



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

FEB 15 1994

OFFICE OF ENFORCEMENT

Dear Sir or Madame:

The Council on Environmental Quality (CEQ) Regulations require the "filing" of Federal Environmental Impact Statements (EISs). These are filed at the Office of Federal (OFA) Activities, US Environmental Protection Agency (EPA). As manager of the filing process, OFA periodically recirculates the Filing System Guidance (dated March 7, 1989) to all federal agencies as a reminder of the procedures to be followed when filing an EIS and to help those who may be new to the process.

In addition to the enclosed Guidance document, you might be interested in the following commonly asked questions related to the timing for filing EISs.

Q: When can an EIS be filed?

A: §1506.9 states that an EIS cannot be filed with EPA any earlier than it is transmitted to commenting agencies and made available to the public. This will assure that the EIS is received by all interested parties by the time the EPA Notice of Availability (NOA) appears in the Federal Register, therefore allowing for the full minimum review periods prescribed in §1506.10.

Q: When does the review period start for an EIS?

A: The minimum time periods set forth in §1506.10(b), (c), and (d) are calculated from the date EPA publishes the NOA in the Federal Register. The review period for draft EISs is 45 calendar days and the review period for final EISs is 30 calendar days. The lead agency may

extend the prescribed period. If the lead agency extends the review period past the prescribed time the extension is published in the Weekly Federal Register NOA. This extension is known as an overall extension which is open to commenting agencies and the public.

Q: How can an individual extension be obtained?

A: An individual extension can be obtained by commenting agencies or the public by contacting the agency which prepared the EIS. EPA only grants extensions and reductions in time when there are "compelling reasons of national policy".

Q: When does the NOA get published in the Federal Register when the publication date falls on a holiday?

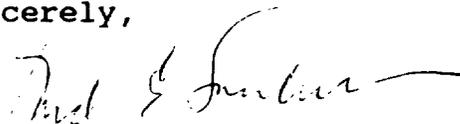
A: The NOA will be published in the Federal Register the day before the holiday.

Q: Can we file photo copies of EISSs?

A: We will accept photo copies if this is the type of document you are transmitting to commenting agencies and the public and they are bound. EPA will not accept unbound copies of EISSs.

Please take a few moments and read over these procedures and share them with appropriate people within your organization. If you or your staff have any technical questions related to the filing process, please feel free to talk with my staff specialists Marilyn Henderson (202) 260-5075 or Pearl Young (202) 260-5076.

Sincerely,



Richard E. Sanderson  
Director  
Office of Federal Activities

Enclosure