as final response actions and those taken before remedial action) and removal-type actions similar in scope under RCRA and other authorities (including those taken as partial closure actions and those taken before corrective action), including treatment (e.g., incineration), recovery, storage, or disposal of wastes at existing facilities currently handling the type of waste involved in the removal action. These actions will meet the CERCLA regulatory cost and time limits or satisfy either of the two regulatory exemptions from those cost and time limits (National Contingency Plan, 40 CFR part 300). These actions include, but are not limited to:

- (b) Removal of bulk containers (for example, drums and barrels) that contain or may contain hazardous substances, pollutants, contaminants. CERCLA-excluded petroleum or natural gas products or hazardous wastes (designed in 40 CFR part 261), if such actions would reduce the likelihood of spillage, leakage, fire, explosion, or exposure to humans, animals, or the food chain.

This Categorical Exclusion is appropriate since the proposed action will be the shipment of hazardous substances (i.e., ignitable and combustible) for incineration as required by TSCA and RCRA. The proposed action will not violate

CX - Shipment of ignitable and Combustible Liquids

3 of 3

applicable statutory, regulatory, or permit requirements; it will not require siting and construction nor major expansion of waste disposal, recovery, or treatment facilities; and it will not have significant adverse impact on any environmentally sensitive areas (e.g., wetlands, floodplains, or the sole-source aquifer).

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:

JAN 0 3 1994