



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



Program or Field Office: Office of Legacy Management

Project Title and I.D. No.: Routine site activities at the Shirley Basin South, Wyoming, Disposal Site. LM # 40 – 11.

Location: South of Casper, Wyoming

Proposed Action or Project Description:

Routine site activities include collection of water samples from groundwater monitoring wells, use of herbicides to spray invasive weeds, and mapping weeds on the site in alternate years to evaluate effectiveness of weed control efforts. In addition, a grazing licensee who runs 100 head of cattle on the site (approximately one month per year) proposes to install a gravity-fed water supply source. Potable water would be obtained, in accordance with license stipulations, from an existing well on the site, stored in an estimated 500-gallon water storage tank, and conveyed to a stock water tank by an approximately 600-foot-long buried pipeline. The water source would also benefit wildlife use of the site. The licensee also proposes to install an antelope-friendly electric fence to better manage use of the site. No fencing would be allowed on the disposal cell. Potential future activities may include cutting and baling hay on the top surfaces of the disposal cell.

The majority of the disposal site was subject to mining and milling activities, remediated, and subsequently reclaimed and revegetated with perennial grasses and forbs. No protected resources would be disturbed by these activities. Environmental site conditions related to grazing use are monitored by personnel when on site for other purposes.

Environmental concerns identified during evaluation of these activities were negligible, and all activities were found to be categorically excluded from further evaluation under the National Environmental Policy Act.

Categorical Exclusion(s) Applied:

- B1.3: Routine maintenance activities.
- B1.11: Fencing
- B1.20: Small-scale activities to protect, restore, or improve fish and wildlife habitat
- B3.1: Site characterization, monitoring, and general 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.

Tracy A. Reber
NEPA Compliance Officer:

12/13/2011
Date Determined: