U.S. Department of Energy Office of Legacy Management National Environmental Policy Act Environmental Checklist

Project/Activity: Reclamation Projects in Lease Tract C-G-26, Uranium Leasing Program

A. Brief Project/Activity Description

The U.S. Department of Energy (DOE) Office of Legacy Management (LM) proposes to reclaim mining features associated with abandoned mines inherited by LM as a result of realigning lease tract boundaries in 2007. The activities include closing mine portals, filling subsided areas, and closing shafts and vents. Independent contractors associated with Energy Fuels Resources, the leaseholder, would complete all work in an estimated 1 week in 2010. The presence of these features constitute a public and wildlife safety concern. This lease tract is on Calamity Mesa, along the southern flank of the Uncompahgre Plateau in southwestern Mesa County. Workers would access the site on existing public roads.

Two open portals (Maverick No. 6 and Radium No. 5 claims) would be closed by pushing large boulders and rocks available on site into the openings until refusal. Available mine-waste rock and other surface materials would be used to backfill and level out the portal areas. A nearby vertical shaft associated with the Radium No.5 claim would be filled with polyurethane foam, and available soil materials would be spread over surface areas. All disturbed areas would be recontoured as appropriate, to blend in with surrounding areas, and seeded with an approved seed mixture. If necessary, pocking to improve moisture retention would be done. Surface disturbance related to reclamation activities would affect approximately 0.3 acre. The portals were evaluated for the presence of sensitive bat species and were found to be too shallow to provide a suitable environment for hibernacula; however, as a precaution, before the portals are closed, the openings would be tarped for 48 hours, which is a Colorado Division of Wildlife–approved procedure to eliminate bat presence.

A small subsidence (less than 0.1 acre) located on the southwest end of the former Arrowhead No. 33 claim would be dug out and refilled with available surface soil materials and reseeded with an approved seed mixture. Within the subsided area, a drainage contributing to the problem would be rerouted to the east.

Several subsided shafts would be filled with available surface soil materials and seeded with an approved seed mixture. These shafts are located on the former Mineral Channel No. 14, former Queen of the Hills, and former Calamity No. 13 claims.

Two small cased vents located on the former Blue Ribbon No. 11 and former Arrowhead No. 12 claims would be addressed by terminating the casing approximately 2 feet below grade and closing the vents with polyurethane foam. The disturbed areas would be backfilled with available surface materials and seeded with an approved seed mixture.

All potentially disturbed areas were surveyed for the presence of cultural resources, and none were found present; the U.S. Bureau of Land Management concurred in the results of the survey and has the authority to act on behalf of the State Historic Preservation Office. The above-described activities would occur after the migratory bird nesting and breeding season was over in 2010.

B. Environmental Concerns

Evaluate the following elements and indicate by checking "yes" or "no" if any phase of the project/activity would result in a change or impact that is subject to regulatory permits, controls, or plans or that would require additional evaluation. If the "yes" column is checked, provide a brief explanation below, and attach sheets with additional detail as necessary or appropriate.

Element	Yes	No	Element	Yes	No
Air emissions/air quality	☐	☒	Exposure/impacts to public or workers	☐	☒
Noise	☐	☒	Need for public awareness/involvement	☐	☒
Solid waste generation	☐	☒	Transportation/traffic control required	☐	☒
Mixed waste management	☐	☒	Access to/use of DOE property	☐	☒
Chemical storage on site	☐	☒	Visual resources impacted	☐	☒
Pesticide/herbicide use	☐	☒	Cultural/archaeological resources present	☐	☒
Toxic substances management	☐	☒	Wetland/floodplain impacted	☐	☒
Regulated quantities of petroleum used or stored on site	☐	☒	Protected species present: federal, state, or tribe listed	☐	☒
Radioactive materials/soils	☐	☒	Migratory birds breeding or nesting	☐	☒
Surface (ground) disturbance	☒	☐	Wild/scenic rivers impacted	☐	☒
Surface water use/contamination	☐	☒	Prime/unique farmlands present	☐	☒
Surface water quality	☐	☒	Groundwater use/contamination	☐	☒
Groundwater quality affected	☐	☒	Other considerations	☐	☒

C. Explanation and Qualification of All "Yes" Responses

Surface (ground) disturbance: Surface disturbance covering approximately 0.5 acre would be associated with the proposed activities.

D. Eligibility/Conditions

The proposed action fits within a class of actions listed in Appendix A or B to Subpart D of Title 10 *Code of Federal Regulations* Part 1021 (10 CFR 1021). DOE has determined that these classes of actions do not individually or cumulatively have a significant effect on the human environment (see 10 CFR 1021.410). There are no extraordinary circumstances related to the proposed action that may affect the significance of the environmental impacts of the proposed action, and the proposed action is not "connected" to other actions with potentially significant impacts. Finally, the action is not related to other proposed actions with cumulatively significant impacts and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211.

E. Recommendation

The proposed reclamation of the subsided areas and mine portals is an allowable activity under Criterion B1.28 of Appendix B to Subpart D of 10 CFR 1021, "Minor activities that are required to place a facility in an environmentally safe condition where there is no proposed use for the facility." The reclamation of the disturbed areas is an allowable activity under Criterion B1.3 Routine Maintenance.

☒ Meets Criteria ☐ Does Not Meet Criteria ☐ Unsure

F. National Environmental Policy Act (NEPA) Determination

The scope of actions proposed under Section A of this Environmental Checklist, and the information relevant to the potential for environmental impacts in Section B have been reviewed, and the following has been determined:

☑ The proposed actions meet the criteria for categorical exclusion.

☐ The proposed actions do not meet the criteria for categorical exclusion; therefore, I recommend that the LM NEPA Planning Board be convened based on my recommendation (see attached rationale) to complete:

☐ an Interim Action. ☐ an Environmental Assessment.

☐ an Environmental Impact Statement. ☐ a Supplemental Analysis.

Concurrences

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LM Site Name Energy Fuels Resources LT C-G-26	**LM Site Program** Uranium Leasing Program	
Contractor NEPA Coordinator Sandy Beranich	**Signature** Sandra Beranich 2010.07.27 16:58:26 -06'00'	**Date**
Contractor Program Lead Ed Cotter	**Signature** 2010.07.28 07:10:49 -06'00'	**Date**
LM Program Manager Laura Kilpatrick	**S** Laura E. Kilpatrick Laura E. Kilpatrick DOE LM - Rocky Flats 2010.07.28 09:34:53 -06'00'	**Date**
LM NEPA Compliance Officer Tracy Ribeiro	**Signature** Tracy A. Ribeiro	**Date** 7/30/10

Distribution upon signature:

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