



## NEPA Categorical Exclusion Determination Form

**Program or Field Office:** U.S. Department of Energy (DOE) Office of Legacy Management (LM)

**Project Title:** Administrative Tasks to Support Defense-Related Uranium Mine Safeguarding Activities on Federal, State, and Private Land

**Location:** DRUM Program sites on federal, state, and private lands

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### Proposed Action or Project Description:

DOE LM is proposing administrative actions related to Defense-Related Uranium Mine safeguarding activities on Abandoned Mine Lands (AML). The AML would be managed by federal agencies, states, or private entities. Safeguarding activities are needed to protect public safety by eliminating or reducing physical safety hazards posed by AML features such as adits, shafts, stopes, dilapidated portals, subsidence portals, unstable rock, and other remnants of former mining operations. AML sites would be reclaimed while conserving wildlife habitat and preserving cultural resources. Activities would begin in fall 2020 and continue through fall 2025.

If AMLs are managed by a federal agency such as the U.S. Department of the Interior (e.g., U.S. Bureau of Land Management or National Park Service) or the U.S. Department of Agriculture (e.g., U.S. Forest Service), LM is proposing to:

- 1) Execute a contract with a private entity to perform environmental surveys and reviews.
- 2) Transfer funds to the agency for AML safeguarding projects.
- 3) Collaborate with the agency by providing information and expertise related to AML sites and their specific features.
- 4) Perform observational site visits related to the safeguarding activities.

Proposed activities would be conducted in a collaborative manner between the federal land management agencies and LM; through cooperative agreements, interagency agreements, and memoranda of understanding. All mine safeguarding activities on federal lands would be addressed by the federal land management agency in its agency-specific National Environmental Policy Act (NEPA) documentation.

If AMLs are on state or private land, LM is proposing to:

- 1) Execute a contract with a private entity to perform environmental surveys and reviews.
- 2) Transfer funds to states for AML safeguarding projects.
- 3) Provide information and expertise related to AML sites and their specific features.
- 4) Perform observational site visits related to the safeguarding activities.

Proposed activities on state land would be conducted through cooperative agreements and memoranda of understanding. All environmental reviews and mine safeguarding activities on state or private land would be addressed by LM in separate NEPA documentation.

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### Categorical Exclusion(s) Applied:

- A1 Routine DOE business actions
- A9 Information Gathering, Analysis, and Dissemination
- A11 Technical Advice and Assistance to Organizations

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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.



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- 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.

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**NEPA Compliance Officer Signature and  
Determination Date**

**TRACY RIBEIRO**

Digitally signed by TRACY

RIBEIRO

Date: 2020.09.24 17:29:15 -06'00'