



NEPA Categorical Exclusion Determination Form

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

Project Title: Porewater Extraction and Management at the Rifle, Colorado, Disposal Site

Location: Rifle, Colorado, Disposal Site

Proposed Action or Project Description:

DOE-LM is proposing to upgrade the pore water extraction system at the Rifle, Colorado, Disposal Site to prevent the rising water level in the disposal cell tailings from compromising the integrity of the disposal cell. Tailings pore water (present from the initial placement of the tailings, and ongoing infiltration of meteoric water through the cover, and inflow from the subsurface surrounding and tailings) is removed from the cell via two standpipes with downhole pumps and is conveyed to an evaporation pond. The existing standpipes are inadequate for production of the projected flow and likewise, the existing evaporation pond is undersized for the projected extraction & evaporation rates. To support the increased rate of pore water extraction, LM's goal is to have an extraction and water management system in place that includes drilling new extraction and observation wells and installing modular storage tanks to manage the extracted flow. This proposed action would fulfill the general license requirements in Title 10 Code of Federal Regulations Section 40.27 that identifies LM as the long-term custodian of the site and would be performed in a manner that protects human health and the environment.

The Rifle Porewater Extraction Project would include 1) drilling up to 15 extraction wells and 4 observation wells in the disposal cell to pump pore water from within the tailings and monitor progress and 2) construction of temporary above ground modular storage tanks at the toe of the disposal cell to manage the increased level of water extraction not to exceed 10 acre-feet per year. Piezometers would be installed in the observation wells to monitor water levels surrounding the new extraction wells. Installation of the new dewatering and observation wells would be completed in accordance with state regulations, including acquiring necessary permits.

Water drawdown from the existing evaporation pond and transportation to Grand Junction, Colorado, Disposal Site could be needed to support drilling activities based on existing evaporation pond water elevations in-conjunction with existing and forecasted evaporation rates.

All hazardous and nonhazardous waste generated by the subcontractor would be managed, stored, disposed, and transported in accordance with all federal, state, and local regulations.

LM has collaborated and would continue to collaborate with the Colorado Department of Health and Environment and the U.S. Nuclear Regulatory Commission on work plans, bi-weekly progress meetings, and review of design drawings and specifications. The Colorado Department of Water Resources was consulted with for water augmentation and permitting requirements. A Water Allotment Contract was obtained with the Western Divide Water Conservancy District to augment water depletions resulting from the proposed project.

Section 7 of the Endangered Species Act consultation with the U.S. Fish and Wildlife Service and National Historic Preservation Act Section 106 consultation with the Colorado State Preservation Historic Office was also completed for potential impacts to protected resources.

Categorical Exclusion(s) Applied:

- B1.15 Support Buildings**
- B1.30 Transfer Actions**
- B1.33 Stormwater Runoff Control**
- B3.1 Site Characterization and Environmental Monitoring**
- B5.16 Solar Photovoltaic Systems**
- B6.1 Cleanup Actions**

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



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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.

**NEPA Compliance Officer Signature and
Determination Date**

JENNIFER
O'BRIEN

Digitally signed by
JENNIFER O'BRIEN
Date: 2024.06.13 10:03:22
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