



NEPA Categorical Exclusion Determination Form

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

Project Title: Road Erosion Repair Work at L-Bar, New Mexico, Disposal Site (LM 26-19)

Location: L-Bar, New Mexico, Disposal Site

Proposed Action or Project Description:

The U.S. Department of Energy (DOE) Office of Legacy Management (LM) is proposing to perform road erosion repair work at the L-Bar, New Mexico, Disposal Site to prevent future road erosion and to maintain site accessibility. The proposed repairs would be performed at the existing, secondary access roads within the property boundary, referred to as the Disposal Cell Road and the Mine Road to fix eroding areas, resurface and regrade the road in localized areas, and improve drainage. Work would include improving the alignment of arroyo crossings and installing low-water crossings at multiple locations where the roads cross small arroyos. The arroyo-associated repair work would include improving the existing secondary site roads with low-traffic, low-water crossings constructed of either articulated concrete block mats or rock-filled Geoweb cell mats at locations impacted by the arroyos. The arroyos would be realigned in the areas immediately adjacent to the road. Riprap and turf reinforcement matting would be placed in certain areas to stabilize and optimize the operation of the crossing. The road grade would be altered in the immediate area of the crossings to allow for vehicle access into and egress from the low-water crossings. Additionally, some drainage ditches would be maintained or installed, some culverts would be cleaned out, some drainage swales and kick-outs would be installed to help control water runoff, and some road banks would be stabilized. Heavy equipment, such as backhoes, graders, and haul trucks, would be used to perform the proposed work. All project-associated land disturbances would be controlled and tracked to ensure that the total disturbed area does not exceed the regulatory threshold that would require the use of a stormwater permit (1 acre or greater of land disturbance). Best practices, including the installation, maintenance, and inspection of stormwater controls (wattles), dust suppression, and controlling soil pile storage placement, would be implemented. Project-related use of existing public roads would be limited and temporary and would likely not cause appreciable adverse effects or changes to existing traffic patterns or road conditions. The Mine Road would be closed to through traffic during the day while construction activities are occurring on it.

Categorical Exclusion(s) Applied:

- B1.3, Routine maintenance

For the complete DOE National Environmental Policy Act (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 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 by the LM Director- per DOE Policy 451.1), I have determined that the proposed action fits within the specified classes of action, the other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

Digitally signed by JOYCE CHAVEZ
Date: 2019.08.15 10:51:30 -06'00'

NEPA Compliance Officer

Date Determined