

LESSONS LEARNED QUARTERLY REPORT 4TH QUARTER FY1994

Office of NEPA Oversight
U.S. Department of Energy

December 1, 1994

INTRODUCTION

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

On August 12, 1994, the Office of NEPA Oversight distributed an interim/draft lessons learned questionnaire to NEPA contacts to be used for reporting on environmental impact statements and environmental assessments approved between July 1 and September 30, 1994. This first quarterly report summarizes the responses, which in many respects are immediately useful. For example, the respondents made clear that effective communication and teamwork greatly facilitate DOE's NEPA process, and also that resource limitations have hindered the process in some cases. More important, perhaps, is that the data presented in these quarterly reports, over time, may show patterns and trends. In that respect, these data will also facilitate the Office of Environment, Safety and Health's on-going effort to measure progress under the Secretarial Policy Statement and to consider what additional improvements may be necessary.

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

The next quarterly report will cover environmental impact statements and environmental assessments completed during the first quarter of fiscal year 1995 (October 1 through December 31, 1994). The Office of NEPA Oversight plans to issue a revised questionnaire in January 1995. In the interim, please continue to report on environmental impact statements and environmental assessments as they are completed (use the current questionnaire until a revision is provided). Questionnaires for all such documents completed between October 1 and December 31, 1994, are due by February 1, 1995. Completed questionnaires should be mailed or faxed (202-586-7031) directly to the Office of NEPA Oversight. The next quarterly report will be issued March 1, 1995.

ABOUT THE FIRST LESSONS LEARNED QUARTERLY REPORT

According to Office of NEPA Oversight records, the Department of Energy (DOE) completed 14 environmental assessments and 5 environmental impact statements during the final quarter of fiscal year 1994 (from July 1 to September 30, 1994). For the purposes of this report, the approval of a final environmental impact statement or the NEPA decision for an environmental assessment represent project completion.

As of November 29, 1994, the Office received 37 questionnaires covering 12 of the 14 environmental assessments and all 5 of the environmental impact statements. Questionnaire respondents included 10 NEPA Compliance Officers, 6 NEPA Document Managers, 6 Project Managers and 15 others (i.e., team members, Office of NEPA Oversight staff, contractors).

NEPA DOCUMENT PREPARATION TIMES

The median time reported for the completion of an environmental assessment (from the NEPA determination to the Finding of No Significant Impact) was 9 months; the completion times ranged from about 2 months to about 32 months (see chart on right).

The median time reported for completion of an environmental impact statement (from publication of the notice of intent to the approval of the final environmental impact statement) was 26 months. The range for this interval was about 8 to about 50 months (see chart on right).

Questionnaire respondents indicated that of the 17 total projects reported on for this quarter, 5 environmental assessments and all 5 environmental impact statements were completed on schedule; 7 environmental assessments were not completed on schedule. Also, for 3 environmental assessments and 3 environmental impact statements, the NEPA review was initiated early enough to avoid being on the critical path. For 4 environmental assessments, questionnaire respondents disagreed as to whether the NEPA review had begun early enough, some (for each project) reporting that the NEPA review had begun in time, and some that it had not.

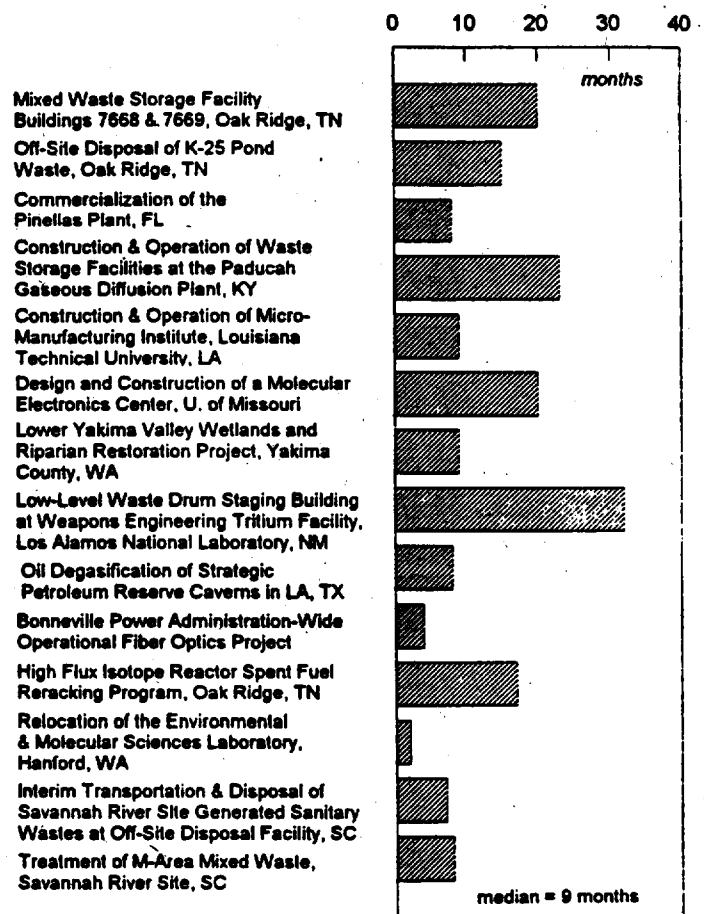
Respondents identified the following as measures that facilitated timely completion of their NEPA documentation:

- ◆ frequent and open communication among all involved/affected parties was cited most often (30 percent of respondents);

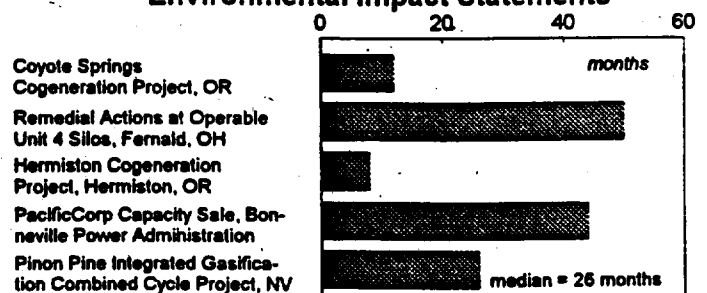
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Completion Time for Environmental Assessments



Completion Time for Environmental Impact Statements



- ◆ effective teamwork (27 percent);
- ◆ delegation of approval authority (14 percent);
- ◆ clearly developed expectations (including defined deadlines) and organizational techniques (11 percent);
- ◆ responsive contractor support (8 percent); and
- ◆ use of existing data (8 percent).

One respondent noted that "since there were few comments received on their draft environmental impact statement, a response to comments and errata volume was prepared, and together with the draft document, both comprised the final environmental impact statement. Ultimately, time and money were saved in printing and mailing." This approach is listed in the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA (40 CFR 1500.4(m)) as a measure to reduce paperwork.

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

- ◆ limited time and resources;
- ◆ slow, sequential review, revision and concurrence processes;
- ◆ problems dealing with specific team members and stakeholders; and
- ◆ change of project definition late in the process.

NEPA COST DATA

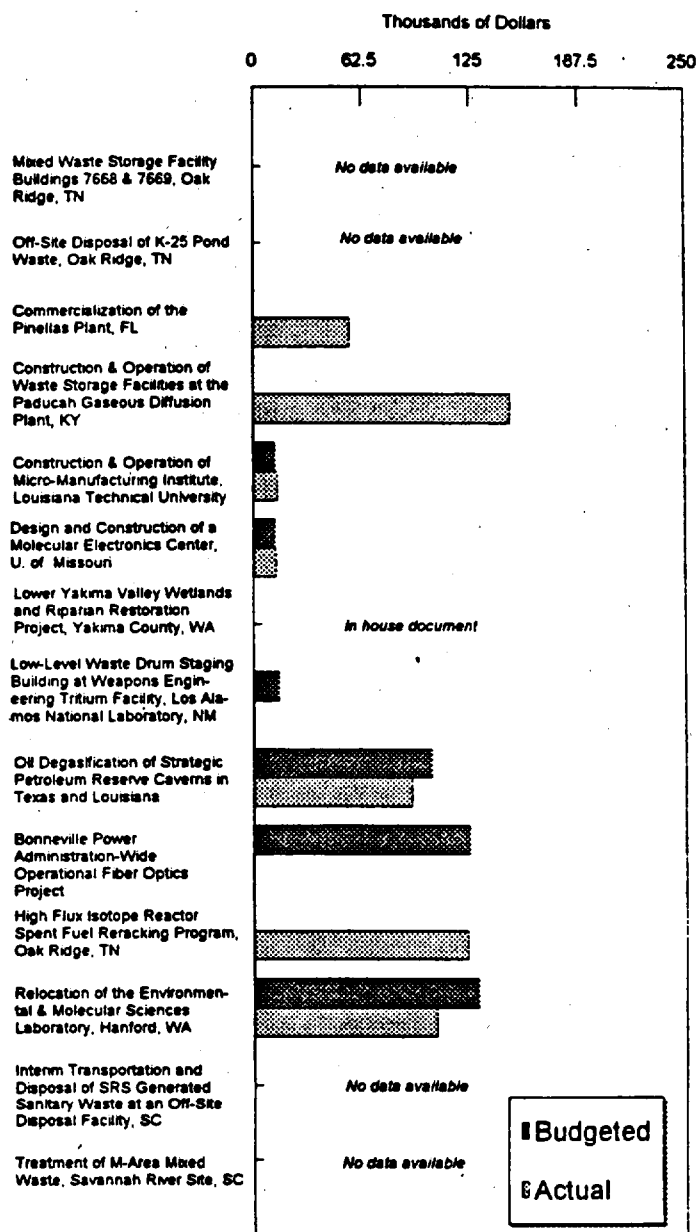
Of the 8 projects for which both NEPA budget and actual cost data were reported, respondents indicated that 2 environmental assessments and 2 environmental impact statements were completed within budget, while 2 environmental assessments and 2 environmental impact statements were reported as over-budget.

Costs reported reflect dollars expended for a support contractor. Of the 7 environmental assessments for which the actual cost data was reported, the average cost for document preparation was \$79,000, with a range of \$13,000 to \$149,000 (see chart on right). Of the 4 environmental impact statements, the average cost for document preparation was \$761,000 with a range of \$197,000 to \$1.9 million (see chart on right).

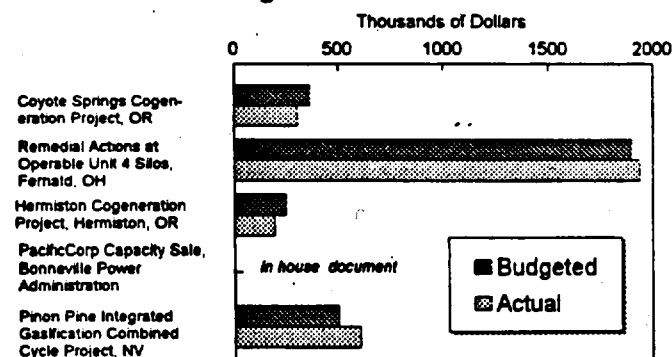
Budget and actual cost data are not available for several of the projects reported on for one or more of the following reasons:

- ◆ a project budget was not developed;
- ◆ cost data were not accounted for; and/or
- ◆ the project was part of a program budget that was not broken down by project.

Costs of Environmental Assessments Budgeted vs. Actual



Costs of Environmental Impact Statements Budgeted vs. Actual



NEPA DOCUMENT CONTENT

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

Determining Reasonable Alternatives: Respondents noted that a focused purpose and need statement and effective teamwork were most helpful. One commenter emphasized the effectiveness of including project-specific analyses within a programmatic environmental assessment. Such foresight efficiently addressed the program and projects simultaneously, rather than sequentially.

Data Collection: Respondents described the availability of existing data from previous projects as an advantage.

Faced with a lack of site-specific knowledge, one preparer drew on tribal expertise, as well as existing information gathered by the Bureau of Indian Affairs.

Impact Analysis: One respondent stated that the integration of NEPA and Comprehensive Environmental Response, Compensation and Liability Act risk assessment processes facilitated successful completion of an impact analysis. Another respondent discussed the problems that can arise when it is mistakenly assumed that: 1) project-specific impacts will be analyzed by a related programmatic NEPA document, and 2) therefore do not need to be included in a project-specific document. (A project-specific NEPA document should include all relevant analyses needed to ensure that the project could be implemented.)

THE DOCUMENT PREPARATION PROCESS

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

- ◆ effective and open communication with all involved parties;
- ◆ delegation of approval authority; and
- ◆ document ownership.

Factors that hamper NEPA document preparation include:

- ◆ lack of document ownership;
- ◆ lack of adequate resources; and
- ◆ a lengthy internal review process.

With regard to teamwork between DOE and its support contractors, commonly-noted facilitating measures again included consistent, effective, and open communication. Inhibiting factors included the contractor not following "Green Book" guidance (Recommendations for the Preparation of Environmental Assessments and Environmental Impact Statements prepared by the Office of NEPA Oversight), a lack of adequate resources, and a large distance between the location of DOE staff and the contractor.

With regard to successful aspects of public involvement, one respondent stated that involving the public from the project's inception reduced the amount of public concern for and comment on the draft document.

Regarding unsuccessful aspects of public involvement, some commenters suggested that the timeframes allowed for Federal, state, and tribal review were too short. They

pointed out that other agencies, stakeholders, and interested parties have their own agendas, and close communication is needed for all parties to coordinate document review deadlines.

Nine of the 37 respondents stated that the public generally supported their projects, and 10 stated that there was little public interest or concern. (Some of these respondents stated that the public generally supported their project although there was little public interest or concern.)

Only 2 of the 37 respondents indicated a need for further guidance relating to the preparation of environmental assessments or environmental impact statements. One stated that better guidance on coastal zone management consistency requirements was needed. The other respondent indicated that better guidance on incorporating environmental justice considerations from General Counsel and/or the Office of NEPA Oversight would have been helpful. Additionally, one respondent stated that some NEPA preparers fail to read and apply the existing guidance.

With regard to resources availability, 9 respondents (24 percent) indicated this is a problem, while 22 respondents (59 percent) said resource availability was not a problem. The most often noted deficiency was that insufficient staff time and/or a lack of teamwork precluded quick turnarounds for project elements.

USEFULNESS OF THE NEPA PROCESS

When asked how the NEPA process was used in agency planning and decision making, 10 questionnaire respondents (28 percent) stated that the process was not useful because the project decision had already been made. However, others stated that the process:

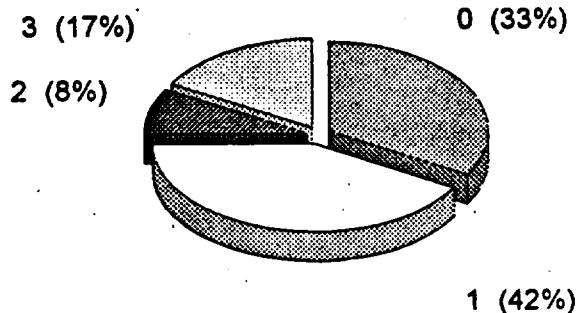
- ◆ provided an opportunity to consider all valid alternatives (5 respondents);
- ◆ generated information that will be useful in implementing the project and planning for future projects (4 respondents).
- ◆ resulted in impact avoidance (1 respondent);
- ◆ helped the state to complete its own environmental review (1 respondent); and
- ◆ was a good way to judge public reaction (2 respondents).

One respondent wrote that "their programmatic document helped to identify potential problems and concerns that could surface on all future program-related projects." The respondent further stated, "the programmatic environmental assessment process resulted in identification of sensitive resource areas which will enable decision-makers to take these areas into consideration when locating and installing their fiber optic cable."

In response to the question asking respondents to rate, on a scale of 0 to 5 ("5" being total involvement, and "0" viewing the NEPA process as "another permit" for a decision already made), the level of the decision maker's involvement in the NEPA document preparation process, most said that the involvement level of the decision maker was minimal (see charts on right).

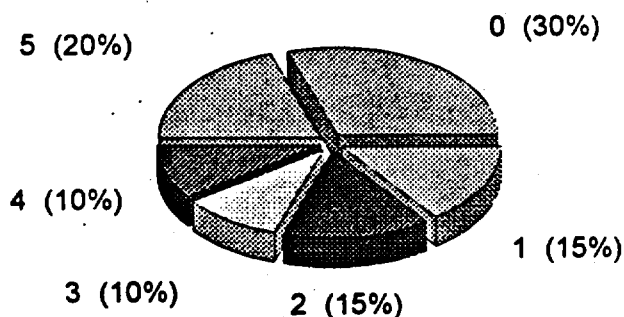
Usefulness of the EIS Process

(0=lowest; 5=highest)



Usefulness of the EA Process

(0=lowest; 5=highest)



OTHER LESSONS LEARNED

Some respondents offered miscellaneous comments regarding lessons learned, as described below.

One respondent reported on difficulties in preparing an environmental impact statement in view of changing circumstances, the demands of coordinating with a parallel NEPA review on related issues, and technical challenges regarding the impact assessment. The respondent believes that a late start and the complications of its preparation made the environmental impact statement of little use to the decisionmaker.

In contrast, another respondent stated that, "I worked with an extremely effective and efficient core team and thought that the NEPA process was a worthwhile exercise. The process doesn't mean the paperwork, but the information and the input that everyone gained about the project through this process. One of the keys is to work

closely with team members, to communicate on a daily basis, to identify potential concerns up front and anticipate delays...the extra time spent on this programmatic environmental assessment will be a big advantage to future work."

REMINDER: Lessons Learned Questionnaires for all projects completed during the first quarter of FY95 should be submitted as soon as possible after document completion, but no later than February 1, 1995 (Fax: 202-586-7031).

Environmental Impact Statements Completed Between July 1 and September 30, 1994

Environmental Impact Statement (Document Number)	Project Location	Program	EPA Rating
Coyote Springs Cogeneration Project (DOE/EIS-0201)	Oregon	Bonneville Power Administration	EC-2
Remedial Actions at Operable Unit 4 Silos, Fernald Environmental Management Project (DOE/EIS-0195)	Fernald, Ohio	Environmental Management	EC-2
Hermiston Cogeneration Project (DOE/EIS-0204)	Hermiston, Oregon	Bonneville Power Administration	EC-1
PacificCorp Capacity Sale, Bonneville Power Administration Area (DOE/EIS-0171)	Bonneville Power Administration Area	Bonneville Power Administration	LO
Pinon Pine Integrated Gasification Combined Cycle Project (DOE/EIS-0215)	Tracy, Nevada	Fossil Energy	EC-2

ENVIRONMENTAL PROTECTION AGENCY (EPA) RATING DEFINITIONS:

Environmental Impact of the Action

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

Adequacy of the Impact Statement

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

Environmental Assessments Completed Between July 1 and September 30, 1994

Environmental Assessment (Document Number)	Project Location	Program
Mixed Waste Storage Facility Buildings 7668 and 7669 (DOE/EA-0820)	Oak Ridge, Tennessee	Environmental Management
Off-Site Disposal of K-25 Pond Waste (DOE/EA-0966)	Oak Ridge, Tennessee	Environmental Management
Commercialization of the Pinellas Plant (DOE/EA-0950)	Pinellas, Florida	Defense Programs
Construction and Operation of Waste Storage Facilities at the Paducah Gaseous Diffusion Plant (DOE/EA-0937)	Paducah, Kentucky	Environmental Management
Construction and Operation of Micromanufacturing Institute, Louisiana Technical University (DOE/EA-0958)	Ruston, Louisiana	Energy Research
Design and Construction of a Molecular Electronics Center, University of Missouri (DOE/EA-0931)	St. Louis, Missouri	Energy Research
Lower Yakima Valley Wetlands and Riparian Restoration Project (DOE/EA-0941)	Yakima County, Washington	Bonneville Power Administration
Low-Level Waste Drum Staging Building at Weapons Engineering Tritium Facility, TA-16, Los Alamos National Laboratory (DOE/EA-0874)	Los Alamos, New Mexico	Defense Programs
Oil Degasification of Strategic Petroleum Reserve Caverns in Texas and Louisiana (DOE/EA-0954)	Louisiana, Texas	Fossil Energy
Bonneville Power Administration-Wide Operational Fiber Optics Project (DOE/EA-0951)	Bonneville Power Administration - Wide	Bonneville Power Administration
High Flux Isotope Reactor Spent Fuel Reracking Program, Oak Ridge National Laboratory (DOE/EA-0900)	Oak Ridge, Tennessee	Nuclear Energy
Relocation of the Environmental and Molecular Sciences Laboratory, Hanford Site (DOE/EA-0959)	Richland, Washington	Energy Research
Interim Transportation and Disposal of Savannah River Site Generated Sanitary Waste at an Off-Site Disposal Facility, Savannah River Site (DOE/EA-0989)	Aiken, South Carolina	Environmental Management
Treatment of M-Area Mixed Waste, Savannah River Site (DOE/EA-0918)	Aiken, South Carolina	Environmental Management