



NEPA Categorical Exclusion Determination Form

Program or Field Office: U.S. Department of Energy Office of Legacy Management

Project Title: Road Erosion Repair Work at Bluewater, New Mexico, Disposal Site (LM 24-19)

Location: Bluewater, New Mexico, Disposal Site (Uranium Mill Tailings Radiation Control Act, Title II)

Proposed Action or Project Description:

The U.S. Department of Energy (DOE) Office of Legacy Management (LM) is proposing to perform road erosion repair work at the Bluewater, New Mexico, Disposal Site to prevent future road erosion and to maintain site accessibility.

Road maintenance and repairs, and associated adjacent arroyo drainage improvements would be made at two, off-cell locations (North Area and South Area) on an existing secondary site road in the northwestern area of the disposal site and at an on-road location south of the North Area. Arroyos at this site are ephemeral drainages that are not regulated as waters of the United States. Road repairs and improvements would adhere to project-specific engineering design plans and specifications, which were designed to manage a 25-year storm event. The repair work would entail improving the existing secondary site roads with low-traffic, low-water crossings constructed of either articulated concrete block mats or rock-filled Geoweb cell mats at the locations impacted by the arroyos. Arroyos would be realigned in the areas immediately adjacent to the road, and riprap and turf reinforcement matting would be placed in certain areas to stabilize and optimize the operation of the crossing, and to help eliminate future erosion. The road grade would be altered in the immediate area of the crossings to allow for vehicle access into and egress from the arroyo crossings. Heavy equipment, such as back-hoes and graders, would be used. All project-associated land disturbances would be controlled and tracked to ensure that the total does not exceed the regulatory threshold that would require the use of a stormwater permit (one acre or greater of land disturbance). Best practices, including the installation, maintenance, and inspection of stormwater controls (wattles), and controlling soil pile storage placement, would be implemented. Project-related use of existing public roads would be limited and temporary and would likely not cause appreciable adverse effects or changes to existing traffic patterns or road conditions.

Categorical Exclusion(s) Applied:

- B1.3, Routine maintenance

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.

Digitally signed by JOYCE CHAVEZ
Date: 2019.08.15 10:45:05 -06'00'

NEPA Compliance Officer

Date Determined