



**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 Activities at the Laboratory for Energy-Related Health Research (LEHR), California, Site. LM # 51-11.

Location: Davis, California

Proposed Action or Project Description:

The U.S. Department of Energy (DOE) proposes to conduct routine activities as needed at the LEHR site located in Davis, California, just west of Sacramento. The site is 1.5 miles south of the main University of California, Davis, (UC Davis) campus, surrounded by UC Davis research facilities and farmland. UC Davis owns the land. DOE is responsible for ensuring that the cleanup remedy completed for the site remains protective of human health and the environment and compliant with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and National Contingency Plan requirements. Through a grant program with DOE, UC Davis performs the routine maintenance and groundwater monitoring for the site.

DOE performs annual site inspections in order to confirm the integrity of the site, to ensure there is no unauthorized soil disturbance, to evaluate the groundwater monitoring program, and to meet with stakeholders. Groundwater sampling occurs quarterly for some tests and annually for others. Routine maintenance actions may include actions such as monitoring well maintenance or component replacement.

Maintenance activities or site visits and sampling events may result in incidental amounts of solid waste (e.g., materials that have been replaced, packaging). Solid waste would be managed by UC Davis in accordance with applicable waste requirements and recycled whenever possible. Groundwater sampling activities may result in use of approximately 192 gallons of groundwater annually. Purge water is managed through the UC Davis water treatment system and water samples are managed by California certified laboratories. All activities would be conducted in accordance with applicable requirements and best management practices. Only negligible environmental concerns were identified during the evaluation of these actions, and all actions were found to be categorically excluded from further evaluation under the National Environmental Policy Act.

Categorical Exclusion(s) Applied:

- B1.3 Routine maintenance
- B3.1 Site Characterization and environmental monitoring (groundwater monitoring)

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.

Tracy A. Ribeiro
NEPA Compliance Officer:

02/09/12
Date Determined: