



Instructions for Preparing SC-CH Form-560 Environmental Evaluation Notification Form

OFFICE OF SCIENCE – CHICAGO OFFICE
October 2012

EXAMPLE

INSTRUCTIONS FOR PREPARING SC-CH FORM 560, ENVIRONMENTAL EVALUATION NOTIFICATION FORM

The Office of Science - Chicago Office (SC-CH), Environmental Evaluation Notification Form (EENF), is used to assist the Office in determining the potential for environmental impacts from proposed "Federal actions" under its purview .

The EENF is the starting point for ensuring compliance with the National Environmental Policy Act (NEPA) and associated Department of Energy (DOE) regulations its implementation (10 CFR 1021). It is essentially a screening tool that assists the NEPA Compliance Officer (NCO) to make a determination that a particular proposed project/Federal action falls within a categorical exclusion, or to recommend that an environmental assessment or environmental impact statement must be prepared. These instructions are organized to enable direct crosswalk between the items listed on the EENF and the corresponding narrative below.

Point of Contact

SC-CH FORM 560 and the associated instructions are maintained by the Office of Science—Chicago Office, Office of Safety and Technical Services; 630-252-2265. For assistance, please ask for the NCO.

Definitions

Applicant: Organization receiving funds and/or implementing Federal Actions

Federal Action: Includes new and continuing activities, including projects and programs entirely or partly financed, assisted, conducted, regulated, or approved by federal agencies; new or revised agency rules, regulations, plans, policies, or procedures; and legislative proposals (see 40 CFR § 1508.18).

The EENF

NEPA TRACKING NUMBER: To be completed by the SC-CH NEPA staff based on office convention.

SOLICITATION/AWARD NUMBER: To be completed by the Contracting Officer, Contract Specialist, or Contracting Officer's Representative if the proposed action is funding of a contract, grant, or cooperative agreement.

ORGANIZATION NAME: Specify the name of the applicant, e.g., contractor, grantee, or other entity directly responsible for the work. Include the city where the Organization is located, e.g., University of Notre Dame (South Bend, Indiana). If the proposed project involves a site management and operating contractor, the laboratory name is sufficient, e.g., Ames Laboratory.

TITLE OF PROPOSED PROJECT/RESEARCH: Enter a brief descriptive label for the proposed project, e.g., Renovation and Expansion of Building 523; Subcontract for Window Replacement in Building 523; Grant for Partial Funding of Biomedical Research Facility; Research on Bioluminescence.

EXAMPLE

Instructions for Preparing SC-CH Form 560, Environmental Evaluation Notification Form

TOTAL DOE FUNDING/TOTAL PROJECT FUNDING: Specify the total DOE cost of the project. If other funding sources (e.g., State, private, etc.) exist, specify that amount as well, e.g., \$1,500,000/\$15,000,000.. If an exact amount is not known, use an estimate.

I. PROJECT DESCRIPTION (use additional pages as necessary)

- A. **PROPOSED PROJECT/ACTION (delineate Federally funded/non-Federally funded portions):** Briefly describe the proposed action including its purpose and need. If applicable, identify other involved Government agencies and distinguish the Government from non-Government portions of the action. . . . If the proposed project/action consists of bench scale research, describe the proposed research. If a building is to be built, provide summary level design/construction/operations details . If utility lines are to be laid, indicate the location and distance. If excavation is involved, estimate the volume of material to be removed and state where it will be removed to. Indicate whether the proposed project/action is new, continuing, a modification, or “work for others”.
- B. **WOULD THE PROJECT PROCEED WITHOUT FEDERAL FUNDING?** This question is relevant to DOE financial assistance awards only. Answer “Yes” or “No”. If “Yes”, explain if and how the scope of the project might change without Federal funds. This information is needed for DOE to ascertain whether Federal funding is essential to the viability of the project. A “Yes” response could possibly indicate that the funding does not “Federalize” the project for NEPA purposes, and therefore subsequent NEPA analyses would not be necessary – DOE will make this determination.

II. DESCRIPTION OF AFFECTED ENVIRONMENT

Identify whether the activity would occur indoor or outdoors. If indoors, discuss the location and the number/proximity of people in relationship to the action. If outdoors (or if the indoor activity could possibly create impact beyond the building), provide a general characterization of the geographic setting including pertinent population, and eco-system related data. If it would provide clarification, attach a map.

III. PRELIMINARY QUESTIONS

- A. **IS THE DOE-FUNDED WORK ROUTINELY ADMINISTRATIVE OR ENTIRELY ADVISORY OR A “PAPER STUDY?”** If the proposed project/action involves only administrative activities (such as implementing financial, personnel, or contractual actions such as property transfers), information gathering (such as literature surveys and inventories), data analysis (including computer modeling), document preparation (including preliminary, *but not detailed*, building design, feasibility studies, and analytical energy supply and demand studies), document execution (signing of an agreement) or document dissemination (including document mailings, publication, and distribution, and classroom training and informational programs), indicate “Yes” and go directly to Section V. See 10 CFR 1021, Appendix A to Subpart D—Categorical Exclusions Applicable to General Agency Actions.

EXAMPLE

Instructions for Preparing SC-CH Form 560, Environmental Evaluation Notification Form

- B. Is there any potential whatsoever for: Questions 1 and 2 refer the affected environment—whether any outdoor work is planned and whether modification of existing indoor space would be necessary. Questions 3-7 refer to the Integral Elements of the classes of action in APPENDIX B TO SUBPART D OF 10 CFR PART 1021 (note that the numbers below are from Appendix B and do not correspond to the Questionnaire):

(1) Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health;

(2) Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators);

(3) Disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment;

(4) Have the potential to cause significant impacts on environmentally sensitive resources. Environmentally sensitive resources include, but are not limited to:

(i) Property (such as sites, buildings, structures, and objects) of historic, archeological, or architectural significance designated by a Federal, state, or local government, Federally recognized Indian tribe, or Native Hawaiian organization, or property determined to be eligible for listing on the National Register of Historic Places;

(ii) Federally-listed threatened or endangered species or their habitat (including critical habitat) or Federally-proposed or candidate species or their habitat (Endangered Species Act); state-listed or state-proposed endangered or threatened species or their habitat; Federally-protected marine mammals and Essential Fish Habitat (Marine Mammal Protection Act; Magnuson-Stevens Fishery Conservation and Management Act); and otherwise Federally-protected species (such as the Bald and Golden Eagle Protection Act or the Migratory Bird Treaty Act);

(iii) Floodplains and wetlands (as defined in 10 CFR 1022.4, "Compliance with Floodplain and Wetland Environmental Review Requirements: Definitions," or its successor);

(iv) Areas having a special designation such as Federally- and state-designated wilderness areas, national parks, national monuments, national natural landmarks, wild and scenic rivers, state and Federal wildlife refuges, scenic areas (such as National Scenic and Historic Trails or National Scenic Areas), and marine sanctuaries; (v) Prime or unique farmland, or other farmland of statewide or local importance, as defined at 7 CFR 658.2(a), "Farmland Protection Policy Act: Definitions," or its successor;

(vi) Special sources of water (such as sole source aquifers, wellhead protection areas, and other water sources that are vital in a region); and

(vii) Tundra, coral reefs, or rain forests; or

(5) Involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species.

EXAMPLE

Instructions for Preparing SC-CH Form 560, Environmental Evaluation Notification Form

Regarding Questions 6 and 7, they correspond to *all* the specific items listed in Section IV and V respectively, not just those identified in (4) and (5) of the regulatory language above. See the associated explanations to determine whether significant impacts to environmentally sensitive resources are possible or whether there is a potential for high consequence impacts to human health or the environment

Questions 8-10 refer to other conditions from the DOE NEPA Regulations: Connected Actions, Cumulative Impacts, and Extraordinary Circumstances respectively.

CONNECTED ACTIONS. Connected Actions are those projects/actions that automatically trigger other actions, cannot proceed unless other actions are taken previously or simultaneously, or are interdependent parts of a larger action and depend on the larger action for justification. Indicate “Yes” if the project/action is “connected” to other such actions. If so, describe them.

CUMULATIVE IMPACTS. Cumulative impact refers to the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. See 40 CFR 1508. Indicate “Yes” if the Federal action will result in cumulative impacts. If so, describe them.

EXTRAORDINARY CIRCUMSTANCES. Indicate “Yes” if extraordinary circumstances related to the project/action could exacerbate impacts from the previous items described on this Form. Also indicate “Yes” if potential for human health or environmental impact exists from items not identified on this Form. If so, identify and describe.

IV. POTENTIAL ENVIRONMENTAL EFFECTS

On a separate sheet(s) of paper, provide an explanation to all entries in this Section checked “Yes”. “Yes” should be the default answer where information is unavailable, and the explanation should indicate what actions are to be taken to obtain the information and when.

- A. **SENSITIVE RESOURCES:** Could the proposed action potentially result in changes and/or disturbances to any of the following resources? As discussed above, APPENDIX B TO SUBPART D OF 10 CFR PART 1021 identifies categories of “sensitive resources” that, if adversely affected by the proposed project/action, would necessitate preparation of an environmental assessment or environmental impact statement. Some of these categories are regulated by other Federal agencies, which may require DOE to coordinate NEPA compliance or consult with them.

E X A M P L E

Instructions for Preparing SC-CH Form 560, Environmental Evaluation Notification Form

1. THREATENED/ENDANGERED (T/E) SPECIES AND/OR CRITICAL HABITATS. 50 CFR § 402, which provides the implementing regulations for the Endangered Species Act of 1973 (ESA), provides for protection of animals, birds, fish, plants, and other living organisms that are in danger of extinction throughout all or a significant portion of their range. Critical habitats are those specific areas within the geographical area currently occupied by a species at the time it is listed in accordance with the ESA, on which are found those physical or biological features (i) essential to the conservation of the species, and (ii) that may require special management considerations or protection. The Act may also cover, specific areas outside the geographical area occupied by species at the time it is listed under a determination by the Secretary that such areas are essential for the conservation of species. Lists of T/E species and critical habitats are found in 50 CFR § 17 and § 226. . This item should be checked “Yes” if any State- or Federally-listed *or proposed* T/E species or critical habitat has the potential to be impacted by the action. In such cases, consultation with the U.S. Department of Interior, Fish and Wildlife Service (FWS) and the corresponding State agency (which will also have lists) must be undertaken prior to the project/action being implemented.

2. OTHER PROTECTED SPECIES. Other Federal laws that protect wildlife species include, but are not limited to: The Bald and Golden Eagle; Wild and Free-Roaming Horses and Burros Act; Marine Mammal Protection Act, and the Migratory Bird Treaty Act. This item should be checked “Yes” if these other protected species have the potential to be affected by the project/action. Any consultation should be documented.

3. SENSITIVE ENVIRONMENTS. This item should be checked “Yes” if protected, sensitive environments including tundra, coral reefs, and rainforests are associated with the project/action. Describe the potential effect, and any project modification that could avoid or mitigate the effect.

4. ARCHEOLOGICAL/HISTORIC RESOURCES. The National Historic Preservation Act; the Historic Site, Buildings and Antiquities Act; Archeological Resources Protection Act; implementing regulations found in 32 CFR §229; and the Archeological Recovery Act provide for the preservation of sites, buildings, structures, or objects of historic or architectural significance designated by Federal, State, or local Governments or listed or eligible for listing on the National Register of Historic Places. If the proposed project/action is on Federal land, the Archeological Resources Protection and Antiquities Acts also apply. Indicate “Yes” if the Act(s) apply. If so, explain. **This item should also be checked “Yes” if a proposed project/action is in an undeveloped or historic area for which an archeological/architectural survey has not yet been performed.** Federal consultation with the State and/or Tribal Historic Preservation Officer (SHPO or THPO) will be necessary if it is the type of activity which has potential for impact (e.g., earth moving, demolition or remodeling of a building older than 50 years). Document the status of any preliminary consultations and if no potential for impact, explain.

5. IMPORTANT FARMLAND. The Farmland Protection Policy Act requires Federal agencies to consider ways to avoid converting or adversely affecting Prime Farmland, Unique Farmland, and Additional Farmland of Statewide or

EXAMPLE

Instructions for Preparing SC-CH Form 560, Environmental Evaluation Notification Form

Local Importance that is not already in or committed to urban development or water storage.

Definitions

- Prime Farmland: Land that has the best combination of physical and chemical characteristics for producing food, feed, fiber, forage, oilseed, and other agricultural crops with minimum inputs of fuel, fertilizer, pesticides, and labor, and without intolerable soil erosion. (7 U.S.C. 4201(c)(1)(A))
- Unique Farmland: Land other than prime farmland that is used for the production of specific high-value food and fiber crops...such as, citrus, tree nuts, olives, cranberries, fruits, and vegetables. (7 U.S.C. 4201(c)(1)(B))
- Additional Farmland of Statewide or Local Importance: Land identified by State or local agencies for agricultural use, but not of National significance. (7 U.S.C. 4201(c)(1)(C))

The U.S. Department of Agriculture, Natural Resources Conservation Service field office serving the area can provide assistance in determining whether a proposed project/action could affect protected farmland. Agriculture Department Form 1006, the Farmland Conversion Impact Rating Form, available at Natural Resources Conservation Service offices, should be used for this purpose. If the proposed project/action could have an effect on protected farmland, indicate "Yes". An evaluation of the effect using the criteria provided at 7 CFR 658.5 will need to be performed.

6. NON-ATTAINMENT AREAS FOR AMBIENT AIR QUALITY STANDARDS. Non-attainment areas are geographic areas that do not meet one or more of the National Ambient Air Quality Standards (NAAQS). Non-attainment areas are designated by the Environmental Protection Agency (EPA) at 40 CFR 81.300. NAAQS have been established for six criteria pollutants (sulfur dioxide, particulate matter less than the 10 microns (PM10), carbon monoxide, ozone, nitrogen dioxide, or lead). Indicate "Yes" if the proposed project/action would result in the emission of a criteria pollutant in an area that has been classified as a Non-Attainment Area for any criteria pollutant. The air-permitting branch of the State or Federal regulatory agency can assist in providing this information. Also see related items 25 and 40.
7. CLASS I AIR QUALITY CONTROL REGION (AQCR). Class I AQCRs are special attainment-status geographic regions designated for allowance of only minor air quality deterioration. These are commonly National parks or wilderness areas greater than 5,000 acres in size (see 40 CFR § 81.400-437). If the Federal action would lead to a new major source (or major modification) of criteria pollutant emissions within 10 km, indicate "Yes. (see related item 11).
8. SPECIAL SOURCES OF GROUNDWATER. EPA designates Critical Aquifer Protection Areas and Sole or Principal Source Aquifers, and States designate

E X A M P L E

Instructions for Preparing SC-CH Form 560, Environmental Evaluation Notification Form

Wellhead Protection Areas in accordance with Section 1427, 1424(e), and 1428 of the Safe Drinking Water Act, respectively (also see 40 CFR § 149). Such areas are accorded special protection to assure the quality and availability of public water supplies. Indicate “Yes” if the location of the proposed project/action has been designated for protection (e.g., is included in an area-wide groundwater quality protection plan), or would constitute a potential source of contamination within an existing or expected wellhead protection area serving a public water supply.

9. **NAVIGABLE AIR SPACE.** The U.S. Department of Transportation, Federal Aviation Administration (FAA), regulates objects that invade navigable air space or otherwise constitute an obstruction to air navigation, and determines whether such activities constitute a navigation hazard. Indicate “Yes” if the Federal action would result in construction or alteration of a structure more than 200 feet above ground level, any construction/alteration located in an instrument approach area, or other construction or alteration identified in 14 CFR § 77.13(a). Document notification of the Manager, Air Traffic Division of the FAA Regional Office having jurisdiction over the area within which the construction or alteration will be located. Copies of FAA Form 7460-1, Notice of Proposed Construction or Alternation, may be obtained from the Regional FAA Office.

10. **COASTAL ZONES.** The term “coastal zone” means the coastal waters and adjacent shore of the Great Lakes, and the Atlantic, Pacific, and Arctic Oceans, the Gulf of Mexico, and Long Island Sound. The term “coastal state” includes the states bordering on those bodies, plus Puerto Rico, the Virgin Islands, Guam, the Commonwealth of Northern Mariana Islands, and the Trust Territories of the Pacific Islands and American Samoa. Coastal States have authority over actions which directly affect coastal zones in accordance with the Department of Commerce, National Oceanic and Atmospheric Administration (NOAA) regulations promulgated under the Coastal Zone Management (CZM) Act. Federal activities and Federal development projects must be consistent with State CZM programs to the maximum extent possible. Federal activities are those performed by *or on behalf of* a Federal agency in the exercise of its statutory responsibilities, but do not include the issuance of a Federal license or permit or the granting of Federal assistance. Indicate “Yes” if the Federal action would result in direct effects to the coastal zone of a State with an approved CZM plan. If so, document whether a “consistency” or “negative” determination has been made/obtained. For Federal actions that would result in effects outside of, but in the vicinity of, coastal zones, or components of the National Estuarine Sanctuary Program or the Coastal Barrier Resource System, contact the authorized State CZM agency to determine whether they have a concern. In such instances, a “No” response should be provided only after consultation with NOAA that results in a determination of “no direct affect.” The Federal consistency rules are codified at 15 CFR § 930.

11. **AREAS WITH SPECIAL NATIONAL DESIGNATION.** Various Federal laws restrict the ability of Federal agencies to aid developments affecting the following areas that have attained National designation: wilderness areas, memorial parks, parks, monuments, primitive areas, preserves, recreational areas, wild and scenic rivers, grasslands, wildlife refuge, forests, lakeshores or

EXAMPLE

Instructions for Preparing SC-CH Form 560, Environmental Evaluation Notification Form

seashores, and trails. Indicate “Yes” if the Federal action would result in degradation to air, water, and/or other natural resources, or connected actions that could lead to such, e.g., increased local development and the potential for a significant increased visitation.

12. FLOODPLAINS AND WETLANDS.

Check “Yes” if floodplains or wetlands could be impacted by the Federal action. If floodplains or wetlands will not be affected, maintain maps in project files demonstrating such.

Definitions

“*Floodplain*” means lowlands adjoining inland and coastal waters with a one-percent or greater chance of inundation in any given year. The base floodplain is defined as the 100-year (1.0 percent) floodplain. The critical action floodplain is defined as the 500-year (0.2 percent) floodplain (10 CFR § 1022.4). Appropriate documentation for determining whether a proposed project/action lies within the 100-year floodplain (or 500-year floodplain for certain “flood critical” actions) include: Flood Insurance Rate Maps or Flood Hazard Boundary Maps prepared by the Federal Insurance Administration of the Department of Housing and Urban Development. Executive Order 12148, Floodplain Management, requires Federal agencies to avoid incompatible development in floodplains, and consider the conformance of the Federal action to floodplain standards, potential effect of floodplain modification on other local properties and improvements.

“*Wetlands*” means those areas that are inundated by surface or groundwater with a frequency sufficient to support (and under normal circumstances does or would support) a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflow, mudflats, and natural ponds year (10 CFR § 1022.4). Federal agencies must consider the effects of Federal actions on wetlands and to avoid, to the extent possible, destruction and modification of wetlands.

If the Federal action is to be undertaken in, or could affect, a wetland or floodplain, it would be necessary for DOE to prepare a Wetlands or Floodplain Assessment in accordance with 10 CFR § 1022. Additional consultation with the Army Corps of Engineers would also be required.

- B. REGULATED SUBSTANCES/ACTIVITIES: Would the proposed action involve any of the following regulated items or activities? The following substances and activities may indicate the potential for environmental impacts. Where “Yes” is indicated, and quantified to the extent known. For purposes of the EENF, rough estimates are acceptable. Conclusions and/or subjective statements of the magnitude of the impact (such as “minimal”, “insignificant”, “negligible”) should be avoided. If preliminary consultation with State or Federal regulatory agencies has occurred, that should also be discussed.

EXAMPLE

Instructions for Preparing SC-CH Form 560, Environmental Evaluation Notification Form

13. NATURAL RESOURCE DAMAGE ASSESSMENTS. The goal of Natural Resource Damage Assessments is to restore natural resources injured as the result of oil spills or hazardous substance releases into the environment. In partnership with other affected State, Tribal, and Federal trustee agencies, damage assessments provide the basis for determining the restoration needs that address the public's loss and use of these resources. The program assesses the damages and injuries to natural resources and negotiates legal settlements or takes other legal actions against the responsible parties for the spill or release. See [Executive Order 12580](#); the Department of Interior Regulations, 43 CFR 11; and National Oceanographic and Atmospheric Administration Regulations, 15 CFR 990, for more details. Indicate "Yes" if a Natural Resources Damage Assessment has been conducted or is needed in relationship to the Federal action.
14. EXOTIC ORGANISMS. Exotic Organisms, Executive Order (EO) 11987, prohibits the introduction of non-native species into a natural ecosystem. Indicate "Yes" if any exotic organisms that would be introduced by the Federal action.
15. NOXIOUS WEEDS. Federal Noxious Weed Act, 7 CFR 360 prohibits the movement of listed plants. Indicate "Yes" if the proposed project/action would introduce any noxious weeds. If so, identify it/them.
16. CLEARING OR EXCAVATION. This may trigger Section 402 of the Clean Water Act, requirements for Storm Water Pollution Prevention Plans. Indicate "Yes" if the proposed project/action would include the clearing, grading, excavation, materials or equipment staging, or stockpiling that would disturb one or more acres and may discharge to surface waters or conveyance systems leading to waters of the United States. If so, estimate the area to be affected and soils volume, and describe planned disposition of soils. Describe the potential for runoff/erosion, any control techniques to be employed, and the distance to nearby surface water bodies, including wetlands.
17. DREDGE OR FILL. Dredging is the excavation of material from waters of the United States. Filling is the discharge of material into waters of the United States to change the bottom elevation. Waters of the United States are all interstate waters, and intrastate lakes, rivers, streams, mud flats, adjacent wetlands, sloughs, or natural ponds. Indicate "Yes" if the proposed project/action would include these activities. If so, provide characterization and estimate of quantities of dredged or fill material and a description of construction method and mitigation. 40 CFR 230 provides guidelines for disposal sites of dredge or fill material. The Regulatory Program for dredge and fill is administered by the U.S. Department of the Army Corps of Engineers (COE) which implements the regulations found at 33 CFR 320, 323, and 325. If completed, include documentation of appropriate consultation(s), e.g., with the COE under Section 404 of the Clean Water Act or Sections 9 and 10 of the Rivers and Harbors Act; with EPA (40 CFR 220-233); or with FWS under the Fish and Wildlife Coordination Act (for watercourse modification, control, or for impoundment of 10 acres or more).
18. NOISE. Indicate "Yes" if the proposed project/action would:

EXAMPLE

Instructions for Preparing SC-CH Form 560, Environmental Evaluation Notification Form

- Cause an increase in noise over ambient levels,
- Generate noise in excess of the applicable State noise limitations, if any, or
- Expose humans to existing noise over applicable State noise limitations.

If so, estimate noise levels for construction and/or operation (in decibels) and background levels in relationship to standards (e.g., 29 CFR 1910.95).

19. ASBESTOS REMOVAL. The EPA, in accordance with the Toxic Substances Control Act (TSCA), regulates asbestos abatement projects. It also regulates asbestos emissions as a hazardous air pollutant under the Clean Air Act. If the proposed project/action includes demolition or renovation of an existing building, verify whether asbestos is present. If present, indicate "Yes" and describe how the project will comply with asbestos removal certification and other requirements in 40 CFR 763 (Subpart G) and 40 CFR 61 (Subpart M).
20. POLYCHLORINATED BIPHENYLS (PCBs). Manufacture, processing, transport, use, marking, storage, and disposal of PCBs is regulated by the EPA (40 CFR Part 761) in accordance with the TSCA. Some States also regulate PCBs as hazardous waste. If the proposed project/action would involve replacement or removal of capacitors, transformers, voltage regulators, circuit breakers, switches, cables, electromagnets, or other electrical equipment, the presence or absence of PCBs should be ascertained and if present "Yes" indicated on the EENF. If present, estimate concentration and quantity of PCB oil involved, and describe the intended treatment method/disposal location.
21. IMPORT, MANUFACTURE, OR PROCESSING OF TOXIC SUBSTANCES. Indicate "Yes" if the Federal action would involve the importation, manufacture, or processing of toxic substances listed at 40 CFR Parts 700-799 (Subparts B and D of Part 704). The use of such chemicals is addressed by item 22.
22. CHEMICAL STORAGE/USE. The Comprehensive Environmental Response, Compensation and Liability Act, Clean Air Act, and the Occupational Health and Safety Act establish rules for certain chemicals which could enter the environment. Indicate "Yes" if the Federal action would involve either Laboratory or other storage/use of chemicals in the workplace (see lists at 29 CFR 1910.1000 and 40 CFR 69 and 355). If so, describe the storage/use detailing type, volume, purpose, and key hazards/risks.
23. PESTICIDE USE. A pesticide is a substance intended for preventing, destroying, repelling, or mitigating any pest (e.g., insect, rodent, nematode, fungus, or weed, including any substance intended for use as a plant regulator, defoliant, or desiccant). While the Federal Insecticide, Fungicide, and Rodenticide Act imposes no requirements on private applicators, commercial pesticide applicators must be certified by the State or the U.S. EPA and meet the requirements of 40 CFR 171. The selection of pesticide and use must not affect any threatened/endangered species and critical habitats (50 CFR 402) or threaten human health. Indicate "Yes" if the services of a commercial pesticide applicator would be an element of the Federal action. If so, document extent of use and measures to be undertaken to assure safe storage, use, and disposal.

EXAMPLE

Instructions for Preparing SC-CH Form 560, Environmental Evaluation Notification Form

24. HAZARDOUS, TOXIC, OR CRITERIA POLLUTANT AIR EMISSIONS. Indicate “Yes” if the Federal action would result in the emission of any Hazardous or criteria air pollutant per the Clean Air Act:. If so, detail the character and quantities of air pollutant emissions, applicable emission standards, and describe any abatement measures to be employed.
25. LIQUID EFFLUENTS. Indicate “Yes” if the Federal action would involve a discharge to publicly-owned treatment works, sewage treatment plant, soils, retention ponds, or surface waters. If so, detail the character and quantity of pollutants including toxic pollutants (40 CFR 129.4), thermal discharges, and National Pollution Discharge Elimination System permitting requirements (40 CFR 122).
26. SURFACE WATER PROTECTION. 40 CFR 112 provides that surface water be protected from release of oil and oil derived products by implementation of spill prevention countermeasure and control plan. Indicate “Yes” if Federal action is a non-transportation-related onshore or offshore facility engaged in drilling, producing, gathering, storing, processing, refining, transferring, distributing, using, or consuming oil and oil products, which due to its location, could reasonably be expected to discharge oil in quantities that may be harmful into or upon the navigable waters of the United States or adjoining shorelines, or into or upon the waters of the contiguous zone
27. UNDERGROUND INJECTION. Well injection is the subsurface emplacement of fluids through a bored, drilled, or driven well, or through a dug well where the depth of the dug well is greater than the largest surface dimension. See 40 CFR 146. Indicate “Yes” if the proposed project/action would involve construction or use an injection well and if so, indicate the type and amounts of injected fluids.
28. HAZARDOUS WASTE. Indicate “Yes” if the proposed project/action would involve generation and/or management (see 40 CFR 261, determination; 40 CFR 262, generation; 40 CFR 263, transportation; and 40 CFR 264, treatment storage, and disposal) of hazardous wastes. If so, provide a cursory discussion of hazardous waste generation and management activities. If waste transport is anticipated, indicate whether a permitted transporter will be used, number of loads, and approximate distance to be traveled.
29. UNDERGROUND STORAGE TANKS (USTs). “UST” refers to any one or combination of tanks (including underground pipes connected thereto) that is used to contain an accumulation of regulated substances, and the volume of which (including the volume of underground pipes connected thereto) is 10 percent or more beneath the surface of the ground. This term does not include any:
- Farm or residential tank of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes,
 - Heating oil for consumptive use on the premises where stored,
 - Septic tank, or
 - Pipeline facility.

EXAMPLE

Instructions for Preparing SC-CH Form 560, Environmental Evaluation Notification Form

Indicate "Yes" if tanks are involved in the project/action AND 10 percent or more of tank volume (including the volume of underground pipes) is or would be beneath the surface of the ground. If "yes", describe tanks' use, contents, size, leak detection/monitoring methods, and whether leaks or contamination exist because if it. Applicable requirements for USTs can be found in 40 CFR 280.

30. RADIOACTIVE AND RADIOACTIVE MIXED WASTE. Radioactive waste is any garbage, refuse, sludge, and other discarded material, including solid, liquid, semisolid, or contained gaseous material that must be managed for its radioactive content. See DOE Order 435.1 for details. Indicate "Yes" if such a waste will be generated or managed. If so, document the character, volume, and management plans. Per DOE Order 435.1, "Radioactive Mixed Waste is waste that contains both source, special nuclear, or by-product material subject to the Atomic Energy Act (AEA) of 1954, as amended, and a hazardous component subject to the Resource Conservation and Recovery Act (RCRA), as amended." A mixture with a radioactive material that is not source, special nuclear, or byproduct material per the AEA does not meet this definition, and is just hazardous waste regulated by EPA and the States. (Radioactive material licensed by the Nuclear Regulatory Commission would qualify as AEA-regulated.) Indicate "Yes" if such a waste will be generated or managed. If so, document the character, volume, and management plans.
31. RADIATION EXPOSURE. If the proposed project/action would involve use of radioactive substances, indicate "Yes" and identify type of substance(s) to be used and level of exposure estimated. DOE Order 458.1 provides radiation exposure limitations to the environment and the public from all sources. 10 CFR 835 provides radiation exposure limitations for DOE workers.
32. NANOSCALE MATERIALS: Many nanoscale materials are regarded as "chemical substances" under the Toxic Substances Control Act (TSCA). TSCA requires manufacturers of new chemical substances to provide specific information to the Agency for review prior to manufacturing chemicals or introducing them into commerce. EPA can take action to ensure that those chemicals that pose an unreasonable risk to human health or the environment are effectively controlled. Manufacturers are encouraged to contact EPA if they need assistance determining whether their nanoscale materials are subject to new chemical notification requirements. Indicate "Yes" if the Federal action involves any nanoscale materials.
33. GENETICALLY ENGINEERED ORGANISMS (GEO) OR SYNTHETIC BIOLOGY. Also referred to as genetically modified organisms (GMO), a GEO is an organism whose genetic material has been altered using genetic engineering techniques. GMOs are used in biological and medical research, production of pharmaceutical drugs, experimental medicine (e.g. gene therapy), and agriculture (e.g. golden rice). Release to the environment is controversial. Indicate "Yes" if the Federal action involves any GEOs in any way. If so, describe the GEO and its use.

EXAMPLE

Instructions for Preparing SC-CH Form 560, Environmental Evaluation Notification Form

34. OZONE DEPLETING SUBSTANCES. EO 12843 and 40 CFR 82 prohibit and phase-out the use of ozone depleting substances. Indicate “Yes” if ozone depleting substances would be used in the project. If so, describe type and use.
 35. GREENHOUSE GAS GENERATION/SUSTAINABILITY. Executive Order (EO) 13514, “Federal Leadership in Environmental, Energy, and Economic Performance,” introduces new greenhouse gas (GHG) emissions management requirements, expands water reduction requirements for federal agencies, and addresses waste diversion, local planning, sustainable buildings, environmental management, and electronics stewardship. Indicate “Yes” if the proposed project/action would involve the generation of greenhouse gasses or advance non-sustainable practices. If so, explain.
 36. OFF-ROAD VEHICLES. EO 11989 prohibits the use of off-road vehicles on public land without special use permits and in designated locations. Indicate “Yes” if the proposed project/action would involve the use of off-road vehicles. If so, explain.
 37. BIOSAFETY LEVEL 3-4 LABORATORY. Biosafety Laboratory (BSL) refers to laboratories conducting activities involving infectious microorganisms and laboratory animals. Level 1 requires the least precautions and Level 4 the most. See CFR 42 Parts 72 (transportation) and 493 (general laboratory) requirements. Indicate “Yes” if the proposed project/action would involve Biosafety Laboratory (BSL) Level 3-4 laboratory construction and/or operation.
- C. OTHER RELEVANT INFORMATION: Will the proposed action involve the following?
The following information is also necessary to enable DOE to determine the appropriate level of NEPA documentation or to otherwise satisfy NEPA procedural requirements.
38. EXISTING, MODIFIED, OR NEW FEDERAL/STATE PERMITS: Federal, State, and local, agencies may require new permits, or modification of existing permits for activities identified above (e.g., items 6, 14, 21, 22, 23, 24, 25, 26, 27, and 28). Indicate “Yes” if new or modified permits would be required. If so, identify permits.
 39. DISPROPORTIONATE NEARBY PRESENCE OF MINORITY AND/OR LOW INCOME POPULATIONS: EO 12898 requires DOE investigate whether the Federal action would adversely affect minority or low income communities. This item should be marked “Yes” if the proposed project/action would occur in a geographic area disproportionately inhabited by minority and/or low income populations. If so, demographics should be discussed.
 40. ACTION/INVOLVEMENT OF ANOTHER FEDERAL AGENCY. NEPA regulations require cooperation among the lead agency and other Federal agencies with jurisdiction by law or special expertise, including issuing a license or permit, funding, or other approval. Coordinating the NEPA processes of involved Federal agencies can save time and eliminate redundant

EXAMPLE

Instructions for Preparing SC-CH Form 560, Environmental Evaluation Notification Form

effort. Indicate "Yes" if other Federal agencies other than DOE are involved in the project/action. If so, describe that involvement.

41. ACTION OF A STATE AGENCY IN A STATE WITH NEPA-TYPE LAW. The following States (including some other Government types, e.g., territories) listed below have passed environmental policy legislation similar to NEPA that requires State Government agencies to prepare analysis of environmental effects of their proposed project/actions; California, Connecticut, District of Columbia, Georgia, Guam, Hawaii, Indiana, Maryland, Massachusetts, Minnesota, Montana, Nevada/California - Tahoe, New Jersey, New York, North Carolina, Puerto Rico, South Carolina, Virginia, Washington, Wisconsin. The States of California, Hawaii, New York, and Washington also apply the impact statement requirements very broadly to private land development subject to regulation by local Governments through the land use control process. Indicate "Yes" if the State where the Federal action is located has a NEPA-type law. If so, describe plans to comply with the law.
42. PUBLIC UTILITIES/SERVICES. The availability of utility (water, sewer, electric, gas, communications) capacity and the potential environmental affect associated with making connections are NEPA concerns. If the project/action could potentially affect utility capacity or if connections could disturb the environment, indicate "Yes". If so, describe the impact.
43. DEPLETION OF A NON-RENEWABLE RESOURCE. Some naturally occurring substances (e.g., metals, minerals, and fossil fuels) are in limited supply and cannot be replaced or regenerated. The exhaustion or threatened exhaustion of that resource could, therefore, have significant ramifications. See NEPA Section 102(2) (E). Indicate "Yes" if the proposed project/action would accelerate exhaustion of a resource which is in limited supply. If so, describe how.
44. OTHER PERTINENT INFORMATION WHICH COULD IMPACT HUMAN HEALTH OR THE ENVIRONMENT: Indicate "Yes" if applicable. If so, describe.

V. APPLICANT CERTIFICATION

DOE is required by its NEPA regulations to post its NEPA determinations on-line. If the Applicant considers any of the information it reports confidential such that the Government would not be required to release the information in the event of a Freedom of Information Act request, the Applicant should so indicate. To avoid any problems, it is recommended that the Applicant not include any confidential information on the form.

- A. ORGANIZATION OFFICIAL (NAME AND TITLE): Refers to the official at the organization responsible for this Federal action and who can certify the information reported on the EENF. Provide name, title, from Appendix A-D to Subpart D (10 CFR 1021) signature, date, e-mail address, and phone number including area code.

EXAMPLE

Instructions for Preparing SC-CH Form 560, Environmental Evaluation Notification Form

- B. OPTIONAL SECONDARY APPROVAL (NAME AND TITLE): The organization can use these fields at its discretion if it requires secondary approval. Provide name, title, signature, date, e-mail address, and phone number including area code.

VI. SC CONCURRENCE/RECOMMENDATION/DETERMINATION

- A. Office: This block is to be completed by the responsible Federal Project Director, Program Manager or Contract/Grant Management Specialist who is responsible for the Federal action. He/she verifies completeness of information provided. If the action fits within an existing generic CX, the Federal Project Director, Program Manager or Contract/Grants Management Specialist indicates such. If a generic CX applies, no further signatures are required on the form. The form is maintained by the Federal Project Director, Program Manager or Contract/Grant Management Specialist and the process terminates.
- B. NEPA Team Review: This block is to be completed by an initial NEPA Team reviewer (or the NEPA Compliance Officer). He/she verifies whether the action falls within an existing category from Appendix A-D to Subpart D (10 CFR 1021) of the DOE NEPA Regulations and identifies that category. He/she makes a recommendation whether counsel review is necessary.
- C. Counsel, (if necessary): Counsel concurrence is required for all Environmental Assessment and Environmental Impact Statement determinations, and is recommended for all generic categorical exclusion (CX) determinations as well as for CXs where there is a potential for controversy.
- D. NEPA Compliance Officer: This block is to be completed by the NEPA Compliance Officer designated for the applicable site/program. One of the three determinations/recommendations is checked and comments/limitations are provided as needed.