

U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641

CATEGORICAL EXCLUSION

*Natural Soda Construction and Installation of Brine Filtration Unit
on Existing Disturbance*
DOI-BLM-CO-N05-2015-0059-CX

Identifying Information

Project Title: Natural Soda Construction and Installation of Brine Filtration Unit on Existing Disturbance

Legal Description: Sixth Principal Meridian
T 1S, R 98 W
Section 26, Lot 7

Applicant: Natural Soda LLC

Casefile/Project Number: COC118327-01

Conformance with the Land Use Plan

The Proposed Action is subject to and is in conformance (43 CFR 1610.5) with the following land use plan:

Land Use Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP)

Date Approved: July 1997

Decision Language: "Facilitate the orderly and environmentally sound development of sodium resources occurring on public lands." (Pages 2-6 and 2-7)

Proposed Action

Project Components and General Schedule

Background/Introduction: Natural Soda LLC. (NS) operates an in-situ sodium bicarbonate (nahcolite) solution mining operation and has been in continual operations since 1991. Their operation and facilities are located at the termination of Rio Blanco County (RBC) Road 31 (see Figures 1 and 2) in the Piceance Creek Basin, approximately 37 miles west and south of Meeker, Colorado. NS current mining operations involve solution mining from seven available mining

well pairs. A plant expansion completed in spring of 2013 increased plant capacity from 125,000 tons per year to 250,000 tons per year. Production for 2014 was approximately 183,000 tons and is anticipated to increase to the new plant capacity within the next two years.

Solution mining of the nahcolite occurs through the use of horizontal well pairs a depth of greater than 1,900 feet in a 35 to 40 foot depositional horizon of nahcolite, oil shale and nahcolitic-halite known as the Boies Bed. In NS's well field area the Boies Bed assays between 80 to 85 percent nahcolite. The mining process creates a concentrated sodium bicarbonate solution by pumping hot water through the horizontal well pairs which dissolves the in-place sodium bicarbonate. During the dissolution process a minor amount of insoluble material becomes suspended in the saturated solution and is carried to the surface.

Proposed Action: NS is proposing to install a Brine Filtration Unit (BFU) at the front end of the NS process stream (Figures 1 through 3). The BFU would capture the majority of the very fine insoluble material prior to having it enter the plant processing operations. NS plans to install the BFU in late May or early June at the location identified on the attached Figure 3. The BFU would consist of three filters, a small settling tank, and a pump. This equipment would be installed on a concrete pad with a footprint of 24 feet by 32 feet and would be housed in a metal enclosure with a maximum height of 15 feet.

A sample of the insoluble material collected from the bottom of the pregnant liquor tank was obtained and analyzed pursuant to EPA method 82-70-0 by the Texas Oil Tech Laboratories, Inc. in Houston, Texas. The Certificate of Analysis for the laboratory results is in Attachment B.

The anticipated annual amount of insoluble material captured by the BFU is in the range of 20 to 200 tons per year, which would equate to a range of 17 to 170 cubic yards. NS would dispose of the material by burying the material in existing rotary drill cuttings pits that would be dug on an annual basis to support the production well pair drilling and/or periodic exploration/development well drilling, or when necessary, haul the material to the Rio Blanco County dump. Another option would be to slurry this material down hole into one of the solution mined cavities immediately prior to well/cavity abandonment. This option would be subject to EPA approval and EPA UIC permit modification.

Construction, monitoring, reclamation, and maintenance activities for NS's facilities and well field are governed by the approved Mine Plan.

Design Features

NS's Reclamation and Mine Plan.

BLM Required Conditions of Approval to Mitigate Impacts to Cultural and Paleontological Resources

1. The applicant is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
2. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until

approved by the AO. The applicant will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The applicant, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.

3. Pursuant to 43 CFR 10.4(g), the applicant must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), the operator must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
4. The applicant is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate or other scientifically-important fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.
5. If any paleontological resources are discovered as a result of operations under this authorization, the applicant or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.

Categorical Exclusion Review

The Proposed Action qualifies as a categorical exclusion under 516 DM 11.9, Number F-8: *"Approval of minor modifications to or minor variances from activities described in an approved underground or surface mine plan for leasable minerals (e.g., change in mining sequence or timing)."*

The Proposed Action has been reviewed with the list of extraordinary circumstances (43 CFR 46.215) described in the table below.

Extraordinary Circumstance	YES	NO
a) Have significant adverse effects on public health and safety.		X
b) Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands;		X

Extraordinary Circumstance	YES	NO
wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		
c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
g) Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places as determined by the bureau.		X
h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.		X
i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X
j) Have a disproportionately high and adverse effect on low income or minority populations.		X
k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites.		X
l) Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.		X

Interdisciplinary Review

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 5/19/2015. A complete list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who provided additional review or remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Brian Yaquinto	Archaeologist	Cultural Resources, Native American Religious Concerns	5/21/2015
Ed Hollowed	Wildlife Biologist	Special Status Wildlife Species	6/10/2015
Matthew Dupire	Ecologist	Special Status Plant Species	6/10/2015
Paul Daggett	Mining Engineer	Project Lead	6/11/2015
Heather Sauls	Planning and Environmental Coordinator	NEPA Compliance	6/15/2015

Cultural Resources: The Brine Filtration Unit will be constructed on a previously disturbed area that has been inventoried for cultural resources at the Class III intensity level. No cultural remains were discovered because of this survey. As a result, the proposed action will not have

significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places. No further cultural resource fieldwork is required for this project.

Native American Religious Concerns: No Native American religious concerns are known in the area, and none have been noted by Tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken.

Threatened and Endangered Wildlife Species: The proposed action is located within the confines of an existing industrial facility and would have no potential influence on wildlife populations or habitats surrounding the processing plant.

Threatened and Endangered Plant Species: Installation of the Brine Filtration Unit will occur on existing disturbance and will have no impact to Threatened and Endangered Plant species or any other special status plant.

Tribes, Individuals, Organizations, or Agencies Consulted

None.

Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, F-8. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.



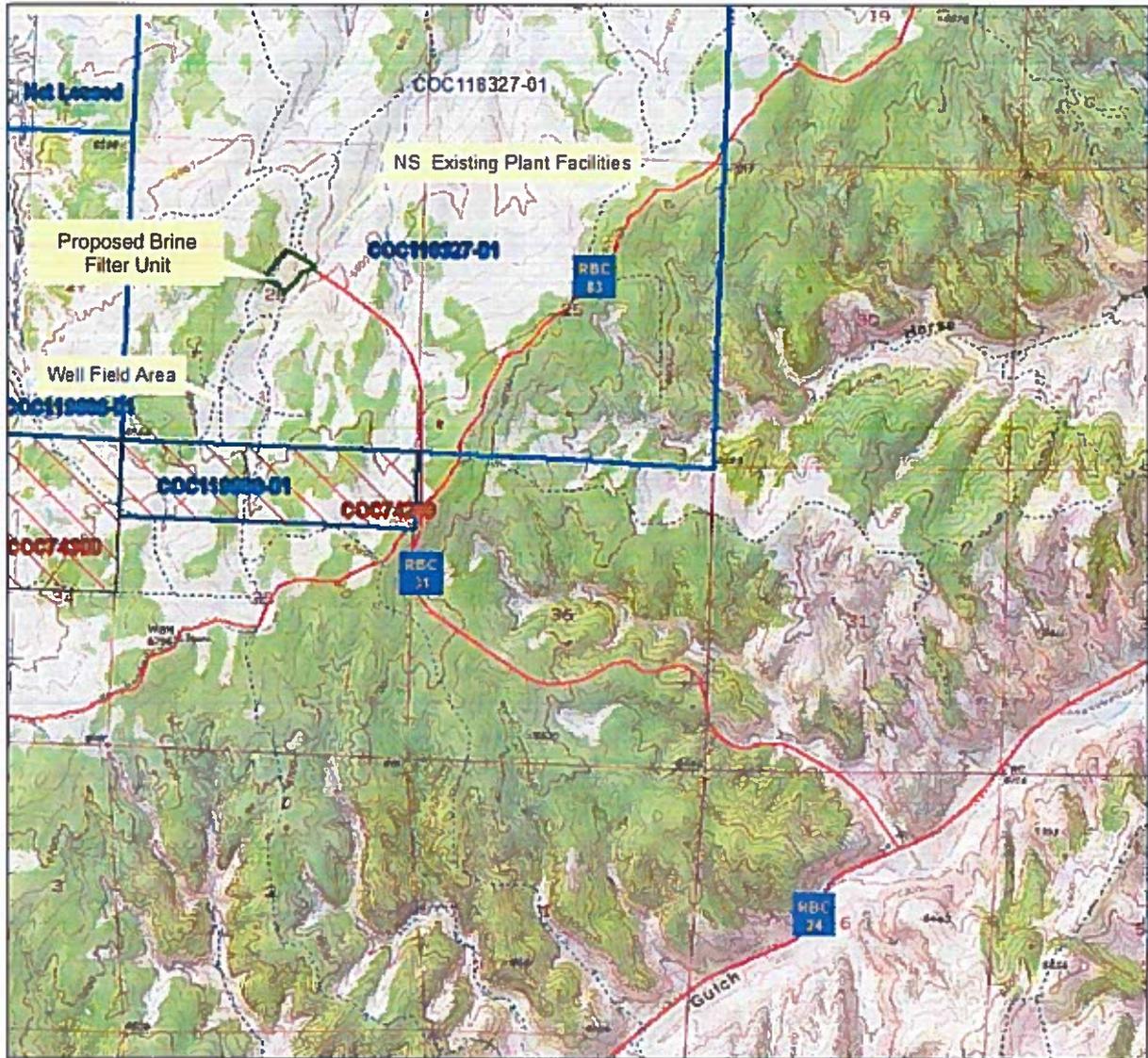
Field Manager



Date

Appendix A. Figures
Figure 1 Topographic Map

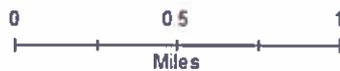
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T. 1 S., R. 98 W., 6th P.M.
 Sec: 26

5/14/2015

-  Oil Shale RDD Lease
-  Sodium Leases



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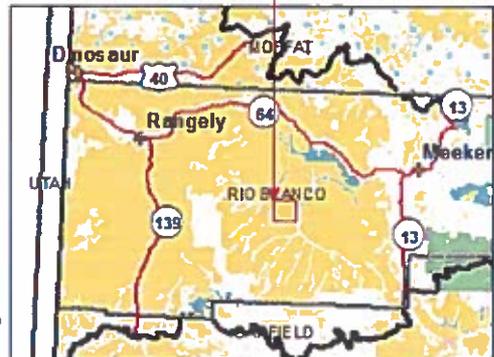
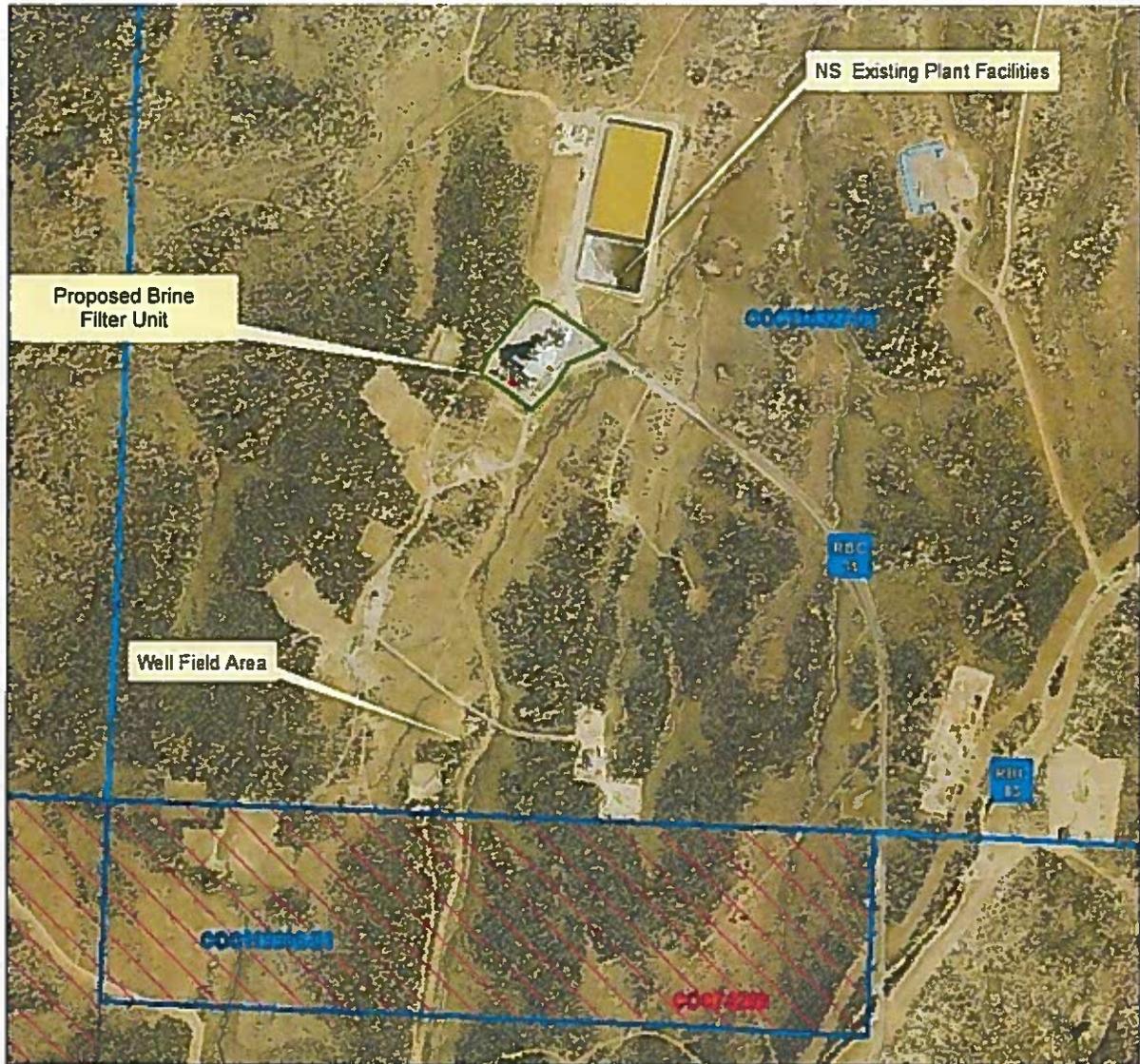


Figure 2 Aerial Map

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Natural Soda Construction and Installation of Brine Filtration Unit on Existing Disturbance



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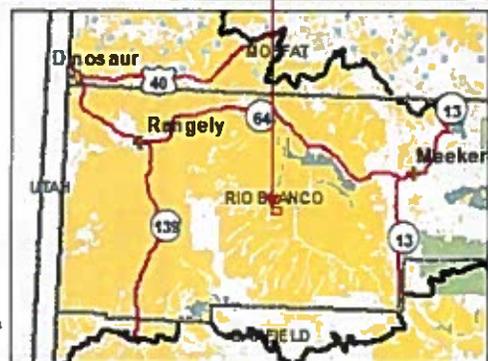


Figure 3 Filter Unit Location and Existing Facilities

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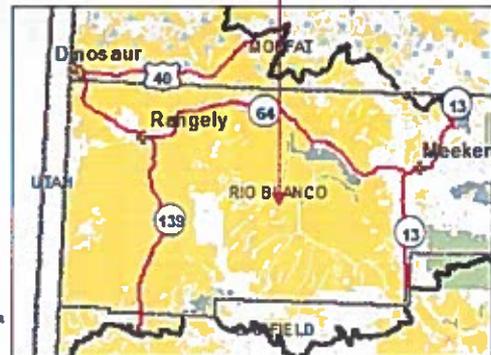


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Appendix B. Sample Analysis

Certificate of Analysis



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P.O. BOX 741905, HOUSTON, TEXAS 77274

TEL: (281) 495-2400

FAX: (281) 495-2410

CLIENT:	Natural Soda LLC	REQUESTED BY:	Mr. Cole Dilka
CLIENT PROJECT:		PURCHASE ORDER NO:	009565
LABORATORY NO:	78001	REPORT DATE:	April 07, 2015
SAMPLE:	Prog Tank Sample, Natural Soda		

TEST RESULT

Semi-volatile Organic Compounds by GC-MS, EPA 8270D

	Results, ppm	Reporting Limit, ppm
N-Nitrosodimethylamine	ND	1.0
Pyridine	ND	1.0
2-Picoline	ND	1.0
Methyl methanesulfonate	ND	1.0
Ethyl methanesulfonate	ND	1.0
Phenol	ND	1.0
Aniline	ND	1.0
bis(2-Chloroethyl)ether	ND	1.0
2-Chlorophenol	ND	1.0
1,3-Dichlorobenzene	ND	1.0
1,4-Dichlorobenzene	ND	1.0
Benzyl alcohol	ND	1.0
1,2-Dichlorobenzene	ND	1.0
2-Methylphenol	ND	1.0
bis(2-chloroisopropyl)ether	ND	1.0
4-methylphenol	ND	1.0
Acetophenone	ND	1.0
N-Nitroso-di-n-butylamine	ND	1.0
N-Nitroso-di-n-butylamine	ND	1.0
Hexachloroethane	ND	1.0
Nitrobenzene	ND	1.0
N-Nitrosopiperidine	ND	1.0
Isophorone	ND	1.0
2-Nitrophenol	ND	1.0
2,4-Dimethylphenol	ND	1.0
bis(2-Chloroethoxy)methane	ND	1.0
Benzoic acid	ND	1.0
2,4-Dichlorophenol	ND	1.0
1,2,4-Trichlorobenzene	ND	1.0
Naphthalene	ND	1.0
α,α-Dimethylphenethylamine	ND	1.0
4-Chloroaniline	ND	1.0
2,6-Dichlorophenol	ND	1.0
Hexachlorobutadiene	ND	1.0
4-Chloro-3-methylphenol	ND	1.0
2-Methylnaphthalene	ND	1.0
1,2,4,5-Tetrachlorobenzene	ND	1.0
Hexachlorocyclopentadiene	ND	1.0

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SAMPLE:	Preg Tank Sample, Natural Soda		

TEST **RESULT**

Semivolatile Organic Compounds by GC-MS. EPA 8270D continued

	<u>Results, ppm</u>	<u>Reporting Limit, ppm</u>
2,4,6-Trichlorophenol	ND	1.0
2,4,5-Trichlorophenol	ND	1.0
2-Chloronaphthalene	ND	1.0
1-Chloronaphthalene	ND	1.0
2-Nitroaniline	ND	1.0
Dimethylphthalate	ND	1.0
Acenaphthylene	ND	1.0
2,6-Dinitrotoluene	ND	1.0
3-Nitroaniline	ND	1.0
Acenaphthene	ND	1.0
2,4-Dinitrophenol	ND	1.0
Dibenzofuran	ND	1.0
Pentachlorobenzene	ND	1.0
4-Nitrophenol	ND	1.0
2,4-Dinitrotoluene	ND	1.0
1-Naphthylamine	ND	1.0
2-Naphthylamine	ND	1.0
2,3,4,6-Tetrachlorophenol	ND	1.0
Fluorene	ND	1.0
Diethylphthalate	ND	1.0
4-Chlorophenyl-phenylether	ND	1.0
4-Nitroaniline	ND	1.0
4,6-Dinitro-2-methylphenol	ND	1.0
Diphenylamine	ND	1.0
n-Nitrosodiphenylamine	ND	1.0
Diphenylhydrazine	ND	1.0
4-Bromophenyl-phenylether	ND	1.0
Phenacetin	ND	1.0
Hexachlorobenzene	ND	1.0
4-Aminobiphenyl	ND	1.0
Pentachlorophenol	ND	1.0
Pentachloronitrobenzene	ND	1.0
Pronamid	ND	1.0
Phenanthrene	ND	1.0
Anthracene	ND	1.0
Di-n-butylphthalate	ND	1.0
Fluoranthene	ND	1.0
Benzidine	ND	1.0

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LABORATORY NO:	78001	REPORT DATE:	April 07, 2015
SAMPLE:	Preg Tank Sample, Natural Soda		

TEST RESULT

Semi-volatile Organic Compounds by GC-MS, EPA 8270D continued

	Results, ppm	Reporting Limit, ppm
Pyrene	ND	1.0
p-Dimethylaminoazobenzene	ND	1.0
Butylbenzylphthalate	ND	1.0
Benzo [a] anthracene	ND	1.0
3,3'-Dichlorobenzidine	ND	1.0
Benzo[a]phenanthrene (Chrysene)	ND	1.0
bis(2-Ethylhexyl)phthalate	ND	1.0
Di-n-octylphthalate	ND	1.0
Benzo[b]fluoranthene	ND	1.0
7,12-Dimethylbenz[a]anthracene	ND	1.0
Benzo[k]fluoranthene	ND	1.0
Benzo[a]pyrene	ND	1.0
3-Methylcholanthrene	ND	1.0
Dibenzo(a,j)acridine	ND	1.0
Indeno[1,2,3-cd]pyrene	ND	1.0
Dibenz[a,h]anthracene	ND	1.0
Benzo[g,h,i]perylene	ND	1.0

Sample Preparation, TCLP Extraction Procedure for Metals and Semi-volatiles, EPA 1311M

SEMI-VOLATILES	Amount Found ppm	Reporting Limit ppm	Regulatory Limit ppm
o-Cresol	ND	1.0	200
m-Cresol	ND	1.0	200
p-Cresol	ND	1.0	200
Total Cresols	ND	1.0	200
1,4-Dichlorobenzene	ND	1.0	7.5
2,4-Dinitrotoluene	ND	1.0	0.13
Hexachlorobenzene	ND	1.0	0.13
Hexachlorobutadiene	ND	1.0	0.5
Hexachloroethane	ND	1.0	3
Nitrobenzene	ND	1.0	2
Pentachlorophenol	ND	1.0	100
Pyridine	ND	1.0	5
2,4,5-Trichlorophenol	ND	1.0	400
2,4,6-Trichlorophenol	ND	1.0	1

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SAMPLE:	Preg Tank Sample, Natural Soda		

TEST RESULT

TCLP Metals (Inorganic) by ICP-AES Inductively Coupled Plasma, EPA 200.7

	<u>Results, ppm</u>	<u>Reporting Limit, ppm</u>
Silver	ND	0.30
Arsenic	ND	0.50
Barium	0.7	0.20
Cadmium	ND	0.02
Chromium	ND	0.10
Mercury	ND	0.20
Lead	ND	0.20
Selenium	ND	1.00



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SAMPLE:	Preg Tank Sample, Natural Soda		

TEST

RESULTS

Volatile Organic Compounds in Solid Waste, GC-MS, EPA8240B(M)

	RESULT	RL
	PPM	PPM
Dichlorodifluoromethane	ND	0.1
Chloromethane	ND	0.1
Vinyl chloride	ND	0.1
Bromomethane	ND	0.1
Chloroethane	ND	0.1
Trichlorofluoromethane	ND	0.1
Methyl Ethyl Ketone	ND	0.1
2-Propanone	ND	0.1
1,1-Dichloroethene	ND	0.1
Methylenechloride	ND	0.1
trans-1,2-Dichloroethene	ND	0.1
1,1-Dichloroethane	ND	0.1
cis-1,2-Dichloroethene	ND	0.1
2,2-Dichloropropane	ND	0.1
Bromochloromethane	ND	0.1
Chloroform	ND	0.1
1,1,1-Trichloroethane	ND	0.1
1,2-Dichloroethane	ND	0.1
1,1-Dichloropropene	ND	0.1
Benzene	ND	0.1
Carbon tetrachloride	ND	0.1
1,2-Dichloropropane	ND	0.1
Trichloroethene	ND	0.1
Dibromomethane	ND	0.1
Bromodichloromethane	ND	0.1
cis-1,3-Dichloropropene	ND	0.1
trans-1,3-Dichloropropene	ND	0.1
Toluene	ND	0.1
1,1,2-Trichloroethane	ND	0.1
1,3-Dichloropropane	ND	0.1
Dibromochloromethane	ND	0.1
1,2-Dibromoethane	ND	0.1



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SAMPLE:	Preg Tank Sample, Natural Soda		

TEST

RESULTS

Volatile Organic Compounds in Solid Waste, GC-MS, EPA8240B(M) continued

	RESULT	RL
	PPM	PPM
Trichloroethene	ND	0.1
Dibromomethane	ND	0.1
Bromodichloromethane	ND	0.1
cis-1,3-Dichloropropene	ND	0.1
trans-1,3-Dichloropropene	ND	0.1
Toluene	ND	0.1
1,1,2-Trichloroethane	ND	0.1
1,3-Dichloropropane	ND	0.1
Dibromochloromethane	ND	0.1
1,2-Dibromoethane	ND	0.1
Tetrachloroethene	ND	0.1
Chlorobenzene	ND	0.1
1,1,1,2-Tetrachloroethane	ND	0.1
Ethylbenzene	ND	0.1
m&p-Xylene	ND	0.1
Bromofom	ND	0.1
Styrene	ND	0.1
o-Xylene	ND	0.1
1,1,2,2-Tetrachloroethane	ND	0.1
1,2,3-Trichloropropane	ND	0.1
Isopropylbenzene	ND	0.1
Bromobenzene	ND	0.1
2-Chlorotoluene	ND	0.1
n-Propylbenzene	ND	0.1
4-Chlorotoluene	ND	0.1
1,3,5-Trimethylbenzene	ND	0.1
tert-Butylbenzene	ND	0.1
1,2,4-Trimethylbenzene	ND	0.1
1,3-Dichlorobenzene	ND	0.1
sec-Butylbenzene	ND	0.1
1,4-Dichlorobenzene	ND	0.1
p-Isopropyltoluene	ND	0.1
1,2-Dichlorobenzene	ND	0.1
n-Butylbenzene	ND	0.1
1,2-Dibromo-3-chloropropane	ND	0.1

Cert. No.: 0005085, 17025

Quality Management System Certified to ISO 9001:2008, and ISO 17025:2005

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SINCE 1985

Quality Controlled Through Analysis

Certificate of Analysis

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P.O. BOX 741905, HOUSTON, TEXAS 77274

TEL: (281) 495-2400
FAX: (281) 495-2410

CLIENT:	Natural Soda LLC	REQUESTED BY:	Mr. Cole Dilka
CLIENT PROJECT:		PURCHASE ORDER NO:	009565
LABORATORY NO:	78001	REPORT DATE:	April 07, 2015
Page 7 of 7			
SAMPLE:	Preg Tank Sample, Natural Soda		

TEST

RESULTS

Volatiles Organic Compounds in Solid Waste, GC-MS, EPA8240B(M) continued

	RESULT	RL
	PPM	PPM
1,2,4-Trichlorobenzene	ND	0.1
Naphthalene	ND	0.1
1,2,3-Trichlorobenzene	ND	0.1
Hexachlorobutadiene	ND	0.1

<u>Parameters</u>	<u>Results</u>
Ignitability, Flash Point, Pensky-Martens (PMCC), EPA 1010, °F	>350
pH of Water, ASTM D1293 (Mixed 1:1 with DI H ₂ O)	8.67
Corrosivity Towards Steel, Coupon, EPA 1110, mmpy	<6.35

<u>Parameter</u>	<u>Results</u>	<u>Reporting Limit, mg/Kg</u>
Cyanide, Reactive, EPA 9010B	ND	100
Sulfide, Reactive, in Solid Wastes, EPA 9030B	ND	100

Respectfully submitted
For Texas OilTech Laboratories, L.P.

A. Phillip Sorurbakhsh
Director of Laboratory Operation



Cert. No.: 0005085, 17025
Quality Management System Certified to ISO 9001:2008, and ISO 17025:2005
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**U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641**

DECISION RECORD

***Natural Soda Construction and installation of Brine Filtration Unit on
Existing Disturbance
DOI-BLM-CO-N05-2015-0059-CX***

Decision

It is my decision to implement the Proposed Action as described in DOI-BLM-CO-N05-2015-0059-CX, authorizing the construction, operation, and maintenance of a Brine Filtration Unit (BFU) within the existing surface disturbance of Natural Soda's sodium bicarbonate processing plant.

Applicant Committed Design Features

NS's Reclamation and Mine Plan.

BLM Required Conditions of Approval to Mitigate Impacts to Cultural and Paleontological Resources

1. Natural Soda is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
2. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The applicant will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The applicant, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.
3. Pursuant to 43 CFR 10.4(g), the applicant must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), the

operator must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

4. Natural Soda is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate or other scientifically-important fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.
5. If any paleontological resources are discovered as a result of operations under this authorization, the applicant or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.

Compliance with Laws & Conformance with the Land Use Plan

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the 1997 White River Record of Decision/Approved Resource Management Plan.

Public Involvement

This project was posted on the WRFO's on-line National Environmental Policy Act (NEPA) register on 5/21/2015. No comments or inquiries have been received as of 6/11/2015.

Rationale

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, F-8. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

Construction of the BFU would take advantage of existing surface disturbance and enhance the ability of NS to continue in the production of high quality sodium bicarbonate.

Monitoring and Compliance

On-going compliance inspections and monitoring will be conducted by the BLM White River Field Office staff during and after construction. Specific mitigation developed in this document will be followed. The applicant will be notified of compliance related issues, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

Administrative Remedies

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 Code of Federal Regulation (CFR), Part 4.400 and Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from date of publication this decision. The appellant has the burden of showing that the Decision appealed from is in error. If you wish to file a petition for a stay of the effectiveness of this Decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. A copy of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals (IBLA) and to the appropriate Office of the Solicitor (see 43 CFR4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for obtaining a stay

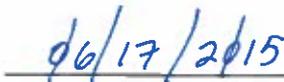
Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied;
2. The likelihood of the appellant's success of the merits;
3. The likelihood of immediate and irreparable harm if the stay is not granted, and;
4. Whether the public interest favors granting the stay.

Signature of Authorized Official



Field Manager



Date