Department of Energy Alternative Arrangements Pursuant to 40 CFR Section 1506.11 – Emergencies

PROPOSED ACTION	NATURE OF EMERGENCY	RESOLUTION
Bonneville Power Administration proposed to fund the Idaho Fish and Game Department and the Shoshone-Bannock tribe proposal to save the Snake River sockeye salmon.	Decline in salmon population. Migration of this sockeye salmon run had fallen to 4 adults in 1988, 1 adult in 1989, and no adults in 1990.	CEQ requested a special environmental analysis and conferencing with National Marine Fisheries Service. CEQ and 12 involved organizations discussed issues of concern. Special Environmental Analysis: DOE/SEA-01; 5/1991.
DOE proposed emergency drawdown of Par Pond at the Savannah River Site in response to the March 1991 discovery of a surface depression.	Risk of dam failure. Emergency drawdown would reduce the likelihood of spreading sediment and radioactive contaminants.	CEQ requested a special environmental analysis of the drawdown, repair, and refilling of the Par Pond, including discussion of mitigation. DOE considered additional mitigation measures after public comment. Special Environmental Analysis: DOE/SEA-02; 4/1992.
In 1993, DOE proposed to receive 144 spent fuel element from Belgium nuclear power plant prior to completing NEPA process.	Risk of nuclear proliferation. Belgium nuclear reactor spent fuel element storage was filled to capacity. If the US did not accept the spent fuel elements, the spent fuel had potential to be used for nuclear weapon production.	Based on discussions with the Department of State, CEQ approved DOE proposal regarding alternative NEPA arrangements. However, Belgium refused the US offer to accept the fuel elements.
NNSA proposed temporary, semipermanent, and permanent flood control measures following the May 2000 Cerro Grande Fire surrounding the Los Alamos National Laboratory in New Mexico.	Risk of severe soil erosion, flooding, and debris flows that would threaten life and property in communities downstream from Los Alamos National Laboratory: White Rock, the Pueblo of San Ildefonso, and the Pueblo de Conchiti.	CEQ agreed to alternative arrangements including: publication of a notice on the emergency actions taken, in progress, and planned in the near term; proposed mitigation measures (dam construction); continuing public involvement; a special environmental analysis; monitoring and adaptive mitigation measures; and reporting to CEQ. Notice of Emergency Action: 65 FR 38522; 6/21/2000. Special Environmental Analysis: DOE/SEA-03; 9/2000.
National Nuclear Security Administration (NNSA) transported nuclear materials from Libya to and within the U.S.	Risk of nuclear proliferation. To assist Libya in reducing its proliferation-sensitive materials, 55,000 pounds of nuclear material and equipment were airlifted out of Libya in January 2004.	CEQ found the NNSA's request was limited to actions necessary to address immediate impacts and risks, and that NNSA's assessment of potential environmental impacts, including incorporation of an existing classified analysis of a similar scenario, was sufficient for NEPA compliance. Notice of Emergency Action: 69 FR 10440; 3/5/2004.
On 12/20/2005, the Secretary of Energy, issued an emergency order directing Mirant to generate electricity under certain, limited circumstances at the coal-fired Potomac River Generating Station in Alexandria, Virginia.	Risk of blackout. Closure of the plant, whose emissions exceeded National Ambient Air Quality Standards, would reduce the reliability of the electrical supply to the District of Columbia central business district, many federal institutions, parts of Northwest DC, and the Blue Plains Advanced Water Treatment Plant.	In January 2006, CEQ approved alternative arrangements: preparation of a special environmental analysis, opportunities for public involvement, continued consultations with appropriate agencies, and identification of mitigation. Special Environmental Analysis: DOE/SEA-04; 11/2006. Notice of Availability: 71 FR 69102; 11/29/2006.

A listing of all agencies' use of alternative arrangements is provided on the CEQ website.