



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

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MEMO TO FILE

From: Amanda L. Murphy
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Subject: Categorical Exclusion Determination
Licking Rural Electrification, NGDISM-FY23-CE-2024-21

PROPOSED ACTION

The Pipeline and Hazardous Materials Safety Administration (PHMSA) has reviewed the materials submitted by the Licking Rural Electrification (Sponsor) to support PHMSA's environmental review of the pipeline replacement project in Heath and Newark, Ohio (the Project). A map of the project area is enclosed as Attachment A. PHMSA understands the Project includes replacing approximately 8.3 miles of pipeline with high density polyethylene pipe. The Project also includes installation of new service connections for approximately 950 services, the upgrading of four existing regulator stations, and the replacement of three outside meters. The construction will be completed within existing rights-of-way and easements using horizontal directional drilling and trenching.

APPLICABLE CATEGORICAL EXCLUSION

C(5): Repair, rehabilitation, or replacement of natural gas distribution pipelines and associated equipment within existing rights-of-way or easements.

EXTRAORDINARY CIRCUMSTANCES

Based on the scope of the action, PHMSA has determined that the proposed action does not meet the criteria for extraordinary circumstances listed in DOT 5610.1D.

RESOURCE REVIEW

Air Quality: The Project falls within a maintenance area for the 8-hour ozone (2008 standard), a maintenance area for the 8-hour ozone (2015 standard), and a maintenance area for particulate matter 2.5 (1997 standard) national ambient air quality standards. Based on the Environmental

Protection Agency MOVES¹ model analysis, the PHMSA assessment is the Project does not require a General Conformity Analysis under Section 176(c)(4) of the Clean Air Act.

Cultural Resources: PHMSA sent a consultation letter to the Ohio State Historic Preservation Officer (SHPO) on July 1, 2025 with PHMSA's determination of a finding of no adverse effect under Section 106 of the National Historic Preservation Act. The SHPO concurred with the findings presented by PHMSA on July 29, 2025. The World Heritage Program, Ohio History Connection requested to be a consulting party on July 29, 2025. PHMSA also invited federally recognized tribes to participate in the consultation by separate letter on July 1, 2025. None of these tribes have elected to participate in the process or provided comments.

Section 4(f): The Project would not result in a use of a property protected by Section 4(f) of the Department of Transportation Act.

Biological Resources: The Project would have no effect on any Endangered Species Act listed species or designated critical habitat or on any essential fish habitat as outlined in the Magnuson-Stevens Fishery Conservation and Management Act.

Land Use: The Project is not located in a coastal zone under the Coastal Zone Management Act.

The Sponsor must implement all mitigation and other commitments identified in Attachment B. In addition, the Sponsor is responsible for securing all necessary permits, approvals, and authorizations.

DETERMINATION

Based on a review of the information and documentation submitted by the Sponsor, including review of Extraordinary Circumstances, PHMSA finds the proposed action qualifies as a Categorical Exclusion in accordance with Section 102 of the National Environmental Policy Act, 42 U.S.C. § 4332 and DOT Order 5610.D, Departmentwide National Environmental Policy Act Implementing Procedures.

Approval by Environmental Analysis and Compliance Division:

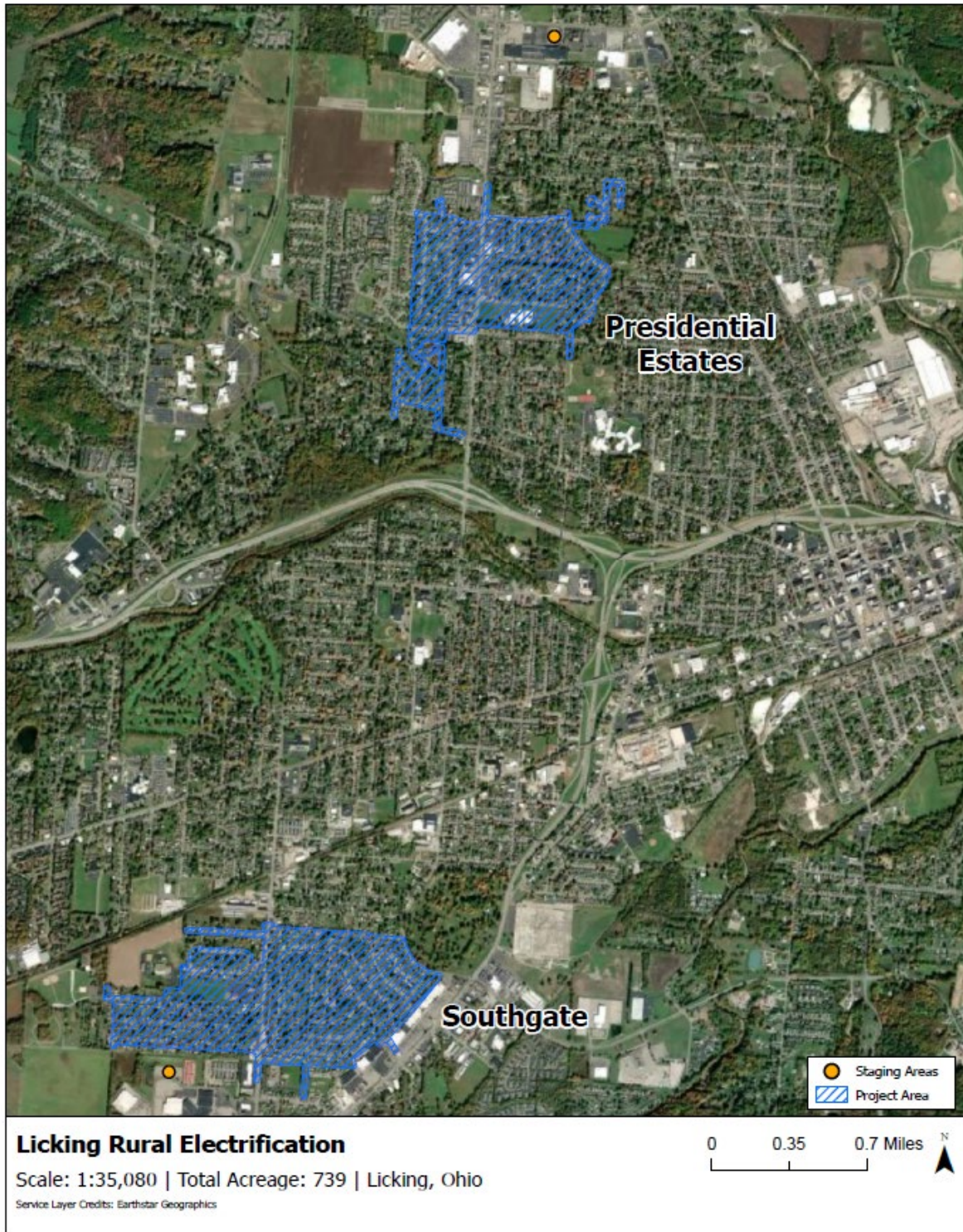
Attachment(s):

- Attachment A: Project Area Map
- Attachment B: Mitigation and Other Commitments

¹ <https://www.epa.gov/moves>

Attachment A: Project Area Map

Project Area Map



Attachment B: Mitigation and Other Commitments

Cultural Resources

If, during project implementation, a previously undiscovered archaeological or cultural resource that is or could reasonably be a historic property is encountered or a previously known historic property will be affected in an unanticipated manner, all project activities in the vicinity of the discovery will cease and Licking Rural Electrification will immediately notify PHMSA. This may include discovery of cultural features (*e.g.*, foundations, water wells, and trash pits) or artifacts (*e.g.*, pottery, stone tools and flakes, and animal bones) or damage to a historic property that was not anticipated. PHMSA will notify the State Historic Preservation Office and participating federally recognized tribes and conduct consultation as appropriate in accordance with 36 CFR § 800.13. Construction in the area of the discovery must not resume until PHMSA provides further direction. Licking Rural Electrification will strictly adhere to PHMSA's Unanticipated Discoveries Protocols.

In the event that unmarked human remains are encountered during permitted activities, all work shall halt and The Licking Rural Electrification shall immediately contact PHMSA as well as the proper authorities in accordance with applicable state statutes to determine if the discovery is subject to a criminal investigation, of Native American origin, or associated with a potential archaeological resource. At all times human remains must be treated with the utmost dignity and respect. Human remains and associated artifacts will be left in place and not disturbed. No skeletal remains or materials associated with the remains will be photographed, collected, or removed until PHMSA has conducted the appropriate consultation and developed a plan of action. Project activities shall not resume until PHMSA provides further direction.

All work, material, equipment, and staging to remain within the road's existing right-of-way or utility easement or other staging areas as identified in the environmental documentation. If the scope of work changes in any way that may alter the effects to historic properties as described herein, the grant recipient must notify PHMSA, and consultation may be reopened under Section 106.