

Implementation Procedure on the National Environmental Policy Act

Purpose

The National Environmental Policy Act (NEPA) affects many projects at SLAC. There are specific steps to follow in the Department of Energy (DOE) NEPA Compliance Program. This implementing procedure:

- ✦ Describes NEPA
- ✦ Describes NEPA's relevance to SLAC
- ✦ Provides guidance for following the NEPA documentation process at SLAC to ensure that NEPA regulations are met.

Background

NEPA, created in 1969 and enacted in 1970, is the national charter for protecting the environment. The goal of NEPA is to protect, restore, and enhance the environment. NEPA policies ensure that environmental considerations, along with economic and technical considerations, are factored into decisions made by federal agencies. NEPA requires a detailed statement on major federal projects **including those that will be executed by their contractors** that have the potential to significantly affect the environment. This statement must be prepared before the project begins and describes all reasonable alternatives to the project. Decisions about the specific project can then be made with an awareness of its environmental impact.

Federal agencies such as the DOE are required to implement and administer NEPA policies. The DOE is responsible for determining if proposed projects at SLAC meet NEPA regulations.

NEPA Documentation

NEPA is implemented through a process of documentation and assessment of the proposed project. The Business Services Division (BSD) is responsible for administering NEPA at SLAC. The documentation process begins when a department, group, or individual proposes a project. A complete description of the project must be written by the initiator and given to the BSD as early as possible. (Contact Mimi Chang in the BSD at ext. 3244 or Helen Nuckolls at ext. 3371 in the Environmental Protection Department of the E&SH Division for information on the specific format of the written project description, as well as where and how to deliver it.) The BSD develops the NEPA document from the information in the project description, then submits it to the ES&H Division for review. The BSD submits the completed NEPA document to the DOE for approval.

There are three types of NEPA documents:

- ✦ Categorical Exclusion

The DOE Federal Register on NEPA lists many categories of projects that qualify for Categorical Exclusion (CX). By definition, a CX applies to projects that do not

individually or cumulatively have a significant effect on the environment. For example, most routine maintenance projects, such as resurfacing parking lots, qualify for a Categorical Exclusion. A CX document is a brief description of the project and its effects, if any, on the environment.

🔗 Environmental Assessment

An Environmental Assessment (EA) is required when there is uncertainty whether significant environmental impact will occur from a project. An EA is a short, concise document based primarily on existing information. After evaluation by the DOE, an EA will result in either a *Finding of No Significant Impact* (FONSI), which means that the proposed action may proceed, or the EA will require that a more detailed document called an Environmental Impact Statement be prepared.

🔗 Environmental Impact Statement

An Environmental Impact Statement (EIS) is a detailed document that must be prepared for major federal actions that significantly affect the quality of the environment. It includes a discussion of the environmental impact of the proposed project, adverse environmental effects, and alternatives to the proposed project.

The following is a list of the average time needed by the DOE to review and approve NEPA documents:

- 🔗 CX - 6 weeks
- 🔗 EA - 6 to 12 months
- 🔗 EIS - 18 to 24 months

A subcontractor is generally enlisted to assist in the preparation of EAs or EISs. Once the document has been reviewed and approved by SLAC, it is submitted to the DOE for review and approval. **No resources may be committed to a project until it has been approved by the DOE.**

Because SLAC is a contractor to the DOE, NEPA documentation is required for the majority of projects performed here. Almost all NEPA documents initiated by SLAC are CXs. Projects at SLAC that may require a NEPA document include:

- 🔗 Replacement, demolition, maintenance, or modification of a structure.
- 🔗 New construction
- 🔗 Environmental restoration or remediation projects.
- 🔗 Research projects.

This list is not inclusive. There are many other projects that may require NEPA documentation.

Initiating a NEPA Document at SLAC

Initiating a NEPA document begins with a process called *scoping*. This process includes identifying all significant issues related to a proposed project. The initiator of a project at SLAC must thoroughly describe the project and all potentially connected projects. All project descriptions should include:

- ✦ The need for and purpose of the proposed project.
- ✦ A detailed description of the proposed project.
- ✦ Alternatives to the proposed project (including **no action**).
- ✦ All potentially connected projects; that is, projects that must be undertaken as a result of the proposed project.
- ✦ The location of the proposed project; figures or maps should be included.
- ✦ Identification of all known environmental issues and effects related to the proposed project.
- ✦ Any mitigating actions that would be undertaken to minimize the proposed projects environmental impact.

The project initiator submits the written description to the BSD where a document is prepared for evaluation by the DOE. In this document the BSD will recommend that a project be categorized as a CX, an EA, or an EIS. The DOE will evaluate the BSD document and make the final, categorical determination about the project.

Early consideration of NEPA issues helps to ensure swift processing of documents and expedites the proposed project. By taking NEPA into account early in the planning process, last minute delays in initiating the project can be avoided. The more complete and thorough the initial NEPA information is, the sooner NEPA documentation can be completed, reviewed, and approved.

If you are considering a project and are unsure if it requires NEPA documentation, contact Mimi Chang in the BSD at ext. 3244, or Helen Nuckolls at ext. 3371 in the Environmental Protection Department of the E&SH Division.