The National Environmental Policy Act (NEPA) Process

*Presentation to*
*SRS Citizens Advisory Board*
*Facilities Disposition & Site Remediation Committee Update*

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♦ To satisfy an element of the Savannah River Site Citizens Advisory Board Facilities Disposition and Site Remediation Committee Work Plan
Acronyms

- CAB – Citizens Advisory Board
- CFR – Code of Federal Regulation
- CX – Categorical Exclusion
- D&D - Deactivation & Decommissioning
- DNC – Department NEPA Coordinator
- DOE – Department of Energy
- EA – Environmental Assessment
- EEC – Environmental Evaluation Checklist
- EIS – Environmental Impact Statement
- FONSI – Finding of No Significant Impact
- HLW – High Level Waste
- NCO – NEPA Compliance Officer
- NEPA – National Environmental Policy Act
- ROD – Record of Decision
- SRS – Savannah River Site
- TRU - Transuranic
What is NEPA?

♦ NEPA declares a National Environmental Policy
  ▪ Signed into law by President Richard Nixon on January 1, 1970
  ▪ Requires Federal Agencies to consider environmental values and impacts in their decision-making process before implementing an action
  ▪ Provides for public review and input and considers alternative actions for all major federal actions
  ▪ Does not preempt other federal laws
NEPA Drivers

♦ “Flow-down” of Requirements

- Federal - Council on Environmental Quality
  - Code of Federal Regulations, Title 40, Parts 1500-1508 (40 CFR 1500-1508)
    - The basic framework for Federal Agency procedures

- Department of Energy
  - DOE NEPA Regulations – 10 CFR Part 1021
  - DOE Order 451.1B – NEPA Compliance Program
  - DOE Guidance
The NEPA Process

♦ Basic Elements of NEPA Process
  ▪ Identify proposed action
  ▪ Determine appropriate level of NEPA review
  ▪ Prepare required NEPA documentation
  ▪ Make “environmental” decision
  ▪ Implement project, as well mitigations and monitoring, as required
The NEPA Process

- **PROPOSED ACTION**
  - **No Significant Impact**
    - **CATEGORICAL EXCLUSION**
  - **Significant Impact**
    - **ENVIRONMENTAL IMPACT STATEMENT**
    - **RECORD OF DECISION**
  - **Unsure**
    - **ENVIRONMENTAL ASSESSMENT**
    - **FINDING OF NO SIGNIFICANT IMPACT**
    - **PROJECT IMPLEMENTATION**
Categorical Exclusion (CX)

- Actions that individually or cumulatively, do not have potential for significant environmental impacts
- Lists of actions (by category/class) specified by regulation
- Approved by the DOE NEPA Compliance Officer
The NEPA Process

♦ Environmental Assessment (EA)
  - Prepared when it is not certain environmental effects of the proposed action will be significant
  - Results in either Finding of No Significant Impact issued or Environmental Impact Statement prepared
  - Approved by the DOE Site Manager
The NEPA Process

♦ Environmental Impact Statement (EIS)

- A detailed statement which assesses impacts of major Federal action significantly affecting quality of human environment
  - Preferred Alternative
- Results in Agency issuing Record of Decision
  - Must state mitigation measures
- Approved by EM-1
Public Involvement in NEPA Process

♦ Environmental Impact Statements
  ▪ Notice of Intent (NOI)
  ▪ Public scoping period
  ▪ Draft EIS
  ▪ Final EIS
  ▪ Record of Decision

♦ Environmental Assessments
  ▪ State/Tribal Notifications
QUESTIONS?