U.S. Department of Energy
Office of Legacy Management
Categorical Exclusion Determination Form

Program or Field Office: Office of Legacy Management

Project Title and I.D. No.: Road maintenance on roads used to access groundwater monitoring wells south of the Tuba City, Arizona, Uranium Mill Tailing Remedial Action (UMTRA) Title I site. LM 12-13

Location: Near Tuba City, Arizona

Proposed Action or Project Description:

DOE proposes to use a Caterpillar 420 rubber tire backhoe to repair damaged road segments on Navajo Nation land south of the Tuba City disposal site. Severe storms in 2012 washed out segments of the two-track roads that are used to access groundwater monitoring wells. Potholes in the road and erosion along the sides of other segments of the roads also occurred from the same storm activity. Drifted sand that has mounded near the road would be used to repair washed-out segments and to fill in potholes and other eroded areas. Uncontaminated water from a distillate tank on the Tuba City site would be used for compaction, or water from an offsite well that provides nonpotable water to a greenhouse and to the facility on the Tuba City site may be used. The water would be transported by truck in a 320-gallon or similar-size tank. Less than 0.5 acre of surface would be affected by the road repair. It is expected that this action would be completed in 5 days.

No protected resources would be impacted by the proposed actions.

Categorical Exclusion(s) Applied:

B 1.3 Routine maintenance

For the complete DOE National Environmental Policy Act regulations regarding categorical exclusions, including the full text of each categorical exclusion, see Subpart D of 10 CFR Part 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 under DOE Order 451.1B), I have determined that the proposed action fits within the specified class(es) of action, the other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

Tracy A. Ribeiro

Tracy Ribeiro
2013.05.28 09:16:51 -06'00'

NEPA Compliance Officer: **Date Determined:**