



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



Program or Field Office: U.S. Department of Energy, Office of Legacy Management

Project Title and I.D. No.: Routine sampling, inspection, and maintenance at the Mexican Hat, Utah, Disposal Site (LM 04-18)

Location: Mexican Hat, Utah, Disposal Site

Proposed Action or Project Description:

Routine maintenance of the existing disposal site infrastructure includes the repair or replacement of existing fence wire and posts, the installation or removal of pedestrian gates, installation and removal of signs, vegetation management and the repair of the existing roads. It also includes the maintenance or removal of existing equipment at the disposal site. Minor fence maintenance and repairs would be conducted as needed. This includes maintenance and upgrades to signage at the site. Sampling could include the collection of soil, water, air, vegetation, and other samples for laboratory analysis. Sampling on the cover would be conducted by hand and with hand tools. Soil samples would be collected throughout these areas and within other areas of the site. Surface and groundwater samples may also be collected in areas within and surrounding the site. A radiological control technician would support work on the disposal cell if it includes exposure of cover components beneath the rock rip rap cover of the disposal cell. General actions include: conducting nondestructive site inspections of the disposal cell and its surroundings; removing rock cover components to visually evaluate cover component conditions; surveying of disposal site components to generate and maintain spatially accurate maps; installation, maintenance, and repair of site infrastructure and equipment; collection of data with field instruments; unscheduled repairs; using all-terrain vehicles onsite; driving off established roads in previously disturbed areas; vehicle fueling and minor maintenance (fuel quantities would not require a fuel plan); localized weed control (spraying, cutting, or burning); removing trash; conducting site tours as necessary; conducting annual site inspections; and conducting meetings onsite with Navajo Nation representatives and other governmental entities.

Categorical Exclusion(s) Applied:

A1: Routine DOE business actions; A8: Awards of certain contracts; A9: Information gathering, analysis, and dissemination; A11: Technical advice and assistance to organizations; B1.3: Routine maintenance; B1.11: Fencing; B1.19: Microwave, meteorological, and radio towers; B1.33: Stormwater runoff control B3.1: Site characterization and environmental monitoring; B3.2: Aviation activities; B3.8: Outdoor ecological and other environmental research

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.

JChavez

Joyce E. Chavez
2018.02.14 15:55:41 -07'00'

NEPA Compliance Officer:

Date Determined: