

# LESSONS LEARNED QUARTERLY REPORT 3RD QUARTER FY 1995

Office of NEPA Policy and Assistance  
U.S. Department of Energy

**September 1, 1995**

## ***INTRODUCTION***

To foster continuing improvement of the Department's National Environmental Policy Act (NEPA) compliance program, the Secretarial Policy Statement on NEPA, issued June 13, 1994, requires the Office of Environment, Safety and Health to solicit comments on lessons learned in the process of completing NEPA documents from the NEPA Document Manager, the NEPA Compliance Officer, and team members after completing each environmental impact statement (EIS) and environmental assessment (EA), and to distribute a quarterly summary to all NEPA Compliance Officers and NEPA Document Managers.

This quarterly report summarizes the lessons learned for documents completed between April 1 and June 30, 1995. It is based primarily on responses to the revised questionnaire that was provided for use during January 1995, and includes information on direct and indirect NEPA process costs and on total project costs. The report includes a Question and Answer section as well as guidance on selected topics.

Some of the material presented here reflects the personal views of individual questionnaire respondents, which (appropriately) may be inconsistent. Therefore, unless indicated otherwise, views reported herein should not be interpreted as recommendations from the Office of Environment, Safety and Health.

The next quarterly report will cover EISs and EAs completed during the fourth quarter of fiscal year 1995 (July 1 through September 30, 1995). Please report on EISs and EAs as they are completed. Questionnaires for all such documents completed between July 1 and September 30, 1995 are due by November 1, 1995. Completed questionnaires should be mailed or faxed (202-586-7031) directly to the Office of NEPA Policy and Assistance. Please be sure to use the revised questionnaire issued during January 1995. The next quarterly report will be issued on December 1, 1995.

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## ***ABOUT THIS LESSONS LEARNED QUARTERLY REPORT***

According to Office of NEPA Policy and Assistance records, the Department of Energy (DOE)

completed 29 EAs and four EISs during the third quarter of fiscal year 1995 (from April 1 to June 30, 1995). For the purposes of this report, the approval or adoption of a final EIS or the NEPA decision for an EA represents document completion.

As of August 15, 1995, the Office received 49 questionnaires covering 28 of the 29 EAs and all of the EISs. Questionnaire respondents included: 21 NEPA Compliance Officers, 14 Document Managers, and 14 others (e.g., contractors, legal counsel, Office of NEPA Policy and Assistance staff).

### ***NEPA DOCUMENT PREPARATION TIMES***

Based on information provided to the Office of NEPA Policy and Assistance, the median time for the completion of 29 EAs (from the NEPA determination to the Finding of No Significant Impact) was 17 months; the completion times ranged from about 2 months to about 41 months (see Figure 3 on page 5). For the previous three reporting periods (July 1 to September 30, 1994; October 1 to December 30, 1994; and January 1, 1995 to March 31, 1995) and for this reporting period, cumulatively, the median time to prepare 79 EAs was 17 months.

The median time for completion of four environmental impact statements was 41 months; the completion times ranged from about 30 months to about 77 months (See Figure 1 on page 4). For the previous three reporting periods (July 1 to September 30, 1994; October 1 to December 31, 1994; and January 1 to March 31, 1995) and for this reporting period, cumulatively, the median time to prepare 11 EISs was 32 months.

**Note: The number of EAs completed each quarter and, especially of EISs, is too small to attempt to discern a trend from the above data. Moreover, many of the EAs and most of the EISs completed during the last 12 months were initiated before process improvements directed by the Secretarial NEPA Policy of June 1994 took full effect. Therefore, the data presented above do not measure results under the improved practices. The Office of NEPA Policy and Assistance is separately examining DOE's experience with NEPA documents that were begun after June 1994.**

Questionnaire respondents indicated that of the 21 EAs for which a time schedule was established for this quarter, 12 EAs were completed on schedule and 9 were not. Of the two EISs for which scheduling information was reported, one was completed on schedule and one was not. Also, for 23 EAs and 2 EISs, respondents stated that the NEPA process was initiated early enough to avoid being on the critical path. Questionnaire respondents for one EA disagreed as to whether the NEPA process had begun early enough, one respondent reporting that the process had begun in time and one that it had not.

Circumstances that were mentioned as hindering timely NEPA document completion were:

- the draft coincided with the passing of the Energy Policy Act of 1992, which directly affected analysis, requiring a rewrite;
- a significant level of Congressional interest in the project;
- late management involvement and input in the draft EA;
- change of purpose and need;
- high political visibility;
- numerous review cycles and general informality of the review;
- the project was not a management priority;

- the project design was a moving target;
- difficulty getting required information from the State; and
- distant contractor - a lot of effort made by telephone and fax.

Respondents identified the following as measures that facilitated timely completion of their NEPA documents:

- early involvement of Office of NEPA Policy and Assistance, Program Office, State, and other interested parties;
- schedule driven by a court order;
- aggressive NEPA Document Manager;
- commitment from the Senior Manager;
- a cooperating agency with a lot at stake;
- well planned public involvement so that the public knew about the proposal before the EA went out for comment;
- having and following a project management plan and including the EA as part of the project to be managed;
- management interest in the completion of the document;
- preparation of detailed schedule, adherence to and frequent review of schedule;
- prompt issue identification and resolution;
- close coordination with the Office of NEPA Policy and Assistance, General Counsel and others;
- and Document Manager given direct control.

Respondents suggested the following as especially effective procedures to keep the document schedule:

- the “Executive Committee” concept resulted in excellent coordination (teamwork) among Field, Program, and Office of NEPA Policy and Assistance;
- early review of EA drafts by stakeholders;
- setting realistic goals for deliverables and providing on-going “unofficial” working drafts to analysts, preparers and customers; and
- conducting short “plan of the day” meetings and a NEPA Document Manager providing natural leadership.

### ***NEPA COST DATA***

NEPA Compliance Officers and Document Managers reported NEPA process cost data for 25 of the 29 EAs (see Figure 4 on page 5) and 3 of the 4 EISs (See Figure 2 on page 4). Of the 10 projects for which NEPA budget data were reported, 3 EAs were completed within budget. For the purposes of this report, NEPA process costs are defined as the costs that would not have been incurred except for the NEPA process. Direct costs are defined as the total dollars expended for NEPA support contractors. Indirect costs are defined as any other costs incurred (e.g., travel), and include total program office and field office Federal staff resources (FTE-years). Printing costs were the only charge to the Government for one EIS prepared to determine the issuance of a Presidential permit.

Of the 23 EAs for which direct cost data were reported, the median direct cost was \$65,000, with a range of \$3,600 to \$450,000. Using the direct cost data gathered for both this period and the first three reporting periods (July 1 to September 30, 1994; October 1 to December 31, 1994; and

January 1 to March 31, 1995), the median direct cost for preparation of 47 EAs was \$78,500 (average cost of \$146,000).

Of the three EISs for which direct cost data were reported, the median direct cost was \$1,200,000, with a range of \$675,000 to \$40,900,000. Using the direct cost data gathered for both this period and the first three reporting periods (July 1 to September 30, 1994; October 1 to December 31, 1994; and January 1 to March 31, 1995), the median direct cost for the preparation of 10 EISs was \$640,000 (average cost of \$4.7 million).

It should be noted that direct cost data were provided for 58% of the EAs and 83% of the EISs completed during this one year period. The wide disparity between median and average costs typically reflects a few documents that have exceptionally high costs.

Total project costs were reported for eight EAs and none of the EISs. Of the EAs, the NEPA process costs reported represented an average of 2.7% of the total project costs, with a range of .1% to 11.5%.

### **Completion Time And Cost Information For EISs**

#### **Fossil Energy**

- o Bangor Hydro-Electric Transmission Line, Bangor, Maine

#### **Idaho Operations Office**

- o Programmatic Spent Nuclear Fuel Management and Idaho National Engineering Laboratory Environmental Restoration and Waste Management Programs, Idaho Falls, Idaho

#### **Morgantown Energy Technology Center**

- o York Energy Partners 227 MW Coal-Fired Circulating Fluidized Bed Cogeneration Demonstration Project, York County, Pennsylvania

#### **Western Area Power Administration**

- o Energy Planning and Management Program, Western Area Power Administration (Programmatic EIS)

### **Completion Time And Cost Information For EAs**

Please refer to Page 6 for the list of EAs that corresponds to the graphs below.

#### **Albuquerque Operations Office**

1. Low Energy Accelerator Laboratory (Formerly Accelerator Prototype Laboratory), Los Alamos National Laboratory, Los Alamos, New Mexico
2. Corrective Action, Northeast Site, Pinellas Plant, Pinellas, Florida
3. Construction of the Sand Dunes to Ochoa Power Line Project, Carlsbad, New Mexico

#### **Bonneville Power Administration**

4. Amazon Basin/Willow Creek Wildlife Habitat Mitigation Management Plan, Lane County, Oregon
5. Lower Columbia River Terminal Fisheries Research Project, Oregon, Washington
6. Dworshak Wildlife Mitigation Project, Idaho

#### **Chicago Operations Office**

7. Casey's Pond Improvement Project, Fermi National Accelerator Laboratory, Batavia, Illinois
8. Design and Construction of a Center for Advanced Industrial Processes, Washington State University

9. Design and Construction of a Diagnostic Instrumentation Analysis Laboratory, Mississippi State University, Starksville, Mississippi  
**Idaho Operations Office**
10. Health Physics Instrument Laboratory Replacement, Idaho National Engineering Laboratory, Idaho Falls, Idaho  
**Morgantown Energy Technology Center**
11. Warren Station Externally Fired Combined Cycle Demonstration Project, Warren, Pennsylvania  
**Nevada Operations Office**
12. Device Assembly Facility Operations, Nevada Test Site, Nye County, Nevada  
**Oak Ridge Operations Office**
13. Disbursement of \$65 Million by the U.S. Department of Energy to the State of Texas for Construction of a Regional Medical Technology Center at the Former Superconducting Super Collider Site, Waxahatchie, Texas
14. Disposition of Highly Enriched Uranium Obtained from the Republic of Kazakhstan, Y-12 Plant, Oak Ridge Reservation, Oak Ridge, Tennessee\*
15. Melton Valley Storage Tank Capacity Increase Project at Oak Ridge National Laboratory, Oak Ridge, Tennessee  
**Oakland Operations Office**
16. Construction and Operation of the Explosive Waste Storage Facility, Site 300, LLNL, Livermore, California
17. Construction and Operation of a Genome Sequencing Facility, Building 64, LBL, Berkeley, California
18. Proposed Human Genome Laboratory, Lawrence Berkeley Laboratory, Emeryville, California  
**Ohio Field Office**
19. Decontamination and Decommissioning Projects, Mound Plant, Miamisburg, Ohio  
**Richland Operations Office**
20. Disposition of Stored Alkali Metals and Facilities, Hanford Site, Richland, Washington
21. 300 Area Process Sewer Piping Upgrade & 300 Area Treated Effluent Disposal Facility Discharge to the City of Richland Sewage System, Hanford Site, Richland, Washington
22. Inert/Demolition Landfill (Pit 9) Hanford Site, Richland, Washington
23. N-Reactor Facilities Stabilization, Hanford Site, Richland, Washington
24. Disposition and Transportation of Surplus Low Specific-Activity Nitric Acid to Great Britain, Hanford Site, Richland, Washington
25. Shutdown of the Fast Flux Test Facility, Hanford Site, Richland, Washington  
**Rocky Flats Office**
26. Actinide Solution Processing at the Rocky Flats Environmental Technology Site, Golden, Colorado
27. Consolidation and Interim Storage of Special Nuclear Material at Rocky Flats Environmental Technology Site, Golden, Colorado  
**Savannah River Operations Office**
28. Operation of the HB-Line Facility and Frame Waste Recovery Process for Production of Pu-238 Oxide at the Savannah River Site, Aiken, South Carolina  
**Southwestern Power Administration**
29. Vegetation Management on Rights of Way and Radio and Substation Sites, Programmatic EA (OK, AR, MO)
30. This EA was approved by the Office of Fissile Materials Disposition.

Environmental Assessments

## ***NEPA DOCUMENT CONTENT***

In response to our request that respondents describe specific problems and/or innovative approaches used regarding 1) determining reasonable alternatives, 2) data collection, and 3) impact analysis, a wide variety of helpful information was provided, as discussed below.

***Determining Reasonable Alternatives:*** A respondent reported that program personnel went to the local Citizen's Advisory Board to gauge the level of interest in the project and the EA before the EA was started. This helped not only to determine the level of interest, but to educate one of the groups that would be commenting on the EA. The respondent noted that thorough involvement of the local Citizen's Advisory Board in the development of the purpose and need for the project before the EA is written is becoming the norm for controversial proposals.

Another respondent noted the value of preparing an outline of proposed EA scope and having early concurrence from EA preparation team leaders.

***Data Collection:*** A respondent reported on a case in which several of the sites potentially involved in the proposed action were not DOE owned or operated. The owners of these sites were extremely cautious about providing the requested data, which could potentially result in the release of sensitive business information, and would require work and expense without guaranteed payback.

Another respondent stated that technical guidelines prepared by the subject technical specialists for agreed-to uniform data collection and analysis were very worthwhile.

Another respondent noted that a Forest Service EIS provided useful data for a DOE NEPA document.

***Impact Analysis:*** Several respondents noted that an annotated outline that all parties had agreed upon helped the team to focus on the major issues and facilitated completion of the document.

Another respondent praised the red team/blue team approach (i.e., development teams and challenge teams), similar to an academic peer review process.

## ***THE DOCUMENT PREPARATION PROCESS***

Respondents noted the following as measures that facilitated effective DOE teamwork:

- EA panel sessions, which served to establish good communications among field office internal stakeholders and to resolve concerns openly;
- electronic text transmission to the Office of NEPA Policy and Assistance for review and comment; and
- regular conference calls to discuss responses to stakeholder concerns.

Factors that hampered DOE teamwork included:

- team members at distant locations;
- DOE review team changing personnel throughout the review cycle, which lacked continuity and was inefficient;
- excessive number of concurrence review cycles for documents; and
- documents referenced in an EA were not readily available for internal and external

reviewers, resulting in the inability to perform a complete review.

Regarding the facilitation of effective teamwork between DOE and its support contractors, one respondent noted the success of a close working relationship between the DOE NEPA Document Manager and the contractor's EA project manager. The respondent also noted the successful use of a technical editor to weed out confusing wording and mysterious terms, and identify needs for clarification. Other factors that facilitated effective teamwork include clear roles and responsibilities defined in a project plan and the use of E-Mail.

Respondents also commented on factors that inhibited effective teamwork between DOE and contractors. One respondent noted that a lack of deadlines within which the contractor should produce work resulted in the contractor taking a longer time than necessary. Additionally, a respondent noted that Headquarters staff bypassed the program and provided direction directly to the contractor, thereby confusing document writers.

Regarding successful aspects of the public participation process, one respondent commented: "The draft EA was sent to one intervenor group and several individuals (more than for most EAs) responded to a notice of availability with requests for copies. Preparation of comment responses strengthened the EA." Several respondents stated that stakeholder involvement (including input on content and word usage) at all stages of the process produced a document more responsive to stakeholder needs. Additionally, one respondent notified local newspapers in three States about a planned EA that involved land in those States.

Respondents reported unsuccessful aspects of the public participation process as well. One commenter stated: "potentially affected States were given an opportunity to review the EA, but didn't unless the preferred [transportation] route came through the State; then when the preferred route changed, States wanted more time to review or stop shipments." Another respondent stated that public hearings were much too formal and intimidating to the public.

One respondent commented that the EA did not receive a broad enough public distribution, resulting in a number of critical comments about time constraints. Even though the EA distribution exceeded regulatory requirements, the respondent said that a timely distribution of the document to interested individuals and organizations (beyond the States and Indian tribes) would have resulted in greater trust of the department. [Editor's note: Council on Environmental Quality regulations require Federal agencies to involve the public to the extent practicable during the preparation of EAs [40 CFR 1501.4(b)], and, to the fullest extent possible, to encourage and facilitate public participation in decisions that affect the quality of the human environment [40 CFR 1500.2(d).] The Secretarial NEPA Policy of June 1994 states: "Whenever possible, the Department of Energy will provide enhanced opportunities for public involvement in the environmental assessment process..." The "Gold Book" ("Effective Public Participation under the National Environmental Policy Act," issued by the Office of NEPA Policy and Assistance in December 1994), provides additional guidance on public participation in the EA process.]

Thirteen respondents stated that the public responded favorably to the NEPA process, while three reported negative public reactions. One respondent commented: "Those who didn't see the process as a roadblock delaying a necessary action (and many did) seemed pleased with the scoping meetings and meetings on the pre-approval EA." Another respondent emphasized that most of the public participants were grateful for DOE's effort to consider alternatives. Additionally, five respondents reported minimal or no public response to the NEPA process, while one reported that public responses ranged from "cynicism to functional engagement in useful comment."

Regarding the availability of resources, four respondents indicated that this was a problem, while 24 respondents stated that resource availability was not a problem. Deficiencies noted included shortages of staff, delays in project activities and milestones, and lack of appropriate funding.

Several respondents identified needs for guidance. One respondent noted: "Additional guidance regarding the scope of an accident analysis would be useful. Examples of accident analyses in approved EAs could be references and serve as guides/models for conducting future analyses." Another respondent identified the need for further guidance on environmental justice. "For our project, and in an EA format, we seemed to be 'force feeding' something that perhaps did not belong there." Other needs identified included guidance on each topical discussion in an EIS, how to provide early and consistent involvement of government representatives, impact analysis (specifically for radiological effects and risk assessment), and formalized procedures for adopting another agency's EA (including public involvement in the process) [Editor's note: see page 12].

### ***EFFECTIVENESS OF THE NEPA PROCESS***

When asked how the NEPA process was used in agency planning and decision making, 17 respondents stated that the process was useful, for the following reasons:

- the action had a lot of political interest - Congress was involved in developing some of the alternatives and the NEPA process seemed to be the bargaining area;
- the NEPA process helped to ensure construction of the project in a location with the least impact on the environment;
- the process was helpful in developing a wildlife management plan and in identifying disagreements between future resource management authorities (State and Indian tribe);
- the EA process convinced stakeholders that DOE explored all reasonable options before making the decision (DOE had originally issued a categorical exclusion);
- the NEPA process was useful "only for deciding how to carry out the action;" and
- a lot of change in the scope of the document.

One respondent suggested that NEPA needs to be a true part of DOE's up-front planning and that full consideration of the possible negative effects of a proposed project needs to be explored at the onset.

Twenty-four questionnaire respondents stated that the process was not useful or was only minimally useful. One respondent commented that the decision impacted was where to construct and not if; therefore, NEPA review could be perceived as "another permit" to hurdle. Another respondent replied: "The EA was not done to evaluate environmental effects; it was used to 'bullet proof' DOE-HQ." The NEPA process was perceived by one respondent as only playing a role during the design and construction phase of a project.

The above figure illustrates how respondents rated the effectiveness of the NEPA process with respect to influence on decision making on a scale of 0 to 5 ("0" viewing the NEPA process as "another permit" for a decision already made, and "5" using NEPA as an important planning tool).

### ***OTHER LESSONS LEARNED***

#### **NEPA Reviews Involving Multiple Sites (A recommendation from the Office of NEPA Policy and Assistance)**

Several recent experiences suggest that DOE needs to improve its communications with stakeholders for NEPA reviews that involve multiple sites. In such cases, consultations with local cognizant NEPA Compliance Officers could avoid problems in scheduling public meetings and in providing States, Indian tribes and other potentially affected parties opportunities to comment on NEPA documents. One example concerns a State that was not notified in advance of a scoping meeting for an EIS in which a DOE site in that State was being considered as an alternative to the proposed site. In planning the meeting, Program Office staff reportedly referred the State's point of contact to the *Federal Register* for information about scoping meetings, rather than providing the information immediately and putting the contact on the mailing list. On other occasions, DOE has not provided this State opportunities to review an EA for proposals that may affect it that were prepared by a Program Office or a Field Office in another State. In a case involving a different State, scoping meetings for two major DOE EISs were scheduled for the same day in the vicinity of a major DOE site, but at locations distant from one another. Stakeholders interested in both EISs could not easily attend both meetings.

Document Managers could have avoided such problems by consulting with the local NEPA Compliance Officer and the local DOE public affairs staff. Together they are best able to coordinate NEPA-related activities with stakeholders, advise on potential conflicts in scheduling public meetings, and ensure that local issues and concerns are considered in preparing DOE NEPA documents.

#### **Some respondents offered miscellaneous comments regarding lessons learned in the process of completing NEPA documentation.**

One respondent stated: "Savings of time and money would be appreciable if letters transmitting EISs to Congress were abolished. This requirement is generally considered a useless waste of time and money by customers. A simple printed card transmitting the EISs would suffice." Likewise, another respondent claimed: "Obtain NEPA savings by completely eliminating the current procedures (personalized letters) for distributing the Draft and Final EIS. Simply prepare a standard letter that's distributed to everyone." One respondent stated: "Time is money in NEPA. This EA took 16 months. During that time base data changed and new information had to be incorporated. Scope changed requiring several recalculations of data." Another respondent identified distant contractors and a lack of involvement by the cognizant NEPA Compliance Officer as contributing to substantial cost exceedances.

#### **Lessons Learned in Preparing the Programmatic Spent Nuclear Fuel Management and Idaho National Engineering Laboratory Environmental Restoration and Waste Management Programs EIS (SNF/INEL EIS)**

On June 28, 1993, the U.S. District Court of Idaho ordered the Department of Energy to prepare a comprehensive, site-wide EIS for all actions involving the transportation, receipt, processing and storage of spent nuclear fuel at INEL and enjoined the Department from any further transportation, receipt, processing and storage of spent nuclear fuel at INEL until the completion of the EIS. The Court further ordered a Record of Decision by June 1, 1995. To meet the order, the Department prepared a comprehensive EIS that addressed both complex-wide programmatic spent fuel management issues and comprehensive environmental restoration and waste management site-wide issues at the INEL. The EIS also evaluated in detail five alternative Department sites for managing spent nuclear fuel. The Department met all the court-ordered deadlines with extraordinary coordination and teamwork by the EIS Project Office in Idaho, five Field Offices, several Program Offices, the Offices of Environment, Safety and Health and General Counsel, and senior Department officials.

The Idaho Project Office recognized the value of capturing and sharing lessons learned in preparing the SNF/INEL EIS, and therefore prepared the five reports listed below:

1. "Path Forward and Lessons Learned in NEPA Stakeholder Involvement for the SNF and INEL ER&WM EIS," Tom Wichmann, October 6, 1994.
2. "Lessons Learned from the R-2 Phase of the SNF and INEL ER&WM EIS," Tony Rutz, October 24, 1994.
3. "Report on Public Comment Meetings," EIS Project Office, December 1994.
4. "Lessons Learned from the INEL Project Office," Kathleen Whitaker, April 1995.
5. "Lessons Learned for the EIS Comment Response Process," Tom Armour, May 2, 1995.

The numerous comments and suggestions in these reports primarily represent the views of the EIS Project Office. Two methods that effectively served to support schedule compliance are noteworthy, and have been adopted by other NEPA Document Managers preparing large or complex EISs. These are: 1) forming an EIS Advisory Group to resolve technical issues referred by technical teams, and an Executive Committee of senior Program Office officials to resolve policy and managerial issues; and 2) preparing and obtaining concurrence on technical guidelines for environmental analysis of key disciplines (e.g., accident analyses, health effects, water resources, etc).

In addition to the lessons learned reports, the EIS Project Office generated the following information that may help others avoid "reinventing the wheel:"

1. Fact Sheets (e.g., the general NEPA process, spent nuclear fuel)
2. EIS Procedures Handbook (specific to the SNF/INEL EIS, but may be useful to others)
3. Technical Guidelines (by discipline)
4. The EIS distribution database

For more information or to obtain copies of the materials listed above, please contact:

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*Idaho Falls, Idaho 83401-1563*  
*202-526-1062*

### ***LESSONS LEARNED QUESTIONS AND ANSWERS***

***Lessons Learned Questions and Answers is a new addition to the Lessons Learned Report. The Office of NEPA Policy and Assistance invites you to send questions to the address located at the end of this article.***

***Question: How should DOE address public comments received on a final EIS?***

***Answer:*** Comments DOE receives on a final EIS before the Record of Decision has been issued should be reviewed to first determine whether the comments present "significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts." If it is clear that the comments do present such information, then a supplemental EIS is required [40 CFR 1502.9(c) and 10 CFR 1021.314(a)]. If it is unclear whether the comments present such information, then a Supplement Analysis must be prepared [10 CFR 1021.314(c)].

If it is clear that the comments do not require a supplemental EIS, or such a determination is made based on a Supplement Analysis, then DOE may issue a Record of Decision. The Department's approach has been to address such comments in the Record of Decision. This need not be an exhaustive treatment, but should include the conclusion that none of the comments necessitate the preparation of a supplemental EIS. Comments that are not adequately covered in the final EIS should be addressed; otherwise, DOE may refer the commenter to the appropriate section in the final EIS.

Comments on a final EIS that DOE receives after a Record of Decision has been issued should be considered in light of the regulatory requirements cited above, and responded to as appropriate in the normal course of business. [Also see 10 CFR 1021.315(d): DOE may revise a ROD at any time.]

***Question: May DOE adopt another agency's EA and Finding of No Significant Impact if DOE was not a cooperating agency?***

***Answer:*** Any Federal agency may adopt another Federal or State agency's EA and is encouraged to do so when such adoption would save time or money. In deciding that adoption is the appropriate course of action, DOE (as adopting agency) must conclude that the EA adequately describes DOE's proposed action and in all other respects is satisfactory for DOE's purposes. Alternatively, DOE may add necessary information by adding a cover sheet. [For example, the originating agency's action may be to issue a permit for a proposed activity, whereas DOE's action may be to fund the activity.] Once DOE determines that the originating agency's document is adequate for DOE's purposes, possibly after adding information, DOE would assign an EA number and transmit the EA to the State(s), Indian tribes, and, as appropriate, the public for preapproval review and comment, unless the originating agency has already done so equivalently through its public involvement process. In the latter case, it would be prudent to consult with States and Indian tribes to ensure that they agree that they have been provided an adequate preapproval review opportunity. DOE, after considering all comments received, would issue its own Finding of No Significant Impact, if appropriate. All records should be archived as with any other EA.

***Question: The "Green Book" (Recommendations for the Preparation of EAs and EISs, May 1993) recommends that NEPA documents should provide estimates of potential health effects from chemical or radiological exposure to workers who would be involved in the proposed action. However, accurate estimates are extremely difficult to make for involved workers located inside buildings, and many dispersion models do not apply close to release sources. Should the "Green Book" be revised to drop this recommendation?***

***Answer:*** The recommendation is appropriate. The "Green Book" recommends application of the sliding scale approach in which impacts are analyzed in proportion to their significance. For many DOE proposals, potential impacts to involved workers under routine and accident conditions may be an important factor in discriminating among alternatives or determining the need for mitigation. Such impacts should be estimated using the sliding scale principle. Experience shows that when document preparers understand the need to provide such estimates early in the document preparation process, they are able to make credible evaluations. In some cases, such estimates must necessarily be semi-quantitative or qualitative in nature, taking into account estimates of the number of workers involved and judgments about consequences to them under routine and accident conditions. Where standard dispersion models won't work, credible estimates based on simplifying assumptions are usually possible and sufficient for describing the likely impacts (e.g., "the five workers who would be directly involved with the activity would be

unlikely to experience any serious permanent health effects,” or “the three workers who would normally be close to the accident would most likely suffer serious injury or death, while the remaining two or so workers who would be nearby probably could escape”).

***Question:*** *Several recent programmatic, site-wide and other EISs have been issued with “Affected Environment” chapters that contain different, potentially inconsistent descriptions of the same DOE sites. Would this apparent lack of consistency of description invalidate otherwise adequate EAs that tier from or reference the Affected Environment chapter in such an EIS?*

***Answer:*** Such EAs would not be considered inadequate. Differences (other than errors) among the various treatments of “Affected Environment” may be appropriate because each NEPA document should be up-to-date and focused on the components of the environment that may be affected by the specific proposed actions and alternatives that document addresses. As discussed in the “Green Book,” the extent of the “affected environment” may not be the same for all potentially affected environmental components. For example, traffic may increase within four kilometers of a proposed landfill (the extent of the affected environment with respect to transportation impacts), whereas groundwater may extend only two kilometers from the proposed landfill (the extent of the affected environment with respect to groundwater impacts). Clearly, too, emissions from a large industrial facility such as a nuclear reactor may affect air resources over a greater area than would a typical laboratory operation. In general, site-wide EISs should provide the most complete descriptions of the affected environment because site-wide analyses consider a wide range of uses of a site.

Although differences among “Affected Environment” chapters may be appropriate, the chapters should not be reinvented when valid existing NEPA documents could be referenced, incorporated, or updated if necessary, reducing document preparation time and costs. Experience with recent programmatic and other NEPA documents that involve multiple facilities suggests that problems and costs would be minimized if NEPA Document Managers would: 1) consult with the cognizant NEPA Compliance Officer for each site during the internal scoping process about the usefulness of previously prepared materials or those currently being prepared; 2) limit the description of the existing environment to information that directly relates to the proposed action and alternatives whose impacts are to be analyzed; and 3) establish the appropriate (i.e., sufficient, but not excessive) level of detail to be presented.

***Send your questions to:***

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**REMINDER:** Lessons Learned Questionnaires for all NEPA documents completed during the fourth quarter of FY 95 (July 1, 1995 to September 30, 1995) should be submitted as soon as possible after document completion, but no later than November 1, 1995. (Fax: 202-586-7031) The Lessons Learned Questionnaire is now available on the DOE NEPA Web [<http://www.eh.doe.gov/nepa>] on the Internet.

***EISs COMPLETED BETWEEN APRIL 1 AND JUNE 30, 1995***

EIS (Title and Document Number)	Field Office	Prog Offi
Bangor Hydro-Electric Transmission Line, Bangor, Maine (DOE/EIS-0166)	_____	Fossil
Programmatic Spent Nuclear Fuel Management and Idaho National Engineering Laboratory Environmental Restoration and Waste Management Programs, Idaho (DOE/EIS-0203)	Idaho Operations Office	Environ Managem
York Energy Partners 227 MW Coal-Fired Circulating Fluidized Bed Cogeneration Demonstration Project, York County, Pennsylvania (DOE/EIS-0209)	Morgantown Energy Technology Center	Fossil
Energy Planning and Management Program, Western Area Power Administration, Programmatic EIS (DOE/EIS-0205)	_____	Western Power Adminis n

**ENVIRONMENTAL PROTECTION AGENCY (EPA) RATING DEFINITIONS:****Environmental Impact of the Action**

LO -- Lack of Objections

EC -- Environmental Concerns

EO -- Environmental Objections

EU -- Environmentally Unsatisfactory

**Adequacy of the Impact Statement**

Category 1 -- Adequate

Category 2 -- Insufficient Information

Category 3 -- Inadequate

\* EPA rated each of the alternatives separately because the Draft EIS did not have a preferred alternative.

***EAs COMPLETED BETWEEN APRIL 1 AND JUNE 30, 1995***

EA (Title and Document Number)	Field Office	
Low Energy Accelerator Laboratory (Formerly Accelerator Prototype Laboratory), Los Alamos National Laboratory, Los Alamos, New Mexico (DOE/EA-0969)	Albuquerque Operations Office	Def
Corrective Action, Northeast Site, Pinellas Plant, Pinellas, Florida (DOE/EA-0976)	Albuquerque Operations Office	Env Man
Construction of the Sand Dunes to Ochoa Power Line Project, Carlsbad, New Mexico (DOE/EA-1109)	Albuquerque Operations Office	Env Man
Amazon Basin/Willow Creek Wildlife Habitat Mitigation Management Plan, Lane County, Oregon (DOE/EA-1023)	_____	Bon Adm
Lower Columbia River Terminal Fisheries Research Project, Oregon, Washington (DOE/EA-1040)	_____	Bon Adm
Dworshak Wildlife Mitigation Project, Idaho (DOE/EA-0927)	_____	Bon Adm
Casey's Pond Improvement Project, Fermi National Accelerator Laboratory, Batavia, Illinois (DOE/EA-1075)	Chicago Operations Office	Ene

Design and Construction of a Center for Advanced Industrial Processes, Washington State University, Pullman, Washington (DOE/EA-1055)	Chicago Operations Office	Ene
Diagnostic Instrumentation Analysis Laboratory, Mississippi State Laboratory, Starksville, Mississippi (DOE/EA-1013)	Chicago Operations Office	Ene
Health Physics Instrument Laboratory Replacement, INEL, Idaho Falls, Idaho (DOE/EA-1034)	Idaho Operations Office	Env Man
Warren Station Externally Fired Combined Cycle Demonstration Project, Warren, Pennsylvania (DOE/EA-1007)	Morgantown Energy Technology Center	Fos
Device Assembly Facility Operations, Nevada Test Site, Nye County, Nevada (DOE/EA-0971)	Nevada Operations Office	Def
Proposed Texas Regional Medical Technology Center, Waxahatchie, Texas (DOE/EA-1045)	Oak Ridge Operations Office	Fie
Disposition of Highly Enriched Uranium Obtained from the Republic of Kazakhstan, Y-12 Plant, Oak Ridge Reservation, Oak Ridge, Tennessee (DOE/EA-1063)	Oak Ridge Operations Office	Fis Dis
Melton Valley Storage Tank Capacity Increase Project at Oak Ridge National Labs, Oak Ridge, Tennessee (DOE/EA-1044)	Oak Ridge Operations Office	Env Man

Construction and Operation of the Explosive Waste Storage Facility, Site 300, LLNL, Livermore, California (DOE/EA-0827)	Oakland Operations Office	Def
Construction and Operation of a Genome Sequencing Facility, Building 64, LBL, Berkeley, California (DOE/EA-1065)	Oakland Operations Office	Ene
Proposed Human Genome Laboratory, Lawrence Berkeley Laboratory, Emeryville, California (DOE/EA-0856)	Oakland Operations Office	Ene
Decontamination and Decommissioning Projects, Mound Plant, Miamisburg, Ohio (DOE/EA-0683)	Ohio Field Office	Env Man
Disposition of Stored Alkali Metals and Facilities, Hanford Site, Richland, Washington (DOE/EA-0987)	Richland Operations Office	Env Man
300 Area Process Sewer Piping Upgrade & 300 Area Treated Effluent Disposal Facility Discharge to the City of Richland Sewage System, Hanford Site, Richland, Washington (DOE/EA-0980)	Richland Operations Office	Env Man
Inert/Demolition Landfill (Pit 9) Hanford Site, Richland, Washington (DOE/EA-0983)	Richland Operations Office	Env Man
N-Reactor Facilities Stabilization, Hanford Site, Richland, Washington (DOE/EA-0984)	Richland Operations Office	Env Man
Disposition and Transportation of	Richland Operations Office	Env

Surplus Low Specific Activity		Man
Nitric Acid to Great Britain, Hanford Site, Richland, Washington (DOE/EA-1005)		
Shutdown of the Fast Flux Test Facility, Hanford Site, Richland, Washington (DOE/EA-0993)	Richland Operations Office	Nuc
Actinide Solution Processing at the Rocky Flats Environmental Technology Site, Golden, Colorado (DOE/EA-1039)	Rocky Flats Office	Env Man
Consolidation and Interim Storage of Special Nuclear Material at Rocky Flats Environmental Technology Site, Golden, Colorado (DOE/EA-1060)	Rocky Flats Office	Env Man
Operation of the HB-Line Facility and Frame Waste Recovery Process for Production of Pu-238 Oxide at the Savannah River Site, Aiken, South Carolina (DOE/EA-0948)	Savannah River Operations Office	Env Man
Vegetation Management on Rights of Way and Radio and Substation Sites, Programmatic EA (DOE/EA-1012)	_____	Sou Adm