



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

JUL 25 2008

Robert A. Mendez, Executive Director  
Erie County Water Authority  
3030 Union Road  
Buffalo, New York 14227-1097

Dear Mr. Mendez::

This is in response to your request for a categorical exclusion (**CATEX**) from substantive environmental review requirements, pursuant to 40 CFR Part 6, for the Erie County Water Authority's proposed project, Ball Pump Station Emergency Power Generation, located in Buffalo, Erie County, New York.

The project, which involves constructing a permanent enclosure to house a new standby generator to service the Ball Pump Station during the event of an emergency (*i.e.*, electrical power outage), may be partially funded through a federal Special Appropriation Act grant.

Based on our review of the supporting documentation, the Environmental Protection Agency (EPA) approves the request for the **CATEX**. Please be reminded that EPA may revoke this **CATEX** if any of the following conditions occur:

- change in the proposed action render it ineligible for exclusion;
- new evidence indicates that serious local or environmental issues exist; or
- federal, state, or local laws would be violated.

This **CATEX** is available for public viewing on EPA Region 2's website, <http://www.epa.gov/region02/spmm/r2nepa.htm#r2docs>. Should you have any questions regarding this decision, please address them to John Filippelli, Chief, Strategic Planning and Multi-Media Programs Branch, at the above address.

Sincerely,

A handwritten signature in black ink that reads "Alan J. Steinberg".

Alan J. Steinberg  
Regional Administrator

Enclosure

cc: Wesley C. Dust, Erie County Water Authority  
Danie Seider, P.E. Erie County Water District Authority  
Marie A. Nowak, P.E. Nussbaurner & Clarke, Inc.

## ENCLOSURE

### **Erie County Water Authority Ball Pump Station Emergency Power Generation Erie County, New York Special Appropriation Project**

#### Background

The Ball Pump Station, owned and operated by the Erie County Water Authority, consists of two 5-million-gallon water storage tanks, pumping equipment, and underground piping. Currently, electrical power is the sole energy source available to operate the pumps to supply potable water to designated areas throughout Erie County. During electrical power outages, the Ball Pump Station is unable to operate. The Erie County Water Authority needs standby emergency power capable of operating the Ball Pump Station in the event of an emergency or during electrical power outages.

#### Proposed Action

The Erie County Water Authority proposes to construct the new standby power facility within a previously disturbed area adjacent to the Pumping Station as follows:

- Install a new standby generator that operates on diesel fuel to generate emergency power for the Pumping Station during electrical power outages.
- Install a new above-ground diesel fuel storage tank and ancillary equipment to supply fuel to the standby generator.
- Construct a 58-foot by 38-foot enclosure (2,204 square feet) with a concrete pad to support and house the standby generator and its ancillary equipment.

#### Alternatives Considered

In addition to the proposed action, the “No Action” was considered. No action would render the Ball Pump Station inoperable during the event of an emergency involving electrical power outages. As such, water could not be distributed to utilities in residential, commercial, or industrial buildings for human consumption and wastewater removal. Additionally, water may not be able to be supplied to fire hydrants in the Erie County area during power outages.

#### Determination for Granting Categorical Exclusion

The Categorical Exclusion (CATEX) eligibility requirements found in 40 CFR 6.204(a)(1)(ii) apply to this action. This category includes, “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.”

This project does not involve: a new or relocated discharge to surface or ground water; an increase in the volume or loading of pollutants to receiving water; or capacity to serve a population 30 percent greater than the existing population. Further, it is not contrary to any state or regional growth plan or strategy; and it is not primarily for the purpose of future development.

#### Extraordinary Circumstances

Review of the available information provided by the applicant on the proposed action indicates that none of the extraordinary circumstances listed in 40 CFR 6.204(b)(1) through (10) are involved.

#### Conclusion

The proposed action conforms to the category of actions eligible for exclusion under 40 CFR 6.204(a)(1)(ii). Accordingly, EPA approves this request for a CATEX from detailed environmental review pursuant to our procedures for implementing the National Environmental Policy Act.