

U.S. Department of Energy
Office of Legacy Management



Categorical Exclusion Determination Form

Proposed action title: Bollard Installation and Well Network Infrastructure Maintenance at the Shiprock, New Mexico, Disposal Site

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

LM Categorical Exclusion Evaluation no.: LM 13-25

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

Proposed Action Description
The U.S. Department of Energy Office of Legacy Management (LM) owns and manages an extraction and monitoring well network adjacent to the Shiprock, New Mexico, Disposal Site on land owned by the Navajo Nation that is under stewardship of the ToohBAA Farmers Coalition (ToohBAA). ToohBAA is currently building a warehouse and related infrastructure on the property. These construction activities could damage LM-owned assets related to the extraction and monitoring well network. LM needs to protect these assets and may need to conduct repairs or potentially abandon a well if it is damaged by the construction of the warehouse and associated infrastructure. Protection of the assets would include the installation of bollards around monitoring wells and electrical stations to prevent damage from vehicles and equipment. Repairs to monitoring or extraction wells or other infrastructure could include excavation to reach and repair damaged underground utilities or well components followed by backfilling and compaction. Well abandonment would include excavating, plugging, and capping of any wells damaged beyond repair in accordance with a well abandonment plan approved by the Navajo Nation Water Code Administration.
Categorical Exclusion(s) Applied
B1.3 – Routine maintenance
B5.3 – Modification or abandonment of wells

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



Digitally signed by JENNIFER
O'BRIEN
Date: 2025.09.03 13:28:29
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NEPA Compliance Officer

Select "Lock document after signing" upon signature.

Date determined