



NEPA Categorical Exclusion Determination Form

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

Project Title: Routine Site Inspections, Monitoring, and Maintenance at L-Bar, New Mexico, Disposal Site

Location: L-Bar, Cibola County, New Mexico

Proposed Action or Project Description:

LM proposes to perform routine inspections, maintenance, and monitoring activities at the site. The activities would be performed as needed, within the limitations, conditions, and exclusions identified in the Categorical Exclusion Evaluation for activities under this proposed action.

Inspections, site visits, and site tours would be performed to noninvasively inspect the site and its features and assets for informational gathering or sharing purposes. At a minimum, the site would be inspected on an annual basis. Non-ground-intrusive tasks, such as visual monitoring and measuring features, could occur as part of these activities.

Routine maintenance activities could include: replacing/repairing damaged perimeter signs, site markers, survey/boundary monuments, or aerial survey quality control monuments; performing vegetation management including vegetation trimming, mowing, reseeding, weed removal, and herbicide applications for weed control; maintaining and repairing existing fencing, including the placement of fence posts along existing fence lines; and removing sand built up along fencing. Work could include modifying existing fence lines by installing several gates; maintaining groundwater monitoring wells, including performing well development activities and pump repairs; performing minor road or parking area repairs; placing or removing t-posts, survey markers, flagging pins, etc.; maintenance, calibration, replacement, and removal of System Operation and Analysis at Remote Sites (SOARS) monitoring equipment; installing, moving, and maintaining motion-activated, battery-operated, t-post-mounted wildlife trail cameras on the disposal cell; replacing locks; trash removal; and onsite driving of vehicles, all-terrain vehicles, and utility vehicles to support field activities.

Monitoring activities would include performing the following: routine groundwater monitoring and sampling at onsite and offsite wells within the monitoring network; vegetation, wildlife, rock, and erosion monitoring through visual observations; and other non-ground-intrusive monitoring to obtain information supporting future site projects or scientific studies (i.e., performing a geophysical investigation/electromagnetic survey on the cell cover).

Categorical Exclusion(s) Applied:

- A9 Information Gathering, Analysis, and Dissemination
- B1.3 Routine Maintenance
- 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.



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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 Signature and
Determination Date**

JOYCE CHAVEZ

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CHAVEZ
Date: 2022.11.03 10:20:12 -06'00'