

U.S. Department of Energy
Office of Legacy Management



Categorical Exclusion Determination Form

Proposed action title: Shiprock Evaporation Pond Interim Stabilization Project

Program or field office: Office of Legacy Management (LM)

LM Categorical Exclusion Evaluation no.: _____

Location(s) (LM site name or city, county, state): Shiprock, New Mexico, Disposal Site

Proposed Action Description

The evaporation pond at the Shiprock, New Mexico, Disposal Site has reached the end of its useful life and will be replaced with a water treatment unit (WTU). Once the WTU is operational, the evaporation pond would no longer receive water and would dry out. The exposed sediments would require stabilization to prevent wind blown mobilization and deposition off site. LM is proposing to stabilize pond materials by applying a non-toxic, biodegradable tackifier to the entire footprint of the evaporation pond.

Categorical Exclusion(s) Applied

B1.28 – Placing a facility in an environmentally safe condition

For the DOE procedures regarding categorical exclusions, including the full text of each categorical exclusion, see Title 10 *Code of Federal Regulations* Part 1021.102 (10 CFR 1021.102) and Appendix B to [10 CFR 1021](#), and also Section 5.4 (*Applying one or more categorical exclusions to a proposal*) and Appendixes B and C to DOE’s [National Environmental Policy Act \(NEPA\) Implementing Procedures](#) (June 30, 2025).

Requirements and guidance in 10 CFR 1021.102 and DOE’s NEPA Implementing Procedures: (*see full text in regulation and in implementing procedures*)

☒ The proposal fits within a class of actions that is listed in Appendix B to 10 CFR 1021 or Appendix B and C to DOE’s NEPA implementing procedures.

To fit within the classes of actions listed in Appendix B to 10 CFR 1021, or Appendix B of DOE’s NEPA implementing procedures, a proposal must satisfy the conditions that are integral elements of the classes of actions in Appendix B of both 10 CFR 1021 and DOE’s NEPA procedures.

☒ There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal. DOE or an applicant may modify the proposal to avoid reasonably foreseeable adverse significant effects such that the categorical exclusion would apply.

☒ The proposal has not been segmented to meet the definition of a categorical exclusion.

[**Note:** For proposals that fit within the categorical exclusions listed in Appendix C to DOE’s NEPA Implementing Procedures, see DOE’s notice of adoption for the subject Appendix C categorical exclusion for additional considerations. DOE notices of adoption for other agency categorical exclusions may be found on DOE’s [Section 109: Adopting Categorical Exclusions](#) webpage.]

Based on my review of the proposed action, as NEPA compliance officer, I have determined that the proposed action fits within the specified class(es) of action, the other requirements and guidance set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

JENNIFER
O'BRIEN

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O'BRIEN
Date: 2026.06.08 12:36:26
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NEPA Compliance Officer
Select "Lock document after signing" upon signature.

Date determined