



NEPA Categorical Exclusion Determination Form

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

Project Title: Renew Access Agreement at the Gunnison Processing Site

Location: Gunnison, CO, Processing Site

Proposed Action or Project Description:

LM proposes to renew access agreements for monitoring wells 0065, 0066, 0181, 0183, 0186, and 0187 and surface water sampling locations 0250 and 0777 for five years. LM would pay an administrative fee of \$2,250 for well access. LM also proposes to continue water quality sampling at the site. Continued water quality sampling would include maintenance of wells, road/path maintenance, vegetation removal, pump replacement, well redevelopment, and well repair; and groundwater monitoring activities.

The Groundwater Compliance Action Plan for the Gunnison Processing Site requires annual surface water and groundwater sampling to ensure protection of human health and the environment. Landowner access agreements for the Gunnison processing site have been in place since 1991. The proposed action would renew LM's access agreements to the wells and surface water sampling locations on land owned by the Gunnison Golf Club, Gunnison County Public Works, and Dos Rios Homeowner's Association so the required annual monitoring may continue. The renewal is expected to be completed in Fiscal Year 2021. Sampling would take place in April 2022.

Categorical Exclusion(s) Applied:

A1 Routine DOE Business Actions; B1.3 Routine Maintenance; and B3.1 Site Characterization and Environmental Monitoring

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.

**NEPA Compliance Officer Signature and
Determination Date**

JOYCE CHAVEZ Digitally signed by JOYCE CHAVEZ
Date: 2021.08.23 09:29:20 -06'00'