



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 Monuments and Perform Aerial Surveys at the Bear Creek, Wyoming, Disposal Site

Location: Bear Creek, Wyoming, Uranium Mill Tailings Radiation Control Act Title II Disposal Site

Proposed Action or Project Description:

DOE LM is proposing to install aerial survey quality control monuments for future aerial survey activities at the Bear Creek, disposal site. Monuments would be constructed at seven proposed locations near the engineered disposal cell to provide reliable control points for future aerial surveys. Proposed work would include ground surveying of the locations and placement of survey pins at all locations. All monuments would be located off the disposal cell. A skid-steer loader, track hoe, or backhoe would be used to dig holes to construct the monuments. Efforts would be made to minimize areas of land disturbance during monument construction. Care would be taken to drive construction equipment on site roads or existing tracks, and potential wetland areas would be avoided. Refueling of equipment would occur at the site in accordance with a contractor Fueling Plan. Aerial surveys are expected to be conducted by unmanned aerial vehicles (also called drones), aircraft, or helicopters, depending on the types of sensors being used. The survey data would facilitate long-term management of the engineered cover at this disposal cell. Ongoing maintenance of the aerial survey monuments would be performed in out years, as needed. The quality control monument construction work is scheduled for July 2019. Performance of aerial remote sensing surveys would occur on an as needed basis. No aviation activities would commence until required Flight Safety Plans are approved by a certified DOE Aviation Manager and permission is received from LM to proceed with aviation activities. The need to perform follow-on surveys would depend, in part, upon results of the baseline surveys. Follow-on surveys would require new Flight Safety Plans approved by a certified DOE Aviation Manager. All proposed work would be conducted by the Legacy Management Support (LMS) contractor or a subcontractor under LMS supervision.

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 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.

NEPA Compliance Officer Signature and
Determination Date

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