



**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 monitoring, maintenance, general site, and administrative actions at the L-Bar, New Mexico, Disposal Site. ID# LM 6-12.

**Location:** Near Grants, New Mexico

**Proposed Action or Project Description:**

The Office of Legacy Management retains responsibilities for monitoring groundwater and maintaining site features at the L-Bar site, a Title II Site under the Uranium Mill Tailings Radiation Control Act. Routine monitoring and maintenance actions include sampling groundwater wells every 3 years and well development every 6 years, which could result in the purging of 500 to 1,000 gallons of water that would be absorbed by the soil. Other typical site activities may include minor road grading on site dirt roads, fence repair, spot use of pesticides to control noxious weeds (tamarisk), surveying, small erosion repair actions following extreme weather events, and site tours and inspections. Activities proposed for 2012 include the installation of a precipitation gauge with telemetry and replacing 4-5 site monuments. .

None of these actions would affect protected species or cultural resources. The L-Bar site was subject to uranium mining and milling activities prior to remediation.

**Categorical Exclusion(s) Applied:**

- B1.3: Routine maintenance
- B3.1: Site 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.

*Lacey A. Ribeiro*  
**NEPA Compliance Officer:**

05/21/12  
**Date Determined:**