National Environmental Policy Act

NEPA

LESSONS LEARNED

U.S. DEPARTMENT OF ENERGY QUARTERLY REPORT

June 1, 2001; Issue No. 27 For Second Quarter FY 2001

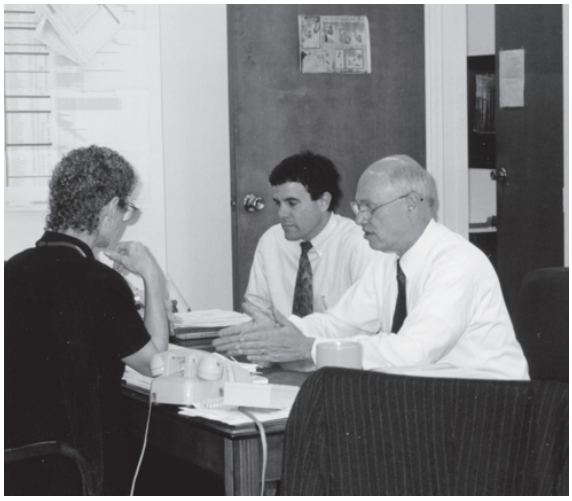
It's a Tough Job – And We're Doing It!

DOE Issues Supplement to the Yucca Mountain Draft EIS

It's not easy to prepare an environmental impact statement (EIS) for what may become the nation's first geologic repository for spent nuclear fuel and high-level radioactive waste. The technical and policy issues are complex, and the degree of public controversy is likely to remain high. Nevertheless, the Department of Energy (DOE) made significant progress in the project's NEPA review when it issued a Supplement to the Yucca Mountain Repository Draft EIS in May 2001. The EIS Team, led by NEPA Document Manager Jane Summerson, aims to complete a Final EIS by the end of the year.

The Draft EIS for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, Nevada (DOE/EIS-250D) was issued in August 1999. Since then, DOE has continued to investigate design features and operating modes that would reduce uncertainties about repository performance, increase operational flexibility, and improve operational safety and efficiency. The Supplement addresses new site characterization information and enhanced design concepts. The fundamental aspects of the proposed action – to construct, operate and monitor, and eventually close a repository at Yucca Mountain, in Nye County, Nevada – have not changed.

For the Draft EIS, DOE based its analysis of potential environmental impacts on the then-current design, as described in the 1998 *Viability Assessment of a Repository at Yucca Mountain.* The Draft EIS discussed ongoing technical evaluations that could result in modifications to that design.



Lake Barrett, Director, Office of Civilian Radioactive Waste Management (right), addresses EIS issues with Dr. Jane Summerson, NEPA Document Manager (left) and Jay Jones, Yucca Mountain Headquarters Liaison.

As anticipated, the repository design has continued to evolve, as documented in the *Yucca Mountain Science and Engineering Report,* issued in May 2001. DOE prepared the Supplement to update information presented in the Draft EIS. The Supplement (approximately 60 pages of text) evaluates potential environmental impacts that

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The DOE NEPA Compliance Officers will meet in Washington, DC, June 13 and 14, on the theme of "NEPA: What's New, What's Next." Horst Greczmiel, CEQ's Associate Director for NEPA Oversight, and Anne Miller, Acting Director of the EPA's Office of Federal Activities, among others, will address the group. Readers may forward concerns, suggestions, and questions to their NCOs for them to raise at the meeting.

Inside *LESSONS LEARNED*

Carol Borgstrom

Director
Office of NEPA Policy and Compliance

Be Part of Lessons Learned

We Welcome Your Contributions

We welcome suggestions and contributed drafts for the *Lessons Learned Quarterly Report.* Draft articles for the next issue are requested by August 1, 2001. To propose an article for a future issue, contact Yardena Mansoor at yardena.mansoor@eh.doe.gov or 202-586-9326.

Quarterly Questionnaires Due August 1, 2001

Lessons Learned Questionnaires for NEPA documents completed during the third quarter of fiscal year 2001 (April 1 through June 30, 2001) should be submitted by August 1, but preferably as soon as possible after document completion. The Questionnaire is available interactively on the DOE NEPA Web at tis.eh.doe.gov/nepa/ under DOE NEPA Process Information. For Questionnaire issues, contact Vivian Bowie at vivian.bowie@eh.doe.gov or 202-586-1771.

Feedback on LLQR

Do you have a comment or a suggestion? Please submit feedback to either of the contacts listed above.

LLQR Online

Current and past issues of the *Lessons Learned Quarterly Report* are available on the DOE NEPA Web at tis.eh.doe.gov/nepa/ under DOE NEPA Process Information.

LLQR Index

A cumulative index of the LLQR is provided in the September issue each year.

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NAEP Holds 26th Annual Conference in June

The National Association of Environmental Professionals (NAEP) will hold its 26th Annual Conference – "Environmental Policy and Process: New Directions or Staying on Course?" – in Arlington, Virginia, June 24 to 28, 2001. One of the highlights will be NAEP's 12th Annual NEPA Symposium, this year entitled "NEPA Across the Government." The Symposium will consist of five NEPA presentation sessions and several panels, including a "NEPA Round Table" discussion in which Carol Borgstrom, Director of DOE's Office of NEPA Policy and Compliance, will participate. Several NEPA-related courses and workshops also will be held in conjunction with the conference. (See Training Opportunities, page 14.)

DOE Environmental Policy and Guidance Office Wins Award for Biota Dose Method

At the NAEP conference, DOE's Office of Environmental Policy and Guidance (EH-41) will receive an NAEP National Environmental Excellence Award for its "Graded Approach for Evaluating Radiation Doses to Aquatic and Terrestrial Biota." The award "recognizes projects and programs that exceed established environmental excellence standards and stand out as significant contributions to our environmental profession." The awardee's approach, which EH-41 developed through the Department's Biota Dose Assessment Committee (BDAC), responds to increasing regulatory and stakeholder interest in protecting ecological resources from the effects of radiation. (See *Lessons Learned Quarterly Report*, September 2000, page 7.) For further information about this project, contact Stephen Domotor at stephen.domotor@eh.doe.gov or 202-586-0871, or visit the BDAC Web site at homer.ornl.gov/oepa/public/bdac.

NAEP is a multidisciplinary association with more than 2,000 members dedicated to the advancement of the environmental professions in the United States and abroad. For more information, visit the NAEP Web site at www.naep.org or contact Sandi Worthman at 888-251-9902 or 301-860-1140.

Supplement to the Yucca Mountain Draft EIS (continued from page 1)

could occur, based on the current, flexible design and its range of possible operating modes.

Preparation of the Yucca Mountain EIS is being led by a team from the Office of Civilian Radioactive Waste Management's Yucca Mountain Site Characterization Office. Dr. Summerson, who is following in the footsteps of two previous document managers, Ken Skipper and Wendy Dixon, has worked in the Yucca Mountain program for 11 years and is looking forward to completing the Final EIS.

"We intend to present a rigorous, scientifically accurate analysis of the potential impacts of the proposed repository," Dr. Summerson said. "We are now in the process of considering and responding to more than 11,000 public comments on the Draft EIS, and we will soon be adding the comments on the Supplement to this effort," she said.

NEPA Document Manager Summerson (right) and Joseph W. Rivers, Jr., Project Manager, EIS Preparation Contractor, discuss preparing the Final EIS.

The comment period for the Supplement began on May 11, 2001. Three public hearings have been scheduled in Nevada. After the public comment period, scheduled to close on June 25, DOE will integrate in the Final EIS the information in the Draft EIS and the Supplement, as well as public comments on both documents and DOE responses to those comments. As provided in the Nuclear Waste Policy Act, as amended, the Final EIS must accompany any recommendation that the Secretary of Energy may make to the President regarding the suitability of the Yucca Mountain Site for a repository.

The Draft EIS and the Supplement are available on the Internet at the Yucca Mountain Project Web Site at www.ymp.gov and on the DOE NEPA Web at tis.eh.doe.gov/nepa/.

Importance of Objectivity

In December 2000, the Secretary of Energy asked the Inspector General (IG) to investigate allegations that certain technical program documents then in preparation – and referenced in the Supplement – reflected bias that may have compromised the Department's scientific integrity in evaluating the Yucca Mountain Site. After an investigation, the IG issued a report on April 23, 2001, concluding that there was no evidence to "substantiate the concern that bias compromised the integrity of the site evaluation process."

In his comments on the IG's report, Secretary of Energy Spencer Abraham stated that he "was pleased with the results of the investigation" and echoed a principle well known to NEPA practitioners: "…we must ensure that our work does not even raise the perception of possible bias. Public trust in the fundamental processes of government is crucial to the fulfillment of the Department's mission." [The Council on Environmental Quality's NEPA implementation requirements emphasize the need for completeness and integrity. See, for example, 40 CFR sections 1501.1 (full and fair discussion) and 1502.24 (professional integrity, including scientific integrity).]

An "alpine miner" excavates an access tunnel inside Yucca Mountain. The Office of Civilian Radioactive Waste Management continues to conduct site characterization studies of the Yucca Mountain Site.

Los Alamos Project Guided by MAP

By: Todd Haagenstad, *Los Alamos National Laboratory Ecology Group*
Carl Sykes, *Office of NEPA Policy and Compliance*

Under DOE NEPA regulations, after the completion of each Final Environmental Impact Statement (EIS) and its associated Record of Decision (ROD), DOE must prepare a Mitigation Action Plan (MAP) that addresses any mitigation commitments expressed in the ROD and explains how the mitigation commitments will be planned and implemented (10 CFR 1021.331). At Los Alamos National Laboratory (LANL), the MAP for the Dual Axis Radiographic Hydrodynamic Test (DARHT) facility has been successfully implemented for about six years – a notable example of how a MAP can be effectively institutionalized at a DOE site.

The DARHT MAP, issued in January 1996, provides direction for implementing measures to reduce or avoid the potential adverse environmental impacts of the selected alternative. It also establishes Action Plans to carry out each mitigation commitment in the DARHT ROD (60 FR 53588; October 16, 1995). The status of implementation is managed through a tracking system and reported to the public and stakeholders via a MAP Annual Report issued in January.

Potential Impacts Addressed in the DARHT Mitigation Action Plan

Area of Concern	Example of Mitigation Action
Cultural Resources, especially a particular archaeological site	Designing the physical orientation of the DARHT facility to ensure that shrapnel would not adversely affect the important nearby Nake'muu archaeological structure, and monitoring the condition of Nake'muu over time to ensure that DARHT operations are not causing changes to the structure.
Human Health	Construction of an earthen berm over and around the accelerator tunnel to minimize radiation exposure to involved and collocated workers.
Soils, especially soil loss and contamination	Revegetation with native plants and reforestation of land disturbed by construction activities.
Biota, including threatened and endangered species	Development of a Habitat Management Plan, which serves all of LANL as well as the DARHT facility. (See *Lessons Learned Quarterly Report*, June 1999, page 1.)
General Environment, including air and water	Annual environmental contaminant monitoring of soils, vegetation, invertebrates, small mammals, birds, and large mammals around the DARHT facility site.

The Nake'muu site, a 50-room pueblo occupied between 1300 and 1400 and the only prehistoric pueblo at LANL with its original walls, was protected from shrapnel by orientation of the DARHT facility.

Integrate with Project Management

The steps that led to successfully institutionalizing the DARHT MAP began early in the NEPA process. All members of the EIS team understood that a MAP would be needed, and the project staff were able to incorporate mitigation measures directly into project management documents and plans for DARHT facility design, construction, and operation even before the MAP was issued.

Because of this close integration of the NEPA process with project management, the project design team addressed many of the mitigation commitments early in the DARHT project-planning phase. For example, in consultation with tribal representatives and the State Historic Preservation Office, a sensitive archaeological site in the project area was left in place and capped to prevent adverse effects from construction of the facility. Another site was protected from shrapnel by orientation of the DARHT facility. Completion of these commitments helped the project team gain approval for the final design and authorization to begin construction.

continued on next page

Guided by MAP

(continued from previous page)

Other mitigation measures from the NEPA process – particularly for construction-related impacts – were incorporated into the project construction documents. For example, the DARHT facility required an exclusion fence for worker safety and operations security; however, a standard security fence would adversely affect elk movement across the relatively narrow mesa top. After further study, including agency consultation and field studies, the fence design was modified to allow elk movement while still meeting security and safety requirements.

MAP Implementation Continues While DARHT Operates

Initially, the DARHT MAP was designated as a formal, line-item task during the design and construction phases. The roles and responsibilities of all parties were defined through formal work agreements updated for each fiscal year funding cycle.

After completion of DARHT construction in 1999, LANL transferred day-to-day management and operation of the facility from its DARHT project office to a facility manager. DOE staff, the DARHT MAP project leader, and project office staff had been thoroughly discussing the scope, schedule, and implications of the DARHT MAP with the facility manager a year before the transition. This allowed for a smooth transition to facility operation and guaranteed long-term implementation of the MAP. In the present operations phase of the project, the facility manager remains closely involved in MAP activities by reviewing all mitigation-related results and documents. Because he understands the MAP, the facility manager has directly assisted DOE and the DARHT MAP project leader in modifying and adapting the mitigation measures to new conditions, where needed.

A well-managed mitigation program like this helps ensure that adverse impacts are minimized, that mitigation measures can change over time if necessary, and that the environment is protected over the long term. All this can happen when a MAP is "baked" right into the design and long-term management plans for a project – and is not just the "frosting" on the top.

[This approach embodies the Council on Environmental Quality's objective in its NEPA reinvention initiative: "Agencies should take a new approach... one that takes the standard NEPA paradigm of 'predict, mitigate, implement,' and incorporates monitoring and adaptation...." (See Lessons Learned Quarterly Report, *June 1997, page 3.)]*

A modified security fence design allows elk to pass across the DARHT facility site.

Recommendations

- ✓ Have NEPA Document Managers work directly with project design staff to incorporate MAP activities into project design documents.
- ✓ Fund and implement MAPs through a project's facility management group to ensure long-term "ownership" of mitigation activities.
- ✓ When developing a MAP, provide means by which mitigation measures may be fine-tuned based on future experience and periodic review.

For more information, contact Todd Haagenstad at hth@lanl.gov or 505-665-2936, or Elizabeth Withers, Los Alamos Area Office NEPA Compliance Officer, at ewithers@doeal.gov or 505-667-8690.

BPA's "Reader's Guide" Makes EIS Reader-Friendly

By: Charles Alton, *NEPA Document Manager*, and Kathy Pierce
Environmental Planning and Analysis, Bonneville Power Administration

To help readers understand the unique nature of a policy-level EIS, the Bonneville Power Administration (BPA) recently developed a Reader's Guide for its Fish and Wildlife Implementation Plan EIS (DOE/EIS-0312D; May 2001). The guide, reproduced here in its entirety, is intended to help readers grasp the purpose and structure of what they might otherwise view as a complicated document.

READER'S GUIDE

Welcome to the Fish and Wildlife Implementation Plan draft environmental impact statement (DEIS). Below are a few tips to help you make best use of the document.

WHAT THIS DOCUMENT DOES

- This DEIS is designed to (1) evaluate the range of potential Policy Directions and to present possible implementing actions that the region could decide to take for fish and wildlife mitigation and recovery efforts, (2) identify the direction the Pacific Northwest is most likely to follow as a coordinated policy to recover fish and wildlife populations in the region, and (3) determine the environmental consequences of BPA's future decisions to implement and fund actions that could emerge from that policy and its associated alternatives. Ultimately, the BPA Administrator will decide how BPA will implement and fund its obligations under the identified policy path.
- BPA alone will *not* be responsible for deciding what the ultimate regional policy will be. State, federal, and local agencies; regional tribes; interest groups; and the people of the Pacific Northwest will decide what the policy itself will look like.

WHAT TO EXPECT IN THE DEIS

- Many EISs are written for specific actions: building or operating a transmission line or a hatchery, for example. This EIS, however, is about *policy*: what kind of priorities to set for fish and wildlife policy and how to integrate those priorities with other needs for use of the river and land.
- This means that the discussions and analyses in this EIS are different from those in typical site-specific EISs. You won't see many calculations, but you *will* see how different actions will cause more or less impact on a natural or social resource. You will see the same topics covered that the Council on Environmental Quality specifies: Need, Background, Alternatives (including No Action or Status Quo—continuing to follow the same path), and Environmental Consequences.
- The DEIS has condensed thousands of pages of technical information produced by other regional processes and has identified key topics connected with fish and wildlife policy. The many proposed fish and wildlife actions have been sorted into five different Policy Directions that represent a wide range of themes. These Directions provide a basis for the region to organize the fish and wildlife processes and ideas. (See the attached Figure RG-1.)
- To focus on the problem and compare possible solutions, read Chapters 1 and 3. For the detailed analysis of the effects on the human environment, read Chapter 5. To understand what effects might occur as a Policy Direction is carried out, or what provisions have been made for change, read Chapter 4. Chapter 2 describes the history of fish and wildlife policy and existing conditions. Chapter 6 focuses on how a selected policy might be managed. (See attached Figure RG-2.)

HOW THE POLICY DIRECTIONS WERE DEVELOPED

- There are many different ways to define and discuss alternatives. We developed a range of five Policy Directions (plus Status Quo) by reading proposals submitted by major participants in several regional planning forums, and identifying common themes or philosophies regarding priorities and values. Then, we grouped proposals together by their overall theme. We could have chosen other ways to organize the material. However, given the thousands of potential alternatives, we believe any policy analysis of this magnitude would require a comparison of broad policy choices, rather than individual options.
- To explore another approach and build your own alternative, please see Appendix I. For ways to comment on what we've done and offer suggestions, please see the cover sheet.

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BPA's "Reader's Guide" (continued from previous page)

This EIS addresses broad regional fish and wildlife policy – for example, concerning endangered salmon stocks – to guide BPA funding decisions and mitigation and recovery actions.

For decades, the Columbia River Basin's fish and wildlife resources have been managed by the Federal, State and tribal entities in the Pacific Northwest – each with its own directives, legal constraints, and jurisdictional limits. (Recently, individual and organizational stakeholders also have increased their participation in proposing positions and activities.) Despite a common objective, the various governments and other stakeholders have different, and often conflicting, ideas about what recovery and mitigation to undertake, but they have no overall policy to help coordinate their actions or reconcile their differences.

This EIS provides a framework for integrating more than 2,000 proposed actions into a workable range of five policy alternatives: preserving wilderness from development, preventing extinction, sustaining fish and wildlife resources, sustaining primarily strong resources over those with likely irreversible declines, and promoting commercial use of resources. The EIS also analyzes the status quo – i.e., a no action alternative.

The EIS preparation team recognized the difficulty of presenting a new policy-based approach to readers whose expectations are based on experience with project and programmatic EISs. To explain up front what to expect, a Reader's Guide (figure on previous page) describes the intent of the EIS, its methodology, and a rationale for organizing the alternatives by major policy themes. The Guide introduces the process used to sort the proposed actions among the policy alternatives (figure below, left) and lays out the structure of the chapters making up the core of this complicated and unusual EIS (figure below, right). With this approach, BPA hopes to make its EIS more inviting to readers.

For more information on the EIS Reader's Guide, contact Kathy Pierce at kspierce@bpa.gov or 503-230-3962.

Figure RG-1: Sorting Policy Alternatives

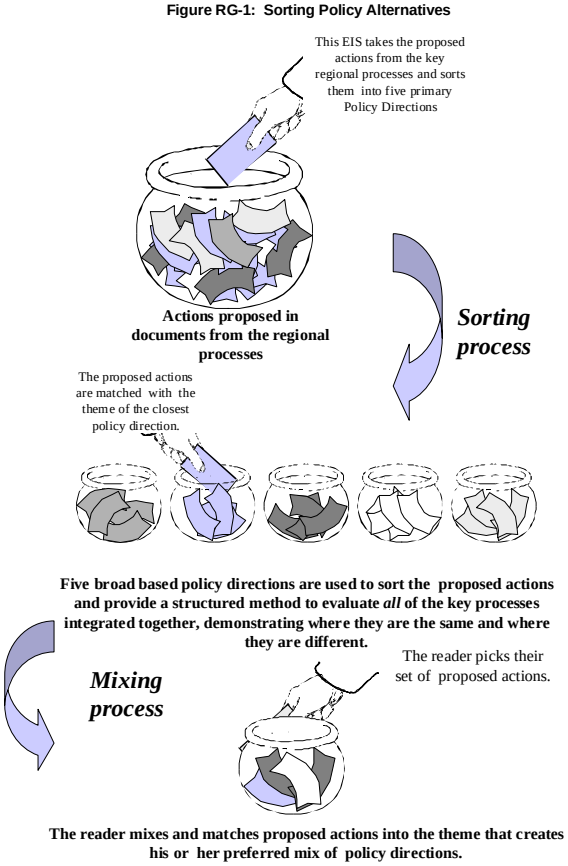
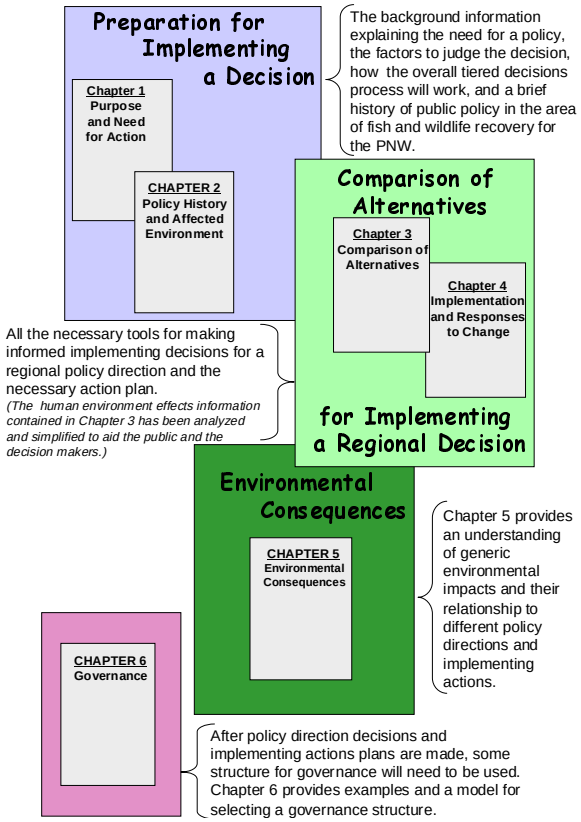


Figure RG-2: Structure of the Chapters



Secretarial Policy on Cultural Resources

On May 2, 2001, the Secretary signed a new DOE policy on Management of Cultural Resources, DOE P 141.1, to:

- Ensure that DOE programs, including the National Nuclear Security Administration (NNSA), and field elements, integrate cultural resources management into their missions and activities, and
- Raise the level of awareness and accountability among DOE (including NNSA) contractors concerning the importance of the Department's cultural resource-related legal and trust responsibilities.

DOE P 141.1 defines cultural resources to include a broad range of items and locations (for example, archeological materials and sites, and cultural and natural places that have importance for American Indians). The Policy reinforces DOE's obligation to uphold cultural resource laws and regulations "in a spirit of stewardship to the extent feasible given the agency's mission and mandates." Responsibilities outlined include those for DOE Operations Office Managers, Field Office Managers, and Program Secretarial Officers regarding tribal consultation, tribal access to cultural resource sites and districts, cultural resource management plans, use of cultural resource professionals, and other matters.

The policy is available on the DOE Directives Web page at www.directives.doe.gov/.

DOE Guidance on "Working with Indian Tribal Nations"

DOE's Office of Environmental Management, Office of Intergovernmental and Public Accountability, has issued "A Guide for DOE Employees: Working with Indian Tribal Nations" (DOE/EM-0571, December 2000) to help DOE employees and contractors initiate contact with tribes and build effective relationships.

The guide presents an overview of the history of the relationship between the tribes and the Federal government and discusses the Federal government's trust responsibility to the tribes and tribal rights. The guide includes the Executive Orders that define the relationship between the Federal government and tribes, and the DOE American Indian Policy.

Of particular usefulness in our efforts to provide effective public participation opportunities in the NEPA process is the guide's discussion of important cultural differences that could lead to communication problems if not understood, with examples of potential cultural misunderstandings. The guide also discusses tribal environmental beliefs that shape tribal responses to DOE actions and provides pointers on tribal etiquette during meetings, cultural ceremonies, and visits to tribal reservations.

The guide is available at: www.em.doe.gov/public/tribal/history.html, or call the Center for Environmental Management Information at 800-736-3282 or 202-863-5084. Headquarters contacts include: Vicki Thornton, Congressional and Intergovernmental Affairs, at vicki.thornton@hq.doe.gov or 202-586-5499 and Martha Crosland, Environmental Management, Office of Intergovernmental and Public Accountability, at martha.crosland@em.doe.gov or 202-586-5944.

Historic Preservation Final Regulations

The Advisory Council on Historic Preservation has issued new final regulations for Section 106 of the National Historic Preservation Act, "Protection of Historic Properties," that took effect January 11, 2001 (36 CFR Part 800; 65 FR 77698, December 12, 2000). The Council states that it has retained the major streamlining improvements that it had adopted in its May 1999 regulations but removed operational impediments in the review process and clarified certain provisions and terms. (See *Lessons Learned Quarterly Report*, June 1999, page 3; September 1999, page 2; and December 2000, page 6.)

In 36 CFR 800.8, the section that guides how Federal agencies can coordinate the Section 106 process with NEPA compliance, the Council rewrote Section 800.8(c)(4) to clarify what actions a Federal agency must take in making a binding commitment to avoid, minimize, or mitigate adverse effects on historic properties. The binding commitment is satisfied when either (1) it is in a record of decision (if the measures were proposed in an EIS) or in a Memorandum of Agreement as specified in the regulations, or (2) the Council has commented and the agency has responded to those comments, again as specified in the regulations.

The revised regulations, a User's Guide, and information on the National Historic Preservation Act are available on the Advisory Council's Web site at www.achp.gov/.

For further information on these topics, contact Katherine Nakata, Office of NEPA Policy and Compliance, at katherine.nakata@eh.doe.gov or 202-586-0801; or Lois Thompson, Office of Environmental Policy and Guidance, at Lois.thompson@eh.doe.gov or 202-586-9581.

Can Pilot Projects, Dispute Resolution Techniques Improve NEPA Implementation?

Institute Requests Comments, Holds Workshops in June

By: Dr. Kirk Emerson, *Director, U.S. Institute for Environmental Conflict Resolution*

At the request of Senators Max Baucus (D-Montana), Mike Crapo (R-Idaho), Harry Reid (D-Nevada), and Craig Thomas (R-Wyoming), the U.S. Institute for Environmental Conflict Resolution is exploring how pilot projects can be used to determine how collaboration, consensus building, and dispute resolution processes can improve NEPA implementation. The U.S. Institute is part of the Morris K. Udall Foundation, an independent Federal agency, and was established by Congress in 1998 to assist parties in resolving environmental, natural resource, and public lands conflicts. It also was charged with assisting in achieving the substantive goals of NEPA as expressed in Section 101.

In response to the Senators' request, the Institute is seeking input from those with interest and experience in NEPA review activities and multi-stakeholder collaborative processes. Most agree that there is room for improvement in the application of NEPA procedures and in the achievement of its substantive objectives articulated in Section 101. Well-managed and highly visible pilot projects may bring to light important lessons for better integrating effective collaboration into NEPA activities and improving the quality and durability of management decisions informed by NEPA analyses.

Pilot Projects Would Span a Broad Range

The Institute has proposed criteria for selecting pilot projects that represent diversity in regions of the country, agencies, land and resource issues, and stages in the NEPA review and decision-making process. Priority would be given to pilot projects that would:

- Be specifically designed to address one or more of the identified problems (box below);
- Have a "genuine potential for success" (i.e., where decisions have not been predetermined and adequate incentives exist for collaboration or dispute resolution); and
- Emphasize "innovative approaches to the integration of the substantive aspirations of Section 101 of NEPA and the implementing procedures of Section 102."

Public Comment and Workshops

With the assistance of the Meridian Institute, the U.S. Institute for Environmental Conflict Resolution has published for public review a draft report based on its

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Perceived Problems with NEPA Implementation and Collaboration

Through conversations with NEPA practitioners and stakeholders, the Institute identified a number of perceived problems with aspects of NEPA processes, including:

Implementation

- Inconsistent implementation of NEPA's statutory requirements, regulations, and guidelines
- Over-emphasis on NEPA documentation and litigation protection, rather than sounder strategic planning and decision making
- Inadequate coordination among Federal agencies with overlapping jurisdictions and inadequate intergovernmental coordination with state agencies
- Inadequate attention to realizing the goals of NEPA Section 101

Collaboration

- Lack of guidance on options Federal and state agencies have for using collaboration and dispute resolution and inconsistent approaches among the agencies
- Resource-intensive nature of collaborative processes at the same time there is inadequate funding for those processes
- Lack of clarity on stakeholder roles and responsibilities, and inadequate guidance to those stakeholders

NEPA Pilot Projects Initiative (continued from page 9)

initial discussions and review (66 FR 24161; May 11, 2001, and at www.ecr.gov/) and requests comments by June 25, 2001. The Institute will hold public workshops on June 8 in Denver, Colorado, and on June 14 in Washington, DC. The Institute will prepare formal recommendations to the Senators on a NEPA pilot projects initiative.

To obtain information on the public workshops or to submit comments on the proposal, contact Tutti Tischler at ttischler@merid.org, phone 970-513-8340, ext. 252; fax 970-513-8348; or write to Meridian Institute, Attn. Tutti Tischler, P.O. Box 1829, Dillon, Colorado, 80435. For information on the pilot projects initiative, contact Sarah Palmer at palmer@ecr.gov, phone 520-670-5299, fax 520-670-5530, or write to U.S. Institute for Environmental Conflict Resolution, 110 South Church Avenue, Suite 3350, Tucson, Arizona 85701. LL

[Dr. Emerson will make a presentation at the NEPA Compliance Officers Meeting on June 13.]

DOE-wide NEPA Contracts Update

The following tasks have been awarded recently under the DOE-wide NEPA contracts. For previously reported tasks, see the *Lessons Learned Quarterly Report*, March 2001, page 12; December 2000, page 11; and the Cumulative Index (under "Contracting, NEPA") in the September 2000 issue. For questions or comments on the DOE-wide NEPA contracts, contact David Gallegos at dgallegos@doeal.gov or 505-845-5849.

Task Description	DOE Contact	Date	Contract Team
Advanced Accelerator Applications Program EIS Scoping	Steve Chase 202-586-3789 stephen.chase@nnsa.doe.gov	1/11/01	Battelle
EA for Biosafety Level 3 Laboratory at Los Alamos National Laboratory	Tom Rush 505-667-5280 trush@doeal.gov	1/26/01	Tetra Tech, Inc.
Everett Delta Lateral Northwest Pipeline EA	Federal Energy Regulatory Commission	2/14/01	Battelle
West Valley Demonstration Project EIS (Decontamination and Waste Management)	Dan Sullivan 716-942-4016 daniel.w.sullivan@wv.doe.gov	2/16/01	Battelle
Supplement Analysis and Draft ROD Revision for WIPP EIS (Disposal of PCB-Commingled TRU Waste)	Harold Johnson 505-234-7349 johnsoh@wipp.carlsbad.nm.us	3/20/01	Battelle
Sandia Underground Reactor Facility EA	Gary Locklin 505-845-4083 glocklin@doeal.gov	4/26/01	Tetra Tech, Inc.

The Three DOE-wide NEPA Contractors

Battelle Memorial Institute
Program Manager: Lucinda Low Swartz
swartzl@battelle.org
phone: 301-933-4668
fax: 301-933-6796

Science Applications International Corporation (SAIC)
Program Manager: Mark Duff **(New)**
mark.j.duff@saic.com
phone: 303-969-6001
fax: 303-969-8899

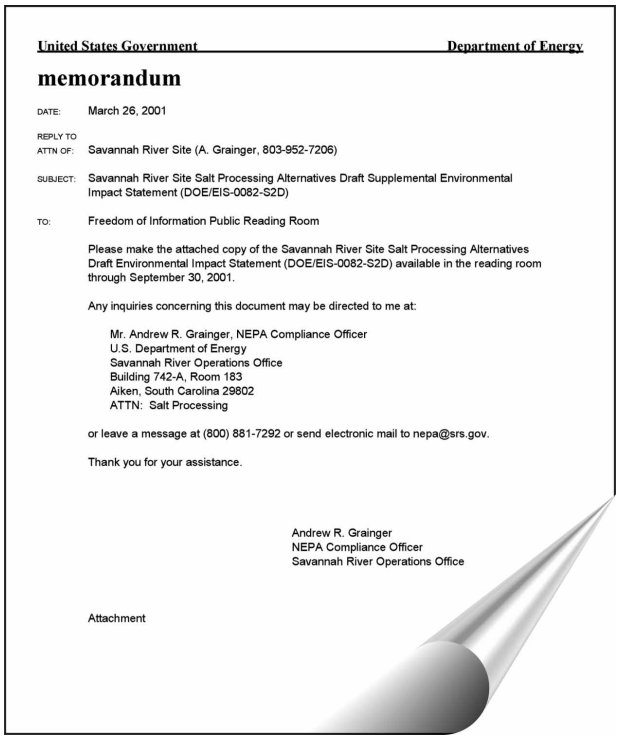
Tetra Tech, Inc.
Program Manager: Thomas Magette
tom.magette@tetratech.com
phone: 703-931-9301
fax: 703-931-9222

Don't Forget DOE Public Reading Rooms

Some DOE Offices have been providing EISs to field and headquarters public reading rooms on an informal, walk-in basis. This approach to an important part of EIS distribution has its pitfalls. On occasion the reading rooms have been overlooked in the rush to file an EIS on a tight deadline. In other cases, public availability has been delayed until the reading room receives sufficient document identification, contact, and shelf-life information to help manage the collections.

NEPA Document Managers should:

- ✓ Add appropriate DOE reading rooms to the distribution list of an EIS communications plan, and deliver reading room copies as part of the formal distribution before filing an EIS.
- ✓ Prepare a brief memo to the reading room administrator: identify the document and a contact person, and state how long to keep it publicly available.
- ✓ Provide the reading room the "Interested Party" EIS distribution letter if the letter contains public participation information not on the EIS cover sheet, such as the schedule for public hearings or commenting instructions. LL



United States Government **Department of Energy**

memorandum

DATE: March 26, 2001

REPLY TO ATTN OF: Savannah River Site (A. Grainger, 803-952-7206)

SUBJECT: Savannah River Site Salt Processing Alternatives Draft Supplemental Environmental Impact Statement (DOE/EIS-0082-S2D)

TO: Freedom of Information Public Reading Room

Please make the attached copy of the Savannah River Site Salt Processing Alternatives Draft Environmental Impact Statement (DOE/EIS-0082-S2D) available in the reading room through September 30, 2001.

Any inquiries concerning this document may be directed to me at:

Mr. Andrew R. Grainger, NEPA Compliance Officer
U.S. Department of Energy
Savannah River Operations Office
Building 742-A, Room 183
Aiken, South Carolina 29802
ATTN: Salt Processing

or leave a message at (800) 881-7292 or send electronic mail to nepa@srs.gov.

Thank you for your assistance.

Andrew R. Grainger
NEPA Compliance Officer
Savannah River Operations Office

Attachment

NEPA Staff at Earth Day 2001

Denise Freeman, Webmaster, Office of NEPA Policy and Compliance, demonstrates the DOE NEPA Web to students at DOE Headquarters on Earth Day 2001.

Drafting a *Federal Register* Notice, such as a Notice of Intent or Record of Decision?

See the National Archives and Records Administration's collection of document drafting resources at www.nara.gov/fedreg/draftres.html#top. The *Federal Register Document Drafting Handbook* (October 1998) available on that site explains how to prepare *Federal Register* documents that meet publication requirements.

Potential NEPA Implications of National Energy Policy

The Office of NEPA Policy and Compliance is studying the potential NEPA implications of the *Report of the National Energy Policy Development Group,* issued on May 16, 2001, and related Congressional activities. This topic will be discussed at the DOE NEPA Compliance Officers Meeting in Washington, DC, June 13 and 14, 2001. The full report is available on the Internet at www.whitehouse.gov/energy; excerpts potentially of interest to NEPA practitioners are provided below.

"...as a result of an analysis under the National Environmental Policy Act of the impacts of a new power plant in California, the company building the plant agreed to change the design to use a dry cooling method. This change reduced ground-water consumption by 95 percent and eliminated both cooling tower 'blowdown' water and particulate emissions, while still achieving the desired energy production." (Page 3-7.)

[This refers to the Sutter Generating Plant EIS, prepared by DOE's Western Area Power Administration. See *Lessons Learned Quarterly Report,* December 1999, page 6.]

"Energy development initiatives will be successful only if they address their impacts on natural resource values." (Page 3-1.)

"The environmental review process can also be made more open, understandable, predictable, and coordinated among federal agencies and with state and local agencies. It can be improved by providing greater information to clarify expectations for energy developers, facilitating concurrent reviews by federal agencies by standardizing certain information needs, sharing information received by project applicants, and seeking opportunities to integrate required environmental processes and reviews." (Page 3-13.)

Executive Orders Carry Out Energy Report Recommendations

Responding to a recommendation of the National Energy Policy Report, on May 18, 2001, the President issued two Executive Orders: one directing Federal agencies to expedite energy-related projects, and the other directing agencies to consider the energy impacts of their rulemaking proposals.

- **Executive Order 13212: Actions To Expedite Energy-Related Projects** (66 FR 28357; May 22, 2001)

  This Executive Order directs agencies to take appropriate actions, to the extent consistent with applicable law, to expedite projects that will increase the production, transmission, or conservation of energy. For energy-related projects, agencies shall expedite their review of permits or take other actions while maintaining safety, public health, and environmental protections. The Council on Environmental Quality will lead, and DOE will administer, a multi-agency Task Force to monitor and assist agencies in setting up mechanisms to coordinate intergovernmental permitting.

- **Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use** (66 FR 28355; May 22, 2001)

  This Executive Order directs agencies to prepare a Statement of Energy Effects for rulemaking proposals with significant energy impacts, and to submit the statement to the Office of Management and Budget and make it publicly available. Although the form of the statement is similar to an EIS, focusing on the analysis and comparison of impacts of the proposal and alternatives, this is not a NEPA-related process. LL

Nominee for Council on Environmental Quality

James Laurence Connaughton is the President's nominee to be a Member of the Council on Environmental Quality (CEQ) and, upon confirmation by the Senate, to be designated as Chair. For the past seven years, Mr. Connaughton, an environmental attorney, served as a lead negotiator on the U.S. Technical Advisory Group to the International Standards Organization Technical Committee 207, which negotiates the ISO 14000 series of international environmental standards. He has worked on issues of foreign and U.S. environmental regulation, international treaties, U.S. legislation, and occupational health and safety management.

In his May 17 confirmation hearing before the Senate Committee on Environment and Public Works, Mr. Connaughton declared "[I] fully embrace NEPA's broad policy objective. It is why I joined the environmental profession. It is why I have focused my legal practice on the most challenging matters of environmental policy and the promotion of innovative approaches to environmental protection…. I am a strong proponent of searching for and harnessing the power of consensus in meeting shared environmental goals…. I am a forceful advocate and practitioner of environmental stewardship where it matters most – at the source." LL

Transitions

Bill White Retires as Chicago Operations Office NCO

By: Clarence Hickey, *NEPA Compliance Officer, Office of Science*

Dr. Sedgefield (Bill) White, who served as the Chicago Operations Office NEPA Compliance Officer since 1993, retired on May 31. Bill brought considerable practical experience to his NCO position, having served previously in the DOE Salt Repository Project Office in Columbus, Ohio, and Hereford, Texas, and as an EIS author and ecology researcher with Argonne National Laboratory.

Bill White served 8 years as Chicago NCO.

Bill has been a corporate-partner-in-NEPA with the Office of Science and the four National Laboratories administered by Chicago Operations. He has been a supporter of the Office of Science's efforts to conduct state-of-the-art research while protecting the environment and the health and safety of workers and the public. We have appreciated his collegial approach in working with Headquarters to assess under NEPA the potential environmental consequences of research endeavors, especially the way he kept environmental stewardship in the forefront of the NEPA process. Bill collaborated to plan and conduct NEPA training workshops for Chicago Operations Office and Office of Science Site Offices and National Laboratory staffs. This promoted efficiency in the sharing of ideas and experiences in NEPA implementation. Bill also helped to lead an Office of Science Categorical Exclusion Task Group in 1995, which led to revisions to the DOE NEPA regulations that have saved time and money.

In addition to his DOE duties, Bill lectures to groups and schools on ecology and the land ethic of Aldo Leopold. Bill plans to continue nurturing a small prairie plot at his Michigan home, which he began as a personal endeavor several years ago and now uses to help local schools teach ecology and environmental stewardship. Bill also plans to build an environmentally friendly cabin in the Maine woods and use it as a place to nurture body and soul. Friends may contact Bill at wsedge@aol.com.

We wish Bill White a long, healthy, and fulfilling retirement.

New NCOs

Susan Dyer Morris: NNSA Y-12 Area Office

Susan Dyer Morris has been designated as the NEPA Compliance Officer for the National Nuclear Security Administration, Y-12 Area Office. Ms. Morris has managed the NEPA Compliance Program at Y-12, including the National Historic Preservation Act and related legislation, since 1992. She can be contacted at morrissd@oro.doe.gov or 865-576-3545.

Robin Sweeney: Yucca Mountain Office

Robin Sweeney has been designated as the NEPA Compliance Officer for the Yucca Mountain Site Characterization Office. Ms. Sweeney replaces Kenneth Skipper, who now works for the Bureau of Reclamation in Denver, Colorado. Ms. Sweeney is also the Transportation Manager at Yucca Mountain. She has worked on a wide range of NEPA documents, both at Headquarters and at various field offices since joining DOE in 1990. She can be contacted at Robin_Sweeney@ymp.gov or 702-794-1417.

Training Opportunities

NEPA-related courses are listed in the Lessons Learned Quarterly Report *for information only, without endorsement.*

DOE NEPA Course on CD-ROM:
NEPA for NEPA Compliance Officers (NETO 122)

The National Environmental Training Office (NETO) offers a computer-based training course designed to provide DOE NEPA Compliance Officers and others with an introduction to NEPA and specific DOE NEPA requirements. Price: $25.

DOE National Environmental Training Office NETO)
Phone: 803-725-7153
E-mail: NETO@srs.gov
Internet: www.em.doe.gov/neto/courses/neto122.html

- **CERCLA Orientation and Remedial Design/Feasibility Study (NETO 116)**
  Idaho Falls, ID: June 26–27
  Fee: $590
  Atlanta, GA: July 10–11
  (USDA Graduate School)
  Fee: $675

  Environmental Justice Training (NETO 120)
  Denver, CO: June 21
  Washington, DC: July 18
  Albuquerque, NM: August 29
  (USDA Graduate School)
  Phone: 214-767-8245
  Fee: $775

  Environmental Laws and Regulations (NETO 256)
  Oak Ridge, TN: June 12–14
  Fee: $545
  Atlanta, GA: August 8–9
  (USDA Graduate School)
  Phone: 214-767-8245
  Fee: $675

  DOE National Environmental Training Office
  Phone: 803-725-7153 or -0814
  E-mail: NETO@srs.gov
  Internet: www.em.doe.gov/neto/

- **Environmental Impact Assessment**
  Dallas/Ft. Worth: July 24-26, 2001
  Fee: $695

  Environmental Impact Training
  Dr. Larry Canter
  Phone: 830-596-8804
  E-mail: info@eiatraining.com
  Internet: www.eiatraining.com

- **The NEPA Toolbox™**
  Denver, CO: June 11–15
  – Essentials for NEPA Practitioners
    June 11–12
  – Bulletproofing Your NEPA Documents
    (with Daniel R. Mandelker)
    June 13
  – EAs with FOCUS™
    June 14–15

  Fees: One day: $425
  Two days: $650
  Three days: $850
  Four days: $1050
  Five days: $1250

  Environmental Training & Consulting International Inc.
  Phone: 720-859-0380
  E-mail: workshops@envirotrain.com
  Internet: www.envirotrain.com

- **Overview of the NEPA Process**
  Virginia Beach, VA: June 19
  San Diego, CA: August 21
  Fee: $195

  Reviewing NEPA Documents
  Virginia Beach, VA: June 20-22
  San Diego, CA: August 22-24
  Fee: $795

  Clear Writing for NEPA Specialists
  Portland, OR: July 17-19
  Billings, MT: September 18-20
  Fee: $795

  How to Manage the NEPA Process and Write Effective NEPA Documents
  (EPA Region 5 and the Southwest Power Administration)
  Virginia Beach, VA: August 7-10
  Billings, MT: September 11-14
  Fee: $995

  The Shipley Group
  Phone: 888-270-2157 or 801-298-7800
  E-mail: ben@shipleygroup.com
  Internet: www.shipleygroup.com

NEPA Courses to Be Offered at NAEP Annual Conference

The National Association of Environmental Professionals (NAEP) is offering several NEPA-related courses in conjunction with its annual conference (article, page 2). Courses are open to members ($125) and non-members ($225, membership included). All courses will be held June 24, 2001.
Advanced Cumulative Impacts
NEPA Tools for Planning
NEPA for Managers and New Practitioners
NEPA Legal Issues
Mitigation Under NEPA: Theory and Practice

National Association of Environmental Professionals
Phone: 888-251-9902
Internet: www.naep.org/

EAs and EISs Completed (January 1 to March 31, 2001)

EAs

Bonneville Power Adminstration
DOE/EA-1342 (1/17/01)
Rebuild of the Sheldon-Kitsap 115 kV No. 2 Transmission Line, Sheldon, WA
Cost: $98,000
Time: 12 months

Carlsbad Field Office/Environmental Management
DOE/EA-1340 (1/29/01)
Conducting Astrophysics and Other Basic Science Experiments at the Waste Isolation Pilot Plant
Cost: $150,000
Time: 12 months

Energy Efficiency and Renewable Energy
DOE/EA-1344 (1/3/01)
Proposed Energy Conservation Standards for Residential Clothes Washers
Cost: $125,000
Time: 8 months

DOE/EA-1352 (1/4/01)
Proposed Energy Conservation Standards for Residential Central Air Conditioners and Heat Pumps
Cost: $125,000
Time: 5 months

Oak Ridge Operations Office/Environmental Management
DOE/EA-1361 (1/31/01)
Transfer of Floodplain Strip Abutting Boeing Property and for Abrogation of Residential Restriction on Boeing Property
Time: 17 months
[**Note:** The cost for this EA was paid by the applicant; therefore, cost information does not apply to DOE.]

Savannah River Operations Office/Environmental Management
DOE/EA-1308 (2/15/01)
Offsite Transportation of Certain Low-Level and Mixed Radioactive Waste from the Savannah River Site for Treatment and Disposal at Commercial and Government Facilities, Aiken, SC
Cost: $65,000
Time: 20 months

Western Area Power Administration
DOE/EA-1349 (3/15/01)
Blythe Energy Project, Blythe, CA
Time: 11 months
[**Note:** The cost for this EA was paid by the applicant; therefore, cost information does not apply to DOE.]

EIS

National Nuclear Security Administration/Defense Programs/Oakland Operations Office
DOE/EIS-0236-S1 (66 FR 11288; 2/23/01)
(EPA Rating: EC-2)
National Ignition Facility Supplemental EIS to the Stockpile Stewardship and Management PEIS
Cost: $1.3 million
Time: 29 months

ENVIRONMENTAL PROTECTION AGENCY (EPA) RATING DEFINITIONS

Environmental Impact of the Action

LO – Lack of Objections
EC – Environmental Concerns
EO – Environmental Objections
EU – Environmentally Unsatisfactory

Adequacy of the EIS

Category 1 – Adequate
Category 2 – Insufficient Information
Category 3 – Inadequate

(See the March 1997 *Lessons Learned Quarterly Report* for a full explanation of these definitions.)

Recent EIS-Related Milestones (March 1 to May 31, 2001)

Notices of Intent

Bonneville Power Administration
DOE/EIS-0330
Wallula Power Project, Walla Walla County, WA
3/26/01 (66 FR 18236; 4/6/01)

DOE/EIS-0331
Blackfeet Wind Project, Glacier County, MT
4/6/01 (66 FR 19473; 4/16/01)

DOE/EIS-0333
McNary – John Day Transmission Line Project
5/8/01 (66 FR 27083; 5/16/01)

Environmental Management/West Valley Demonstration Project
DOE/EIS-0226
Revised Strategy for the EIS for Completion of the West Valley Demonstration Project and Closure or Long-Term Management of Facilities at the Western New York Service Center
3/21/01 (66 FR 16447; 3/26/01)

Advance Notice of Intent

Environmental Management
DOE/EIS-0329
Depleted Uranium Hexafluoride Conversion Facilities at Portsmouth, OH and Paducah, KY
5/1/01 (66 FR 23010; 5/7/01)

Draft EISs

Environmental Management/Savannah River Operations Office
DOE/EIS-0082-S2
Savannah River Site Salt Processing Alternatives
March 2001 (66 FR 17422; 3/30/01)

Western Area Power Administration
DOE/EIS-0322
Sundance Energy Project, Pinal County, AZ
March 2001 (66 FR 16226; 3/23/01)

Draft EIS Supplement

Office of Civilian Radioactive Waste Management
DOE/EIS-0250D-S
Supplement to the Draft EIS for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High-Level Radioactive Waste at Yucca Mountain, Nye County, NV
May 2001 (66 FR 24135; 5/11/01)

Supplement Analyses

Bonneville Power Administration

Yakima River Basin Fisheries Project, OR (DOE/EIS-0169)

DOE/EIS-0169/SA-4
Yakima Fisheries Project – Construction and Modification Upgrades to the Prosser Hatchery and Marion Drain Hatchery Facilities, Yakima County, WA.
(Decision: No further NEPA review required) November 2000*

Business Plan (DOE/EIS-0183)

DOE/EIS-0183/SA-1
General Transfer Agreement with Okanogan County PUD
(Decision: No further NEPA review required) December 1999*

DOE/EIS-0183/SA-2
Dworshak Small Hydroelectric Project – Purchase of Electrical Energy Output
(Decision: No further NEPA review required) June 2000*

DOE/EIS-0183/SA-3
Goldendale Energy Project
(Decision: No further NEPA review required) March 2001

Resource Contingency Program (DOE/EIS-0230)

DOE/EIS-0230/SA-2
Chehalis Generation Facility
(Decision: No further NEPA review required) May 2001

Wildlife Mitigation Program (DOE/EIS-0246)

DOE/EIS-0246/SA-12
Big Island McKenzie River Wildlife Project, Springfield, OR
(Decision: No further NEPA review required) September 2000*

DOE/EIS-0246/SA-13
Malheur Wildlife Mitigation Project, Malheur County, OR
(Decision: No further NEPA review required) December 2000*

DOE/EIS-0246/SA-14
Ladd Marsh Wildlife Management Area Additions, Conley Lake Upland Habitat Restoration, Union County, OR.
(Decision: No further NEPA review required) March 2001

Watershed Management Program (DOE/EIS-0265)

DOE/EIS-0265/SA-42
Umatilla River Basin Anadromous Fish Habitat Enhancement Project, Umatilla River Basin, near Pendleton, OR
(Decision: No further NEPA review required) September 2000*

**Not previously reported in* Lessons Learned

continued on next page

Recent EIS-Related Milestones (March 1 to May 31, 2001) (continued from previous page)

DOE/EIS-0265/SA-43
Walla Walla River Basin Anadromous Fish Habitat Enhancement Project, Umatilla County, OR, and Columbia County, WA
(Decision: No further NEPA review required) October 2000*

DOE/EIS-0265/SA-44
Lower Wilson Creek Passage Restoration Project, Between Ellensburg, WA and Yakima Canyon
(Decision: No further NEPA review required) November 2000*

DOE/EIS-0265/SA-45
Implement Fisheries Enhancement Opportunities: Coeur d'Alene Reservation, Coeur d'Alene Reservation, ID
(Decision: No further NEPA review required) November 2000*

DOE/EIS-0265/SA-46
Edler and Henne Property Acquisition, Yakima, Yakima County, WA
(Decision: No further NEPA review required) December 2000*

DOE/EIS-0265/SA-47
Salmon River Irrigation Diversion Consolidation, Upper Salmon River, ID, Lemhi County, OR
(Decision: No further NEPA review required) December 2000*

DOE/EIS-0265/SA-48
Acquire Oxbow Ranch - Middle Fork John Day River, Grant County, OR, Middle Fork John Day River Watershed
(Decision: No further NEPA review required) December 2000*

DOE/EIS-0265/SA-49
Walla Walla Basin Passage Improvements Project
(Decision: No further NEPA review required) February 2001*

Records of Decision

Bonneville Power Administration
DOE/EIS-0183
Goldendale Energy Project
3/20/01 (66 FR 17542; 4/2/01)

National Nuclear Security Administration/Defense Programs/Oakland Operations Office
DOE/EIS-0236-S1
National Ignition Facility Supplemental EIS to the Stockpile Stewardship and Management PEIS
3/30/01 (66 FR 18078; 4/5/01)

**Not previously reported in* Lessons Learned

NEPA Document Cost and Time Facts

Costs

EAs

- For this quarter, the median cost of five EAs, excluding EA-1349 and EA-1361, for which costs were not applicable, was $125,000 and the average was $113,000.

- Cumulatively, for the 12 months that ended March 31, 2001, the median cost for the preparation of 19 EAs was $68,000; the average was $81,000.

EISs

- Cumulatively, for the 12 months that ended March 31, 2001, the median cost for the preparation of six EISs was $1.1 million; the average was $1.6 million.

Completion Times

EAs

- For this quarter, the median and average completion times of seven EAs were both 12 months.

- Cumulatively, for the 12 months that ended March 31, 2001, the median completion time for 22 EAs was 10 months; the average was 13 months.

EISs

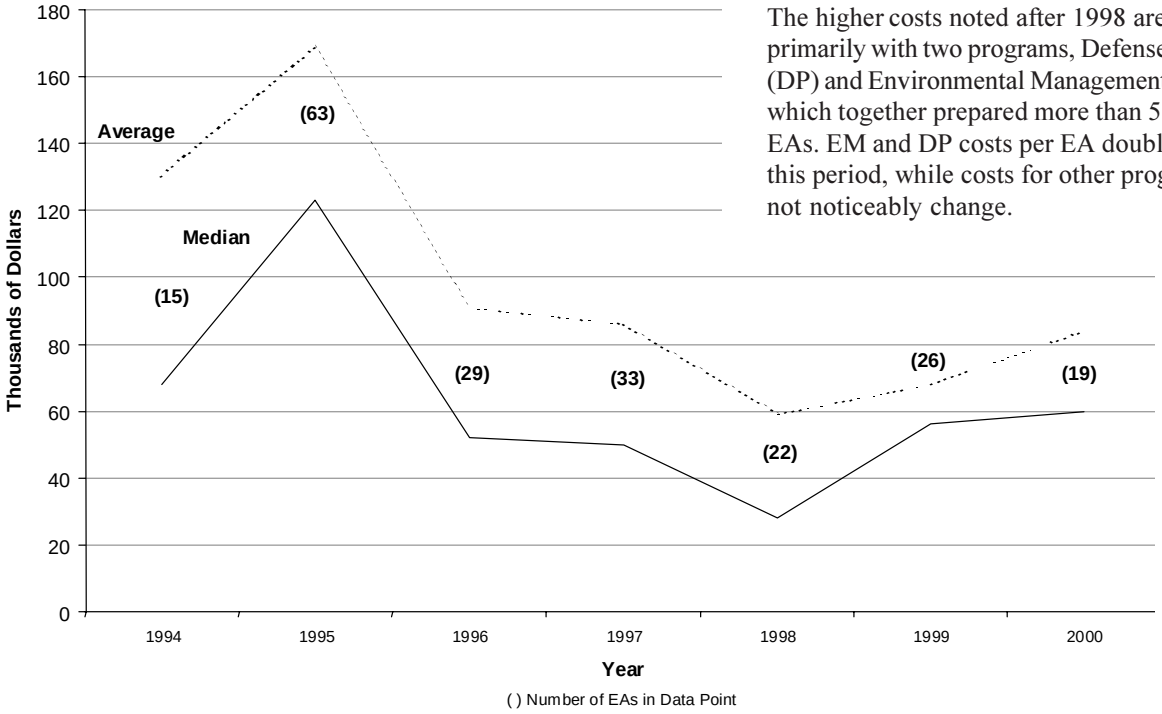
- Cumulatively, for the 12 months that ended March 31, 2001, the median completion time for six EISs was 23.5 months; the average was 24 months.

EA Cost and Completion Time Trends

After Field Offices received EA approval authority in 1994, EA preparation cost and time initially increased as a relatively large number of EAs were completed in 1995. EA preparation cost and time subsequently decreased and leveled off at medians of about $50,000 and 8 months, respectively.

From 1998 through 2000, EA preparation cost and time appear to have increased. Reasons for the increases are unclear. Our data show the following:

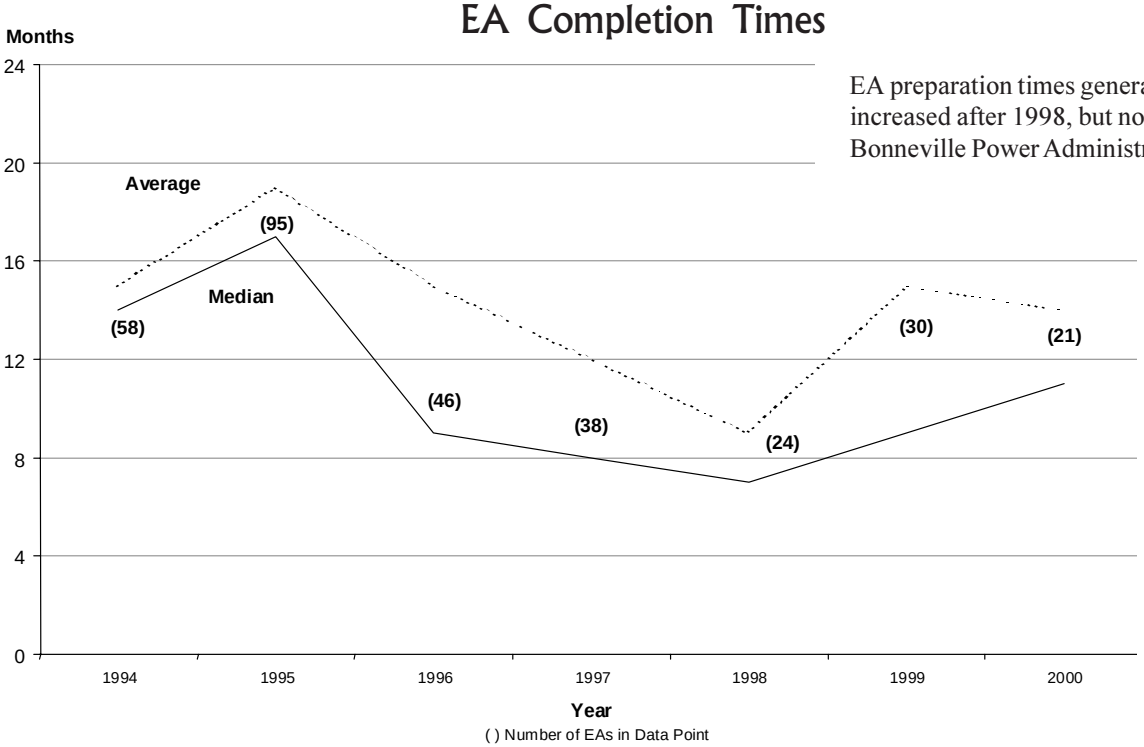
EA Costs



( ) Number of EAs in Data Point

The higher costs noted after 1998 are associated primarily with two programs, Defense Programs (DP) and Environmental Management (EM), which together prepared more than 50% of the EAs. EM and DP costs per EA doubled during this period, while costs for other programs did not noticeably change.

EA Completion Times



( ) Number of EAs in Data Point

EA preparation times generally increased after 1998, but not for Bonneville Power Administration.

What Worked and Didn't Work in the NEPA Process

To foster continuing improvement in the Department's NEPA Compliance Program, DOE Order 451.1B requires the Office of NEPA Policy and Compliance to solicit comments on lessons learned in the process of completing NEPA documents and distribute quarterly reports. This Quarterly Report covers documents completed between January 1 and March 31, 2001.

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

Scoping

What Worked

- *Applicant development of alternatives.* The applicant had already explored alternatives, which facilitated the review and analysis of alternatives.

What Didn't Work

- *Attempts to renegotiate scope.* The initial scope was determined by a legal settlement agreement. The plaintiffs then attempted to change the scope through parties who were not part of the original settlement.

Data Collection/Analysis

What Worked

- *Applicant data.* In preparing the application, the applicant had collected most of the data, so that much less information needed to be gathered for the EA.
- *Designing hypothetical future experiments to bound potential impacts.* The proposed action included defined and undefined potential future experiments. Since the details of all experiments had not been defined, DOE assembled a team of scientists to design hypothetical future experiments to assure that potential impacts were addressed.

Schedule

Factors that Facilitated Timely Completion of Documents

- *Applicant interest.* The applicant's interest in finishing the project was probably the major factor that kept the document on schedule.
- *Internal reviews conducted via electronic mail.* Sending the document and review comments between offices via electronic mail avoided the time and expense of sending hard copies back and forth.
- *Rigorous adherence to a review comment format.* Rigorous adherence to written comment response formats, and having the contractor transfer spoken and handwritten comments into the format, facilitated timely completion of the document.

Factors that Inhibited Timely Completion of Documents

- *Poor communication within the DOE complex.* The site was unaware of the sensitivity of transportation issues in a distant state, leading to a firestorm of comments that could easily have been avoided.
- *Inaccurate modeling input.* Inaccurate information was used in RADTRAN calculations. Redoing the calculations delayed the EA and increased costs.
- *Changes in scope.* The project scope changed significantly during document preparation.
- *Input from outside agencies.* Incorporating input and permit requirements from external agencies took time.
- *Competing work loads.* Competing work loads on the part of DOE and the state agency that we worked with slowed the project.
- *A slow internal review process.* Competing demands prevented early and effective internal reviews, forcing an additional review cycle.
- *Not following the review comment format.* Internal reviewers often did not use the comment format provided, instead providing comments by marginal notes on separate versions of the document.

Factors that Facilitated Effective Teamwork

- *An established document review procedure.* An established document review procedure defined the role of each team member in the process. A limited scope of review allowed quick turnaround without interfering with other tasks.

Factors that Inhibited Effective Teamwork

- *Changes in contractor staff.* Long delays in document preparation led to turnover in contractor staff, causing inefficiencies in coordination of reviews and responses.
- *Lack of detail in billing.* The contractor billed too generally, by person-months rather than work hours and job costs associated with specific tasks. This made it difficult to effectively track project progress.

Process

Successful Aspects of the Public Participation Process

- Good responses on the EA from the affected states prompted DOE to clarify its intentions.
- A special presentation to the Citizens Advisory Board helped inform local stakeholders about the EA.
- Use of a state agency public participation process led to more public involvement for this EA than usual, although the more formal agency style can seem too stiff and intimidating to the public.
- An informal meeting structure and the use of a facilitator to record comments on flip charts helped assure commenters that their input for this EA was heard and understood.

Unsuccessful Aspects of the Public Participation Process

- *Out of scope comments.* Most of the public comments were outside the scope of the EA.

Usefulness

Agency Planning and Decision Making – What Worked

- Public and state comments made DOE aware of sensitivities about the proposed action.
- The EA process enabled the project managers to learn about stakeholder transportation issues.
- A combined NEPA and state process was essential to project planning and decision making. As environmental issues were raised, the project proponent modified the project to decrease impacts.
- The EA helped inform EPA and led to review comments that more clearly defined their role in the permitting process.

Enhancement/Protection of the Environment

- The EA process did not affect the decision, but ensured that the proposed activities would be protective of the environment.
- The EA process identified the need to minimize large volume, liquid shipments to avoid potential accident impacts on small streams.
- Even though the endangered species habitat affected by the project is of low quality, as a result of the EA process the applicant provided funds to set aside an equivalent acreage in prime habitat.

Effectiveness of the NEPA Process

For the purposes of this section, "effective" means that the NEPA process was rated 3, 4, or 5 on a scale from 0 to 5, with 0 meaning "not effective at all" and 5 meaning "highly effective" with respect to its influence on decision making.

- For this quarter, in which there were 7 EAs and 1 EIS, 7 out of 9 respondents rated the NEPA process as "effective."
- One respondent who rated the process as "5" stated that preparation of the document made the project sponsor look further into the future with respect to planning than they had done previously.
- Another respondent who rated the process as "5" indicated that the applicant planned the project with environmental impacts and mitigation in mind.
- One respondent who rated the process as "4" explained that the "NEPA public review process caused the project managers to make better decisions regarding the transportation of waste."
- A respondent who rated the process as "1" wrote that it seemed for the most part that DOE was duplicating work that should have been done by another agency.
- A respondent who rated the process as "3" stated that the EA identified potential hazards related to the proposed action and prompted innovative thinking about ways to mitigate those hazards. LL