

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

Project/Activity: Non Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) permit related, general site actions, and non-routine actions at the Rocky Flats Site, Colorado

A. Brief Project/Activity Description

This Environmental Checklist evaluates potential impacts related to non CERCLA permit related, general site actions, non-routine actions, and routine administrative actions at the Rocky Flats Site, Colorado (RFS).

The cleanup and closure of RFS was completed via a cleanup agreement under CERCLA, a Compliance Order on Consent under the Resource Conservation and Recovery Act (RCRA), and the Colorado Hazardous Waste Act (CHWA). The final response action for RFS is specified in the final Corrective Action Decision/Record of Decision (CAD/ROD) for Rocky Flats issued on September 29, 2006. Implementation of the final response action is regulated under the *Rocky Flats Legacy Management Agreement* (RFLMA).

Certain actions related to non-CAD/ROD responses occur at the RFS. These activities included in this Checklist are conducted for stewardship and land management purposes not specifically required by the remedy, but are compatible with the remedy requirements. The following routine, non-routine activities and administrative actions are included:

Routine Activities – non CERCLA related

- 1 Land surveying – non remedy such as surveying and monitoring of dams associated with dam safety
- 2 Seed collecting, environmental monitoring
- 3 Aerial fly-overs and surveys
- 4 On-site photography
- 5 Herbicide use, mowing/weed whacking, hand weed control
- 6 Mowing of dam face to assist in the annual dam safety assessment
- 7 Road maintenance, such as snow plowing
- 8 Fence maintenance and repair
- 9 Porta potty service

Non-Routine Activities – non CERCLA related

- 10 Redesign and replace fence on the west side of the Central Operable Unit to separate the mine from the refuge – road construction and reconfiguration
- 11 Landscaping, grading, and storage shed improvements
- 12 Surveys for Preble's mouse
- 13 Surveys for critical habitat to set boundary

Administrative Actions - Appendix A to Sub-part B

- 14 Informational (for public agency members) and educational site tours
- 15 Public Meetings – informational programs
- 16 Renew lease on the Westminster, Colorado office – use unchanged

- 17 Awarding and managing contracts for technical support – although there is no current need for technical support contracts, unknown future actions may require this activity
- 18 Conducting computer modeling or other information gathering or data analysis, including document preparation and dissemination
- 19 Obtain mineral rights to land owned by DOE
- 20 Emergency preparedness planning, including the designation of on-site evacuation routes

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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Exposure/impacts to public or workers	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Noise	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Need for public awareness/involvement	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Solid waste generation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Transportation/traffic control required	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mixed waste management	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Access to/use of DOE property	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Chemical storage on site	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Visual resources impacted	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pesticide/herbicide use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Cultural/archaeological resources present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Toxic substances management	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Wetland/floodplain impacted	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Regulated quantities of petroleum used or stored on site	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Protected species present: federal, state, or tribe listed	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Radioactive materials/soils	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Migratory birds breeding or nesting	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Surface (ground) disturbance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wild/scenic rivers impacted	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Surface water use/contamination	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Prime/unique farmlands present	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Surface water quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Groundwater use/contamination	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Groundwater quality affected	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water depletion	<input type="checkbox"/>	<input checked="" type="checkbox"/>

C. Explanation and Qualification of All “Yes” Responses

Air emissions/air quality: Mowing of the remaining dam faces at the Present Landfill, A-3, A-4, B5, and C-2 dams. The dam faces must be mowed prior to the annual dam safety inspection conducted by the State of Colorado Division of Water Resources (State Engineer).

Noise: Use of a motorized mower would result in minimal increase in noise. However, all equipment would be required to meet Occupational Safety and Health Administration requirements for allowable noise levels. If requested for a specific project, workers would be supplied with protective ear devises.

Solid waste generation: Solid waste associated with maintenance, repair and replacement of fencing, and general office activities would result in solid waste generation. All solid waste that would be generated at the RFS would be contracted to be disposed of in a municipal landfill.

Pesticide/herbicide use: EPA-approved herbicides would be used as needed to control weeds on site. The amount of pesticide/herbicide used at the site is considered below proposed regulated amounts and would not require a National Pollutant Discharge Elimination System permit.

Protected species present: federal, state, or tribe listed: The Preble's meadow jumping mouse is present on the RFS. The RFS has a Programmatic Biological Assessment/Biological Opinion in place with U.S. Fish and Wildlife Service (USFWS) to address impacts to species, and any activities undertaken in the known habitat would require consultation with the USFWS.

Surface (ground) disturbance: The heavy equipment used for various routine and non-routine activities would be expected to cause minor surface disturbance. Upon completion of the activity, disturbed areas would be graded or otherwise reclaimed in accordance with accepted procedures.

Migratory birds/nesting: Migratory birds regularly make a home at the RFS. If any ground disturbing activities are conducted between April 1 and August 31, a migratory bird nesting survey would be required prior to any activities.

D. Eligibility/Conditions

The proposed actions fit within a class of actions listed in Appendix 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 effects 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.

To fit within the classes of actions listed in 10 CFR Part 1021, Appendix B of Subpart D, the proposed action must not:

- Violate applicable statutory, regulatory, or permit requirements for environment, safety, and health, including requirements of DOE and Executive Orders.
- Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators and facilities for treating wastewater, surface water, and groundwater).
- Disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment such that uncontrolled or unpermitted releases would result.
- Adversely affect environmentally and culturally sensitive resources. An action may be categorically excluded if, although sensitive resources are present on a site, the action would not adversely affect those resources.

E. Recommendation

The proposed actions identified in this environmental checklist would be considered categorically excluded from further environmental evaluation under 10 CFR 1021, either Appendix A or to Appendix B to Subpart D. The following criteria would apply to these actions:

- A7: Transfer, lease, disposition, or acquisition of interests in personal property (e.g., equipment and materials) or real property (e.g., permanent structures and land), if property use is to remain unchanged; i.e., the type and magnitude of impacts would remain essentially the same. This criterion applies to activity 16.
- A8: Award of contract for technical support services. This criterion applies to activity 17.
- A9: Information gathering: This criterion applies activities 2, 14, 15, and 18 for site visits, general research, data analysis, report preparation, computer models, and any other media used to support technical analysis.

- A12: Emergency preparedness planning. This criterion applies to activity 20.
- B1.3: Routine maintenance activities: This criterion applies to activities 1, 5, 6, 7, 9, and 11.
- B1.11: Installation of fencing: This criterion applies to activity 8.
- B1.12: Construction, acquisition, and relocation of on-site pathways and short on-site access roads and railroads. This criterion applies to activity 10.
- B1.24: Transfer, lease, disposition, or acquisition of interest With no potential for release of substances at a level, or in a form, that would pose a threat to public health or the environment. This criterion applies to activity 19.
- B3.3: Field and laboratory research, inventory, and information collection activities that are directly related to the conservation of fish or wildlife resources and that involve only negligible habitat destruction or population reduction. This criterion applies to activities 12 and 13.

Meets Criteria

Does Not Meet Criteria

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F. Project Concurrences

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LMS Contractor NEPA Coordinator
Lynn Bowdidge

Date


LMS Contractor Site Manager
Linda Kaiser

6/7/11
Date


LM Site Manager
Scott Surovchak

6/8/11
Date

G. 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



LM NEPA Compliance Officer
Tracy Ribeiro

06/24/11
Date

Distribution upon signature:

All signatories
S. Osborn, Stoller Environmental Compliance Manager
Rick DiSalvo, Stoller Assistant Site Project Manager
Jeremiah McLaughlin, Stoller Site Operations Manager
rc-grand.junction



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



Program or Field Office: Office of Legacy Management

Project Title and I.D. No.: Non Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) permit related, general site actions, and non-routine actions at the Rocky Flats Site, Colorado, #LM 18-11

Location: Rocky Flats Site, Colorado

Proposed Action or Project Description:

Actions related to non CERCLA permit related, general site actions, non-routine actions, and routine administrative actions at the Rocky Flats Site, Colorado (RFS). The following activities are included:

Routine Activities – non CERCLA related

- A. Land surveying – non remedy such as surveying and monitoring of dams associated with dam safety
- B. Herbicide use, mowing/weed whacking, hand weed control
- C. Mowing of dam face to assist in the annual dam safety assessment
- D. Road maintenance, such as snow plowing
- E. Fence maintenance and repair
- F. Porta potty service

Non-Routine Activities – non CERCLA related

- G. Redesign and replace fence on the west side of the Central Operable Unit to separate the mine from the refuge – road construction and reconfiguration
- H. Landscaping, grading, and storage shed improvements
- I. Surveys for Preble’s mouse
- J. Surveys for critical habitat to set boundary
- K. Obtain mineral rights to land owned by DOE

Categorical Exclusion(s) Applied:

- B1.3: Routine maintenance activities: This criterion applies to activities A, B, C, D, F, and H.
- B1.11: Installation of fencing: This criterion applies to activity E.
- B1.12: Construction, acquisition, and relocation of on-site pathways and short on-site access roads and railroads. This criterion applies to activity G.
- B1.24: Transfer, lease, disposition, or acquisition of interest With no potential for release of substances at a level, or in a form, that would pose a threat to public health or the environment. This criterion applies to activity K.
- B3.3: Field and laboratory research, inventory, and information collection activities that are directly related to the conservation of fish or wildlife resources and that involve only negligible habitat destruction or population reduction. This criterion applies to activities I and J.

*For the complete DOE National Environmental Policy Act regulations regarding categorical exclusions, see Subpart D of 10 CFR 1021. This action would not threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, including DOE and/or Executive Orders; require siting, construction, or major expansion of waste storage, disposal, recovery, or treatment facilities, but may include such categorically excluded facilities; disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that pre-exist in the environment such that there would be uncontrolled or unpermitted releases; or adversely affect environmentally sensitive resources (including but not limited to those listed in paragraph B.(4)) of Appendix B to Subpart D of 10 CFR 1021). Furthermore, there are no extraordinary circumstances related to this action that may affect the significance of the environmental effects of the action; this action is not "connected" to other actions with potentially significant impacts, is not related to other proposed actions with cumulatively significant impacts, and is not precluded by 40 CFR 1506.1 of 10 CFR 1021.211.

Based on my review of information conveyed to me and in my possession (or attached) concerning 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.

NEPA Compliance Officer:

Date Determined:

Tracy A. Ribeiro

06/24/11

Comments: