



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

CATEGORICAL EXCLUSION

Wastewater Treatment Plant Improvements for the City of Willcox, Arizona, United States

The U.S. Environmental Protection Agency (USEPA) Region 9 is considering authorizing the award of a Border Environment Infrastructure Fund (BEIF) grant to fund improvements to the wastewater treatment plant (WWTP) serving the town of Willcox, Arizona.

USEPA Region 9's authorization of the use of funds for the proposed project is a federal action requiring compliance with the National Environmental Policy Act (NEPA), 42 USC §§4321-4370f. In accordance with NEPA, Council of Environmental Quality regulations, 40 CFR §1508.4, a federal agency may categorically exclude an action from detailed environmental review, provided the proposed action meets certain criteria which the USEPA has previously determined indicate the undertaking will not have significant environmental impact, and provided no extraordinary circumstances exist. USEPA categorical exclusions are set forth in 40 CFR Part 6.

Eligibility for Categorical Exclusion

The City intends to use BEIF funds to improve its existing wastewater treatment plant. The WWTP is not in compliance with the City's existing and anticipated Aquifer Protection Permit (APP) and Arizona Pollutant Discharge Elimination System (AZPDES) permit requirements. In January 2011, a Consent Order was issued by the Arizona Department of Environmental Quality (ADEQ) requiring the City to come into compliance with the WWTP permit requirements. USEPA Region 9 previously determined that the proposed project to improve the WWTP will not result in significant impacts to the environment, and issued a Finding of No Significant Impact (FONSI) on July 3, 2012. At this time, the City is proposing to add tertiary filters to the project.

40 CFR §6.204(a)(1)(ii) allows the following type of action to be eligible for exclusion:

Actions relating to existing infrastructure systems (such as sewer systems; drinking water supply systems; and stormwater systems, including combined sewer overflow systems) that involve minor upgrading, or minor expansion of system capacity or rehabilitation (including functional replacement) of the existing system and system components (such as the sewer collection network and treatment system; the system to collect, treat, store and distribute drinking water; and stormwater systems, including combined sewer overflow systems) or construction of new minor ancillary facilities adjacent to or on the same property as existing facilities.

The City is proposing to add tertiary effluent filters to the project, which would allow the WWTP to reliably meet effluent requirements on a year-round basis. The tertiary filters will be located adjacent to the main treatment processes and occupy approximately 285 square feet. The EPA has determined the proposed project meets the above criteria and is eligible for a categorical exclusion under 40 CFR

§6.204(a)(1)(ii) because the addition of the tertiary filters to the wastewater treatment train constitutes “rehabilitation (including functional replacement) of the existing system and system components.”

Extraordinary Circumstances

EPA Region 9 has reviewed the proposed action to ascertain whether the proposed project addition involves any of the extraordinary circumstances identified in 40 CFR §6.204(b)(1)-(10) and has determined:

- (1) The proposed action is not known or expected to have potentially significant environmental impacts on the quality of the human environment either individually or cumulatively over time;
- (2) The proposed action is not known or expected to have disproportionately high or adverse human health or environmental effects on any community, including minority communities, low-income communities, or federally-recognized Indian tribal communities. No Native American tribes are traditionally affiliated with the project area.
- (3) The proposed action is not known or expected to significantly affect federally listed threatened or endangered species or their critical habitat. EPA made this determination since the proposed project is within the boundaries of the existing WWTP site, where no threatened or endangered species, or species that are candidates for protection, have been found. There would be no direct or indirect impact to threatened or endangered species.
- (4) The proposed action is not known or expected to significantly affect national landmarks or any property with nationally significant historic, architectural, prehistoric, archaeological, or cultural value, including but not limited to, property listed on or eligible for the National Register of Historic Places. On January 20, 2012, the Arizona State Historic Preservation Officer concurred with EPA’s determination that no historic properties would be affected by the proposed project. EPA has determined that the addition of tertiary filters within the WWTP site would not alter our previous conclusion.
- (5) The proposed action is not known or expected to significantly affect environmentally important natural resources such as wetlands, floodplains, significant agricultural lands, aquifer recharge zones, coastal zones, barrier islands, wild and scenic rivers, and significant fish or wildlife habitat. These important natural resources are not present within the project site.
- (6) The proposed action is not known or expected to cause significant adverse air quality effects. Combustion emissions associated with construction vehicles and equipment associated with construction vehicles and equipment would be minimal due to the short-term duration of the proposed construction period. Fugitive dust emissions during construction would be minimized through dust control and standard engineering practices.
- (7) The proposed action is not known or expected to have a significant effect on the pattern and type of land use (industrial, commercial, agricultural, recreational, residential) or growth and distribution of population, including altering the character of existing residential areas, and is consistent with land use plans approved by a state, local government or federally-recognized Indian tribe and federal land

management plans. The proposed project addition will not increase the capacity of the 0.6 MGD WWTP, but will only include an additional treatment component within the existing WWTP site.


(8) The proposed action is not known or expected to cause significant public controversy about a potential environmental impact of the proposed action.

(9) The proposed action is not known or expected to be associated with providing financial assistance to a federal agency through an interagency agreement for a project that is known or expected to have potentially significant environmental impacts.

(10) The proposed action is not known or expected to conflict with federal, state, local government, or federally-recognized Indian tribe environmental, resource-protection, or land-use laws or regulations.

Finding

EPA Region 9 finds that the proposed action conforms to the category of action eligible for exclusion from detailed environmental review under 40 C.F.R. §6.204 and will not involve any extraordinary circumstances. Accordingly, EPA Region 9 will not prepare either an environmental impact statement or an environmental assessment for the proposed project. EPA Region 9 may revoke this categorical exclusion if changes in the proposed action render it ineligible for exclusion or if new evidence emerges which indicates that serious local or environmental issues exist or federal, state, or local laws would be violated.



Jane Diamond
Director, Water Division



Date

