



**DOE - EM - SRP - 2010**

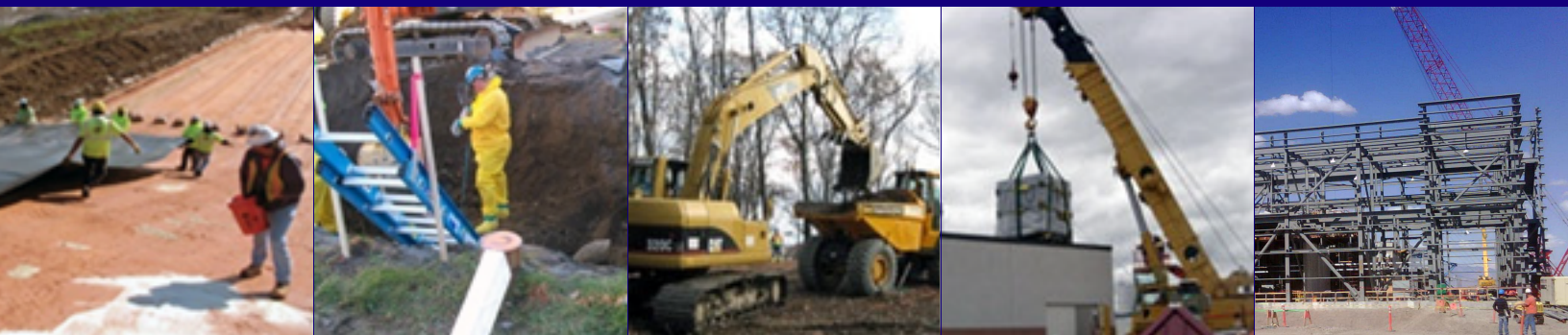
**2nd Edition**

**Environmental Management**

*Safety ▪ Performance ▪ Cleanup ▪ Closure*

# STANDARD REVIEW PLAN (SRP)

**NATIONAL ENVIRONMENTAL POLICY ACT REVIEW MODULE**



**CORPORATE CRITICAL DECISION (CD) REVIEW AND  
APPROVAL FRAMEWORK ASSOCIATED WITH NUCLEAR FACILITY CAPITAL AND  
MAJOR CONSTRUCTION PROJECTS**

MARCH 2010

OFFICE OF ENVIRONMENTAL MANAGEMENT  
U.S. DEPARTMENT OF ENERGY  
WASHINGTON D. C. 20585

**OFFICE OF ENVIRONMENTAL MANAGEMENT**

**Standard Review Plan**

**National Environmental Policy Act (NEPA)**

**Review Module**

<b>Critical Decision (CD) Applicability</b>					
<b>CD-0</b>	<b>CD-1</b>	<b>CD-2</b>	<b>CD-3</b>	<b>CD-4</b>	<b>Post Operation</b>
✓	✓	✓	✓	✓	



**March 2010**

## FOREWORD

The Standard Review Plan (SRP)<sup>1</sup> provides a consistent, predictable corporate review framework to ensure that issues and risks that could challenge the success of Office of Environmental Management (EM) projects are identified early and addressed proactively. The internal EM project review process encompasses key milestones established by DOE O 413.3A, Change 1, *Program and Project Management for the Acquisition of Capital Assets*, DOE-STD-1189-2008, *Integration of Safety into the Design Process*, and EM's internal business management practices.

The SRP follows the Critical Decision (CD) process and consists of a series of Review Modules that address key functional areas of project management, engineering and design, safety, environment, security, and quality assurance, grouped by each specific CD phase.

This Review Module provides the starting point for a set of corporate Performance Expectations and Criteria. Review teams are expected to build on these and develop additional project-specific Lines of Inquiry, as needed. The criteria and the review process are intended to be used on an ongoing basis during the appropriate CD phase to ensure that issues are identified and resolved.

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<sup>1</sup> The entire EM SRP and individual Review Modules can be accessed on EM website at <http://www.em.doe.gov/Pages/Safety.aspx>, or on EM's internet Portal at <https://edoe.doe.gov/portal/server.pt> Please see under /Programmatic Folder/Project Management Subfolder.

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**ACRONYMS**

AR	Administrative Record
CD	Critical Decision
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CDR	Contracts Requirement Document
CX	Categorical Exclusion
DOE	The Department of Energy
EA	Environmental Assessment
EIS	Environmental Impact Statement
EM	The Office of Environmental Management
EPA	The Environmental Protection Agency
IPT	Integrated Project Team
ISM	Integrated Safety Management
FONSI	Finding of No Significant Impact
FPD	Federal Project Director
GC-1	General Counsel

Standard Review Plan, 2<sup>nd</sup> Edition, March 2010

LOI	Lines of Inquiry
NEPA	National Environmental Policy Act
NNSA	National Nuclear Safety Administration
NOA	Notice of Availability
NOI	Notice of Intent
ROD	Record of Decision
RM	Review Module
SRP	Standard Review Plan

**GLOSSARY**

Term	Definition
Administrative Record	The Administrative Record includes all documents and materials prepared, reviewed, or received by agency personnel and used or available to the decision-maker. The Administrative Record is not limited to paper files. Relevant email, computer tapes, discs, calculation packages, and microfilm are included as well.
Adaptive Management	A system of management practices based on clearly identified outcomes and monitoring to determine if management actions are meeting desired outcomes. A form of long-term environmental management.
Categorical Exclusion	A category of action as defined in 40 CFR Part 1508.4 which do not individually or cumulatively have a significant effect on the human environment and for which neither an EA or EIS is required.
Cooperating Agency	Cooperating Agency is defined in 40 CFR Part 1508 as a Federal agency (a state or local agency or an Indian Tribe may be a cooperating agency, by agreement with the Lead Agency) which has jurisdiction by law or special expertise with respect to environmental impacts involved in an EIS.
Environmental Assessment	A concise public document that a Federal agency prepares under the National Environmental Policy Act to provide sufficient evidence and analysis to determine whether a proposed agency action would require preparation of an environmental impact statement or a finding of no significant impact.
Environmental Impact Statement	The detailed written statement that is required by section 102(2) (C) of the National Environmental Policy Act for a proposed major Federal action significantly affecting the quality of the human environment. A DOE EIS is prepared in accordance with applicable requirements of the Council on Environmental Quality regulation in 40 CFR Parts 1500-1508 and the DOE NEPA regulations in 10 CFR Part 1021.
Finding of No Significant Impact	A public document issued by a Federal agency briefly presenting the reasons why an action for which the agency has prepared an environmental assessment has no potential to have a significant effect on the human environment and, thus, will not require the preparation of an environmental impact statement.
Mitigation	Mitigation includes: <ol style="list-style-type: none"> <li>1. Avoiding an impact altogether by not taking a certain action or parts of an action;</li> <li>2. Minimizing impacts by limiting the degree or magnitude of an action and its implementation;</li> <li>3. Rectifying an impact by repairing, rehabilitating, or restoring the affected environment;</li> <li>4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of an action; or</li> <li>5. Compensating for an impact by replacing or providing substitute resource or environment.</li> </ol>

Term	Definition
National Environmental Policy Act	NEPA is the basic national charter for protection of the environment. It establishes policy, sets goals, and provides means for carrying out the policy. Section 102(2) (C) contains action-forcing provisions to ensure that Federal agencies follow the letter and spirit of the Act.
Record of Decision	A concise public document that records a Federal agency's decisions concerning a proposed action for which the agency has prepared an environmental impact statement. The ROD is prepared in accordance with the requirements of the Council on Environmental Quality NEPA regulations in 40 CFR Part 1505.2). A ROD identifies the alternatives considered in reaching the decision, the environmentally preferable alternative, factors balanced by the agency in making the decision, whether all practicable means to avoid or minimize environmental harm have been adopted, and if not, why they were not.
Scoping	An early and open process to determine the scope of issues to be addressed in an environmental impact statement and for identifying the significant issues related to a proposed action.



## I. INTRODUCTION

*The National Environmental Policy Act of 1969*, as amended (NEPA) requires all federal agencies to consider the environmental impacts of Proposed Actions before selecting among alternative approaches. The implementation of NEPA's procedural provisions enables federal decision makers to factor environmental values and consequences into project decisions and approvals. The NEPA process also provides a service to the public by enabling public input into potential federal decisions and by providing public disclosure of agency actions that could potentially affect the environment. The Council on Environmental Quality (CEQ) regulation implementing NEPA is found at 40 CFR Parts 1500-1508.

The NEPA process is completed by the Critical Decision (CD)-2 phase of the project management cycle as presented in DOE O 413.3A, Change 1, *Program and Project Management for the Acquisition of Capital Assets*, and pursuant to DOE-STD-1189-2008, *Integration of Safety into the Design Process*. Project actions at the CD-3 and CD-4 levels cannot be taken until the decisions made via the NEPA process are documented through a Finding of No Significant Impact (FONSI) or Mitigated FONSI in the case of Environmental Assessments (EAs), or a Record of Decision (ROD) in the case of Environmental Impact Statements (EISs). Some "NEPA related" activities may continue beyond the CD-2 phase in such cases as monitoring the effectiveness of a mitigation program and instituting a long-term environmental management program such Adaptive Management.

In the cases of projects which can be categorically excluded (discussed in Section IV below), the determinations would be documented prior to what the Order refers to as the execution stage (CD-2). Given that Categorical Exclusions (CXs) are predetermined to not have significant environmental impacts, they can be documented even earlier in the process and do not normally result in issues related to DOE O 413.3A.

## II. PURPOSE OF THE NEPA REVIEW MODULE

This NEPA Review Module (RM) is a tool to assist the Office of Environmental Management's (EM) projects review teams, and managers in complying with the provisions of The Department of Energy's (DOE) NEPA program, as implemented at 10 CFR Part 1021, *National Environmental Policy Act Implementing Procedures*. DOE O 451.1B, *National Environmental Policy Act Compliance Program*, establishes DOE's internal requirements and responsibilities for implementing NEPA. In addition, this RM is intended to ensure that project resources committed at the CD-3 and CD-4 phases do not occur before the completion of the NEPA process. In other words, the NEPA process is designed to be conducted at the early stages of project planning and design, beginning at the CD-0 phase (Mission Need determination). The potential environmental impacts of projects, from both construction and operations, are meant to be based on conceptual-or preliminary- levels of design information. To progress to the level of design beyond the conceptual or preliminary stage while NEPA is ongoing can suggest project decisions are potentially biased because of the levels of resources already committed to specific aspects of the project.

This RM presents the following:

- The roles and responsibilities of key individuals assigned to work on a NEPA document;
- A presentation of the high-level steps in the NEPA process (EAs and EISs) with focus on the design and construction of new facilities. The process can also apply to the deactivation and decommissioning of existing facilities;
- NEPA performance objectives and review criteria for CD-0 through CD-2 phases of the project management cycle; and
- A crosswalk to DOE guidance documents that provide assistance and the technical bases for the Critical NEPA Decisions required during the implementation of NEPA, including the decisions required in the producing, reviewing, approving, and distributing of DOE NEPA documents.

In addition to the crosswalk to DOE guidance documents, other important non-DOE documents are identified to add further assistance and enhance the technical bases for the elements presented in this RM.

### III. ROLES AND RESPONSIBILITIES

DOE O 451.1B identifies and establishes the responsibilities for key individuals assigned the task of ensuring DOE's actions are in compliance with NEPA. The following table identifies these positions and summarizes the major responsibilities for each, as well as the roles and responsibilities of the Federal Project Director (FPD) as defined by DOE O 413.3A. DOE O 451.1B was changed by DOE N 451.1 shifting NEPA responsibilities as summarized in the table. The notice stated that "... the responsibilities and authorities vested in the Assistant Secretary for Environment, Safety and Health by DOE O 451.1B, *National Environmental Policy Act Compliance Program*, dated 09-28-01, are transferred to the Office of General Counsel." This table focuses on positions as they relate to EM and does not include the variations associated with the National Nuclear Safety Administration (NNSA) as described in DOE O 451.1B.

Position	Responsibility
Secretarial Officers and Head of Field Organizations	Establishes a NEPA compliance program and uses the NEPA process early in project and program planning.
	Maintains a DOE NEPA Compliance Officer and designates a DOE NEPA Document Manager at the start of each EA and EIS.
	Ensures that internal scoping procedures, a quality assurance plan, and a public participation plan are prepared.
	Details of all the responsibilities are specified in Paragraphs 5a, b., and c. of DOE O 451.1B.
NEPA Compliance Officer	Develops office NEPA procedures and information management requirements.
	For actions specifically listed in Appendix A or B to Subpart D of the DOE Regulations (10 CFR Part 1021), make categorical exclusion (CX) determinations.
	Assists with the NEPA process and document preparation.

Position	Responsibility
	Advises on the adequacy of NEPA documents and other related documents.
	Interfaces with the Office of NEPA Policy and Compliance as specified in the Order.
	Details of all the responsibilities are specified in Paragraph 5d of DOE O 451.1B.
NEPA Document Manager	Establishes a team to assist in preparing, and concurrently review documents.
	Conducts an early internal scoping process.
	Manages the document preparation process, including reviewing internal drafts for technical adequacy, controlling cost, and maintaining schedule.
	Encourages and facilitates public participation through the NEPA process.
	Evaluates support contractors
	Details of all the responsibilities are specified in Paragraph 5 e. of DOE O 454.1B.
	Assists and coordinates with the Federal Project Director (FPD) and the Integrated Project Team (IPT) on the preparation and review of NEPA documents, and assures the NEPA process is an integral part of the overall project activities.
Federal Project Director	Coordinates with the NEPA Compliance Officers and Document Manager on the preparation and review of NEPA documents.
	Assists the NEPA Document Managers in providing SMEs in the preparation and review of NEPA documents, such as in the areas of safety, security, and quality assurance.
	In conjunction with the Contractor Project Manager, develops the briefing materials and schedule for the review activities.
	Coordinates the review team pre-visit activities and follow up review team requests for personnel to interview or material to review.
	Coordinates the necessary training and orientation activities to enable the review team members to access the facility and perform the review.
	Unless other personnel are assigned, acts as the site liaison with the review team. Tracks the status of requests for additional information.
	Coordinates the Federal site staff factual accuracy review of the draft NEPA reports.
	Leads the development of the corrective action plan if required. Track the corrective actions resulting from the review.
General Counsel (GC-1)	Provides DOE policy, guidance, and oversight to ensure adequate and consistent application of NEPA.
	Issues Notices of Intent.
	Determines whether DOE shall be a Lead or Cooperating Agency.
	Evaluates proposed alternative actions and make mitigation recommendations.
	Approves Environmental Impact Statements and identifies whether it warrants approval by the Secretary of Energy. Concurs in the Record of Decision.
	Adopts another agency's Environmental Impact Statements.

Position	Responsibility
	Rules on Interim Actions.
	Resolves disagreements among multiple offices.
	Details of all the responsibilities are specified in Paragraph 5 f. of DOE O 454.1B. Responsibilities assigned to the Office of the General Counsel by DOE N 451.1.
The Director, Office of NEPA Policy and Compliance	Develops policy and guidance documents on NEPA and related environmental review requirements.
	Provides NEPA-related technical advice and assistance.
	Performs independent review of proposed actions to ensure that NEPA requirements are being met.
	File approved Environmental Impact Statements with the Environmental Protection Agency (EPA).
	Coordinates consultation with the Council on Environmental Quality and the EPA on matters relating to NEPA.
	Maintain DOE NEPA information services.
	Details of all responsibilities are specified in Paragraph 5 g. of DOE O 451.1B.

DOE has recognized the importance the role of NEPA Document Manager plays in the success of the Department’s NEPA compliance program. The qualifications and responsibilities for NEPA Document Managers were detailed in a November 24, 1998, memorandum, titled *Designating and Supporting NEPA Document Managers*. In this memorandum and as noted above, one of the NEPA Document Managers tasks is to be responsible for establishing a team “representing all necessary DOE Elements.” This team can encompass additional positions, held by contractors or federal employees, not specified by DOE order. This team should work closely with the FPD and the IPT. These additional positions include:

- ***Project Managers*** who are responsible for the preparation of the technical content of a NEPA document as well as its adherence to schedule and budget;
- ***Subject Matter Experts*** who are specialists in one or more environmental disciplines and perform the technical analyses required to estimate the potential environmental impacts to the environment from the Proposed Action and its alternatives;
- ***Document Production Specialists*** such as editors and graphic artists who contribute to the readability of the NEPA document and see that it is ready for publication in both written and electronic mediums; and
- ***Public Outreach Specialists*** who plan and participate in the public involvement aspects required under NEPA, such as public scoping meetings, hearings on draft documents, and interactions with the media, and ensuring timely public notifications.

#### IV. THE NEPA PROCESS

The NEPA process consists of an evaluation of the environmental consequences of a federal action including its alternatives. There are three levels of analyses depending on whether or not

an action could significantly affect the environment. These three levels include: categorical exclusion determination; preparation of an environmental assessment/finding of no significant impact; and preparation of an environmental impact statement/record of decision.

At the first level, an action may be categorically excluded from a detailed environmental analysis if it meets certain criteria established in Appendix A to Subpart D –Categorical Exclusions Applicable to General Agency Actions and Appendix B to Subpart D – Categorical Exclusions Applicable to Specific Agency Actions at 10 CFR Part 1021. As noted above, given that CXs are predetermined to not have significant environmental impacts, the determination just needs be documented and do not normally result in issues related to DOE O 413.3A.

At the second level of analysis, an action can be evaluated through the preparation of an EA. EAs are written to determine whether or not a federal action would significantly affect the environment. If the answer is no, DOE would issue a FONSI. The FONSI could also address measures DOE would take to reduce (mitigate) potentially significant impacts. If the EA determines that the consequences of a proposed action may be significant, an EIS is prepared. In Appendix C to Subpart D of 10 CFR Part 1021, there is a list of actions that normally require EAs but not necessarily EISs.

The following presents the general steps involved in preparing an EA:

- ***Perform initial planning and internal scoping.*** In the early stages of planning and producing an EA, the Department develops the Proposed Action and alternatives, including the No Action alternative and determines the scope of the EA.
- ***The Document Manger forms the EA preparation team.***
- ***The host state and pertinent American Indian Tribes are notified of the Department's intent to prepare an EA.***
- ***Prepare and issue a Draft EA.*** Once the EA has been completed and approved for issuance, the comment period begins. Contrary to the public comment requirements associated with an EIS, discussed below, the primary commenter's are the host state and pertinent American Indian Tribes. However, EAs are often made available to the public and comments solicited during the announced comment period.
- ***Based on comments received, revise the EA as appropriate and prepare and issue a Final EA.***
- ***Based on the analyses performed for the EA make a determination as to whether the actions would result in significant environmental impacts.*** If significant environmental impacts are expected to occur, determine the extent mitigation measures could reduce the magnitude of the impacts. If it is determined that impacts would still be significant, start planning to prepare an EIS.

- ***Issue a FONSI or Mitigated FONSI.*** Based on the analyses performed for the EA, if it is determined that the Proposed Action would not significantly affect the environment and an EIS is not required.
- ***Compile an Administrative Record.*** The content of the AR includes all documents and materials prepared, reviewed, or received by Department personnel and used or available to the decision maker. Additional detail is provided below in the discussion on EIS production.

In Appendix D to Subpart D of 10 CFR Part 1021, is a list of actions that normally require EISs. An EIS results in a more detailed evaluation of the Proposed Action and alternatives than an EA. If DOE anticipates that an action may significantly impact the environment, or if a project is environmentally controversial, it may choose to prepare an EIS without having to first prepare an EA.

Over the years the Department has developed a considerable amount of guidance to follow in the preparation of NEPA documents. Appendix B of this RM provides a crosswalk to some of the more upper level documents geared to assist managers and decision-makers. Appendix B also identifies documents that are subject matter specific that not only provide guidance to analysts/subject matter experts, and NEPA specialists, but can also provide technical insight into what is required of certain matters and assist in those who are responsible for the technical review of NEPA documents. The documents cited in Appendix B are list of documents selected from DOE's *National Environmental Policy Act Compliance Guide* and can be found at [http://www.gc.energy.gov/NEPA/NEPA\\_Guide.htm](http://www.gc.energy.gov/NEPA/NEPA_Guide.htm).

The following discussions summarize the key elements in the NEPA process that could drive the need for Critical NEPA Decisions in the CD-0 through CD-2 phases of the project. For purposes of discussion, the steps key on EIS production because the process for an EIS is more inclusive, in that more decisions are required.

- ***Perform initial internal planning and scoping.*** In the early stages of planning and developing a project, the Department develops a working Purpose and Need Statement for the proposed agency action. Based upon the stated Purpose and Need, the range of alternatives, including elements that would comprise the No Action Alternative, are identified and described with specificity. Based upon the Proposed Action and its alternatives, internal scoping can contribute to identifying an initial set of potential environmental impacts and issues that would need to be addressed through the NEPA process. Early planning also entails the preparation of a Quality Assurance Plan, and a Public Participation Plan as specified by DOE O 451.1B. This also is the stage to consider the need for Cooperating Agencies.
- ***Form EIS preparation team and begin technical analyses.*** Based upon the revised scope, build an interdisciplinary team of analysts/subject matter experts to perform the technical analyses required to estimate the potential environmental impacts of the Proposed Action and its alternatives. This team should interface with the FPD, IPT, and

other subject matter experts, such as in the areas of safety, engineering and design, security, and quality assurance.

- ***Issue a Notice of Intent (NOI) and begin the Public Scoping Period.*** Using the information above, the Department can draft and issue its intent to prepare an EIS. The NOI can specifically request input into the range of alternatives to be considered or potential environmental issues of particular importance or concern. The NOI also announces the Department's plans concerning public scoping.
- ***Revise the scope of the EIS based upon scoping results.*** Consider how the comments and suggestions provided during public comment period influence the scope of the EIS and revise the planned content as appropriate.
- ***Prepare and issue a Draft EIS.*** Once the EIS has been completed and approved for issuance to the public, the public comment period commences.
- ***Public Comment Period.*** One of the fundamental features of NEPA is that it provides the public the opportunity to participate in federal decision-making via the NEPA process. Formal notices through the Federal Register, newspaper ads, and other media vehicles, notify the public of when and how they may comment on the specific content presented in a Draft EIS.
- ***Revise the Draft EIS.*** Based upon input received during the public comment period, the EIS is revised and corrections made as necessary and a Final EIS is prepared.
- ***Issue a Final EIS.*** The Final EIS must also include a response to all public comments received during the public comment period. The Final EIS, once approved for issuance, is filed with the EPA and is announced through a Notice of Availability (NOA).
- ***Prepare a Record of Decision (ROD).*** Following the issue of the Final EIS, the Department must prepare a ROD which documents the Department's decisions and is posted in the Federal Register. The ROD is a public record explaining why the Department has chosen a particular course of action. The ROD must specifically identify which mitigation measures were selected and adopted as part of the agency's action. The ROD also identifies the most environmentally advantageous alternative, but the agency is not required to select this alternative. Department actions or implementation of decisions made cannot occur until 30 days after the ROD is issued.
- ***Compile an Administrative Record.*** The AR should include all documents and materials prepared, reviewed, or received by Department personnel and used by or available to the decision-maker. The AR is not limited to paper files. Relevant email, computer tapes, discs, and microfilm should be included in the Administrative Record as well.

As part of the NEPA process, potential mitigation measures are identified that can reduce the potential adverse impacts associated with a project. These mitigation measures can be integrated into long-term environmental management systems designed to monitor and measures on-going

impacts to the environment and identify and revise methods to ease continuing impacts. These activities can occur in the CD-3 and- 4 phases of a project life cycle.

Throughout the NEPA process, milestones would be identified for internal review by DOE management and subject matter experts, the Office of NEPA Policy and Compliance, and the ultimate approval for public dissemination by the General Counsel (GC-1).

## **V. REVIEW SCOPE AND CRITERIA**

Critical Decisions are formal determinations made at specific points in a project's life cycle. Each Critical Decision addresses commitments to be met before a project is allowed to proceed to the next phase or to commit additional resources. The five Critical Decisions, major milestones in a project's life cycle, pursuant to DOE O 413.3A, include:

- CD-0, Approve Mission Need
- CD-1, Approve Alternative Selection and Cost Range
- CD-2, Approve Performance Baseline
- CD-3, Approve Start of Construction
- CD-4, Approve Start of Operations or Project Closeout.

With regard to NEPA, Table 2 of DOE O 413.3A, Change 1, identifies two requirements for CD review and approval. Under the CD-1 phase, it is asked "have environmental documents been prepared, including NEPA strategy and analyses, and permit applications"; and under the CD-2 phase, it asks if NEPA has been documented with a ROD.

This RM provides the EM review teams with a "straw-man" template from which they may derive and pursue Lines of Inquiry (LOIs) that are applicable to the specific projects. Project-specific LOIs can be developed using the NEPA Process guidance documents listed in Appendix B, such as checklists for EA and EIS reviews. The scope of the NEPA RM is captured by performance expectations and criteria that are presented in the NEPA process stages related to the Critical Decision stages. Appendix A of this RM provides overall performance objectives and review criteria. These performance objectives and review criteria will provide consistent guidance to review teams to develop their project-specific LOIs.

### ***Initiation of NEPA Strategy and Analyses***

This review area is related to CD-0 and the NEPA process step for performing initial internal planning and scoping as part of overall project activities.

### ***Finalization of NEPA Strategy and Analyses Plans***

This review area is related to CD-1 and the NEPA process step on issuing a Notice of Intent, revising the scope of the NEPA document, and the formulation of the NEPA preparation team.



### ***Preparation of NEPA Documentation***

This review area is related to CD-2 and the NEPA process step on preparing and issuing a draft document, obtaining public comments, revising the draft and issuing a final document, preparing a Record of Decision, and compiling an Administrative Record.

### ***Implementation of Environmental Management System at CD-3***

This review area is related to CD-3 and the NEPA process step on the possible integration of mitigation measures as part of the Environmental Management System.

### ***Implementation of Environmental Management System at CD-4***

This review area is related to CD-4 and the NEPA process step on the possible integration of mitigation measures as part of the Environmental Management System.

## **VI. REVIEW PLANS AND DOCUMENTATION**

The results of a NEPA review by the EM review teams will be used by the DOE FPD and ultimately the Acquisition Executive to help determine whether project funds may be authorized at each Critical Decision approval stage. It is important to clearly document the methods, assumptions and results of the NEPA review. This review can be conducted as part of other project reviews, such as part of the design, safety, engineering and technology reviews. The overall Standard Review Plan (SRP) provides guidelines for preparing a Review Plan and a final report.

The following activities should be conducted as part of the Review Plan development and documentation/closure of the review:

- Subsequent to the selection, formation and chartering of the review team and receipt and review of the prerequisite documents, assignment of responsibilities for the development of specific LOIs should be made.
- The review team members should develop specific LOIs using the Performance Expectations and Criteria listed in the Appendix A of this module.
- The individual LOIs should be compiled and submitted to the review team leader authorizing the review for concurrence prior to starting the review.
- The project-specific review plan should be compiled with a consistent and uniform numbering scheme that provided for a unique identifier for each LOI, arranged by

Performance Expectations and Criteria, such that the results of each LOI can be documented and tracked to closure.

- The LOIs should be satisfied via document review and personnel interviews and any combination of these methods. The method used the basis for closure/comment/finding and the result of the inquiry should all be documented and tracked.

## **VII. REFERENCE MATERIAL**

- The National Environmental Policy Act of 1969, as amended
- CEQ, Regulations Implementing the National Environmental Policy Act, 40 CFR Parts 1500-1508, November 28, 1978
- DOE, National Environmental Policy Act Implementing Procedures, 10 CFR Part 1021; Appendixes A, B, C, and D to Subpart D, February 2, 1996
- DOE Order 413.3A, Change 1, Program and Project Management for the Acquisition of Capital Assets, November 17, 2008
- DOE Order 451.1B, National Environmental Policy Act Compliance Program, September 28, 2001
- DOE Notice 451.1, October 6, 2006
- DOE-Standard-1189-2008 Integration of Safety into the Design Process, May 12, 2008
- DOE, Designating and Supporting NEPA Document Managers, Memorandum, November 24, 1998
- EM Standard Review Plan (SRP) Modules: Technical Framework for EM Projects Critical Decision (CD) Milestones Review and Approval, Office of Environmental Management, Washington D.C., September 30, 2008

**APPENDIX A- PERFORMANCE AND CRITERIA**

*Legend of NEPA Review Topics*

Review Topical Area	Identifier
Initiation of NEPA Strategy and Analyses	C0
Finalization of NEPA Strategy and Analyses Plans	C1
Preparation of NEPA Documentation	C2
Implementation of Environmental Management System at CD-3	C3
Implementation of Environmental Management System at CD-4	C4

ID #	Performance Objectives and Criteria <sup>2</sup>	Met?
<b>Initiation of NEPA Strategy and Analyses</b>		
C0	Has the project performed initial planning and scoping on NEPA strategy and analyses prior to CD-0 approval?	
	Has the Proposed Action been defined? <b>(C0-1)</b>	
	Has internal scoping occurred; key environmental issues, areas of concern identified? <b>(C0-2)</b>	
	Have plans to compile the Administrative Record been made? <b>(C0-3)</b>	
	Has a NEPA Determination (CX, EA, EIS) been made? <b>(C0-4)</b>	
	In the case of an EA or EIS, has a Document Manger been assigned? <b>(C0-5)</b>	
	Have the range of alternatives been identified, along with the elements of the No Action alternative? <b>(C0-6)</b>	
	Has a Quality Assurance Plan been prepared? <b>(C0-7)</b>	
	Has a Public Participation Plan been prepared? <b>(C0-8)</b>	
	For EAs and EISs, have Lead and Cooperating Agencies been identified? <b>(C0-9)</b>	
	Have plans to compile the Administrative Record been made? <b>(C0-10)</b>	
	Does the Contracts Requirement Document (CDR) include pertinent NEPA related requirements, including Integrated Safety Management (ISM)? <b>(C0-11)</b>	
Have functions and responsibilities for executing and supporting the project-specific NEPA process been clearly established? <b>(C0-12)</b>		

<sup>2</sup> The site should provide the technical bases and assumptions that support the answers provided to each Line of Inquiry. If possible, the review teams should independently verify the technical bases and assumptions.

ID #	Performance Objectives and Criteria <sup>2</sup>	Met?
<b>Finalization of NEPA Strategy and Analyses Plans</b>		
C1-1	Have the NEPA Strategy and Analyses Plans been finalized for completing NEPA in support of the project? <b>(C1-1)</b>	
	Has a NEPA budget and schedule been developed? <b>(C1-1.1)</b>	
	Has a Notice of Intent been issued to seek public input? <b>(C1-1.2)</b>	
	Has the public input process fully executed as prescribed by law? <b>(C1-1.3)</b>	
	Has revisions to the planned document been prepared due to scoping? <b>(C1-1.4)</b>	
	Has a NEPA team been assembled? <b>(C1-1.5)</b>	
	Is expertise in ensuring environment protection embodied in the project design development team and in the IPT? <b>(C1-1.6)</b>	
C1-2	Do the NEPA Strategy and Analyses address the following? <b>(C1-2)</b>	
	Can all materials at risk (e.g., radioactive, toxic, and hazardous) be identified? <b>(C1-2.1)</b>	
	Can preliminary design at this stage of the project demonstrate the potential to minimize the amount of hazardous material used or generated? <b>(C1-2.2)</b>	
	Can the estimated potential impacts to the environment from the construction and operation of the Proposed Action and its alternative be compared to applicable limits, standards, and or performance guidelines subject to federal environmental statutes such as the Clean Air Act? <b>(C1-2.3)</b>	
	Has a reasonable set of alternate approaches (at least three) been considered? <b>(C1-2.4)</b>	
	Were potential environmental impacts considered (to the extent design details allowed) in the evaluation of alternatives? <b>(C1-2.5)</b>	
	For the preferred alternative, has a preliminary system description been prepared in sufficient detail to support hazards analysis and feasibility studies for prevention or mitigation impact measures? <b>(C1.2.6)</b>	
	Have interfaces been performed with other project areas, such as consistency in treatment in accident analysis with the facility safety basis evaluation? <b>(C1.2.7)</b>	
<b>Preparation of NEPA Documentation</b>		
C2	Has all the NEPA documentation been prepared and completed? <b>(C2)</b>	
	Has a Draft NEPA document been prepared and issued? <b>(C2-1)</b>	
	Has the Public Comment Period occurred? <b>(C2-2)</b>	
	Has the Draft NEPA document been revised? <b>(C2-3)</b>	
	Has the Final NEPA document been approved and issued? <b>(C2-4)</b>	
	Has a ROD been prepared and issued? <b>(C2-5)</b>	
	Has an Administrative Record been compiled? <b>(C2-6)</b> Have the NEPA outputs been taken as input considerations as project design process? <b>(C2-7)</b>	
<b>Implementation of Environmental Management System for CD-3</b>		
C3	Has the environmental management system been revised to ensure that it incorporates new environmental aspects related to turnover and operations? <b>(CD-3)</b>	

ID #	Performance Objectives and Criteria <sup>2</sup>	Met?
<b>Implementation of Environmental Management System for CD-4</b>		
C4	Has the environmental management system been revised to ensure that it incorporates new environmental aspects related to turnover and operations? <b>(CD-4)</b>	

**APPENDIX B- CROSSWALK TO NEPA GUIDANCE DOCUMENTS FOR THE PREPERATION AND REVIEW OF DOE DOCUMENTS<sup>3</sup>**

<b>Selected DOE NEPA Process Guidance Documents</b>	<b>NEPA Steps</b>	<b>Project CD Phase</b>
National Environmental Policy Act Implementing Procedures (10 CFR Part 1021)	All	CD-0 to CD-2; CD-3 and CD-4 in terms of mitigation
Frequently Asked Questions on the Department of Energy's National Environmental Policy Act Regulations	All	CD-0 to CD-2
DOE O 451.1B, National Environmental Policy Act Compliance Program	All	CD-0 to CD-2
Environmental Assessment Checklist	All	CD-2
Environmental Impact Statement Checklist	All	CD-2
Glossary of Terms Used in DOE NEPA Documents	All	CD-2
The EIS Comment-Response Process		CD-2
Recommendations for the Preparation of Environmental Assessments and Environmental Impact Statements	All	CD-2
Effective Public Participation under the National Environmental Policy Act	Public Scoping Period Public Comment Period	CD-2
Guidance on National Environmental Policy Act Categorical Determinations	Initial Internal Planning	CD-0
Designating and Supporting NEPA Document Managers	Initial Internal Planning	CD-0
Mini-guidance Articles from Lessons Learned Quarterly Reports, December 1994 to September 2005	All	CD-0 to CD-2
<b>Selected Non-DOE Process Guidance Documents</b>	<b>NEPA Steps</b>	<b>Project CD Phase</b>
National Environmental Policy Act of 1969, as amended	All	CD-0 to CD-2
CEQ NEPA Implementation Procedures (40 CFR Parts 1500-1508)	All	CD-0 to CD-2
Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations	All	CD-0 to CD-2
Scoping Guidance	Public Scoping Period	CD-1
Guidance on Cooperating Agencies in Implementing the Procedural Requirements of NEPA	Initial Internal Planning	CD-0

<sup>3</sup> DOE has developed a large number of guidance related to the general NEPA process, the technical aspects of performing environmental analyses, conducting public participation programs, and overall NEPA document production. All of the cited documents can be found at <http://www.gc.energy.gov/NEPA/>.

Selected DOE Subject Matter Guidance Documents	NEPA Steps	Project CD Phase
Compliance with Floodplain and Wetland Environmental Review Requirements	Prepare and issue Draft and Final EAs and EISs	CD-2
Guidance Related to analysis of Impacts to Workers in National Environmental Policy Act Documentation	Prepare and issue Draft and Final EAs and EISs	CD-2
Integrating Pollution Prevention with NEPA Planning Activities	Prepare and issue Draft and Final EAs and EISs	CD-2
Environmental Impact Statement Summary	Prepare and issue Draft and Final EAs and EISs	CD-2
Clean Air Act General Conformity Requirements and the NEPA Process	Prepare and issue Draft and Final EAs and EISs	CD-2
Analyzing Accidents under NEPA	Prepare and issue Draft and Final EAs and EISs	CD-2
The Environmental Style: Writing Environmental Assessments and Impact Statements	Prepare and issue Draft and Final EAs and EISs	CD-2
Selected Non-DOE Subject Matter Guidance Documents	NEPA Steps	Project CD Phase
Incorporating Biodiversity Considerations into Environmental Impact Analysis under the National Environmental Policy Act	Prepare and issue Draft and Final EAs and EISs	CD-2
Considering Cumulative Effects Under the National Environmental Policy Act	Prepare and issue Draft and Final EAs and EISs	CD-2
Guidance on the Consideration of Past Actions in Cumulative Effects Analysis	Prepare and issue Draft and Final EAs and EISs	CD-2
Environmental Justice – Guidance Under the National Environmental Policy Act	Prepare and issue Draft and Final EAs and EISs	CD-2
Guidance on Incorporating EPA’s Pollution Prevention Strategy into the Environmental Review Process	Prepare and issue Draft and Final EAs and EISs	CD-2