



**U.S. Department of Energy
Office of Legacy Management
Categorical Exclusion Determination Form**



Program or Field Office: Office of Legacy Management

Project Title and I.D. No.: Evaporation Pond Removal and Verification and Associated Road Maintenance, Durango, Colorado, Disposal Site

Location: Durango, Colorado

Proposed Action or Project Description:

LM proposes to remove an evaporation pond that is no longer required, conduct verification sampling of the pond area, and perform the associated road maintenance necessary to facilitate removal and offsite transportation of the pond waste material. The Durango site is a Title I site that is managed in accordance with the Uranium Mill Tailings Radiation Control Act of 1978.

The evaporation pond was installed as part of an engineered transient drainage system to manage liquids removed from the disposal cell during the naturally occurring compaction of the cell materials. The liquid discharge has declined to the point that the drain can be sealed in place and the pond can be removed. The road maintenance is needed to facilitate the movement of trucks loaded with material for offsite disposal at the Grand Junction, Colorado, Disposal Site.

Road improvement work is needed to provide access and turning distances for the trucks that would be hauling the containerized waste offsite. The road improvement work is located on County Road 212 adjacent to the site entrance gate, and includes maintenance and regrading to facilitate access for transport trucks.

Categorical Exclusion(s) Applied:

B1.3, Routine maintenance - for road maintenance and repair
B6.1, Small-scale, short-term cleanup actions . . . less than approximately 10 million dollars in cost - for evaporation pond decontamination and removal

For the complete DOE National Environmental Policy Act regulations regarding categorical exclusions, including the full text of each categorical exclusion, see Subpart D of 10 CFR Part 1021.

Regulatory Requirements in 10 CFR 1021.410(b): (See full text in regulation)

The proposal fits within a class of actions that is listed in Appendix A or B to 10 CFR Part 1021, Subpart D

To fit within the classes of actions listed in 10 CFR Part 1021, Subpart D, Appendix B, a proposal must be one that would not: (1) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders; (2) require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators), but the proposal may include categorically excluded waste storage, disposal, recovery, or treatment actions or facilities; (3) disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases; (4) have the potential to cause significant impacts on environmentally sensitive resources, including, but not limited to, those listed in paragraph B(4) of 10 CFR Part 1021, Subpart D, Appendix B; (5) involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those listed in paragraph B(5) of 10 CFR Part 1021, Subpart D, Appendix B.

There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal.

The proposal has not been segmented to meet the definition of a categorical exclusion. This proposal is not connected to other actions with potentially significant impacts (40 CFR 1508.25(a)(1)), is not related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.27(b)(7)), and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211 concerning limitations on actions during preparation of an environmental impact statement.

Based on my review of the proposed action, as NEPA Compliance Officer (as authorized under DOE Order 451.1B), I have determined that the proposed action fits within the specified class(es) of action, the other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

NEPA Compliance Officer:

Date Determined: