MAR -8 2011

Dr. Bruce Chrisman
Chief Operating Officer
Fermilab
P.O. Box 500
Batavia, IL 60510

Dear Dr. Chrisman:

SUBJECT: NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) APPROVAL FOR THE INDUSTRIAL AREA SITE UPGRADES PROJECT

Reference: Letter, B. Chrisman to M. Weis, dated March 3, 2011, Subject: Same As Above

The Department of Energy (DOE) Fermi Site Office (FSO) reviewed Fermilab's correspondence regarding the proposed changes to the Industrial Area Site Upgrades Project that are planned to begin in April 2011. DOE's review determined that the proposed changes to the project do not alter the categorical exclusion (CX) designation for the project that was approved by DOE on June 23, 2010.

No further NEPA review is required. This project falls under a CX provided in 10 CFR 1021, Subpart D and Appendix B1.15, as amended in November 1997. If you have any questions, please contact Rick Hersemann, of my staff, at extension 4122.

Sincerely,
Original Signed by
Mark E. Bollinger
Deputy Manager for

Michael J. Weis
Site Manager

cc: P. Oddone
Y.-K. Kim
R. Ortgiesen, FESS
N. Grossman, ESHS
T. Dykhuis, ESHS

bc: P. Siebach, CH-STS
M. McKown, CH-OCC
R. Merchut, FESS
R. Walton, FESS
J. Scott
R. Hersemann

Fermilab

Bruce L. Chrisman
Directorate

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chrisman@fnal.gov

March 3, 2011

Mr. Michael J. Weis
Site Manager
Fermi Site Office
U. S. Department of Energy
P. O. Box 2000
Batavia, Illinois 60510-5011

Dear Mr. Weis,

SUBJECT: NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) APPROVAL FOR THE INDUSTRIAL AREA SITE UPGRADES PROJECT

Reference: Letter, M. Bollinger to B. Chrisman dated June 23, 2010, Subject: NEPA EENF for the Industrial Area Site Upgrade Project

The purpose of this correspondence is to inform you of proposed changes to the Industrial Area Site Upgrades Project that is planned to begin in April 2011. The proposed project was originally described in the NEPA Environmental Evaluation Notification Form that was approved by the DOE FSO on June 23, 2010 as a categorical exclusion according to the DOE NEPA Implementation Procedures, 10 CFR 1021, Subpart D, and Appendix B1.15. It is believed that the proposed changes to the project do not alter the categorical exclusion designation that applies to the activity; however, your formal concurrence is requested. Below is a description of the proposed changes and the environmental impact and attached is an aerial view of the planned site upgrades to the Industrial Area and a 'Grading and Drainage Plan' for the expanded parking lot.

The project change would increase the proposed parking lot area to approximately 1.8 acres (previously 1.6 acres) which would increase the entire project area to approximately 2.8 acres (previously 2.6 acres) and approximately 8500 cubic yards (previously 1000 cubic yards) of clean material would be excavated, stockpiled, and reused for the regrading and parking lot portion of the work. The increase in excavated material is due to the poor soil identified through recent soil borings in the area.

M-2433

This project change is proposed in order to accommodate a recently identified need for even greater parking capacity than was originally estimated for the Industrial Area as well as providing repair to the existing adjoining parking lot. Therefore, Fermilab would like to accommodate the increased parking demand by adding to the existing parking lot further to the west and provide repairs to the existing parking lot. The repair work and the additional parking area necessitate converting part of the existing maintained open drainage way by extending the existing underground storm pipe system further west. The maintained open drainage way (surface water run-off and the Fermilab Industrial Cooling Water System) is identified in a wetland delineation report by Huff & Huff (dated December 2010) as "degraded wetland."

These degraded wetlands are considered isolated (no hydrologic connection to waters of the U.S.) and therefore would not be under the jurisdiction of the Corps of Engineers (COE) or require a permit to fill. However, the run-off and process water in this area drains into a small pond about 500 feet away and from there is pumped another 500 feet underground to another process water ditch that leads to a cooling pond about 1 ¼ miles further and this pond overflows, during high water flows, to Kress Creek (which is a water of the U.S.). So for the purpose of obtaining documented confirmation, a 'Request for Jurisdictional Determination' letter was sent by the DOE FSO on January 18, 2011 to the COE Chicago District concerning this issue. A COE representative plans to visit the Fermilab site this spring in order to formally respond to the letter; however, not before the April 2011 planned start date of construction. In the interim Kathy G. Chernich, of the Regulatory Branch of the COE Chicago District, has provided guidance via email to Dr. Rod Walton, Ecologist and Fermilab Wetland Subject Matter Expert.

Ms. Chernich has stated that "if the hydrologic connection from the wetland to a waterway is through underground pumping methods then we probably would not regulate it…[and] If the wetland is used for cooling purposes only then we probably would not have jurisdiction."

Therefore, according to Dr. Walton, "because the wetlands in question are described in the wetland delineation report as being "degraded" on the basis of quality, they are being supplied by process water and used primarily for cooling, and the only connections to waters of the U.S. (Kress Creek) involve underground piping and pumping, it is believed that these are not regulated wetlands. Also, aside from the purely regulatory question, as for managing/mitigating the impacts, the supply and flow of water through the wetland areas would not be stopped, but only changed from an open ditch to an enclosed waterway. The impact in terms of the proportion of the entire wetland (which extends well beyond the project itself) would be only minimal."

If you have any questions concerning this information, please contact Ms. Dykhuis at X3607.

Sincerely,

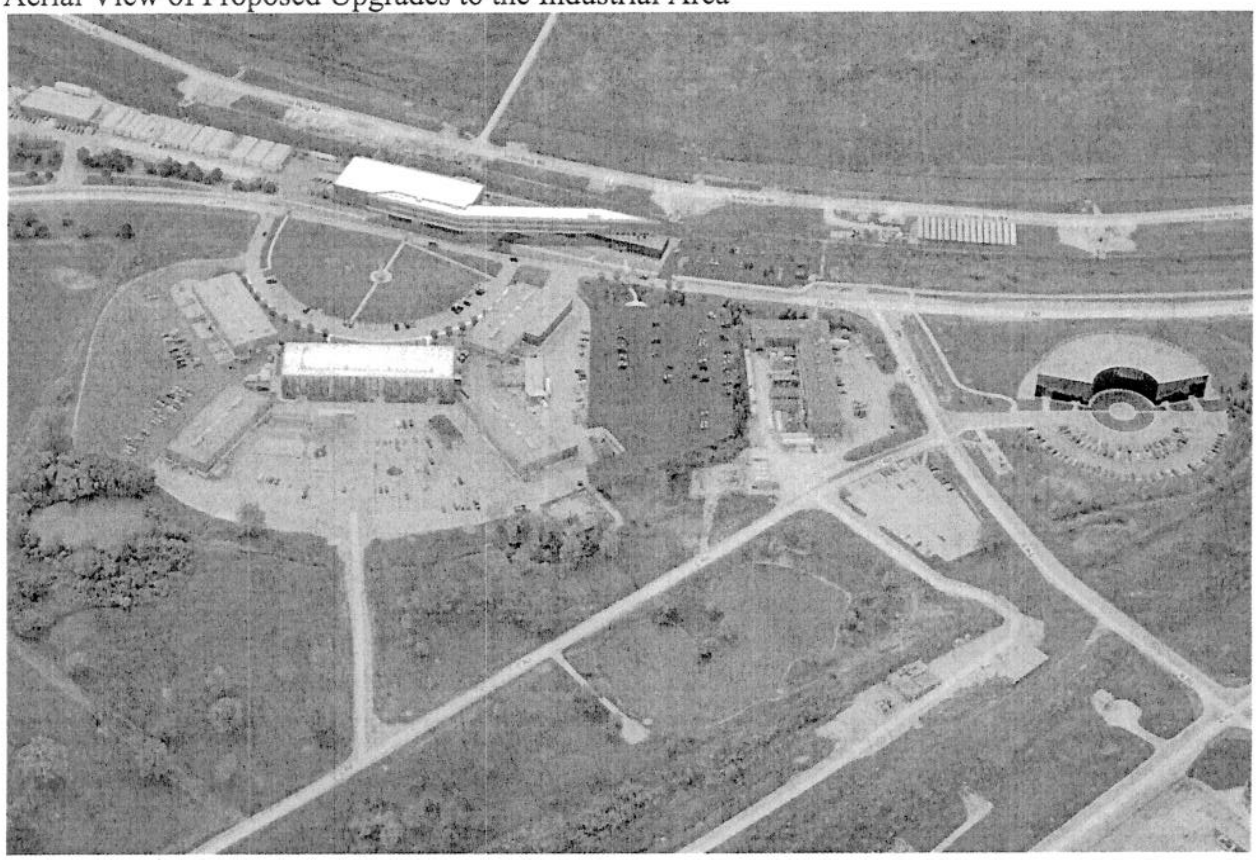
Bruce L. Chrisman
Chief Operating Officer

Attached: Aerial View of Proposed Upgrades to the Industrial Area (below)
Proposed Parking Lot Grading and Drainage Plan (1 page)
Overview of Industrial Cooling Water system (1 page)

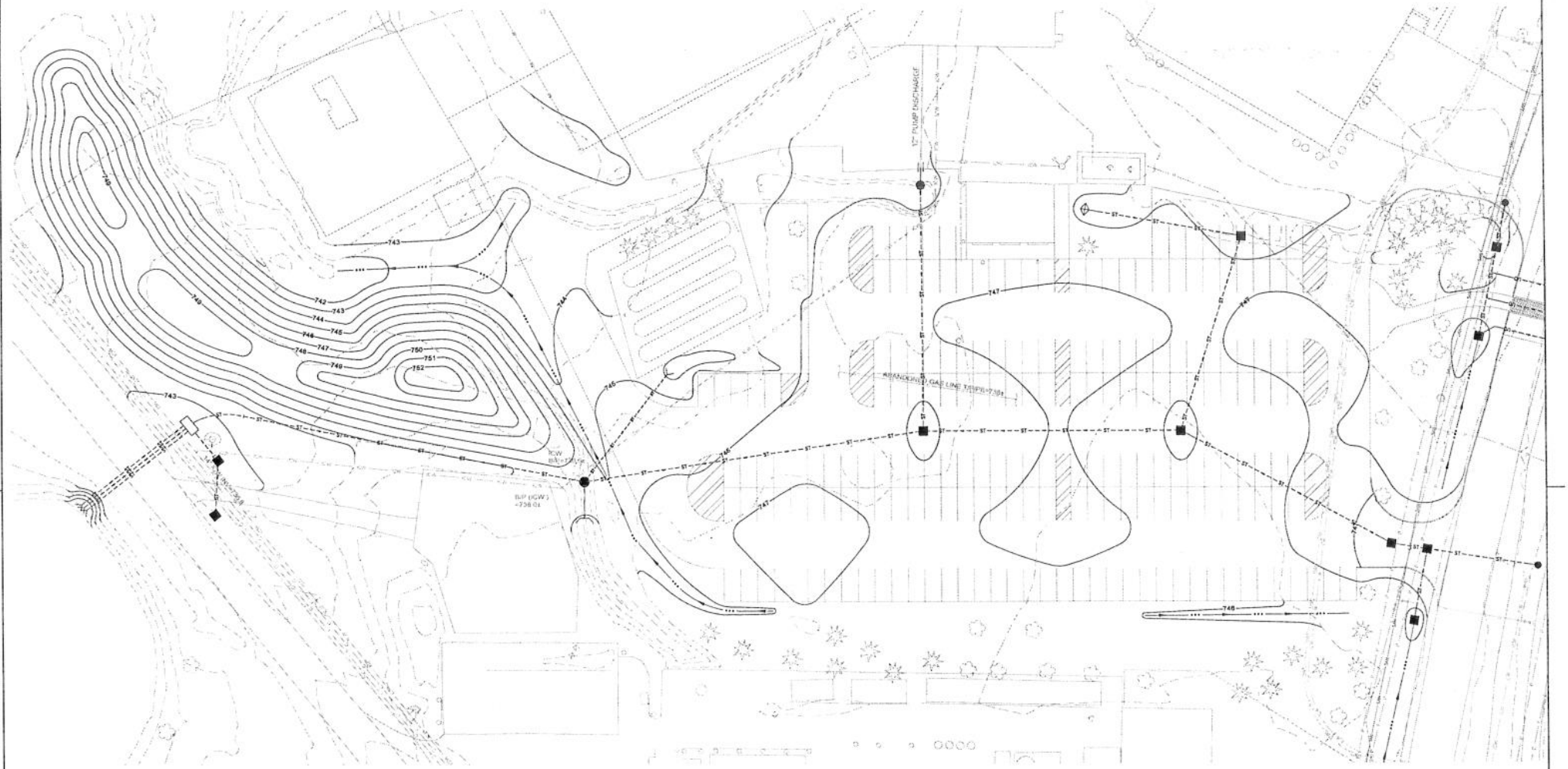
cc w/o attachment: S. Arnold (DOE)
N. Grossman (ESH)
R. Hersemann (DOE)
Y.-K. Kim (DIR)
B. Kephardt (DIR)
R. Merchut (FESS)
P. Oddone (DIR)
J. Scott (DOE)

ES&H File: NEPA EEs

Aerial View of Proposed Upgrades to the Industrial Area



(ICW Return Ditch to Casey
(ICW Return Ditch to Casey's Pond)
Pump Vault for pond discharge to ICW return ditch
IB3



REV	DATE	DESCRIPTIONS
0	02-04-11	ISSUED FOR BID

REVISIONS

Burns & McDonnell
SINCE 1898

BM:D PROJECT NUMBER 59113

	A/E CONSULTANT	DATE		FERMI LAB	DATE
DESIGNED	J. HOLZINGER	02-04-11	DISCIPLINE REVIEW	-	-
DRAWN	J. HOLZINGER	02-04-11	PC REVIEW / CHECKED BY	R. MERCHUT	02-04-11
CHECKED	R. FORBECK	02-04-11	FESS APPROVED	R. ORTGIESEN	02-04-11
APPROVED	J. STEENKEN	02-04-11	SUBMITTED	R. KEPHART	02-04-11

PROJECT NORTH
E
W
S

SCALE:
1" = 20'-0" SCALE 20 0 20 40 FEET
1" = 8'-0" SCALE 8 0 8 16 FEET

FERMI NATIONAL ACCELERATOR LABORATORY
UNITED STATES DEPARTMENT OF ENERGY

INDUSTRIAL AREA SITE UPGRADES
PARKING LOT GRADING & DRAINAGE PLAN

DRAWING NO. 3-2-178 C-1R REV. 0

04 FEB 2011