



NEPA Categorical Exclusion Determination Form

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

Project Title: Defense Related Uranium Mines (DRUM) Verification & Validation (V&V) Activities on Federal, State, and Private Lands

Location: DRUM locations in the United States

Proposed Action or Project Description:

The U.S. Department of Energy (DOE) Office of Legacy Management (LM) is proposing to conduct mine inventory, mapping, gamma measurement, and soil and surface water sampling at abandoned uranium mines in the United States. Section 3151 of the National Defense Authorization Act for Fiscal Year 2013 mandates actions to verify and validate abandoned uranium mines associated with atomic energy defense activities of the United States. Work would be performed in accordance with the approved Defense-Related Uranium Mines (DRUM) Verification and Validation (V&V) Work Plan and site-specific Field Operation Plans.

The following activities may be performed at mine sites as needed:

- Travel to and from mine sites using full sized vehicles or ATV/UTVs on existing and agency-approved roads. Explore the mine site and nearby areas for mine-related features on foot and without entering adits or other hazardous areas. Describe features and mine site conditions, and record with photographs and GPS.
- Record gamma measurements along transects within the mine disturbed area (including waste rock areas), in surrounding areas, sediment sheds, and background locations. Use backpack-mounted instruments in most locations while walking transects.
- At large mines, ATV/UTVs may be used to collect gamma measurements. Vehicles would normally pass one time along 100-foot transects throughout previously disturbed areas (primarily waste rock areas) with gamma measurement devices attached to the vehicle.
- Collect samples by hand from the upper 6 inches of soils in mine waste rock areas and background locations. Each composite sample is less than 1 liter in volume, and the number of samples varies depending on the size of the waste rock pile.
- Collect and preserve (i.e., nitric or sulfuric acid) surface water samples. Ship soil and water samples to a certified laboratory for analysis and disposal.
- Decontaminate sampling equipment in the field and manage small quantities of radioactively contaminated solid waste if present.
- Collect samples of plant material for the DRUM herbarium, excluding Federal, state, or locally protected species.
- Use manned or unmanned aircrafts to collect aerial survey data
- At some mines in the Utah National Park Service (NPS) lands, overnight camping may occur. Field teams would adhere to the Park's rules and regulations while camping.
- Watercrafts (e.g., motorboats, rafts) or helicopters may be used to transport teams into remote areas. These crafts would be arranged and managed by the land management agency or contracted out by LM.

Materials of Trade would comply with Department of Transportation regulations. Should helicopters be used as transportation, International Air Transport Association regulations would apply concerning transport of hazardous materials. No aviation activities would commence until required Flight Safety Plans are approved by a certified DOE Aviation Manager and permission is received from the LM project manager to proceed with aviation activities. Unmanned aerial flights would adhere to all federal, state, local, and tribal laws, ordinances, and restrictions.

The DOE may go under formal agreements such as memorandums of understanding (MOUs) between DOE and other agencies or access agreements between DOE and private landowners. These agreements would be established prior to visiting DRUM sites. The MOUs may contain special use restrictions that would be followed when accessing mines.

Work activities that could adversely affect federally protected or sensitive species such as off-road UTV travel, soil sampling, and human disturbance to sensitive breeding areas would be restricted temporally and spatially to avoid impacts to these resources. While the proposed action is an undertaking, the proposed action does not have the potential to cause effects to



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historic property due to the limitations place upon the activity in the approved Work Plan; therefore, Section 106 consultation is not required per 36 CFR 800.3(a)(1). Some land agencies may request a Section 106 consultation for culturally sensitive areas on or near DRUM locations. In this case, LM would coordinate with requesting agencies to determine which agency would lead the process. Further mitigation measures are outlined in the DRUM V&V Work Plan and Field Operation Plans.

Categorical Exclusion(s) Applied:

B3.1 Site characterization and environmental monitoring

B3.2 Aviation activities

B1.24 Property transfers

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 RIBEIRO

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