



west virginia department of environmental protection

Division of Water and Waste Management
601 57th Street SE
Charleston, WV 25304
Phone: (304) 926-0495 / Fax: (304) 926-0463

Harold D. Ward, Cabinet Secretary
dep.wv.gov

October 18, 2023

Mr. Mike Kennett, Chairman
Mercer County PSD
305 Giatto Road
Rock, WV 24747

RE: Mercer County PSD
Pocahontas Waterline
Replacement Project
SRF No. 22DWTRFA135
IJDC No. 2022W-2110

Dear Mr. Kennett:

Please find enclosed a copy of the Categorical Exclusion for the above referenced project. One copy should be placed in the PSD's office on the bulletin board and/or placed on the PSD's website. Another copy should be given to the local post office to be placed on their bulletin board.

If you have any questions, please do not hesitate to contact Cali Carter, E.I., at (304) 926-0499, ext. 43760 or Cali.Carter@wv.gov.

Sincerely,

A handwritten signature in blue ink that reads 'Kathryn Emery'.

Katheryn Emery, P.E.
Director

Enclosure

cc: Stacy A. Fowler, P.E., Thompson & Litton (via e-mail)
Wayne Morgan, P.E., IJDC (via e-mail)
Meredith Vance, BPH

Promoting a healthy environment.



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CATEGORICAL EXCLUSION

DATE: October 18, 2023

To All Interested Parties:

In accordance with the Environmental Protection Agency (EPA) regulations for complying with the National Environmental Policy Act (NEPA) of 1969 (P.L. 91-190), a review has been performed on a request for a categorical exclusion for the environmental review requirements under NEPA, for the proposed action described below:

Mercer County Public Service District
Pocahontas Waterline Replacement Project
SRF No. 22DWTRFA135

(Official Project Name and Number)

Mercer County Public Service District
305 Giatto Road
Rock, WV 24747

(Project Applicant)

Pocahontas, Mercer County, West Virginia

(Project Location, City, County, State)

\$1,000,000

(Estimated Drinking Water Treatment Revolving Fund Financial Share)

\$ 8,119,000

(Estimated Total Project Cost)

SRF No. 22DWTRFA135

The review process indicated that either significant environmental impacts would not result from the proposed action or significant adverse impacts have been eliminated by making changes in the project. Consequently, a preliminary decision not to prepare an Environmental Impact Statement has been made.

This action is taken based on a careful review of the Environmental Information Document, and other supporting data. These documents are on file in the West Virginia Department of Environmental Protection office and are available for public review on request. Additional copies of the Environmental Assessment will be made available, at cost, upon request.

It should be noted that this document will satisfy the NEPA requirements and Section 6 of the SRF regulations and therefore a 30-day public comment period for this document is not required.



Kathryn Emery, Director
Division of Water and Waste Management

**CATEGORICAL EXCLUSION PROJECT SUMMARY FOR
THE MERCER COUNTY PUBLIC SERVICE DISTRICT &
TAZEWELL COUNTY PUBLIC SERVICE AUTHORITY
POCAHONTAS WATERLINE REPLACEMENT PROJECT
SRF NO. 22DWTRFA135**

Proposed Action

The Tazewell County Public Service Authority (TCPSA) provides treated water to customers in Virginia and West Virginia. The TCPSA currently serves 136 customers in the Pocahontas area of Mercer County, West Virginia (Exhibit 1). The TCPSA receives their treated water from its own Greater Tazewell Water Treatment Plant (WTP) and purchases additional water from the Town of Bluefield, Virginia.

The TCPSA, in conjunction with the Mercer County Public Service District (PSD), proposes to replace the water lines serving the TCPSA's West Virginia customers. The replacement will occur in the Route 102, Bluestone/Railyard, and Laurel Ridge Areas of Mercer County and will include approximately 57,500 Linear Feet (LF) of water line. Additionally, 142 meters will be replaced and 31 new fire hydrants will be installed (Exhibit 2).

The anticipated project costs and proposed funding sources are as follows:

Total Project Cost	\$ 8,119,000.00
Total Construction Cost	\$ 6,540,000.00
DWTRF Principal Forgiveness	\$ 1,000,000.00
IJDC Grant	\$ 500,000.00
Mercer County ARPA Funds	\$ 1,000,000.00
Virginia Department of Health	\$ 5,619,000.00
Average Monthly Rate (3,400 Gallons)	\$ 51.87

Environmental Benefits

This project will reduce existing leaks in the system, which will reduce the risk of contamination of the water system. This will greatly benefit public health and allow the TCPSA to reliably provide clean, treated water to its customers.

Additionally, Mercer County PSD has received requests from WV residents in the TCPSA service area for assistance with having fire hydrants installed. This project will install 31 new fire hydrants and improve public safety in the project area.

Categorical Exclusion Criteria

EPA regulation 40 C.F.R. §6.204(a) permits the use of categorical exclusions from the substantive environmental review requirements of the National Environmental Policy Act (NEPA). To be excluded, the action must fit within a category of action that is eligible for exclusion and must not involve any extraordinary circumstances. For most infrastructure projects, the following actions are eligible for exclusion [40 C.F.R. § 6.204(a) (1) (ii)]:

Actions relating to existing infrastructure systems that involve minor upgrading, or minor expansion of system capacity, or rehabilitation of the existing system and system components, or construction of new minor ancillary facilities adjacent to or on the same property as existing facilities. This category does not include actions that:

- a. Involve new or relocated discharges to surface or groundwater;
- b. Will likely result in the substantial increase in the volume or loading of pollutant to the receiving stream;
- c. Will provide capacity to serve a population 30% greater than the existing population;
- d. Are not supported by the state, or other regional growth plan or strategy; or
- e. Directly or indirectly involves or relates to upgrading or extending infrastructure systems primarily for the purpose of future development.

Criteria which prevent the use of a categorical exclusion are found at 40 C.F.R. §6.204(b), summarized as follows:

- (1) The action may have a significant effect on the quality of the human environment or is expected to have disproportionately high and adverse human health or environmental effects on a disadvantaged community; or
- (2) The action may affect cultural resource areas, endangered or threatened species, environmentally important natural resources, or other identified resource areas of concern; or
- (3) The action is not cost-effective or may cause public controversy about a potential environmental impact.

Analysis

The proposed project meets the criteria for a categorical exclusion. It involves the criteria, “Actions relating to existing infrastructure systems that involve minor upgrading, or minor expansion of system capacity, or rehabilitation of the existing system and system components, or construction of new minor ancillary facilities adjacent to or on the same property as existing facilities.” The project does not meet any of the criteria prohibiting the issuance of a categorical exclusion. The useful service life is anticipated to be 20+ years.

Revocation

This conclusion can be revoked if additional and/or future information indicates any of the following:

1. The proposed action no longer meets the defined category due to changes in the proposed action;
2. Serious local or environmental issues now exist; and/or
3. Federal, state, or local laws may be violated.

Documentation

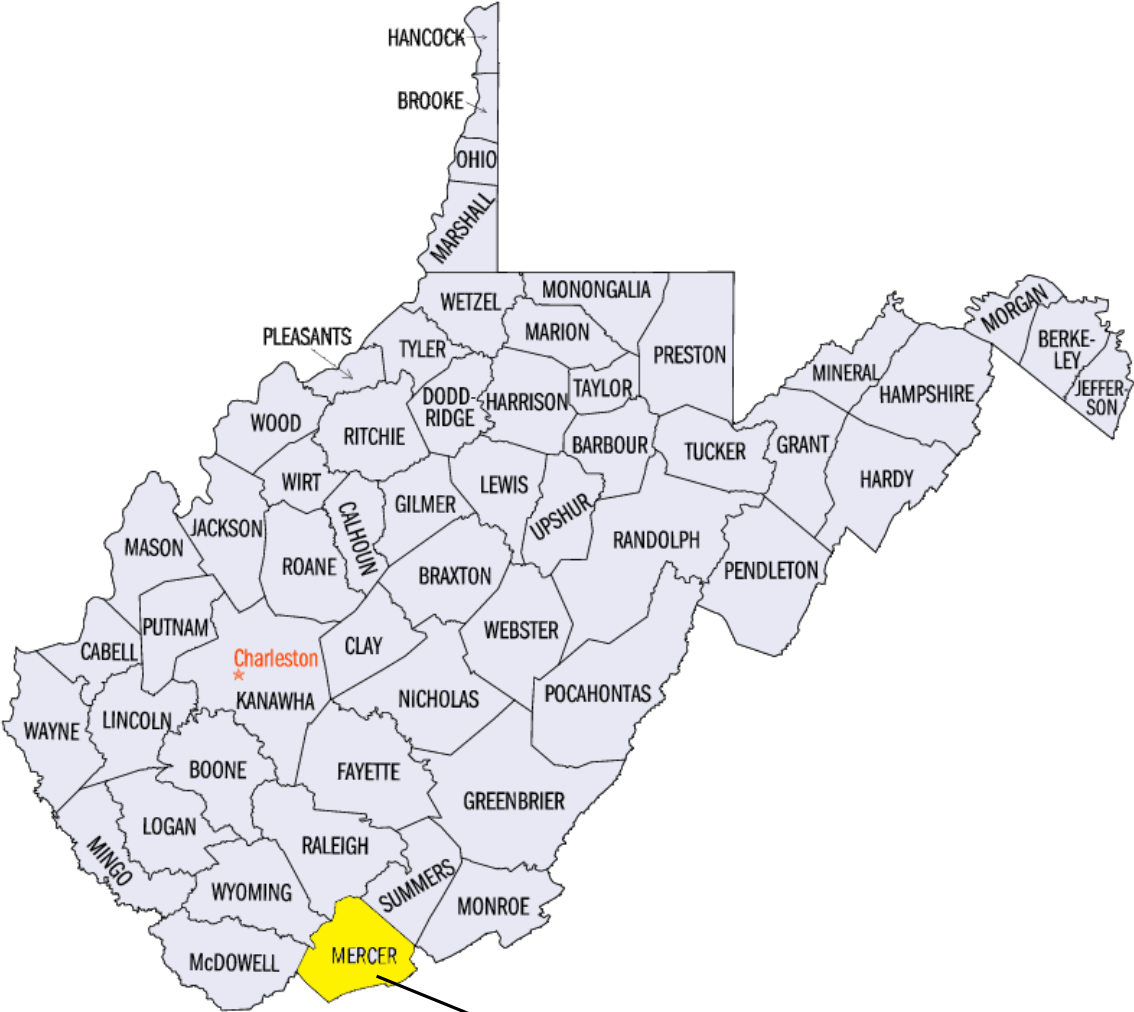
1. Preliminary Engineering Report for Tazewell County Public Service Authority, Pocahontas Waterline Replacement Project, as prepared by Thompson & Litton, dated April 2022
2. EPA Categorical Exclusion Determination Checklist.

Attachments

1. Exhibit 1 - Project Location Map (1)
2. Exhibit 2 - Project Site Map (1)

EXHIBIT 1

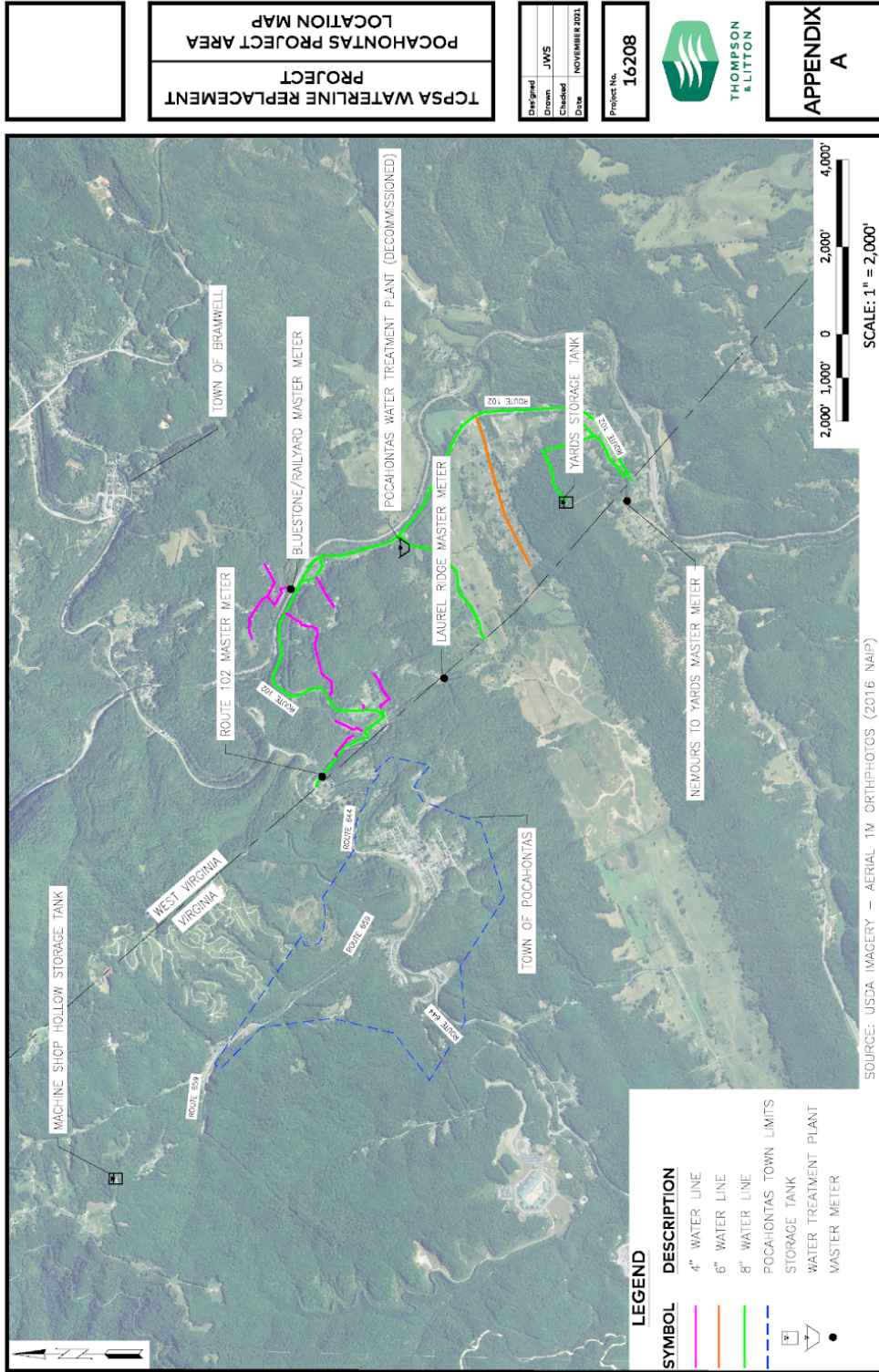
Project Location Map



Project Location

EXHIBIT 2

Project Site Map



TPPSA WATERLINE REPLACEMENT PROJECT
POCAHONTAS PROJECT AREA
LOCATION MAP

Designed	JWS
Drawn	JWS
Checked	
Date	NOVEMBER 2021

Project No. 16208



APPENDIX A