



# U.S. Department of Energy Categorical Exclusion Determination Form

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Proposed Action Title: Environmental Restoration (ER) and Waste Management Activities for Pantex Plant for FY2023 and FY2024

Program or Field Office: NNSA Production Office - Pantex, other NNSA-owned and contractor operated facilities, and ancillary areas associated with Pantex, but does not apply to the Y-12 National Security Complex (Y-12)

Office Location(s) (City/County/State): Amarillo, Carson, Texas

Proposed Action Description:

This NEPA document would be considered an “umbrella” document for Pantex Plant projects pertaining to environmental restoration and waste management activities for FY2023 and FY2024. It covers the actions required for remediation and cleanup conducted in accordance with guidance from the Texas Commission on Environmental Quality (TCEQ), U.S. Environmental Protection Agency (EPA), U.S. Department of Energy (DOE), and other pertinent stakeholder agencies. Additional NEPA documentation providing greater project detail would be submitted for individual projects, and would be tiered from the appropriate NEPA review.

The scope of this umbrella document includes the following types of activities:

- Remedial actions, including design, construction, and operation of corrective measures (e.g., landfill covers and soil remediation activities);
- Accelerated soil cleanups;
- Integration of cleanup actions conducted in accordance with Resource Conservation and Recovery Act (RCRA) corrective action requirements, with Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) requirements and as applicable, requirements of NEPA;
- Lining the ditches with geosynthetic materials (e.g., reinforced polypropylene) to prevent downward migration of the surface water and residual contamination through ditches and to the groundwater;
- Control and management of Solid Waste Management Units (SWMUs); and
- Installation of fences, warning signs, or other site control precautions.

The overall ER Program focuses on characterization, evaluation for risk assessment (RA), and RA of various areas at the Pantex Plant (i.e., SWMUs, areas of concern (AOC), groundwater, release sites, etc.).

All planned activities would be conducted in a manner that minimizes waste generation and maximizes recycling. This may include: consideration of alternative sampling and drilling techniques; recycling of excavated materials such as soil, water, and other debris; use of the least toxic/hazardous materials in the smallest quantity; use of recycled materials whenever possible to support the Sustainable Acquisition Program; and prevention of spills.

Categorical Exclusion(s) Applied:

B6.1 - Cleanup actions; B6.2 - Waste collection, treatment, stabilization, and containment facilities; B6.3 - Improvements to environmental control systems; B6.4 - Facilities for storing packaged hazardous waste for 90 days or less; B6.5 - Facilities for characterizing and sorting packaged waste and overpacking waste; B6.6 - Modification of facilities for storing, packaging, and repacking waste; and B6.8 - Modifications for waste minimization and reuse of materials

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):

- The proposal fits within a class of actions that is listed in Appendix A or B to 10 CFR Part 1021, Subpart D. See paragraph above for specific categorical exclusion(s) applied.
- The classes of actions listed in 10 CFR Part 1021, Subpart D, Appendix B include conditions that are integral elements of the class of actions which must be satisfied in order to determine that a proposal is categorically excluded under Appendix B. Specifically, 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:
- (i) Property (such as sites, buildings, structures, and objects) of historic, archeological, or architectural significance designated by a Federal, state, or local government, Federally recognized Indian tribe, or Native Hawaiian organization, or property determined to be eligible for listing on the National Register of Historic Places;
  - (ii) Federally-listed threatened or endangered species or their habitat (including critical habitat) or Federally-proposed or candidate species or their habitat (Endangered Species Act); state-listed or state-proposed endangered or threatened species or their habitat; Federally-protected marine mammals and Essential Fish Habitat (Marine Mammal Protection Act; Magnuson-Stevens Fishery Conservation and Management Act); and otherwise Federally-protected species (such as the Bald and Golden Eagle Protection Act or the Migratory Bird Treaty Act);
  - (iii) Floodplains and wetlands (as defined in 10 CFR 1022.4, "Compliance with Floodplain and Wetland Environmental Review Requirements: Definitions," or its successor);
  - (iv) Areas having a special designation such as Federally- and state-designated wilderness areas, national parks, national monuments, national natural landmarks, wild and scenic rivers, state and Federal wildlife refuges, scenic areas (such as National Scenic and Historic Trails or National Scenic Areas), and marine sanctuaries;
  - (v) Prime or unique farmland, or other farmland of statewide or local importance, as defined at 7 CFR 658.2(a), "Farmland Protection Policy Act: Definitions," or its successor;
  - (vi) Special sources of water (such as sole-source aquifers, wellhead protection areas, and other water sources that are vital in a region); and
  - (vii) Tundra, coral reefs, or rain forests;
- (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. Extraordinary circumstances are unique situations presented by specific proposals, including, but not limited to, scientific controversy about the environmental effects of the proposal; uncertain effects or effects involving unique or unknown risks; and unresolved conflicts concerning alternative uses of available resources.

The proposal has not been segmented to meet the definition of a categorical exclusion. Segmentation can occur when a proposal is broken down into small parts in order to avoid the appearance of significance of the total action. The scope of a proposal must include the consideration of connected and cumulative actions, that is, the 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 §1021.211 of this part concerning limitations on actions during EIS preparation.

Based on my review of the proposed action, as NEPA Compliance Officer (as authorized under NNSA Policy, NAP 451.1), 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:

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