



NEPA Categorical Exclusion Determination Form

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

Project Title: Routine Inspections, Maintenance, and Monitoring Activities; Aviation Activities; and Well Installation at the Shiprock, New Mexico, Disposal Site

Location Shiprock, New Mexico

Proposed Action or Project Description:

LM proposes to conduct the following activities at the Shiprock Disposal Site:

Inspections: At a minimum, the disposal site would continue to be visually inspected on an annual basis.

Monitoring: Monitoring includes surveying settlement plates or other survey points to generate and maintain spatially accurate databases, maps or other documents (e.g., reports, presentations, etc.). Monitoring also includes inspecting or exchanging continuous radiological monitoring devices. A SOARS weather monitoring station would continue to be monitored and inspected on an annual basis or as-needed based on in-field issues.

Sampling: Groundwater monitoring wells would continue to be installed, sampled, maintained, and removed based in support of data collection requirements to meet site specific objectives. New groundwater monitoring well locations also require section 106 consultation with the Navajo Nation Tribal Historic Preservation Officer and permits from the Navajo Nation Water Code Authority prior to installation.

Maintenance: Historically, routine maintenance has included repair/replacement of existing pumps, pipelines, ponds, fence wire and/or posts, replacing damaged perimeter signs, repairing gates within the fence line, replacing padlocks, repairing/replacing meteorological monitoring (SOARS) equipment, vegetation management, and trash removal. Also included is repair activity on the evaporation pond.

Aviation activity: Collection of aerial survey data is expected to facilitate long-term management of the disposal cell by providing accurate baseline data sets from which various site characteristics may be assessed, and compared to future site aerial surveys and to existing ground survey data. Aerial surveys would continue to be conducted by small unmanned aircraft systems (sUASs) to provide aerial photography and topographic mapping services. No aviation activities would commence until required Flight Safety Plans are approved by a certified DOE Aviation Manager and permission is received from the LM site manager. The need to perform follow-up aerial surveys would depend, in part, upon the results of the baseline aerial survey. Follow-up aerial surveys would require new Aviation Safety Plans approved by a certified DOE Aviation Manager and LM site manager.

Activity and improvements on the San Juan River floodplain are evaluated. Improvements are designed to ensure compatibility with occasional inundation. At the site, vehicles and all-terrain vehicles (ATVs) would continue to be driven only on existing roads, established trails, and rock-only covered on-site engineered structures. Vehicles would be driven at slow speeds to minimize dust generation at and adjacent to the site. On-site refueling of vehicles and equipment would remain allowable for this work if needed.

Categorical Exclusion(s)

Applied:

- B1.3 Routine maintenance
- B3.1 Site characterization and environmental monitoring
- B3.2 Aviation activities

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;

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(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.

NEPA Compliance Officer Signature and
Determination Date

Joyce E. Chavez  Digitally signed by Joyce E. Chavez
Date: 2022.07.08 08:33:42 -06'00'