



**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 associated with the Gasbuggy Site in northern New Mexico. LM # 41-11.

Location: Rio Arriba County, New Mexico

Proposed Action or Project Description:

The Gasbuggy Site was originally part of the Plowshare Program, which was conducted by the Atomic Energy Commission (predecessor agency to the DOE) in the 1960s and 1970s. This program involved the deep subsurface detonation of nuclear devices. DOE monitors surface and groundwater supplies and annually inspects a monument that marks the site of ground zero for the detonation. The surrounding land is administered by the Carson National Forest. DOE also monitors nearby gas wells and the associated production water.

DOE collects surface and groundwater samples from wells, ponds, seeps, and a creek on the Carson National Forest, the Jicarilla Reservation, and on private properties on a 5-year cycle. Approximately 12 water sources are monitored. The next sampling event is scheduled for 2014. In addition, DOE annually samples gas and the produced water associated with the gas from 7 producing gas wells in the area.

No 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:

- B 1.3: Routine maintenance activities.
- B 3.1: Onsite and offsite characterization and environmental 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. Ribera
NEPA Compliance Officer:

04/13/12
Date Determined: