



NEPA Categorical Exclusion Determination Form

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

Project Title: Install and Maintain Aerial Survey Quality Control Monuments and Perform Aerial Surveys at the Split Rock, Wyoming, Disposal Site

Location: Split Rock, Wyoming, Disposal Site

Proposed Action or Project Description:

LM is proposing to install and maintain eight permanent aerial survey quality control (QC) monuments on the Split Rock, Wyoming, Disposal Site and perform aerial surveys of the site and, if necessary, adjacent areas. The aerial survey QC monuments would be installed at eight proposed locations that are near, but not on, the site's engineered radioactive material disposal cell. Monument installation would have no adverse effect on historic properties and is scheduled for completion during 2024. Maintenance of the monuments would be conducted in out years as needed.

A baseline aerial survey, and follow-up aerial surveys as needed, would be conducted using small uncrewed aircraft systems. No aviation activities proposed through the Legacy Management Support (LMS) contract, LM Mission Support Activities (e.g., financial assistance agreements), or LM stakeholders would begin until aviation safety documentation is approved or verified by a certified LM aviation safety officer and permission is received from the LM site manager. Follow-up aerial surveys may be required depending on many variables. Under the LMS contract, follow-up aerial surveys would require new aviation safety plans approved by an LM aviation safety officer and LM site manager.

Categorical Exclusion(s) Applied:

- B1.3 Routine maintenance
- 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**

JOYCE CHAVEZ Digitally signed by JOYCE CHAVEZ
Date: 2024.07.26 13:44:53 -06'00'
