



NEPA Categorical Exclusion Determination Form

Program or Field Office: U.S. Department of Energy (DOE) Office of Legacy Management (LM)

Project Title: Site Transition and Associated Long-term Surveillance and Maintenance Actions at the Ray Point, Texas, Disposal Site.

Location: Ray Point, Texas, Disposal Site

Proposed Action or Project Description:

LM is proposing to transition the Ray Point, Texas, Disposal Site, located approximately 78 miles southeast of San Antonio, to LM ownership and long-term care. The existing licensee for this site is ExxonMobil. Transition to LM would commence in 2024 and is scheduled for completion in 2028. Authorities and requirements for management of this site derive from Title II of the Uranium Mill Tailings Radiation Control Act. The proposed actions include performing site transition activities and long-term surveillance and maintenance (LTS&M) once the transition is complete.

The site transition scope includes acquiring and preserving site information, evaluating the disposal structures and groundwater remedy, establishing the transfer boundary, developing a Long-term Surveillance Plan (LTSP), transfer of real property to DOE, evaluating reuse opportunities, determining post-closure care requirements, and inspecting assets to the Facilities Information Management System.

Once the site is transferred to LM, implementation of the LTSP would begin immediately with LTS&M activities, including annual site inspections, routine maintenance and monitoring, and future aerial and terrestrial surveys and associated activities on an as-needed bases.

Categorical Exclusion(s) Applied:

A1 Routine DOE Business Actions
A9 Information Gathering, Analysis, and Dissemination
B1.3 Routine Maintenance
B1.11 Fencing
B1.24 Property Transfers
B1.33 Storm-water Runoff Control
B3.1 Site Characterization and Environmental Monitoring
B3.2 Aviation Activities

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 1501.9(e)(1)), is not related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.1(g)(3)), 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.



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**NEPA Compliance Officer Signature and
Determination Date**

JENNIFER
O'BRIEN

 Digitally signed by JENNIFER
O'BRIEN
Date: 2024.03.27 08:25:09
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