



NEPA Categorical Exclusion Determination Form

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

Project Title: Phase II Supplemental Sampling and Materials Testing, Mexican Hat, Utah, UMTRCA Title I Disposal Site

Location: Mexican Hat, Utah

Proposed Action or Project Description:

LM would implement a supplemental sampling and materials testing event for the disposal cell cover system at the Mexican Hat, Utah, Uranium Mill Tailings Radiation Control Act (UMTRCA) Title I Disposal Site (site). This supplemental sampling and testing event is intended to reduce uncertainties and yield additional data on subsurface material characteristics to improve understanding of the lateral and vertical extent of internal erosion features within the cover system, improve confidence in the current conceptual site model (also called a CSM) with respect to internal erosion process operating at the site, and provide data to support numerical modeling and future selection of a preferred remedy design. The approach for additional investigations specifically includes the supplemental materials sampling and testing of cover components on the disposal cell side slopes and the original borrow material area, geotechnical and chemical analyses, and the installation of a SOARS camera station to monitor flow downgradient of the toe apron. Data obtained through this work would be used to further confirm possible causes for the cover degradation features that have been observed at the site and to determine long-term performance implications on the east, northeast, north, and west side slopes of the disposal cell. This work plan includes potential test pit locations and offsite source materials to be sampled, with adjustments to be made in the field based on onsite observations. In addition to describing sampling of cell cover components and the original borrow materials, this plan also describes how additional gamma radiological surveys will be performed utilizing a handheld sodium iodide scintillometer during test pit excavations and sampling activities.

Categorical Exclusion(s) Applied:

- 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: 2023.04.04 12:02:35 -06'00'