Department of Energy
Chicago Operations Office
9800 South Cass Avenue
Argonne, Illinois 60439

May 22, 1995

Carson L. Nealy, Area Manager
Brookhaven Area Office

SUBJECT: DELEGATION OF CATEGORICAL EXCLUSION (CX) APPROVAL AUTHORITY

Based on confirmation that you have designated an Area Office NEPA Compliance Officer, have prepared CX review procedures and a quality assurance plan, and have access to Department of Energy legal resources, I hereby delegate the requested authority to you, effective immediately.

Experiences with NEPA have shown that early and adequate project and facility planning is essential to a satisfactory NEPA program. Early planning will assure that environmental values are considered, potential conflicts are identified, and delays are avoided. Therefore, as you finalize your procedures for preparation, review, and approval of CXs, assure yourself that your procedures, policies, responsibilities, etc., adequately address early planning.

We will continue to provide information, training, and other types of support during your efforts to make the CX process more efficient and useful to your office. If problems arise or you have questions or concerns about any of your determinations, I expect you will contact us.

Cherri J. Langenfeld
Manager

cc: C. Borgstrom, HQ, EH-42/FORSTL
O. Lawrence, HQ, EE-64/FORSTL
M. Mazaleski, HQ, NN-12/FORSTL
R. Scott, HQ, EM-20/FORSTL
C. Hickey, HQ, ER-8.2/GTN
R. Sharma, HQ, NE-443/GTN

CONCURRENCE
EPPD GAG
GRANZEN/pc
03/20/95
EPPD
HARVEY
03/20/95
DAM
CRESCENZO
03/21/95
AM
NEALY
03/ /95

MAR 2 1 1995

Cherri J. Langenfeld, Manager
Chicago Operations Office

THRU: David T. Goldman

SUBJECT: NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

The June 1994 Secretarial Policy on the National Environmental Policy Act directed that actions be taken to streamline the NEPA process, minimize the cost and time for document preparation and review, emphasize teamwork, and make the process more useful to decision makers and the public. A major component of the Secretarial Policy is delegation of authority to approve Environmental Assessments at the Operations Office. In addition, the Secretarial Policy provided for redelegation of approval authority to the Area Office.

In accordance with the June 1994 Secretarial Policy and discussions with the CH NEPA Compliance Officer, I request delegation for authority to approve Categorical Exclusions at the Brookhaven Area Office. To support this delegation, please consider our excellent working experience with CH along with the following:

1. Gerald Granzen will be appointed the BHO NEPA Compliance Officer.

2. Legal resources to support NEPA decisions are provided by two GLD attorneys who reside at BHO.

3. The enclosed Quality Assurance Plan for Brookhaven Area Office Categorical Exclusion Documentation.

Carson L. Nealy
Area Manager

Enclosure:
As stated

FILE CODE
5440.1 NEPA

Department of Energy
Chicago Operations Office
9800 South Cass Avenue
Argonne, Illinois 60439

Sent to CH for concurrence

Carson L. Nealy, Area Manager
Brookhaven Area Office

SUBJECT: DELEGATION OF CATEGORICAL EXCLUSION (CX) APPROVAL AUTHORITY

This is in response to your request for approval authority for Categorical Exclusions under the provisions of the Secretarial Policy Statement of the National Environmental Policy Act (NEPA) and Chicago Operations Office's August 11, 1994 receipt of delegation for Environmental Assessment approval authority. Based on your confirmation that you have designated a NEPA Compliance Officer, have prepared internal procedures and a quality assurance plan, and have adequate Department of Energy legal resources, I hereby delegate the requested authority to you.

If you have any questions, please contact W. S. White at 708-252-2101.

Cherri J. Langenfeld
Manager

Enclosure:
As stated

cc: Carol Borgstrom, EH-25, FORSTL, w/encl.
Clarence Hickey, ER-8.2, GTN, w/encl.
John G. Yates, ER-80, FORSTL, w/encl.
W. S. White, ESHD, CH, w/encl.

QUALITY ASSURANCE PLAN FOR BROOKHAVEN AREA OFFICE CATEGORICAL EXCLUSION (CX) DOCUMENTATION

I. INTRODUCTION

The NEPA is the federal government's basic charter for protection of the environment. The NEPA process is a service to the public by enabling public input into federal decisions and by providing public disclosure of agency actions that potentially affect the environment. The NEPA process enables the Department of Energy (DOE) to achieve the results, outcomes, and products that respond to the goals of the Act and the goals of the Council on Environmental Quality (CEQ) regulations.

The Brookhaven Area Office (BHO) is an Area Office of the Chicago Operations Office (CH) that provides oversite for operations conducted at Brookhaven National Laboratory (BNL). This oversite function includes NEPA.

A Categorical Exclusion (CX) is a category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been found to have no such effect in procedures adopted by a Federal agency in implementation of its NEPA regulations. For this category of actions, neither an environmental assessment nor an environmental impact statement is required. A CX is a determination assigned to an Environmental Evaluation Notification Form (EENF).

In order for an action to be considered a CX under Appendix B of 10 CFR 1021, the action must adhere to conditions considered Integral Elements of Classes of Actions in Appendix B. 10 CFR 1021 states the following:

"B. The classes of actions listed below include the following conditions as integral elements of the classes of actions. To fit within the classes of actions listed below, a proposal must be one that would not:

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

(2) Require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators and facilities for treating wastewater, surface water, and groundwater);

(3) Disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases; or

(4) Adversely affect environmentally sensitive resources. An action may be categorically excluded if, although sensitive resources are present on a site, the action would not adversely affect those resources (e.g., construction of a building with its foundation well above a sole-source aquifer or upland surface soil removal on a site that has wetland). Environmentally sensitive resources include, but are not limited to:

(i) Property (e.g., sites, buildings, structures, objects) of historic, archeological, or architectural significance designated by Federal, state, or local governments or property eligible for listing on the National Register of Historic Places;

(ii) Federally-listed threatened or endangered species or their habitat (including critical habitat), Federally-proposed or candidate species or their habitat, or state-listed endangered or threatened species or their habitat;

(iii) Floodplains and wetlands;

(iv) Areas having a special designation such as Federally- and state-designated wilderness areas, national parks, national natural landmarks, wild and scenic rivers, state and Federal wildlife refuges, and marine sanctuaries;

(v) Prime agricultural lands;

(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."

II. SCOPE AND APPLICABILITY

This QA Plan addresses the requirements of DOE Order 5700.6C, "Quality Assurance". It presents a summary of BHO's policy, procedures, and requirements for implementing a comprehensive QA program for the preparation and review of EENFs, approval of CXs, and for their use in decision making.

The process requirements established in this QA Plan follow the Secretarial Policy Statement on NEPA of June 13, 1994). This QA Plan is applied by BHO (under provisions of DOE and CH Order 5440.1E) in providing QA and NEPA program oversight of BNL.

III. REFERENCES OF SPECIFIC REGULATORY AND PROCEDURAL DRIVERS

A. Requirements and Regulations

The National Environmental Policy Act of 1969, As Amended.

40 CFR 1500-1508, "Council on Environmental Quality Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act".

Council on Environmental Quality, "Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations", 55 FR 18026.

10 CFR 1021, "Department of Energy National Environmental Policy Act Implementing Procedures and Guidelines".

10 CFR 1022, "Department of Energy Compliance with Floodplain/Wetlands Environmental Review Requirements".

DOE Order 4300.2B, "Non-Department of Energy Funded Work (Work for Others)".

DOE Order 4320.1B, "Site Development Planning".

DOE Order 4700.1, "Project Management System".

DOE Order 5400.1, "General Environmental Protection Program"

DOE Order 5440.1E, "National Environmental Policy Act Compliance Program".

DOE Order 5480.4, "Environmental Protection, Safety, and Health Protection Standards".

DOE Order 5700.6C, "Quality Assurance".

B. Policies, Procedures, and Guidance

1. Departmental and Secretarial

"Secretarial Policy Statement on the National Environmental Policy Act", Office of the Secretary, June 13, 1994.

"Quality Assurance Program: A Total Management System", Office of Nuclear Safety Policy and Standards, May 1993.

"Energy's Quality Journey: Total Quality Management Implementation Guidelines", December 1993.

"Office of Energy Research Lessons-Learned from Environmental Assessment Reviews", ER NCO Communication 94-02, March 10, 1994. (Section 5.2 in ER NEPA Handbook).

"Current Standard Format to be Used for All Office of Energy Research Findings of No Significant Impact (FONSI)", ER NCO Communication 92-01, February 24, 1992. (Section 6.2 in ER NEPA Handbook).

"Procedures for Notification of Availability and Distribution of Energy Research EAs and FONSIs", Revised January 12, 1993. (Section 5.4 in ER NEPA Handbook).

"Annotated Bibliography of Energy Research Environmental Assessments (EA) and Environmental Impact Statements (EIS) Completed Since Secretary of Energy Notice (SEN) 15-90", ER NCO Communication 92-07, July 22, 1992, and Subsequent Updates. (Appendix D in ER NEPA Handbook).

"Energy Research Project NEPA Environmental Assessment Schedule", October 15, 1993.

"Office of Energy Research Draft Guidance on Early Timing and Implementation of the NEPA Process and Integration of the NEPA Process with the Project Management System", ER NCO Communication 94-01, February 1994. (Section 2.2 in ER NEPA Handbook).

"Program Summary [for 1992] of the Office of Energy Research, Office of Assessment and Support, Environmental Division (ER-8.2), NEPA Accomplishments and Future Directions". ER NCO Communication No. 93-02. August 18, 1993.

"Office of Energy Research National Environmental Policy Act Program Summary for 1993 and Status Report on Continuous Improvement in NEPA Services and Products". ER NCO Communication No. 94-03. May 16, 1994.

Office of Energy Research "Training Needs Survey in National Environmental Policy Act (NEPA) Implementation". ER NCO Communication No. 93-10. July 30, 1993.

"NEPA Workshop: Continuous Improvement in ER's NEPA Products and Services". In: "Report of the Office of Energy Research Sixth Semiannual Environment, Safety, and Health Coordination Meeting", February 1-3, 1994, Gaithersburg, Maryland. Section 10, pages 10-21.

4. CH Guidance

DOE-CH Order 5440.1E, NEPA Compliance Program (Currently Under Revision)

CH Procedures For Preparing The Environmental Evaluation Notification Form NEPA Determination Sheets

5. BHO Procedures and Policy

BHO Procedure BHO-13.01, NEPA Compliance Program

BHO Quality Assurance Policy

IV. ORGANIZATIONAL ROLES AND RESPONSIBILITIES

The CH Strategic Plan identifies five business lines: Contract Management, Facility Management, Project Management, Program Management, and Management Support. One of the integrated technical and business management services BHO provides to its customers in these business lines is ensuring that environmental considerations are an essential part of decision making on proposed CH facilities, projects, contracts, and other activities. For example, the strategic goal for Facilities Management is to achieve results-oriented, cost effective, environmentally sound, and safe workplace management practices at all facilities.

BHO's implementation of NEPA's procedural provisions is accomplished by individuals at various levels within the BHO and CH organization. These individuals and CH elements are described below. All NEPA documents are reviewed by individuals in these organizations prior to approval by the BHO or CH Manager. Appendix A presents the organizational structure of BHO.

A. CH Manager

The CH Manager is responsible for: assuring there is appropriate level of NEPA review and that NEPA procedures are established, including record keeping requirements; maintaining an environmental compliance staff; and that State/Tribal notifications and public notification (if applicable) are issued. The CH Manager also designates the CH NCO.

B. Area Manager

The Area Manager at BHO is responsible for integrating the NEPA process into project planning and scheduling. In addition, he/she has responsibility for approving office NEPA procedures, overseeing the contractor NEPA preparation process, and ensuring the quality and adequacy of NEPA documents. The Area Manager also designates the BHO NEPA Compliance Officer/Coordinator and NEPA Document Manager.

C. Director, Environmental Programs and Projects Division (EPPD)

Responsibilities of the EPPD Director include administering the BHO NEPA compliance program, providing guidance to BHO NEPA compliance staff as to the coordination of NEPA compliance documents and communication with other DOE organizations, and ensuring appropriate staff receive NEPA compliance training.

D. BHO NEPA Compliance Officer/Coordinator

The BHO NEPA Compliance Officer/Coordinator provides the continuity in the NEPA Process in the organization and oversees the factual accuracy and general quality of each EENF. He/She verifies the physical features of each project area and the location of the proposed project. A NEPA Compliance Officer (BHO NCO) is designated only when the Area Office has the authority to approve CXs. Organizationally, the BHO NEPA Compliance Officer/Coordinator reports to the Director of the Environmental Programs and Projects Division.

E. BHO Document Manager

The BHO Document Manager is assigned by the Area Manager for each project to establish team leadership. The Document Manager manages the document preparation process and keeps it on schedule. He/She considers requesting variances from Department of Energy NEPA regulations (10 CFR 1021), after coordinating with the CH NCO and GLD, to meet timing requirements or for other reasons that are permitted under Section 1021.343 of the regulations. He/She identifies interested/affected organizations and manages the internal scoping document preparation and public participation activities. For most projects, the BHO NCO is assigned to be the BHO Document Manager.

F. CH NEPA Compliance Officer

The CH NCO has the responsibilities and authorities as defined and stated in: DOE Order 5440.1E; the July 15, 1992 EH memorandum on the role of the NCO; the June 13, 1994 Secretarial Policy Statement on NEPA. The CH NCO oversees CH's implementation of NEPA's procedural provisions that are defined in 40 CFR 1500-1508, 10 CFR 1021, and the other requirements, regulations, policies, and procedures identified in this QA Plan. The CH NCO reports to the Manager of the Chicago Operations Offices through the AMST and the Director of ESHD. The NCO is responsible for the overall quality of the NEPA process.

G. CH Environment, Safety and Health Division (ESHD)

Staff members responsible for conducting NEPA appraisals are located within the ESHD, under the Assistant Manager for Safety and Technical Support (AMST). The CH NCO resides organizationally within ESHD.

H. CH General Law Division (GLD)

Legal staff members reside at BHO and provide review during the Environmental Evaluation Notification Form (EENF)/determination phase, internal scoping process, draft EA review, and FONSI preparation to assure legal sufficiency. GLD concurs on all CXs, EAs and FONSIs. Legal support is also provided upon request.

I. CH Office Of Communications (OCM)

OCM staff members provide support as necessary to solicit public input and distribute information to the public.

V. NEPA PROCESS MANAGEMENT

It is BHO's goal to make decisions based upon complete and unbiased analyses of the environmental impacts of a proposed action. The environmental impact analysis is initiated with the preparation of the Environmental Evaluation Notification Form (EENF). NEPA is most effective as a planning tool when it is applied early in a project's life cycle. The EENF should be prepared during the project planning phase. The early consideration of NEPA fosters a proactive approach to environmental protection.

The process for EENF preparation is initiated by BNL Project Managers, Coordinators, and Departmental ES&H Coordinators. This list of personnel are involved in the early phases of project planning and make a request to the Laboratory NEPA Coordinator (LNC) that an EENF be prepared. The LNC and Departmental Representative review the EENF for accuracy. Upon agreement, the

Final EENF is forwarded to the BNL Directors Office for review and submittal to BHO for review. A copy of BNL's National Environmental Policy Act Documentation And Review Standard is attached as Appendix B.

Upon receipt of the EENF at BHO, the document is reviewed in accordance with BHO procedure BHO-13.01 (Appendix C). In summary, the EENF is initially received by the BHO NCO for review. During this review stage, the EENF is reviewed for accuracy, relationship to prior actions, potential impacts as stated in the EENF and for potential impacts that may not have been considered. If the action is clearly considered to be Categorically Excluded as per 10 CFR 1021, the BHO NCO will identify appropriate Categorical Exclusion(s) (CXs) as per 10 CFR 1021 Subpart B.

The EENF and CX recommendation (if appropriate) with the BHO NCOs concurrence is then forwarded to a CH GLD attorney stationed at BHO to review the EENF for legal adequacy. Upon concurrence by GLD, the EENF and CX recommendation is forwarded to the BHO Manager for final review and approval. At any time during the review process, comments may be directed to the BHO NCO and LNC for resolution and/or further investigation.

For those actions where the application of a categorical exclusion is not clear or it is evident that an Environmental Assessment (EA) may be required, the EENF will be forwarded to the CH NCO for review and processing. In this case, CH procedures for review and approval of CXs and EAs will be utilized. The level of approval for these documents is the CH Manager.

When it is determined that a CX can be issued by BHO, a copy of the approved EENF will be forwarded to the CH NCO. The CH NCO will assign a NEPA Tracking Number and enter the information into the ESHD NEPA Tracking Database. Forwarding approved CXs to CH will also allow the CH Manager and NCO track BHO's delegation performance. Another means of measuring performance is through CH ESHD during their periodic NEPA appraisals.

VI. APPLICABILITY OF THE QUALITY ASSURANCE CRITERIA OF DOE ORDER 5700.6C

The following subsections describe the applicability of the quality assurance criteria of DOE Order 5700.6C to the BHO NEPA documentation process.

A. Management

Criterion 1. Program. The organizational structure of BHO, along with the roles and responsibilities of the Division Directors and staff with authority for NEPA compliance relevant to EENF evaluation and CX determination is described in Section IV above. The Area Manager, project/program managers, BHO NCO/NEPA Coordinator, and NEPA Document Managers manage, perform, and assess the adequacy of work and the quality of EENFs, and other NEPA documents that support CH's project and program decision making.

Criterion 2. Personnel Training and Qualifications. All BHO personnel involved in the NEPA process should be qualified by background, experience, and/or training. The BHO NCO/NEPA Coordinator and appropriate BNL personnel have received training organized by both CH and ER.

The CH NCO provides NEPA procedures, guidance, information, and assessment. This includes providing training on the preparation of EENFs and EAs. These actions promote higher levels of quality in CH NEPA products. NEPA training at BHO shall be presented and/or coordinated by the BHO NCO/NEPA Coordinator.

Criterion 3. Quality Improvement. BHO encourages its employees to continually improve its NEPA products and services. BHO's failures and successes in the NEPA process provide opportunities for learning and improvement. BHO welcomes suggestions and innovative ways to improve quality, efficiency, and the effectiveness of the NEPA process.

BHO assesses the quality of NEPA products and services, and tracks and communicates the results obtained. CH and BHO utilize the NEPA Workshops at the Semiannual ES&H Coordination Meetings to focus on continuous improvement, successes, problem solving, and issue resolution. (Reference 4).

Criterion 4. Documents and Records. The CH NCO maintains a computerized NEPA data base tracking system that incorporates the CX or EA determination, scoping milestones, schedule, preparation, review; FONSI approval and issuance; and distribution of final documents. Also, the data base includes summaries of the projects being assessed. It

maintains both active and inactive records. The NEPA data base tracking system enables CH to monitor the EA process. The data base allows all interested parties real-time access to their project status.

The BHO NCO maintains a spreadsheet data base to track status of EENFs by NEPA tracking number from receipt to final determination. Utilization of both tracking systems should be continued under CX delegation. BHO will forward approved CX's to CH for inclusion into their database.

B. Performance

Criterion 5. Work Processes. The major milestones in the EENF preparation process are summarized below.

- BNL Project Manager and Environment, Safety and Health Coordinator requests the preparation of an EENF. The BNL Department Chairman/Division Head is responsible to ensure that during the preliminary planning of new construction, facility modification or addition to an existing project that the BNL Department/Division Project Manager provide the BNL NEPA Coordinator (Laboratory NEPA Coordinator (LNC)) with the information required by the Request for Preparation/Revision of the EENF.

- Laboratory NEPA Compliance Coordinator reviews supporting documentation and prepares EENF. The LNC determines whether an EENF is required for the proposed action. Actions that do not require preparation of an EENF include actions listed in 10 CFR 1021 Subpart A, and actions that have previous NEPA coverage. When preparation of an EENF is required, the LNC prepares the EENF based on the supporting documentation. The LNC reviews the completed EENF with the BNL Department/Division Project Manager/User.

- BHO review of the EENF. The BHO NCO reviews the EENF along with other project information for accuracy. If necessary, the BHO NCO will arrange meetings with BNL and conduct facility tours of the proposed project site. If the EENF is unacceptable, the BHO NCO will either make minor modifications to the document or return it to BNL for revision.

- Determination. The BHO NCO proposes a NEPA Subpart D Determination to the EENF. In the case of a CX or EA, the BHO NCO identifies the appropriate category(s) for the proposed action. The EENF is forwarded to CH GLD

Counsel residing at BHO to review the document from a legal perspective.

Depending upon the Determination that is identified for the proposed action, the EENF is processed as follows:

a. If the action fits clearly into a CX category, or does not require significant interpretation, the EENF and Determination are forwarded to the BHO Area Manager for final review and approval.

b. If the action appears to fit into a CX category but is subject to interpretation, the EENF is forwarded to the CH NCO for review and approval (if appropriate) by the CH Manager.

c. If the action appears to fit into an EA or EIS category, the EENF is forwarded to the CH NCO for review and processing.

- Distribution. When a CX is approved by the BHO Area Manager, the BHO NCO is responsible for distribution of copies of the approved CX to the CH NCO, ER-8.2, ER-80, and BNL. For other actions that are approved at CH, distribution will be handled in accordance with CH 5440.1E and the CH QA Plan for delegation of EA and FONSI approval.

- Process Tracking. The CH NEPA database tracking system is used to track the EENF management process. The CH NEPA database will continued to be utilized for CX actions approved by the BHO Area Manager. An additional tracking database is a spreadsheet maintained by the BHO NCO.

Criterion 6. Design. Design does not apply to the preparation of EENFs.

Criterion 7. Procurement. CH and BHO ensure that BNL is qualified to perform the required services, and have sufficient resources to implement and complete the tasks. CH and BHO provide BNL the necessary guidance, procedures, rules, and requirements to adequately prepare and/or review quality EENFs. Contractor performance is monitored periodically by the BHO NCO and assessed through the ESHD appraisal system to ensure quality services and acceptable deliverables are supplied.

Criterion 8. Inspection and Testing. Inspection and Testing does not apply to preparation of EENFs.

C. Assessment

Criterion 9. Management Assessment. CH management continually assesses the quality and effectiveness of the EENF process. This assessment provides feedback to all participants and offers opportunities for quality improvement. Deficiencies can be tracked to closure by using BHO's NEPA Tracking Spreadsheet and the Trackmaster Database at BHO.

Criterion 10. Independent Assessment. Independent assessment of the BHO and BNL EENF process will be conducted by CH and coordinated by the CH NCO. In addition, BHOs performance in approving CXs will be periodically assessed by review of copies of approved CX documents forwarded to the CH NCO. Deficiencies can be tracked to closure by using BHO's NEPA Tracking Spreadsheet and the Trackmaster Database at BHO.

REFERENCES:

1. National Environmental Policy Act Implementing Procedures, 10 CFR 1021 ["DOE NEPA Rule"], sections 1021.301; 1021.322(c) and (d); 1021.330; 1021.331; 1021.340; 1021.341; 1021.342;

2. Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act, 40 CFR Parts 1500-1508 ["CEQ Regulations"], especially Part 1503, and sections 1500.2(d); 1501.4(b); 1501.4(e); 1501.7; 1502.25; 1503.9(a)(4); 1506.6;

3. National Environmental Policy Act Compliance Program, DOE Order 5440.1E

4. Secretarial Policy on the National Environmental Policy Act, June, 1994, ["DOE NEPA Policy"], sections II.C. and V.

5. ER Guidance Document, "Procedures for Informing Host States and Indian Tribes of ER's Determination to Prepare an EA", November 6, 1992

6. ER Guidance Document, "Procedures for Notification of Availability and Distribution of Energy Research EAs and FONSIs", January 12, 1993

7. EH NEPA Compliance Guide, Draft 10/88

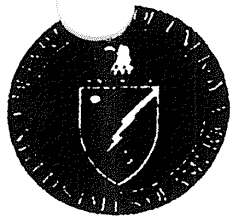
8. Internal CH policy or practice.

APPENDIX A

BROOKHAVEN AREA OFFICE

ORGANIZATIONAL STRUCTURE

BHO ORGANIZATION



- Carson L. Nealy, Area Manager
- Frank J. Crescenzo, Deputy Area Manager
  - Joan M. Shands, Asst. Chief Counsel
  - Irene Atney-Yurdin, Attorney Advisor
  - Patricia Quit, Administrative Assistant
  - Sherry Johnson, Data Entry

PROJECT MANAGEMENT DIVISION — James H. Yeck, Director
- James H. Yeck, RHIC Project Manager
- Michael Butler, Project Manager
- Joseph Eng, Project Manager
- Kim Stein, Project Control Specialist
- Joseph Dillis, Program Mgr. Specialist
- Gretchen Cisco, Data Entry

ADMINISTRATIVE&FINANCIAL MANAGEMENT DIVISION — Robert P. Gordon, Director
- Joseph A. DaSilva, Reimbursable Tech. Spec.
- Timothy J. Drawbridge, Contract Specialist
- Barbara F. Fitzgerald, Contract Specialist
- William Harold, Fin & Audit Resltn Spec
- Michael Senitta, Jr., Contract Specialist
- Nick Torres, Budget Analyst
- A. Clare Appleton, Contract Administrator
- Patricia Palladino, Reimbursable Tech. Spec.
- Frank Ohlhorst, Network Administrator
- Liz Rosa, Data Analyst
- Angela Hernandez, Data Entry
- Angela Rohberg, Distribution Clerk

OPERATIONS & SAFETY MANAGEMENT DIVISION — Robert Desmarais, Director
- Nand Narain, Program Manager
- Pepin Carolan, Compliance Engineer
- Richard D. Diem, Safety & Occ Health Mgr.
- Larry E. Hinchliffe, General Engineer
- Vacant, Safety Engineer
- Vacant, EM Facility Representative
- Kathy Greene, Data Entry

NUCLEAR PROGRAMS DIVISION — Michael D. Holland, Director
- Peter W. Kelley, Technical Compliance Eng.
- Mark Parsons, Operations Engineer
- Steven M. Centore, Emergency Planning Spec.
- Lloyd Nelson, QA/Training Engineer
- Vacant, Health Prot. Specialist
- Cynthia Stormark, Secretary
- Maria Pichs, Data Entry

ENVIRONMENTAL PROGRAMS & PROJECTS DIVISION — Angela Harvey, Director
- Gail Penny, EM-40 Project Manager
- Caroline Polanish, EM-30 Project Manager
- Rita Cestario, Environmental Engineer
- Jerry Granzen, Compliance Engineer
- Evet Vera, Field Engineer
- Maurice St. Pierre, Project Control Specialist
- Mohamad Ali, Project Control Specialist
- Vacant, Waste Min. Engineer
- Petrina Caltabiano, Secretary

(Boxes with broken lines represent contractor personnel)

Approved by Carson L. Nealy
Carson L. Nealy
Rev.23.a 3/8/95 kms

APPENDIX B

BROOKHAVEN NATIONAL LABORATORY

ENVIRONMENT, SAFETY, AND HEALTH STANDARD

NATIONAL ENVIRONMENTAL POLICY ACT DOCUMENTATION AND REVIEW

ENVIRONMENT, SAFETY, AND HEALTH STANDARD

NATIONAL ENVIRONMENTAL POLICY ACT DOCUMENTATION AND REVIEW STANDARD	6.1.1

I. INTRODUCTION

The National Environmental Policy Act (NEPA) is the basic national charter for protection of the environment. It establishes policy, sets goals and provides means for carrying out the policy. It applies to Federal actions which are done directly by a Federal Agency, actions funded by the Federal government or actions which are approved by a Federal agency (e.g., actions requiring Federal permits or licenses).

NEPA procedures ensure that environmental information is available to public officials and citizens before decisions are made and before actions are taken. The information must be of high quality and NEPA documents must concentrate on the issues that are significant to the action in question. The NEPA process is intended to help decision makers understand environmental consequences and take actions that protect or restore the environment.

The Department of Energy (DOE) as an agency of the Federal government and Brookhaven National Laboratory (BNL) a facility funded and managed by DOE are subject to the requirements of NEPA. **Under DOE's Implementation of NEPA no project can enter into final design until a NEPA determination has been finalized.**

II. SCOPE

This Standard outlines the procedures for proper NEPA documentation of proposed new activities and modifications of existing activities at BNL. It describes the various elements of the NEPA process and identifies responsibilities within BNL for addressing these elements. The legal basis for NEPA and compliance with the act can be found in:

A. NEPA (42 U.S.C. 4321 et. seq.) of 1-1-70.

B. Executive Order 11514 of 3-5-70, as amended by Executive Order 11991 of 5-24-77.

C. Executive Order 12114 of 1-4-79.

D. Council on Environmental Quality Regulations (40 CFR Parts 1500-1508) of 11-29-78.

E. DOE Guidelines for Compliance with the National Environmental Policy Act of 3-28-80.

F. DOE Organization Act (42 U.S.C. 7112) of 8-4-77.

G. DOE Regulations for Compliance with Floodplain/Wetlands Environmental Review Requirements 10 CFR Part 1022.

H. DOE 4300.2B Non-Department of Energy Funded Work 7-16-91.

I. DOE 4700.1 Project Management System 6-2-92.

J. DOE 5400.1 General Environmental Protection Program 11-9-88.

Approved by: M.S. Davis, Associate Director

April 2, 1993
Revision 1

K. DOE 5400.4 Comprehensive Environmental Response Compensation and Liability Act Program 10-6-89.

L. DOE Order 5440.1E of 11-10-92; Subject: NEPA.

M. Secretary of Energy Notice SEN-15-90 of 2-5-90; Subject: NEPA.

N. Department of Energy's Implementing Procedures and Guidelines Revocation for the National Environmental Policy Act, 10 CFR 1021 4-24-92.

III. DEFINITIONS

A. ***Action Description Memorandum (ADM)*** – A document as defined in 40 CFR 1508.9 and containing a concise description of the proposed action and a brief discussion of relevant potential environmental issues, for use in the DOE NEPA process to determine the appropriate level of NEPA documentation for a proposed action.

B. ***Categorical Exclusion (CX)*** – A class of actions defined in 40 CFR 1508.4, listed in Appendices A and B of Subpart D, 10 CFR 1021, that do not individually or cumulatively have a significant effect on the human environment.

C. ***Consultative Review*** – Review which does not involve the granting or denial of a permit by a regulatory body, e.g. those conducted under the National Historic Preservation Act and the Endangered Species Act.

D. ***Environmental Analysis*** – A document that is used to determine whether a supplement to an Environmental Impact Statement should be prepared.

E. ***Environmental Assessment (EA)*** – A document prepared after the ADM defined in 40 CFR 1508.9 which assesses whether a proposed action is a "major Federal action significantly affecting the quality of the human environment," and which serves as the basis for a determination as to whether an environmental impact statement is required. Actions which normally require an EA are listed in Appendix C of Subpart D, 10 CFR 1021.

F. ***Environmental Evaluation Form (EEF)*** – A comprehensive checklist to be prepared on proposed actions, for initial identification of potential environmental impacts, to support CX, or the ADM, and to identify the need for environmental permitting or other reviews.

G. ***Environmental Impact Statement (EIS)*** – A detailed environmental review of a proposed action as defined in 40 CFR 1508.11 and prepared in accordance with the requirements of Section 102(2)(c) of NEPA. Actions which normally require an EIS are listed in Appendix D of Subpart D, 10 CFR 1021.

H. ***EIS Implementation Plan*** – A written plan that provides guidance for the preparation of an EIS. It is a brief public document that contains material as needed to explain and support the content and approach that will be used to prepare an EIS.

I. ***Finding of No Significant Impact (FONSI)*** – A DOE document prepared to record a Departmental decision that the environmental impacts of an action considered in an EA are not significant and that an EIS is not required for a proposed action (40 CFR 1508.13).

J. ***Mitigation Action Plan (MAP)*** – A DOE document often accompanying a Record of Decision describing mitigative actions to be taken as part of the implementation of an action. DOE is required to track and update MAPs annually to ensure full implementation.

K. ***NEPA Document*** – An EA, EIS, EIS supplement, FONSI, Notice of Intent (NOI), or any other documentation prepared pursuant to Council on Environmental Quality (CEQ) NEPA requirements.

L. ***Notice of Intent (NOI)*** – A public announcement made by DOE that an EIS will be prepared for a proposed action.

M. ***Record of Decision (ROD)*** – A public notice published by the DOE in accordance with 40 CFR 1505.2 announcing a decision based upon information provided and analyzed in an EIS.

N. ***Significant Environmental Compliance Issue*** – An environmental issue which has the potential of being precedent setting or controversial. Examples of such issues are hazardous waste and mixed waste permits and applications, settlement agreements for cleanup of hazardous waste sites, proposed consent decrees and consent administrative orders and notices of violations, administrative orders and other notifications from regulatory agencies, actions involving environmentally sensitive areas, and actions which require federal/ state/local government authorizations.

O. ***Supplemental EIS*** – A document that supplements a prior EIS as discussed in 40 CFR 1502.9(c) and 10 CFR 1021.3xx.

IV. RESPONSIBILITIES

A. ***The Department Chairman/Division Head*** is responsible to ensure that during the preliminary planning of new construction, facility modifications, a newly proposed project, modification or addition to an existing project, a Department/Division Project Manager shall provide the Laboratory NEPA Coordinator with the information required by the Request for Preparation/Revision of Environmental Evaluation Form (Attachment 1). This form notifies the Laboratory NEPA Coordinator that an EEF will have to be prepared.

B. ***Safety Coordinators*** are responsible to assist in the implementation of this standard as directed by their Department Chairman or Division Head.

C. ***The Laboratory NEPA Coordinator (LNC)*** represents Brookhaven National Laboratory in all NEPA compliance issues. The LNC prepares the initial EEF (Attachment 2) based on the information provided by the cognizant project manager; assures there are no conflicts with local, state or federal regulations and identifies the potential need for permits; transmits the final EEF to either the BNL Associate Director for Reactor, Safety and Security or Management and Physical Plant for inclusion in their request for authorization to proceed; and maintains contact with the DOE regarding the proposed action and prepares additional NEPA documentation as required by the DOE.

D. ***BNL Associate Director*** for Management and Physical Plant or Reactor, Safety, and Security, depending upon the originator of the EEF, forwards NEPA Documentation to DOE-BHO for determination of the level of NEPA review required.

V. REQUIREMENTS

A. All Federal agencies including the DOE must give appropriate consideration to the environmental consequences of their proposed actions. As part of this process, compliance with NEPA requirements and other applicable Federal, State, and Local statutes, regulations and permit requirements (e.g., air/liquid effluent permits) is mandatory. The NEPA review and documentation must be conducted during the preliminary phases of a project. Permit applications and reviews are generally conducted during the detailed design phase as the necessary specific information becomes available.

B. Issues relating to potential environmental impacts are to be addressed in the early planning stages of the project to insure that planning and decisions reflect environmental values and to avoid delays due to potential conflicts, as per 40 CFR 1501.2.

C. NEPA requirements shall be integrated with other environmental review procedures required by law or by agency practice so that all reviews run concurrently, as per 40 CFR 1500.2(c).

D. During the initial screening of a project for applicability of and compliance with NEPA and other Federal requirements, the applicability of State and Local requirements shall also be determined.

E. In conjunction with the Safety and Environmental Protection (S&EP) Division, BNL Divisions/ Departments are required to review new projects/experiments/capital equipment expenditures, or modifications or additions to existing projects/experiments to determine that the above requirements are being met.

F. Specific NEPA Compliance Documents

1. For all projects where NEPA is applicable an EEF shall be used to describe the project in sufficient detail to allow determination of the documentation required to identify other potential environmental issues (e.g., permits, etc).

2. The LNC through the Associate-Director for ES&H or PE shall forward the EE to the DOE-BHO for transmittal to DOE-Chicago and DOE-HQ.

3. If the proposed action is categorically excluded the DOE-CH Manager will so notify the appropriate Assistant Secretary and DOE-EH. EH shall indicate any objections to the use of the CX within 2 weeks.

4. If the proposed action is not subject to a CX, the Assistant Secretary for Environment Safety and Health (EH-1) shall make the determination whether to prepare an EA or an EIS. If an EA is prepared the outcome is either a FONSI or a decision to prepare an EIS. If an EIS is prepared the outcome is published as a ROD. Any commitments made in either the FONSI or ROD are to be entered in an action plan for tracking and reporting progress.

G. Department of Energy-BHO in conjuction with DOE headquarters, reviews the EEF and determines the need for further evaluation. They then notify BNL of the determination. If the proposed action is a CX per DOE NEPA implementation guidelines no further action is needed and the project may proceed. If further action is required, BNL is instructed to prepare an ADM which may lead to the preparation of an EA or EIS. Figure 1 presents the DOE NEPA process. DOE-BHO will also provide DOE headquarters with any information regarding significant environmental compliance issues in a timely manner. DOE-BHO also submits to DOE Headquarters by October 1 of each year an annual report on all existing and anticipated permits.

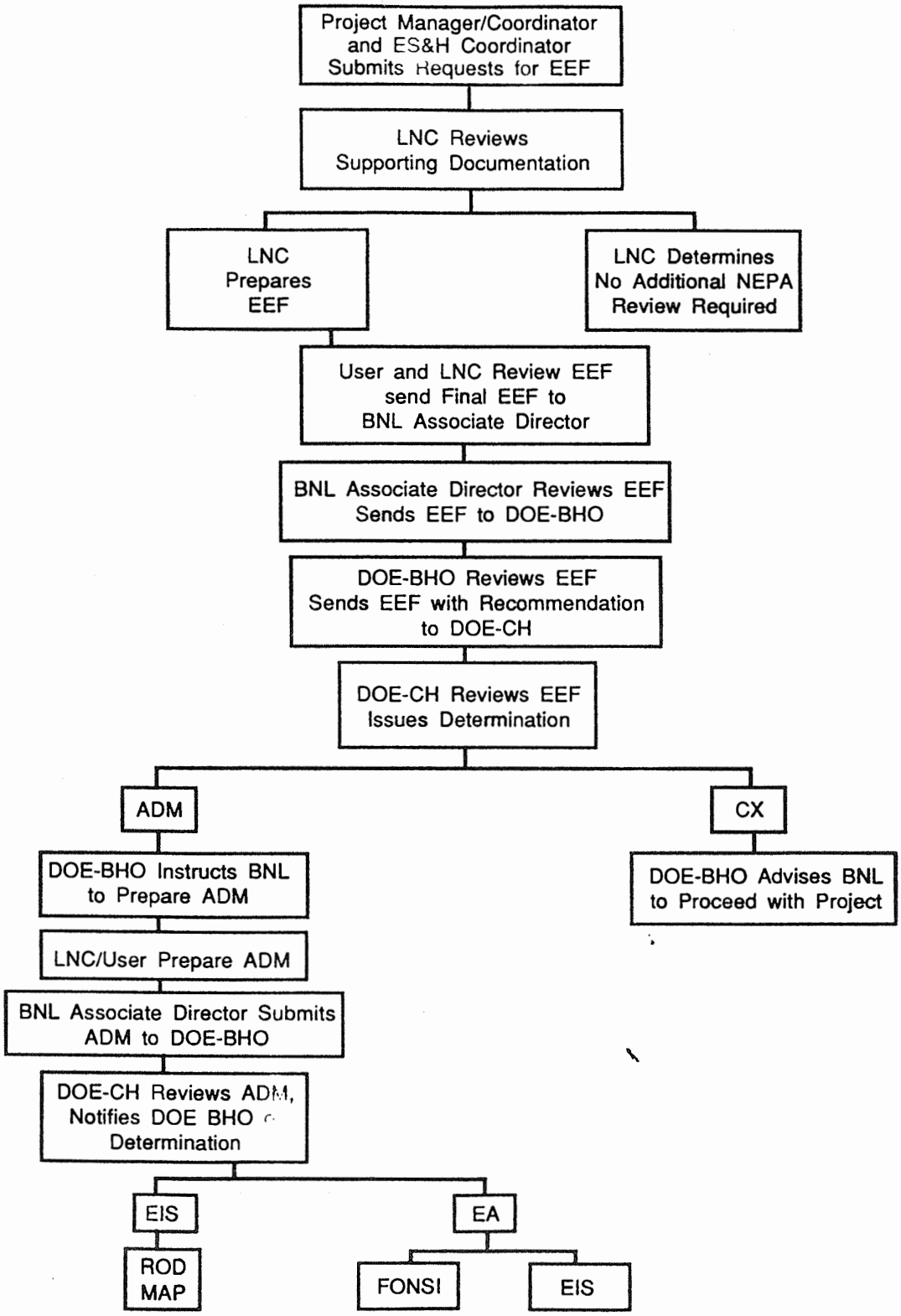
H. Time Required for the NEPA Process

The NEPA Process can require substantial time. It is recommended that this process commence at the earliest stages of project development. For planning purposes, one can expect the following time frames for a final NEPA determination to be rendered by DOE.

- Categorical Exclusion – 6 months
- Environmental Assessment – 24 months
- Environmental Impact Statement – 36+ months

FIGURE 1

DETAIL OF NEPA DOCUMENTATION REVIEW PROCESS



BNL

REQUEST FOR PREPARATION/REVISION OF ENVIRONMENTAL EVALUATION FORM

1. **Project:** _____

2. ID#: _____

3. **Department:** _____

4. **Planning Phase (check one)**

Identification and Formulation: _____

Conceptual Planning and Design: _____

Preliminary Design: _____

Final Design: _____

Other: _____

5. **Required Support Information Attached (minimize one item)**

WPAS:_____

Schedule 44:_____

CDR:_____

Project Description/Purpose:_____

Approved CIP:_____

Approved FAC:_____

Approved Capital Equipment Data Sheet:_____

6. **Optional Support Information Attached**

Draft EEF:_____

Form 017.1_____

Form 017.2:_____

Original EEF w/attachments:_____

Project Specs. and Drawings:_____

S&EP Project Review_____

Comments: _____

7. User/Project Coordinator: _____

8. ES&H Coordinator: _____

Date: _____

LNC Fowards EEF to: _____

Date: _____

INSTRUCTIONS FOR COMPLETION OF REQUEST FOR PREPARATION/REVISION OF ENVIRONMENTAL EVALUATION FORM

1. ***Project*** – Provide the current title used to identify the project.
2. ***ID#*** – Provide the number used by the U/PC to track this project, e.g. FAC LE 1079, CIP HE 3006 etc. If no identification number has been assigned at this point, provide the anticipated project funding information such as GPP FY91 or ARAM FY90.
3. ***Department*** – Enter the name of the Department that is applying for the environmental evaluation.
4. ***Planning Phase*** – Check the appropriate item. If no item applies, provide a brief explanation of the project status in the "other" column.
5. ***Required Support Information*** – Check the appropriate items regarding the information provided. At least one item listed mut be checked and attached in order to provide the minimum information necessary to complete an EEF.
6. ***Optional Support Information*** – Additional information which might be useful to the LNC should also be provided. Check the appropriate box or list the informtion in the space provided after "Other". Additional information is greatly appreciated.
7. ***User/Project Coordinator*** – Print name of Person(s) coordinating this project.
8. ***ES&H Coordinator*** – Print name of ES&H Coordinator and the date the form was sent to the LNC.
9. ***LNC forwards EEF*** – LNC will indicate the person to which the completed EEF has been sent and enter the date the EEF was forwarded.

Once the LNC has completed the EEF, a completed copy will be sent to the U/PC. This will let the U/PC know that the EEF has been completed and it is in the BNL review process.

CH-FORM 560
Effective 04/15/92

ENVIRONMENTAL EVALUATION NOTIFICATION FORM

Contractor Laboratory: _____

Project/Activity Title: _____

BNL Tracking# _____

B&R Number _____ Total Cost Estimate _____

DOE Program Secretarial Officer: _____

Contractor Project Manager: _____ Signature: _____

Date: _____

Contractor NEPA Reviewer: _____ Signature: _____

Date: _____

A. ***Project/Activity Description***: Include description of new project/activity, modification, purpose, need, DOE involvement if not under program direction, site and area local map, construction requirements, control equipment, technical and site alternatives considered, etc. Use additional pages as necessary and/or attached reference documents such as WPAS, Schedule 44, CDR, procurement plans, proposals for expenditure of operating funds, etc.

B. ***Brief Description of Affected Environment***: State whether the site is occupied or vacant. Indicate the type of cover; grasslands, woods, natural, landscaped and known habitat types. Description should cover limits of the area which may be reached by any effluent or immediate runoff. Indicate the drainage or other surface water present in the area.

C. ***Environmental Considerations***: If the proposed project/activity represents a commitment to a course of action that would ultimately require a positive response in one or more of the following areas below, identify question numbers and provide an explanation on a separate sheet attached to this form.

Will the project/activity, either during construction or operation, result in changes and/or disturbances to the following entities?

	Yes	No
1. Threatened/Endangered Species and/or Critical Habitats	____	____
2. Floodplains/Wetlands	____	____
3. Archaeological/Cultural Resources	____	____
4. Prime, Unique, or Important Farmland	____	____
5. Non-Attainment Areas	____	____
6. Class I Air Quality Control Region	____	____
7. Other Protected Species (Migratory birds)	____	____
8. Sole Source Aquifer	____	____
9. Navigable Air Space	____	____
10. Coastal Zone	____	____
11. National Parks, Wild and Scenic Rivers, etc.	____	____
12. Public Controversy on Environmental Matters	____	____
13. Depletion of a Non-renewable Resource	____	____
14. Impacts to Workers	____	____
Will the project/activity involve any of the following regulated substances or activities?		
15. Clearing and Excavation	____	____
16. Dredge and/or Fill	____	____
17. Noise	____	____
18. Pesticide Use	____	____
19. Hazardous or Criteria Pollutant Emissions NESHAPS _____ NYSDEC _____		
20. Hazardous Waste (RCRA)	____	____
21. Liquid Effluents (SPDES)	____	____
22. Mixed Waste	____	____
23. Radioactive Waste/Contaminated Soil	____	____
24. Asbestos Emissions or Waste	____	____
25. Toxic Substances (PCBs)	____	____
26. Domestic Waste	____	____
27. Chemical Storage/Use (SCDHS Article 12)	____	____
28. Radiation Exposures	____	____
29. New or Modified Federal/State Permits Required	____	____
30. Underground Injection	____	____
31. Underground Storage Tanks SCDHS Article 12 ____ RCRA ____		
32. Petroleum Storage (SCDHS Article 12)	____	____
33. Safe Drinking Water Act.	____	____

D. Does the State Environmental Quality Review Act (SEQRA) apply? How?

_____

_____

E. ***DOE-BHO*** *ew*: Is the project/activity appropriate for a determination under Section D of the DOE guidelines for compl ce with NEPA? Indicat the recommendation and specific type:

[ ] CX _____

_____

_____

[ ] Action Description Memorandum
[ ] Environmental Assessment
[ ] Environmental Impact Statement

DOE-BHO Reviewer: _____ Signature: _____

Date: _____

F. ***DOE NEPA Review:***

1. *Section D Determination Recommended:* (This section not applicable to CE or NE projects). Is the project/ activity appropriate for a determination by the CH Manager under Section D of the DOE guidelines for compliance with NEPA? Indicate the recommendation and specific type:

   _____ CX _____

   _____ EA _____

   _____ EIS _____

2. *Determination Not Within Section D:* Recommendation appropriate for headquarters Program Secretarial Officer approval only:

   _____ ADM

   _____ Other: _____

   (e.g. for authority not delegated)

G. ***Recommendation Approvals***:

DOE-CH Project Manager: _____ Signature: _____

Date: _____

DOE-CH OCC: _____ Signature: _____

Date: _____

DOE-CH NCO: _____ Signature: _____

Date: _____

APPENDIX C

BROOKHAVEN AREA OFFICE

ENVIRONMENTAL PROTECTION PROCEDURE 13.01

NATIONAL ENVIRONMENTAL POLICY ACT COMPLIANCE PROGRAM

FIGURE 3

BHO PROCEDURES GENERATION/ HANGE REQUEST FORM rev 0	Procedure BHO-13.01 Revision 0	Requestor: J. Granzen Date: 2/8/95

Requested Change(s):

Custodian Review	Custodian Comments
[X] Approved [ ] Approved with comments [ ] Disapproved Signed: Date: 2/8/95	
Procedures Coord Review	**Procedures Coord Comments**
[X] Approved [ ] Approved with comments [ ] Disapproved Signed: Date: 2/9/95	
AM/DAM Review	**AM/DAM Comments**
[X] Approved [ ] Approved with comments [ ] Disapproved Signed: Date: 3/21/95	

Procedure changed from Revision to . PC Initials:

BHO Procedure BHO-13.01
Revision 0

Approved: [signature]
Date: 3/21/95

TITLE: BROOKHAVEN AREA OFFICE (BHO) NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) COMPLIANCE PROGRAM

SUBJECT : BHO NEPA COMPLIANCE OVERSIGHT

---

1. PURPOSE This procedure provides the general outlines for BHO to perform NEPA oversight of operations conducted by Brookhaven National Laboratory.

2. SCOPE The provisions of this procedure apply to NEPA compliance oversight of activities conducted at BNL.

3. REFERENCES

3.1 National Environmental Policy Act (42 U.S.C. 4321 et seq.)

3.2 Executive Order 12114, of 1-4-79.

3.3 Council on Environmental Quality (CEQ) Regulations (40 CFR Parts 1500-1508, as amended 7-1-86)

3.4 Department of Energy Organization Act (42 U.S.C. 7112), of 8-4-77.

3.5 Freedom of Information Act (FOIA) (5 U.S.C. 552).

3.6 DOE NEPA Regulations, 10 CFR Part 1021.

3.7 DOE Regulations for Compliance with Floodplains/Wetlands Environmental Review Requirements, 10 CFR Part 1022.

3.8 SEN-15-90, National Environmental Policy Act, of 2-5-90.

3.9 DOE 1700.1, Freedom of Information Program.

3.10 DOE 4700.1, Project Management System.

3.11 DOE 5100.3, Field Budget Process, of 8-23-84.

3.12 DOE 5400.1, General Environmental Protection Program.

3.13 DOE 5400.2A, Environmental Compliance Issue Coordination, of 10-31-89.

3.14 DOE 5400.3, Hazardous and Radioactive Mixed Waste Program, of 2-22-89.

3.15 DOE 5400.4, Comprehensive Environmental Response, Compensation, and Liability Act Requirements, of 10-6-89.

3.16 DOE 5440.1E, National Environmental Policy Act Compliance Program.

3.17 CH Order 5440.1E (draft), National Environmental Policy Action Compliance Program.

3.18 Office of Energy Research, NEPA Handbook, Guidance and Procedures.

3.19 Office of NEPA Oversight, Recommendations for the Preparation of Environmental Assessments and Environmental Impact Statements (Green Book).

3.20 CH Documentation to support delegation of approval of Environmental Assessment and Finding of No Significant Impact.

4. DEFINITIONS

4.1 All definitions contained in DOE Order 5400.1E.

4.2 Environmental Evaluation Notification Form (EENF) - The initial internal DOE document with accompanying information regarding the proposed action and its potential environmental impact used to assist DOE in determining the appropriate level of NEPA documentation for a proposed action.

4.3 NEPA Evaluation - A study that reviews the scope of a proposed action with respect to the requirements of NEPA.

4.4 NEPA Document - An EENF, Environmental Assessment, Environmental Impact Statement, or a memo referencing any part thereof that is intended to satisfy the requirement of conducting a NEPA evaluation.

5. RESPONSIBILITIES AND AUTHORITIES

5.1 Area Manager (AM)/Deputy Area Manager (DAM) - the AM/DAM, through this procedure, shall:

1. Assign Area Office staff to conduct NEPA compliance surveillance, and review and coordinate NEPA documents, and oversee BNL NEPA compliance activities.

2. Ensure procedures are in place for NEPA requirements to be satisfied for a proposed action prior to the irretrievable release of resources.

3. The Area Manager shall approve Categorical Exclusions in accordance with an approved QA Plan and when authority is delegated by the CH Manager.

5.2 The BHO Environmental Programs and Projects Division Director is responsible for:

1. Administering the BHO NEPA compliance program, i.e., ensure that BNL has issued internal policy and procedures for NEPA compliance, assigns appropriate staff to conduct direct oversight.

2. Provides guidance to BHO NEPA compliance staff as to the coordination of NEPA compliance documents and communication with other DOE organizations.

3. Ensure appropriate staff receive NEPA compliance training.

4. Officially transmits correspondence and requests to BNL Associate Director of Reactor, Safety and Security.

5.3 BHO NEPA Compliance Officer/Coordinator is responsible for:

1. Tracking status of NEPA documents.

2. Conducting facility tours and inspections to identify potential non-compliance with NEPA regulations.

3. Coordinating NEPA processing and requirements with operations conducted by all BHO Divisions.

4. Coordinating review and comment to NEPA documents prepared by BNL.

5. Ensuring technical accuracy of NEPA documentation.

6. Proposing level of NEPA review required for a proposed action.

7. Proposing categorical exclusion(s) for applicable proposed actions.

8. Preparing NEPA document packages for submittal to the Area Manager, and/or CH NCO.

9. Distrubute final NEPA documents to all relevent stakeholders.

10. Providing individualized training to BHO staff on the requirements of NEPA and its impact to their function at BHO.

11. Assisting BHO staff members with evaluating the sufficiency of NEPA documentation for proposed actions conducted under their purview.

6. GUIDELINES

6.1 BHO Staff Guidelines

6.1.1 All BHO staff should be aware that the intent of NEPA is to consider the environmental impacts of proposed federal actions prior to the irretrievable committal of resources.

6.1.2 All BHO staff must evaluate whether a NEPA review has been conducted and is complete for proposed actions under their consideration prior to the irretrievable release of funding or other resources.

6.1.3 If it is unclear whether a proposed action has sufficient NEPA coverage, BHO staff should consult with the BHO NEPA Compliance Officier/Coordinator.

6.2 BHO NEPA Compliance Officer/Coordinator

6.2.1 The BHO NEPA Compliance Officer/Coordinator (BHO NCO) shall ensure that sufficient NEPA documentation exists for proposed actions being considered by BHO.

6.2.2 If it is unclear whether sufficient NEPA documentation exists, the BHO NCO may consult with the Environmental Programs and Project Division Director, CH General Law Division Counsel located at BHO, and/or the CH NEPA Compliance Officer.

6.2.3 The BHO NCO should expend effort to become knowledgeable of current and proposed operations at BNL.

6.2.4 The BHO NCO will conduct facility inspections and site tours to identify projects that either lack or have insufficient NEPA coverage.

6.2.5 The BHO NCO will periodically review and evaluate the BNL NEPA compliance program.

6.2.6 The BHO NCO is the initial reviewer of NEPA evaluations submitted by BNL. Upon determination that the evaluation is adequate the BHO NCO will process the documentation in order to obtain the appropriate determination.

6.2.7 The BHO NCO will coordinate public review of Environmental Assessments with the CH NCO and the New York State Clearinghouse Division of Budget and the Long Island Regional Planning Board, or others as required.

6.2.8 The BHO NCO will coordinate preparation and review of Environmental Assessments in accordance with CH procedures established for delegation of Environmental Assessment approval authority.