



**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.: Conduct Pedogenesis Study at the Bluewater, New Mexico, Disposal Site (LM 03-16)

Location: Bluewater, New Mexico

Proposed Action or Project Description:

LM intends to conduct a study of the soil-forming processes at the Bluewater disposal site. The proposed work includes removing riprap at designated locations, removing the layers overlaying the radon barrier if applicable, conducting radon flux measurements on the surface of the radon barrier, sampling with thin-wall sampling tubes, large block sampling, soil morphology sampling, taking radon flux measurements on the surface of exposed mill tailings under the radon barrier, and repairing the radon barrier and replacing the rock riprap.

The majority of the proposed work would be conducted on the cover of the existing disposal cell or in borrow areas that were previously disturbed to provide fill material for cover construction. A total of six analog sites that are nearby, but not on the cover, have been selected for sampling. The analog sites provide a basis for comparison of soil-formation processes on the cover versus at the analog locations. Three of the analog locations are in a previously used borrow areas and three are in areas of undisturbed soils.

Categorical Exclusion(s) Applied:

- B3.1 – Site characterization and environmental monitoring

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.

NEPA Compliance Officer:

Date Determined: