



Department of Energy
National Nuclear Security Administration
Categorical Exclusion Determination Form



Categorical Exclusion ID#: NV-2021-022

Proposed Action Title: Desert Research Institute Frank Rogers Building

Program or Field Office: NNSA Nevada Field Office

Location(s) (City/County/State): Las Vegas, Clark County, NV

Proposed Action Description

The U.S. Department of Energy proposes to enter into a new lease agreement for the Frank Rogers Building located at 755 E. Flamingo Road, Las Vegas, NV. The Rogers building houses the Nevada Test Site Historical Foundation (NTSHF), National Atomic Testing Museum (NATM) including museum exhibit storage, Cultural Resource Management Program Archives, Dina Titus Public Reading room, and National Testing Archives (NTA). The NTSHF was granted affiliate status by the Smithsonian Institute in 2001. The NTA and Dina Titus Public Reading room are located on the first floor. The Dina Titus Public Reading room is a public-use space to obtain unclassified records and documents associated with U.S. atmospheric testing. Records and documents associated with U.S. atmospheric testing and human experimentation conducted in the 1960s are stored in the NTA and are available to the public. The physical records, dosimetry of those who participated in atmospheric testing, and historical photographs are, for the most part, located on the second floor in the NTA.

Categorical Exclusion(s) Applied

10 CFR 2021, Appendix A, A1 Routine DOE business actions

Regulatory Requirements in 10 CFR 1021

For the complete DOE National Environmental Policy Act regulations regarding categorical exclusions, including the full text of each categorical exclusion, see Subpart D of 10 CFR 1021.

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

- (1) The proposal fits within a class of actions listed in Appendix A or B to 10 CFR Part 1021, 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 has not been segmented to meet the definition of a categorical exclusion. The 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.



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The classes of actions listed in 10 CFR Part 1021, Subpart D, Appendix B, include the following conditions as integral elements of the classes of actions. To fit within the classes of actions in 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 of the Department of Agriculture, the Environmental Protection Agency, and the National Institutes of Health.

NEPA Compliance Officer Determination

Based on my review of information conveyed to me and in my possession concerning the proposed action, as NEPA Compliance Officer (as authorized under NNSA NAP 451.1 and DOE P 451.1), I have determined that the proposed action fits within the specified class(es) of action and I have reviewed the proposal for integral elements. I have determined that there are no extraordinary circumstances present and that the proposal has not been segmented to meet the definition of a categorical exclusion. Therefore, the application of a categorical exclusion is appropriate.

NEPA Compliance Officer: Carrie Stewart

Date Determined: 3/2/2021