



NEPA Categorical Exclusion Determination Form

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

Project Title: Routine Reclamation, Inspection, Monitoring, and Maintenance Activities by Lessees on ULP Lease Tracts in Southwestern Colorado

Location: Uravan Mineral Belt of Mesa, Montrose, and San Miguel counties in southwestern Colorado.

Proposed Action or Project Description:

LM proposes to conduct reclamation, maintenance, monitoring, and inspection actions to be completed by Uranium Leasing Program (ULP) lessees, program staff, or contractors to maintain the ULP lease tracts. Proposed activities would only occur in previously disturbed areas. Proposed activities are described below.

- 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 accordance with U.S. Bureau of Land Management (BLM) requirements.
- Maintain access roads to lease tract operations using heavy equipment. 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, 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.
- Visually inspect and repair mine-related features such as site access gates and fencing, gratings mine portals, shafts, ponds, secondary escape ways, vent-hole locations, and buildings for security deficits, unauthorized entry, and entrapped wildlife.
- Backfill, bulkhead, grate, or otherwise seal mine-related openings such as mine portals, shafts, secondary escape ways, and ventilation holes, subsidences, and small (less than 0.25 acres) pits and trenches.
- Inspect mine workings and perform mine maintenance, including grading driving surfaces; installation, replacement, or removal of roof support structures; and identification, removal, or mitigation of rockfall hazards.
- Perform routine checks and maintenance on equipment associated with mines, such as mobile equipment, stationary equipment, lessee-owned utilities, emergency escape hoists, and surface ventilation fans.
- Remove and dispose of excess equipment, scrap metal, and other debris.
- Safeguarding or demolition and disposal of buildings, equipment, facilities, and support structures.
- Burial of approved materials such as concrete foundations. No asbestos-containing waste would be buried on site. Additional materials for burial onsite may be approved on a case-by-case basis.
- Reclaiming waste rock piles, water treatment ponds, mine access roads, and other ancillary mine features or facilities. Reclamation would be achieved by regrading, recontouring, spreading topsoil, roughening, and/or seeding with an approved seed mix to aid revegetation and long-term stability.
- Collecting borrow materials for mine reclamation and closures. This includes the excavation of topsoil from previously disturbed areas such as stockpiles, road ditches, or topsoil stockpiles, the collection of waste rock and boulders within previously disturbed areas, and the collection of organic material (dead pinion or juniper trees or other wood debris) from the surrounding area.
- Collect, monitor, and analyze water samples from vents, monitoring wells, and mine-related ponds; install lysimeters to check for potential water presence associated with mine-waste rock dumps; and check or install monitoring equipment for water levels in mines.
- Inspect for and treat noxious weeds using mechanical, biological, or chemical methods in accordance with approved methods and reporting requirements. Treatments would be limited to localized areas and would be conducted in strict accordance with product labeling.
- Inspect open-pit mines for slope stability. If unstable slopes are identified, stabilization would occur to mitigate hazards.
- Install, construct, check, and maintain permanent or temporary stormwater runoff control facilities in accordance with NPDES permitting requirements, including repairs and/or reinforcement of, berms, ditches, and catchment ponds.

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, state, and local agencies. Coordination would consist of reviewing plans, participating in meetings or teleconferences, sharing information, and organizing field visits to observe proposed activities.

Categorical Exclusion(s) Applied:

- A9 Information gathering, analysis, and dissemination
- A11 Technical advice and assistance to organizations



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- B1.3 Routine maintenance
- B1.11 Fencing
- B1.20 Protection of cultural resources, fish and wildlife habitat
- B1.23 Demolition and Disposal of Buildings
- B1.28 Placing a facility in an environmentally safe condition
- 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

Tracy A. Ribeiro Digitally signed by Tracy A. Ribeiro
Date: 2022.09.12 10:45:52 -06'00'