SOUTHWESTERN POWER ADMINISTRATION

# CATEGORICAL EXCLUSION (CX) DETERMINATION

## BRIEF DESCRIPTION OF PROPOSED ACTION:

Southwestern Power Administration (Southwestern) proposes to accommodate a request, on behalf of Farrell-Cooper Mining Company, to lower and bury a small section of Southwestern's electrical lines to allow for the crossing of a large piece of mining equipment through the transmission line rights-of-way in Haskell County, Oklahoma.

## PROPOSED BY:

Southwestern Power Administration- U.S. Dept. of Energy **DATE:** September 15, 2010

## NUMBERS AND TITLES OF THE CATEGORICAL EXCLUSIONS BEING APPLIED:

10 CFR 1021, Appendix B to Subpart D, Part B4.9– Grant or denial of requests for multiple use of transmission facility rights-of-way, such as grazing permits and crossing agreements, including electric lines, water lines, and drainage culverts.

## REGULATORY REQUIREMENTS IN 10 CFR 1021.410(B):

(1) The proposed action fits within a class of actions that is listed in Appendix A & B to Subpart D. For classes of action listed in Appendix A or B, the following conditions are integral elements, i.e., to fit within a class, the proposal must not:

(a.) Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, including DOE and/or Executive Orders;
(b.) Require siting, construction, or major expansion of waste storage, disposal, recovery, or treatment facilities, but may include such categorically excluded facilities;
(c.) Disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that pre-exist in the environment such that there would be uncontrolled or un-permitted releases; or
(d.) Adversely affect environmentally sensitive resources (including but not limited to those listed in paragraph B. (4)).

(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" 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.

**DETERMINATION:** Based on review of information conveyed to me and/or in my possession (or attached) concerning the proposed action, as Southwestern Power Administration's NEPA Compliance Officer (as authorized under DOE Order 451.1A), I believe that the proposed action fits within the specified class of action, the other regulatory requirements set forth above are met, and therefore the proposed action is hereby categorically excluded from further NEPA review:

Larry R. Harp,
Director, Division of Engineering and Planning
NEPA Compliance Officer

Date: 9/16/2010

## EMS ASPECT IDENTIFICATION:

_X__ Existing Aspect: All aspects related to project were previously identified within SWPA M 450.1

___ New Aspect: