

First Quarter FY 1997 Questionnaire Results

What Worked and Didn't Work in the NEPA Process

To foster continuing improvement of the Department's NEPA Compliance Program, DOE Order 451.1 requires the Office of Environment, Safety and Health to solicit comments on lessons learned in the process of completing NEPA documents and to distribute quarterly reports. This Quarterly Report covers documents completed between October 1 and December 31, 1996. Comments and lessons learned on the following topics were submitted by questionnaire respondents.

Editor's Note: Some of 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

- It was helpful to contact public officials and/or staff of the four affected local jurisdictions and the State early in project planning, before notifying the general public of the proposed action. Also, the environmental project lead and the project manager made a presentation on the proposal before a local planning commission.

DATA COLLECTION/ANALYSIS

- Because the PEIS covered eight different DOE sites, we coordinated each site's data through a single point-of-contact to prevent data conflicts and provide accountability.
- Interagency collaboration and assistance were provided for all aspects of data collection and impact analysis, saving both time and money. Ultimately, these savings will provide more funds for habitat improvements.

IMPACT ANALYSIS/METHODOLOGY

- At the start of the PEIS we developed a methodology report in coordination with EH and GC staff.
- Evaluating the environmental impacts on 13 resources of implementing five programs, under four alternatives, at seven sites, was so complex that we used a team of very senior-level personnel from four organizations to perform the analyses.

SCHEDULE

Timely Completion of Documents was Facilitated by:

- Litigation and threat of injunction against waste receipts that kept management's and counsel's attention on the EIS.
- A large-scale meeting at Headquarters to resolve comments and make revisions.
- Effective DOE planning and management, keeping the same Document Manager for the duration of the project, and abundant public participation.

Procedures for Keeping the Document on Schedule:

- Day-to-day coordination with EH and GC staffs; setting realistic but aggressive schedules for reviews and revisions; managing the contractor with detailed work-break-down schedules, labor plans, milestones, etc.
- (1) Have DOE staff prepare the EIS Summary, Chapter 1, and the Comment-Response volume, and have key DOE individuals work full time with the contractor at the contractor's offices. (2) Conduct sequestered reviews of the draft and final documents (gathering all reviewers in one room at an offsite location until the review is completed, comments provided, and potential fixes identified). (3) Provide a briefing on the Preferred Alternative to reviewers to obtain buy-in before delivering the document for review. (4) Negotiate with reviewers from GC and EH a detailed, step-by-step approval process with completion dates to ensure no unexpected delay.

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NEPA Process (continued)

Timely Completion of Documents was Inhibited by:

- Key decision makers delaying approval of the PEIS.
- Changes among Headquarters players for this multi-program EIS, resulting in a loss of corporate memory and difficulty in accommodating major changes in direction and policy for several programs.
- The need for new analysis because the Preferred Alternative (not identified in the draft EIS) involved a combination of alternatives that was not analyzed specifically-enough in the draft EIS.
- The time it took Headquarters to review and approve the document.

Factors that Facilitated or Inhibited DOE Teamwork:

- Many other related EISs/PEISs were being prepared in parallel, with tremendous potential for conflicting analysis; thus, much time was required for coordination with other documents.
- Planning for project close-out is difficult because the process does not end with the publication of the final EIS. In the early stages of project planning, project close-out is not well understood. Roles and responsibilities for developing the Record of Decision, Mitigation Action Plan, and Administrative Record should be well understood by the EIS Team and the organization being served.

PUBLIC PARTICIPATION SUCCESS

Successful Aspects of the Public Participation Process:

- If we didn't have answers, we took names and numbers and followed up with information by phone or mail.
- Interagency team meetings with congressional staff, and state and local elected officials were helpful in identifying and resolving sensitive property tax and land use issues before completion of the EA process. This public involvement effort helped to reduce adverse public comment and the potential for litigation.

Public Reactions to the NEPA Process:

- The public was overwhelmed by the plethora of NEPA documents being prepared.
- The public appeared to appreciate having a combined public hearing for the Stockpile Stewardship and Management PEIS, the Fissile Materials Storage and Disposition PEIS, and the Pantex Sitewide EIS.
- For the most part, members of the public who were participating in the process for the first time reacted very positively. They asked questions about the process and provided comments. Members of the public who have been involved in the NEPA process for years reacted in accordance with how the process was affecting their point of view on the proposed action. There was a lot of pressure from these individuals and organizations to make issues outside of the environmental review part of the NEPA process. Several groups wanted technical, cost (not just cost-benefit analyses), schedule and nonproliferation issues made a formal part of the PEIS.
- Public meetings contributed to building a better understanding of the NEPA process and outcomes.

FURTHER GUIDANCE NEEDS IDENTIFIED

- Green Book guidance is focused on project-specific actions. Programmatic documents have no real guidance and err toward over-inclusiveness. This is costly. Perhaps EH should consider guidance for PEISs.

USEFULNESS

Agency Planning and Decision Making:

- Although it was not clear how top-level agency officials used the NEPA process, we used it internally for our local siting decisions.
- The NEPA process facilitated informed and sound decision making by raising and responding to concerns about impacts on native fish populations.

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NEPA Process (continued)

Protection/Enhancement of the Environment:

- The EIS process served to protect the environment, but greater environmental benefits could have resulted if we had written a broader PEIS with less detail, and used the money saved for physical improvements at DOE sites.

What Worked and Didn't Work:

- All of the EIS contractor personnel were granted "Q" clearances. This placed an unnecessary burden on DOE resources; Q clearance should have been granted only to 2-4 personnel on the EIS contractor team. Almost nothing evaluated in the process of the EIS was classified or required clearance for review.
- If the Secretary is the decision maker, why is s(he) uninvolved until approval of the FEIS? Needless to say, issues raised at that point in the process may be costly and nearly impossible to address.


NEPA COST SAVINGS/BUDGET EXCEEDANCES

- Use a single contractor. We used 10 contractors, which was not efficient. Better yet, use Federal staff to perform most work and contractors only when necessary.
- We learned that well-written environmental documents elicit fewer comments than those of lesser quality. Fewer comments translates into cost savings. And by conducting all of the environmental analysis in-house (with the exception of cultural resources), we were able to complete the environmental work cost-effectively.
- The DOE project environmental lead should have been involved in the establishment of the initial document preparation budget.

EFFECTIVENESS OF THE NEPA PROCESS

Questionnaire respondents were asked to rate the effectiveness of the NEPA process in terms of its usefulness to decision makers. For the purposes of this

report, "effective" means 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 "highly effective."

- For this quarter, 2 of the 3 respondents for EAs and 1 of the 4 respondents for EISs rated the NEPA process as "effective."
- One EA respondent stated that the NEPA process was instrumental in identifying mitigation measures to protect waterfowl species expected to be attracted to a new wildlife refuge within the immediate project area.
- Another EA respondent commented that the EA is an interagency plan that will be in effect over the next 10-12 years and will provide a method for continual site-specific planning, consultation, and environmental review. Additionally, the NEPA process was instrumental in informing interested individuals of the proposed action early in project planning.
- Four respondents rated the effectiveness of the NEPA process as low because the NEPA process did not enhance the ultimate decision. 

Reminder:

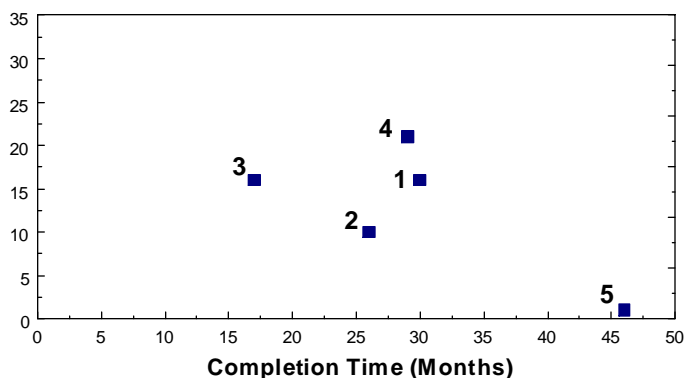
Lessons Learned Questionnaires for all NEPA documents completed during the second quarter of FY 1997 (January 1, 1997 to March 31, 1997) should be submitted as soon as possible after document completion, but no later than May 1, 1997. (Fax: 202-586-7031 or Internet: hitesh.nigam@eh.doe.gov). [Editor's Note: Please note that Hitesh Nigam (telephone 202-586-0750) is the new EH-42 staff contact for Lessons Learned Questionnaire issues. Yardena Mansoor is the new EH-42 staff contact for articles, guidance, and editorial matters (same fax; Internet: yardena.mansoor@eh.doe.gov; telephone 202-586-9326). Joanne Arenwald Geroe, the former contact, has transferred to another Federal agency. We wish her well.] The Lessons Learned Questionnaire is now available interactively on the DOE NEPA Web [<http://tis-nt.eh.doe.gov/nepa>] on the Internet. Look for it under NEPA Process Information.

First Quarter FY 1997 Questionnaire Results

EIS Cost and Completion Time Data

EIS Costs and Completion Time*

Total NEPA Cost (\$ 1,000s)
(Contractor Cost + Federal Staff Cost)



* EIS #6 was adopted from the Navy; therefore, cost and completion time are not reported.

Cost Facts

- All 5 DOE EISs completed during the first quarter were either programmatic or sitewide EISs. Total NEPA process costs reported for these EISs were \$1 million, \$10.4 million, \$16 million, \$16.5 million, and \$20.9 million. The corresponding contractor costs were \$800,000, \$9.6 million, \$13 million, \$14.4 million, and \$19.7 million. NEPA process costs for three of these five EISs exceeded the original budget by 3%, 39%, and 6%; the other two were completed within budget.
- For EIS #3 and #5 the NEPA process costs represented 0.4% and 0.3%, respectively, of the total project costs. Total project costs were not reported for 3 EISs.
- Cumulatively, over the last year, the median cost for the preparation of 13 EISs for which cost data were reported was \$7.5 million; the average cost was \$9.9 million.

Completion Time Facts

- Five EISs were completed during the first quarter of FY 1997, in 17, 26, 29, 30, and 46 months.
- Cumulatively over the last year, the median completion time for 14 EISs was 26 months; the average completion time was 27 months.

[Editor's Note: We will report on trends for EIS preparation costs and completion times in future quarterly reports when more data are received.]

EISs

Defense Programs

1=Continued Operation of the Pantex Plant and Associated Storage of Nuclear Weapon Components, DOE/EIS-0225
EPA Rating: EC-2*
(Cost: \$1,300,000 Federal, \$14,400,000 contractor;
Time: 30 months)

2=Nevada Test Site and Off-Site Locations in the State of Nevada Sitewide EIS, DOE/EIS- 0243
EPA Rating: EC-2*
(Cost: \$800,000 Federal, \$9,600,000 contractor;
Time: 26 months)

3=Stockpile Stewardship and Management Programmatic EIS, DOE/EIS-0236
EPA Rating: EC-2*
(Cost: \$3,000,000 Federal, \$13,000,000 contractor;
Time: 17 months)

Fissile Materials Disposition

4=Storage and Disposition of Weapons-Usable Fissile Materials Programmatic EIS, DOE/EIS-0229
EPA Rating: EC-2*
(Cost: \$ 1,200,000 Federal, \$19,700,000 contractor;
Time: 29 months)

Albuquerque Operations Office/ Environmental Management

5=Uranium Mill Tailings Remedial Action Groundwater Project Programmatic EIS, Grand Junction Project Office, Colorado, DOE/EIS-0198
EPA Rating: EC-2*
(Cost: \$260,000 Federal, \$800,000 contractor;
Time: 46 months)

Idaho Operations Office/ Environmental Management

6=Department of the Navy EIS for a Container System for the Management of Spent Nuclear Fuel (formerly the Multi-Purpose Container System for the Management of Civilian and Naval SNF), DOE/EIS-0251
EPA Rating: LO*
(This EIS was adopted from the Navy)

* See page 6 for EPA Rating definitions.

First Quarter FY 1997 Questionnaire Results

EA Cost and Completion Time Data

Cost Facts

- Total NEPA process cost data were reported for 3 EAs (\$18,000, \$120,000, and \$145,000).
- Cumulatively for the last year, the median cost for the preparation of 27 EAs was \$52,000; the average cost was \$94,000.

Completion Time Facts

- The median completion time for the 4 EAs completed during the first quarter of FY 1997 was 17 months (range: 5 to 41 months).
- All four of the EAs were completed on schedule and the NEPA process was initiated early enough to avoid being on a critical path.
- Cumulatively for the last year, the median completion time for 42 EAs was 9 months; the average completion time was 14 months.

[Editor's Note: We will report on trends for EA preparation costs and completion times in future quarterly reports when more data are received.]

EIS Distribution (continued from page 5)

required on letters transmitting EISs to key government officials (i.e., members of Congress, governors, heads of tribes and Indian tribal associations).

- Even when a press release has been approved as part of the communications plan, CP does not consider it a final document. The final press release needs to be reviewed for timeliness and context and approved by CP-2.1 and the Office of the Secretary.
- In the past, DOE has often distributed EISs on Fridays so that they could be filed the same day with the Environmental Protection Agency (EPA). EPA would then publish a notice of availability in the Federal Register the following Friday. A "Friday-driven" schedule is not effective for successful media and congressional outreach, however. Congress is not

generally well-staffed on Fridays, making it difficult to ensure appropriate understanding and awareness of the NEPA documents and process. On the media side, many trade publications "close" on Friday, making it difficult for them to cover the news; in addition, the press perceives that releasing news on Friday means the organization is trying to bury news. For all these reasons, CP may want to conduct notifications and media outreach between Monday and Thursday before completing the distribution and filing with EPA.

For further information regarding CP's role in the NEPA process, please contact Steve Lerner, CP, at (202) 586-5470. A general discussion of EIS distribution procedures appeared on page 6 of the June 1995 edition of the Lessons Learned Quarterly Report.



EAs

Bonneville Power Administration (BPA)

1=Albeni Falls Wildlife Mitigation Project, Bonner and Kootenai Counties, Idaho, DOE/EA-1099

(Cost: Federal and contractor cost unreported; Time: 17 months)

2=BPA/PGE Transmission Support Project, DOE/EA-1179

(Cost: \$130,000 Federal, \$15,400 contractor; Time: 5 months)

Energy Efficiency and Renewable Energy

3=National Wind Technology Center Sitewide EA, DOE/EA-1127

(Cost: \$3,000 Federal, \$117,000 contractor; Time: 41 months)

Richland Operations Office/ Environmental Management

4=100-K Area Pond Fish Rearing, Hanford Site, Richland, Washington, DOE/EA-1111

(Cost: \$3,000 Federal, \$15,000 contractor; Time: 17 months)

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Evaluation Form

How are we doing?

Does the format of the Lessons Learned Report help you understand the information? Do you have any suggestions for improvements? _____

Which sections do you consider to be the most helpful? The least helpful? _____

What should be added to the report to make it more useful? _____

Please offer any other suggestions on how we may improve the Lessons Learned Quarterly Report. _____

Your name (optional) _____

FROM:

Stamp

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