



**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.: Routine and Non-routine Actions at the Edgemont, South Dakota, Disposal Site, LM 09-17

Location: Edgemont, South Dakota, Disposal Site

Proposed Action or Project Description:

The U.S. Department of Energy (DOE) proposes to conduct continued routine activities such as monitoring and maintenance actions, general site activities, non-routine actions, real property actions, and administrative actions at the Edgemont, South Dakota, Disposal Site. DOE completed Environmental Checklist LM 13-11 in 2011 for these actions. This 2017 Environmental Checklist (LM 09-17) updates and considers an expanded scope of actions, renewal of an existing cattle grazing agreement, changes in conditions, and real property actions that were covered under a different categorical exclusion at the time LM 13-11 was developed. Environmental considerations include air emissions and air quality, noise, solid waste generation, pesticide or herbicide use, Endangered Species Act consultation and state or tribe listed or protected species, cultural or archaeological resources present, and surface or ground disturbance. Disclosed environmental effects were still found to be minor. Best management practices would be applied to further minimize potential negative environmental effects.

Categorical Exclusion(s) Applied:

- B1.3 Routine maintenance
- B1.11 Fencing
- B1.13 Pathways, short access roads, and rail lines
- B1.15 Support buildings
- B1.20 Protection of cultural resources and fish and wildlife habitat
- B1.24 Property transfers
- B1.33 Stormwater runoff control
- B3.1 Site characterization and environmental monitoring
- B3.2 Aviation activities

For the complete DOE NEPA regulations regarding categorical exclusions, including the full text of each categorical exclusion, see Subpart D of Title 10 Code of Federal Regulations Section 1021 (10 CFR 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 1021, Subpart D

To fit within the classes of actions listed in 10 CFR 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 Comprehensive Environmental Response, Compensation, and Liability Act-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 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 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.

Haley A. Richard
NEPA Compliance Officer:

04/27/17
Date Determined: