



NEPA Categorical Exclusion Determination Form

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

Project Title: Amendment to Defense-Related Uranium Mine Verification and Validation Visits—Colorado

Location: Colorado, various locations

Proposed Action or Project Description:

Amendment to the CXE LM 03-19 proposed action to include formal agreements such as memorandums of understanding (MOUs) between DOE and other agencies or access agreements between DOE and private landowners. These agreements would be established prior to visiting Defense-Related Uranium Mine (DRUM) sites. The MOUs may contain special use restrictions that would be followed when accessing mines.

LM would conduct inventory, mapping, and soil and surface water sampling at abandoned uranium mines in the State of Colorado in accordance with the approved *Defense-Related Uranium Mines Verification and Validation Work Plan*. Activities include both inventory and verification and validation (V&V) visits, which may be performed by state or federal agencies funded by LM; traveling to and from mine sites on existing roads; exploring the mine sites and nearby areas for mine-related features; describing mine features and mine site conditions and recording their locations with GPS; recording gamma radiation measurements using backpack-mounted instruments along transects within the mine-disturbed area, in surrounding areas, sediment shed areas, and background locations; utilizing all-terrain vehicles and utility task vehicles to collect gamma radiation measurements on waste rock or disturbed areas at some large or very large mines; collecting samples by hand from the upper 6 inches of soils in mine waste rock areas and background locations; decontaminating sampling equipment in the field and managing small quantities of radioactively contaminated solid waste if present; and using unmanned aerial vehicles to supplement investigations at some locations.

Categorical Exclusion(s) Applied:

- B3.1 Site characterization and environmental monitoring
- B3.2 Aviation activities
- B1.24 Property transfers

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.

U.S. Department of Energy
Office of Legacy Management



LM 03a-19



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**NEPA Compliance Officer Signature and
Determination Date**

Joyce E. Chavez

Digitally signed by Joyce E. Chavez
Date: 2021.10.15 08:17:34 -06'00'