



NEPA Categorical Exclusion Determination Form

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

Project Title: Routine monitoring, maintenance, and inspection activities on Uranium Leasing Program lease tracts in southwestern Colorado

Location: Various lease tracts in southwestern Colorado

Proposed Action or Project Description:

LM is proposing various routine monitoring, maintenance, and inspection activities to be completed by LM and Legacy Management Support (LMS) contractor personnel or Uranium Leasing Program (ULP) lessees as part of their responsibilities to maintain the ULP lease tracts located within the Uravan Mineral Belt of Mesa, Montrose, and San Miguel counties in southwestern Colorado. Proposed activities are occurring in previously disturbed areas only. Activities that would occur in undisturbed areas and would require a separate NEPA review. Proposed activities are described below, identified by the responsible party.

ULP LM/LMS Personnel Routine Activities

- Visually inspect and monitor lease tract conditions and lessee activities. Inspection actions might require motorized or pedestrian access to the lease tract. All-terrain vehicles may be used in previously disturbed areas in accordance with U.S. Bureau of Land Management (BLM) off-road travel requirements.
- Obtain GPS data and perform surface and underground physical land surveys as needed.
- Identify and secure physical safety and environmental hazards in previously disturbed areas using steel T-posts and fencing materials, or other physical barriers or controls. Subsidence of previously reclaimed mine features or features related to current mining activities would present a potential safety hazard and would need to be fenced to reduce threats to human, livestock, or wildlife safety.
- Check for and treat noxious weeds, and shrubs and trees, using mechanical, biological, or chemical methods in accordance with BLM-approved methods and state requirements. Treatments would be limited to localized areas and conducted in strict accordance with product labeling.
- Conduct pedestrian cultural resource inventories or other types of field surveys, including evaluating areas for the presence of paleontological resources and conducting wildlife surveys for federally listed species or their habitat, nesting or breeding avian species, and species considered sensitive by BLM or the State of Colorado.
- Perform site characterization activities such as radiological surveys and unmanned aerial vehicle (UAV) surveys, collection of environmental media samples, and shipment of samples to analytical laboratories for analysis. No aviation activities would commence by LM/LMS until required Flight Safety Plans are approved by a certified DOE Aviation Manager and permission is received from LM to proceed with aviation activities. Follow-on surveys would require new Flight Safety Plans approved by a certified DOE Aviation Manager. DOE aviation activities also must comply with DOE Order 440.2C, Aviation Management and Safety, among other plans and policies.
- Conduct administrative actions to support and maintain the ULP. Activities may include coordinating with other federal and state agencies and other ULP stakeholders. Coordination activities would consist of reviewing plans, participating in meetings or teleconferences, sharing information, and organizing field visits to observe lease tract operations or proposed activities.

Lessee Routine Maintenance Activities

- Visually inspect and monitor lease tract conditions. Inspection actions might require motorized or pedestrian access to the lease tract. All-terrain vehicles may be used in previously disturbed areas in accordance with BLM off-road travel requirements.
- Maintain access roads to lease tract operations using equipment such as road graders, front-end loaders, and other general construction equipment. Scheduled or unscheduled road repairs may be needed to address damage caused by either vehicular traffic or erosion.
- Conduct pedestrian cultural resource inventories or other types of field surveys. Other survey activities may include evaluating areas for the presence of paleontological resources and conducting wildlife surveys for federally listed species or

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their habitat, nesting or breeding avian species, and species considered sensitive by BLM or the State of Colorado.

- Visually inspect mine-related features such as site access gates and fencing, mine portals, ponds, secondary escape ways, vent-hole locations, and buildings for security deficits, unauthorized entry, and entrapped wildlife. Repair features as necessary.
- Inspect mine workings and perform mine maintenance (if conditions warrant), including grading driving surfaces (without causing new surface disturbance), installation or replacement of roof support structures, and identification and removal of rockfall hazards.
- Perform routine checks and maintenance on equipment associated with mines, such as emergency escape hoists, and surface ventilation fans.
- Collect and dispose of excess equipment, scrap metal, and other debris.
- Collect, monitor, and analyze water samples from monitoring wells and mine-related ponds; install lysimeters to check for potential water presence associated with mine-waste rock dumps; and check for water levels in mines.
- Check for and treat noxious weeds using mechanical, biological, or chemical methods in accordance with BLM-approved methods and reporting requirements and also in accordance with state and EPA requirements. Treatments would be limited to localized areas and would be conducted in strict accordance with product labeling.
- Check open-pit mines for slope stability.
- Check and maintain stormwater runoff control features (in accordance with federal, state, and local NPDES permitting requirements), including repairs to, and reinforcement of, berms, ditches, and catchment ponds.

The proposed work could occur any time of year, except during restricted wildlife breeding and nesting seasons. Some activities would be coordinated with applicable tribes or other federal (U.S. Bureau of Land Management, U.S. Fish and Wildlife Service), state (Colorado DRMS, Department of Public Works, State Historic Preservation Office), and local agencies. Coordination would consist of reviewing plans, participating in meetings or teleconferences, sharing information, and organizing field visits to observe proposed activities. [Click to enter](#)

Categorical Exclusion(s) Applied:

- A9: Information Gathering, Analysis, and Dissemination
- A11: Technical Advice and Assistance to Organizations
- B1.3: Routine Maintenance
- B1.11: Fencing
- B1.20: Protection of cultural resources, fish and wildlife habitat
- B1.28: Placing a Facility in an Environmentally Safe Condition
- 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; (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.

**U.S. Department of Energy
Office of Legacy Management**

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- 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

Date Determined