

# ORO CONTROL FORM - FINAL DIRECTIVE

**PART A** (To be completed by the Division of Primary Interest (DPI))

1. **NUMBER AND TITLE OF DIRECTIVE:** **ORO O 450, Chapter II, NATIONAL ENVIRONMENTAL POLICY ACT COMPLIANCE PROGRAM**

2. **PURPOSE OF TRANSMITTAL:**  New Directive  Revised Directive

3. **THIS DOCUMENT MAY AFFECT THE WORK PERFORMED BY THE FOLLOWING CONTRACTORS:** (Check appropriate boxes)

No (all contractors)

Yes If yes, whom?  Bechtel Jacobs Co.  ORAU  UT-Battelle

Other contractors (list by type)

*Many ORO contractors have approved Standards/Requirements Identification Documents (S/RIDs) or Work Smart Standards (WSS) Sets that may affect applicability of contractor requirements from this directive. Applicability of contractor requirements must take into account the approved standards set for each particular contract.*

4. **SIGNIFICANT PROVISIONS:** Are there any significant changes or impacts?  No  Yes  
If yes, describe: This ORO Chapter is a new Chapter in the 450 Series.

5. **CONTACT POINT:** Gary Hartman Environmental Protection Group, SE-30-1 576-0273  
Name Organization Telephone

**PART B** (To be completed by the Directives Management Group (DMG)):

6. **FILING INSTRUCTIONS:**

<u>Remove</u>	<u>Dated</u>	<u>Insert</u>	<u>Dated</u>
N/A		ORO Control Form	00/00/2004
		ORO O 450, Chapter II	00/00/2004

*ORO Directives are available on the ORO Directives Management Group Home Page at [http://www.ornl.gov/doe/doe\\_oro\\_dmg/oro\\_dir.htm](http://www.ornl.gov/doe/doe_oro_dmg/oro_dir.htm). The ORO Directives will no longer be mailed in printed copy unless you do not have Internet capabilities.*

7. **APPROVED FOR DISTRIBUTION IN ACCORDANCE WITH THE OFFICIAL DIRECTIVES DISTRIBUTION LIST:**

*Original Signed By*

Wayne H. Albaugh

Signature: DMG Team Leader, AD-440

01/21/2004

Date

**INSTRUCTIONS TO ADDRESSEES: THIS FORM IS TO BE FILED WITH THE DIRECTIVE AND RETAINED**

Rev. 11/06/2003



# U.S. Department of Energy

Oak Ridge Operations

ORO O 450  
Chapter II

Date: 01/21/2004

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**SUBJECT: NATIONAL ENVIRONMENTAL POLICY ACT COMPLIANCE PROGRAM**

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1. PURPOSE. This Chapter of ORO O 450 correlates to DOE O 451.1B, Change 1, NATIONAL ENVIRONMENTAL POLICY ACT COMPLIANCE PROGRAM, dated September 28, 2001, by assigning responsibility and accountability and providing administrative and/or contractual guidance to the Oak Ridge Operations (ORO) Office and their contractors. Nothing in this issuance changes any requirements within any U. S. Department of Energy (DOE) Directive.
2. CANCELLATION. None.
3. APPLICABILITY. The provisions of this Chapter apply to contractors performing work for the Department as provided by law and/or contract.
4. RESPONSIBILITIES.
  - a. ORO Manager. The ORO Manager is responsible for and has authority over reservation-wide National Environmental Policy Act (NEPA) actions.
    - (1) Performs those tasks identified in subparagraphs 5a and 5c for which he has been delegated authority per subparagraph 5b of DOE O 451.1B, Change 1. Refer to Attachments 2, 3, 4, and 5 of this Chapter for specific ORO procedures for the process and concurrence chain leading to determinations of the appropriate level of NEPA review and documentation.
    - (2) Maintains a staff of qualified and trained subject matter experts in all relevant environmental specialties to carry out the duties of the Office and to provide expert technical and regulatory support to Program Managers. These experts provide multidisciplinary review of NEPA documents, when needed, as determined by the NEPA Compliance Officer (NCO).
    - (3) Performs duties indicated by any other delegations of NEPA authority from DOE Headquarters.
    - (4) Delegates authority for some NEPA-related responsibilities at ORO. See Attachment 1 for examples of delegation memos for designating NEPA Document Managers (NDMs) and Alternate NCOs.

- b. ORO Assistant Manager (e.g., Environmental Management, Oak Ridge National Laboratory) are responsible for and has authority over NEPA actions initiated by and limited to their program.
- c. NEPA Corporate Council (NCC) acts as a sounding board for both the development of ORO NEPA policy, as well as provides input on project specific actions. The NCO serves as a chair for this Council. The NCC consists of representatives from each program and an advisor from the Office of Chief Council. It is the focal point for consistent application of the NEPA process across Oak Ridge programs and facilities.
- d. NEPA Compliance Officer.
  - (1) Develops ORO NEPA procedures and information management requirements, and documents the office's compliance with those procedures and requirements.
  - (2) For actions specifically listed in Appendix A or B to Subpart D of 10 CFR 1021, makes Categorical Exclusion (CX) determinations and approves and issues any required associated floodplain and wetland documents. These responsibilities may not be delegated except as provided for in DOE O 451.1B, Change 1.
  - (3) Reports to the Office of NEPA Policy and Compliance on lessons learned after completing each Environmental Impact Statement (EIS) and Environmental Assessment (EA).
  - (4) Coordinates NEPA compliance strategies for matters within ORO's purview.
  - (5) Consults with the NCC, Assistant Secretary for Environment, Safety and Health and Secretarial Officers, as appropriate, concerning NEPA processes and determinations in accordance with subparagraph 5d of DOE O 451.1B, Change 1.
  - (6) Advises on NEPA-related matters, including the provisions of the Regulations, the DOE NEPA Compliance Guide, DOE O 451.1B, Change 1, and any related requirements and guidance.
  - (7) Supplies information to the NCC and NDM concerning changes in NEPA guidance that would affect the accuracy and objectivity of NEPA documents as identified in 5d(5) and (9) of DOE O 451.1B, Change 1.
  - (8) Recommends to the ORO Manager whether an EA or EIS is appropriate or required.
  - (9) Assists with the NEPA process and document preparation.
  - (10) Advises on the adequacy of NEPA documents and other related documents.
  - (11) Participates in periodic NEPA meetings and workshops conducted by the Office of NEPA Policy and Compliance, provides NEPA training, and disseminates NEPA guidance materials and related information.
  - (12) Concurs with final NEPA documents prior to approval.

- (13) Notifies the Office of NEPA Policy and Compliance promptly – generally, within two weeks of:
  - (a) The designation of a NDM.
  - (b) A determination to prepare an EA.
  - (c) A transmittal of an EA to states, tribes and, when applicable, members of the public, other Federal agencies, and local governments for preapproval review.
  - (d) A determination to prepare EIS.
- (14) Provides the Office of NEPA Policy and Compliance promptly – generally, within two weeks of their availability – five copies and one electronic file of:
  - (a) An approved EA and any Finding of No Significant Impact (FONSI).
  - (b) A proposed FONSI required under the Council on Environmental Quality (CEQ) Regulations.
  - (c) An approved draft or final EIS.
  - (d) A record of decision for an EIS.
  - (e) A Mitigation Action Plan (MAP) and corresponding annual mitigation report. The mitigation report may be submitted following the anniversary of a MAP.
  - (f) An EIS Supplement Analysis and any determination based on it.
- e. Director, Procurement and Contracts Division, coordinates and supports those tasks identified in subparagraphs 5a(4) and 5e(3) of DOE O 451.1B, Change 1.
- f. Director, Planning and Budget Division, incorporates a NEPA Status Report on existing or planned NEPA compliance activities into internal budget review documents prepared pursuant to DOE O 130.1, BUDGET FORMULATION, as identified in 5a(5) of DOE O 451.1B, Change 1.
- g. Office of Chief Counsel (OCC) reviews and concurs on NEPA and NEPA-related documents in accordance with DOE O 451.1B, Change 1. The OCC also serves as an Advisor to the NCC.
- h. NEPA Document Managers.
  - (1) Perform those tasks identified in subparagraph 5e of DOE O 451.1B, Change 1. If technical assistance is needed by the NDMs organization, it should seek help from the NCO.
  - (2) Perform or manage those tasks identified in subparagraph 5d(7) of DOE O 451.1B,

Change 1

- (3) Support those tasks identified in subparagraph 5a(5) of DOE O 451.1B, Change 1, concerning incorporating NEPA milestones into project planning documents and provide a monthly status update by the third Tuesday of each month to the NCO, to be included in the ORO NEPA Actions update.
  - (4) Supply information to the NCO concerning program considerations, new information, and changes that would bear on the accuracy and objectivity of NEPA documents as identified in 5d(6) and (8) of DOE O 451.1B, Change 1.
  - (5) Lead preparation of Environmental Assessment Determinations (EADs), Notices of Intent (NOIs), EAs, EISs, and other NEPA documentation with the assistance of the NCO and provide schedules to the NCO to support subparagraph 5d(6) of DOE O 451.1B, Change 1.
  - (6) Assemble NEPA Project Team.
  - (7) Provide a NEPA documentation mitigation activities list to the NCO when the FONSI is approved and signed.
- i. ORO Contractors.
- (1) Establish and implement a program to comply with NEPA and its implementing regulations, including the development of baseline information about environmental, cultural, and sensitive natural resources at DOE sites, in order to assist DOE in the decision-making process.
  - (2) Implement ORO NEPA procedures early to integrate the NEPA process into review of preliminary internal planning documents, budgetary materials, and other project proposals.
  - (3) Prior to internal scoping activities document considerations of the potential environmental consequences of proposed actions, mitigative measures and appropriate alternative courses of action early in the planning and decision-making process.
  - (4) Notify NCO and Responsible Program (RP), early in the planning process, of all actions having the potential to affect the quality of the human environment.
  - (5) Perform NEPA review and submit appropriate documentation to the RP in support of the decision-making process.
  - (6) Initiate MAPs, as directed by ORO, and track contractor implementation of mitigation actions identified in NEPA documents.
  - (7) Inform NCO at the beginning of each Federal Fiscal Year of all program or project actions, such as changes in design or operations, that would affect the accuracy of information in NEPA documents that DOE is using for decision-making.

- (8) Incorporate environmental criteria and conditions into procurement solicitations and resulting subcontracts.
- (9) Provide ORO with NEPA milestones in project data sheets and activity data sheets prepared pursuant to DOE O 130.1.
- (10) Submit to NCO by March 1, annually, a listing of actions where generic CXs were applied, for the preceding calendar year.
- (11) Maintain databases and files for all NEPA documents including NEPA determination requests and the disposition of the requests.
- (12) Initiate activities only after notification from ORO of completion of the DOE decision-making process (including the approval of NEPA documents or CX determinations and perform self assessment).

5. REQUIREMENTS AND PROCEDURES.

- a. Records. The following records will be generated under this Chapter and will be maintained and disposed of in accordance with DOE O 200.1, INFORMATION MANAGEMENT PROGRAM, and DOE G 1324.5B, IMPLEMENTATION GUIDE FOR 36 CFR CHAPTER XII – SUBCHAPTER B, RECORDS MANAGEMENT.
  - (1) ORO Programs will maintain official records of NEPA documentation submitted and approved, as well as annual reports generated by the contractor regarding actions where generic CXs were applied.
  - (2) The ORO NCO will maintain records of state/tribe notification for determinations made by the ORO Manager.
- b. See Attachments 2, 3, 4, 5, 6, 7, 8, and 9 to this document for further requirements and procedures.

6. REFERENCES.

- a. 10 CFR 1021, NATIONAL ENVIRONMENTAL POLICY ACT IMPLEMENTING PROCEDURES.
- b. DOE O 130.1 BUDGET FORMULATION, dated September 29, 1995.
- c. DOE O 200.1, INFORMATION MANAGEMENT PROGRAM, dated September 30, 1996.
- d. DOE G 1324.5B, IMPLEMENTATION GUIDE FOR 36 CFR CHAPTER XII – SUBCHAPTER B, RECORDS MANAGEMENT, dated July 19, 1996.

The references below relate directly to delegation of authorities for NEPA compliance within ORO. A bibliography of NEPA-related guidance and resources is provided in Attachment 10 of this Chapter.

- DOE Memorandum, James C. Hall, M-1, to David R. Allen, SE-32, “Designation of Oak Ridge Operations National Environmental Policy Act Compliance Officer,” dated February 9, 1998.
  - DOE Memorandum, Joe La Grone, M-1, to Patricia W. Phillips, “Delegation of Authority to Designate National Environmental Policy Act Document Managers,” dated August 29, 1994.
  - DOE Memorandum, Hazel O’Leary, Secretary U.S. Department of Energy, “Secretarial Policy on the National Environmental Policy Act”, dated June 13, 1994.
  - Memo for Alternate NCO (see Attachment 1).
7. DEFINITIONS. Refer to GLOSSARY OF TERMS USED IN DOE NEPA DOCUMENTS, dated September 1998, located at <http://tis.eh.doe.gov/nepa/tools/guidance/glossary.pdf>.
8. CONTRACTOR REQUIREMENTS DOCUMENT. None.
9. ATTACHMENTS.
- a. Attachment 1 – Examples of Delegation Memos for Designating National Environmental Policy Act (NEPA) Document Managers (NDMs) and Alternate NEPA Compliance Officers (NCOs).
  - b. Attachment 2 – ORO National Environmental Policy Act (NEPA) Procedure 1, Establishing the Level of NEPA Review and Documentation.
  - c. Attachment 3 – ORO National Environmental Policy Act (NEPA) Procedure 2, Categorical Exclusion (CX) Process.
  - d. Attachment 4 – ORO National Environmental Policy Act (NEPA) Procedure 3, Environmental Assessment (EA) Process.
  - e. Attachment 5 – ORO National Environmental Policy Act (NEPA) Procedure 4, Environmental Impact Statement (EIS) Process.
  - f. Attachment 6 – ORO National Environmental Policy Act (NEPA) Procedure 5, Internal Scoping During the NEPA Process.
  - g. Attachment 7 – Quality Assurance Plan (QAP) for the National Environmental Policy Act (NEPA) Process, Procedure 6.
  - h. Attachment 8 – ORO National Environmental Policy Act (NEPA) Procedure 7, Public Participation under the NEPA Process.
  - i. Attachment 9 – ORO National Environmental Policy Act (NEPA) Procedure 8, Use of DOE-Wide NEPA Contracts.
  - h. Attachment 10 – Bibliography of National Environmental Policy Act (NEPA) Guidance.

**Examples of Delegation Memos for Designating National Environmental Policy Act (NEPA)  
Document Managers (NDMs) and Alternate NEPA Compliance  
Officers**

United States Government

*J. Elmore*  
**Department of Energy**  
Oak Ridge Operations Office

# memorandum

DATE: August 29, 1994

REPLY TO: SE-311:Phillips  
ATTN OF:

SUBJECT: **DELEGATION OF AUTHORITY TO DESIGNATE NATIONAL ENVIRONMENTAL  
POLICY ACT (NEPA) DOCUMENT MANAGERS**

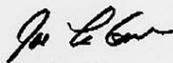
TO:

J. C. Hall, Assistant Manager for Energy Research and Development, ER-10  
J. W. Parks, Assistant Manager for Enrichment Facilities, EF-20  
R. R. Nelson, Assistant Manager for Defense Programs, DP-80  
C. S. Przybylek, Chief Counsel, CC-10  
D. H. Wilken, Assistant Manager for Administration, AD-40  
P. T. Marquess, Chief Financial Officer, FM-70  
R. W. Poe, Assistant Manager for Environment, Safety, and Quality, SE-30  
G. W. Benedict, Assistant Manager for Construction and Engineering, CE-50  
B. D. Walker, Acting Assistant Manager for Environmental Restoration and Waste  
Management, EW-90

A Secretarial Policy Statement on NEPA was issued on June 13, 1994. The policy states that the NEPA process should be a team effort. Further, it requires the designation of a Department of Energy member of the team as the NEPA Document Manager. The function of the NEPA Document Manager is to manage the NEPA document preparation process and keep it on schedule. Specific duties of the NEPA Document Manager are listed in the attached Secretarial Policy Statement.

You are hereby delegated the authority to designate NEPA Document Managers for all projects requiring a NEPA review which fall under your purview. This authority may be redelegated; however, both the NEPA Document Manager and the designating official must be Department of Energy personnel.

If you have any questions or require further information concerning this delegation, contact Patricia W. Phillips, ORO NEPA Compliance Officer, on (615) 576-4200.

  
Joe La Grone  
Manager

Attachment:  
As stated

cc w/attachment:  
See Page 2

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(12-84)

United States Government

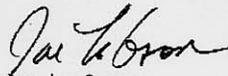
Department of Energy

# memorandum

Oak Ridge Operations

DATE: October 16, 1991  
REPLY TO:  
ATTN OF: SE:311:Phillips  
SUBJECT: DESIGNATION OF DEPARTMENT OF ENERGY FIELD OFFICE, OAK RIDGE ACTING NATIONAL ENVIRONMENTAL POLICY ACT COMPLIANCE OFFICER  
TO: James E. Elmore, Environmental Operations Branch, SE-311

On May 17, 1990, I designated Patricia W. Phillips as the National Environmental Policy Act (NEPA) Compliance Officer for DOE-OR. In Ms. Phillips absence, you are hereby designated as the Acting NEPA Compliance Officer for DOE-OR.

  
Joe La Grone  
Manager

cc:  
G. Smithwick, M-2  
S. Rice, M-3  
J. T. Alexander, M-4  
C. S. Przybylek, CC-10  
J. J. Fowler, CC-10  
R. R. Nelson, SE-30  
P. T. Marquess, FM-70  
D. H. Wilken, AD-40  
G. W. Benedict, CE-50  
W. R. Bibb, DP-80  
W. D. Adams, EW-90  
J. C. Hall, EO-20  
R. L. Egli, ER-10  
S. S. Waddle, DP-81  
R. E. Tiller, FEMP  
B. D. Walker, EW-90  
E. W. Gillespie, EO-23  
D. C. Booher, EO-24  
T. M. Jelinek, ER-10  
K. D. Helms, ER-13  
G. H. Carr, CE-51  
L. K. Price, EW-93  
S. H. McCracken, EW-94  
G. E. Butterworth, MS 7314, K-25  
R. M. Keyser, MS 8098, Y-12  
F. C. Kornegay, 4500N, ORNL  
B. Roach, ORAU

## **ORO NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) PROCEDURE 1, ESTABLISHING THE LEVEL OF NEPA REVIEW AND DOCUMENTATION**

### **1.0 PURPOSE.**

To develop a process that can be used to establish or verify the level of NEPA review, i.e., Categorical Exclusion (CX), Environmental Assessment (EA), Environmental Impact Statement (EIS), or no formal NEPA review, for actions under the purview of Oak Ridge Operations (ORO).

### **2.0 APPLICABILITY.**

This procedure is applicable to ORO personnel who establish or verify the level of NEPA review for proposed actions. Generally, the contractor proposes the level of NEPA review for a proposed action, and the Department of Energy (DOE) staff on the concurrence chain uses this procedure to verify that the contractor has proposed the correct level of NEPA review or to require revision of the determination request document. See Attachments 3, 4, and 5 (NEPA Procedures 2, 3, and 4) for more detail on the NEPA process at ORO.

### **3.0 RESPONSIBILITIES.**

- 3.1 ORO Manager determines the appropriate level of NEPA review for classes of actions for which this authority has been delegated to him/her.
- 3.2 ORO Assistant Manager (s) reviews and signs the NEPA determination request document if the appropriate level of NEPA review has been established.
- 3.3 NEPA Compliance Officer (NCO) reviews and signs the NEPA determination request document if the appropriate level of NEPA review has been established.
- 3.4 Office of Chief Counsel (OCC) reviews the determination request document for legal considerations, including verifying that the correct level of NEPA review has been established. Initials the concurrence chain if the document is adequate and the correct level of NEPA review has been established.
- 3.5 NEPA Document Managers (NDM) verify that the NEPA determination request document contains the appropriate level of NEPA review and the description of the proposed action is accurate. The NDM's initials on the concurrence chain signify that the document meets the above criteria.
- 3.6 Program NEPA Coordinator interfaces with the site contractors; provides for coordination between the site contractors and ORO and the NCO; tracks and reviews NEPA documents prepared by the site contractors; and reviews and verifies that the NEPA determination request documents contain the appropriate level of NEPA review and the descriptions of the proposed actions are accurate. The Coordinator's initials on the concurrence chain signify that the document meets the above criteria.

- 3.7 Contractors prepare and transmit to ORO a NEPA determination request document that contains a recommendation on the appropriate level of NEPA review and an accurate description of the proposed action.

#### 4.0 PROCEDURE.

- 4.1 A flowchart depicting the process and steps presented in this procedure is presented in Figure 1-1 at the end of this attachment.
- 4.2 The initial step is to identify and recognize a proposed action that may be subject to the NEPA process. Any action, which means a project, program, plan, or policy (as discussed in 10 Code of Federal Regulations (CFR) 1021.104 and 40 CFR 1508.18), that is under to DOE's control and responsibility is subject to review under NEPA.
- 4.3 A description of the proposed action shall be prepared to facilitate the review process.
- 4.4 A description of the proposed action shall be reviewed under Subpart D of the DOE NEPA regulations (10 CFR 1021) to determine if the action is listed in one of the four appendices of Subpart D. The four appendices in Subpart D and the types of actions they cover are listed below with the web links to obtain copies of these documents.
- Appendix A to Subpart D of 10 CFR 1021: Categorical Exclusions Applicable to General Agency Actions  
[http://tis.eh.doe.gov/nepa/tools/REGULATE/NEPA\\_REG/1021/Appendix-A.htm#append-a](http://tis.eh.doe.gov/nepa/tools/REGULATE/NEPA_REG/1021/Appendix-A.htm#append-a)
  - Appendix B to Subpart D of 10 CFR 1021: Categorical Exclusions Applicable to Specific Agency Actions  
[http://tis.eh.doe.gov/nepa/tools/REGULATE/NEPA\\_REG/1021/Appendix-B.htm#append-b](http://tis.eh.doe.gov/nepa/tools/REGULATE/NEPA_REG/1021/Appendix-B.htm#append-b)
  - Appendix C to Subpart D of 10 CFR 1021: Classes of Actions that Normally Require EAs but Not Necessarily EISs  
[http://tis.eh.doe.gov/nepa/tools/REGULATE/NEPA\\_REG/1021/Appendix-C.htm#append-c](http://tis.eh.doe.gov/nepa/tools/REGULATE/NEPA_REG/1021/Appendix-C.htm#append-c)
  - Appendix D to Subpart D of 10 CFR 1021: Classes of Actions that Normally Require EISs  
[http://tis.eh.doe.gov/nepa/tools/REGULATE/NEPA\\_REG/1021/Appendix-D.htm#append-d](http://tis.eh.doe.gov/nepa/tools/REGULATE/NEPA_REG/1021/Appendix-D.htm#append-d)
- 4.5 If the proposed action is listed in Appendix A to Subpart D of 10 CFR 1021, and there are no extraordinary circumstances and the action is not connected to other actions with potentially significant impacts (as described in 10 CFR 1021.410(b)(2) and (3)), then the action may proceed with only internal auditable documentation of the decision, usually by the contractor. Some actions listed in Appendix A may require an individual CX, and this determination should be made through consultation with the NCO.
- 4.6 If the proposed action is listed in Appendix B to Subpart D of 10 CFR 1021 in Section 4.5 above and the four conditions listed in Appendix B are met, then a CX is the appropriate level of review. Generic CXs, which cover multiple related activities (e.g., routine maintenance, asbestos removals, and tank removals), are encouraged as a means of reducing paperwork and improving efficiency. See Attachment 3, ORO NEPA Procedure 2, Categorical Exclusion (CX) Process.

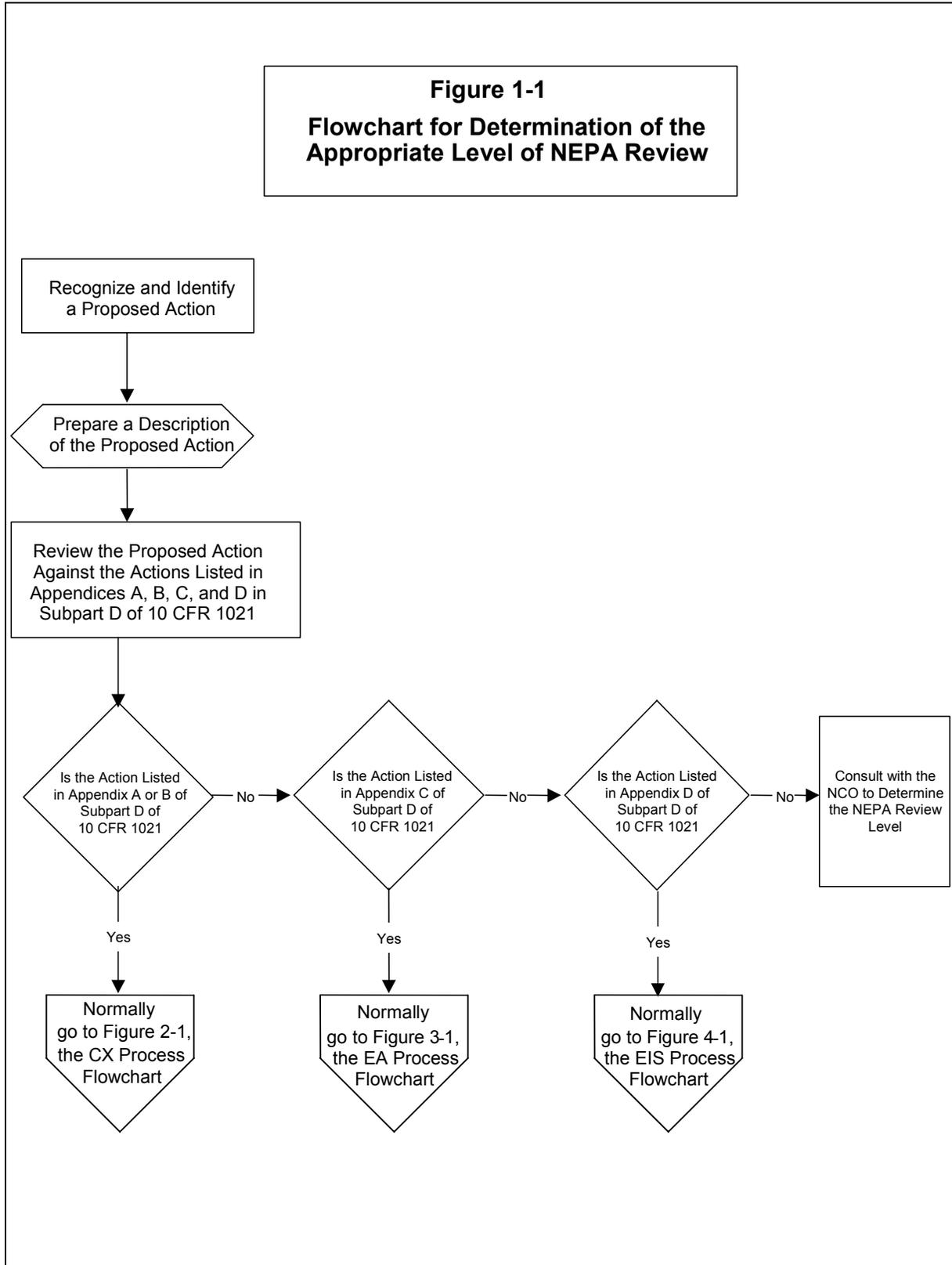
- 4.7 If the proposed action is listed in Appendix C to Subpart D of 10 CFR 1021, then an EA is normally the appropriate level of review. An EA Determination (EAD) must be signed by the ORO Manager before an EA can be prepared. See Attachment 4, ORO NEPA Procedure 3, Environmental Assessment (EA) Process.
- 4.8 If the proposed action is listed in Appendix D to Subpart D of 10 CFR 1021, then an EIS is normally the appropriate level of review. An EIS Determination (EISD) must be signed by the ORO Manager before an EIS can be prepared. See Attachment 5, ORO NEPA Procedure 4, EIS Process.
- 4.9 If the proposed action is not listed in Appendix D to Subpart D of 10 CFR 1021, then the NCO should be consulted for the determination of the appropriate level of NEPA review. The following will be considered in determining the appropriate level of NEPA review:
  - 4.9.1 The decision of which level of review to choose is based on the potential for significant impacts. As defined in the Council on Environmental Quality (CEQ) regulations (40 CFR 1508.27), the term “significant” requires consideration of both context and intensity of the action.
  - 4.9.2 When evaluating intensity, factors which should be considered include beneficial as well as adverse impacts, impacts to sensitive resources (e.g., wetlands, floodplains, cultural resources, endangered and threatened species, and prime farmland), highly controversial impacts, impacts to public health or safety, environmental justice, cumulative impacts, highly uncertain or unique impacts, actions which may establish a precedent for future actions with significant effects, and actions that threaten to violate environmental laws or requirements.
  - 4.9.3 If it is reasonably clear that there may be significant impacts, an EIS is prepared (see Attachment 5, ORO NEPA Procedure 4, Environmental Impact Statement (EIS) Process). If it is unclear whether there will be significant impacts, the EA process is used to determine if an EIS is needed (see Attachment 4, ORO NEPA Procedure 3, Environmental Assessment (EA) Process). EADs or EISDs must be signed by the appropriate authority (either the ORO Manager or the Secretarial Officer [SO]).

## 5.0 RECORDS.

ORO Programs will maintain official records of NEPA documentation submitted and approved, as well as annual reports generated by the contractor regarding actions where generic CXs were applied. NEPA records will be maintained and disposed of in accordance with DOE O 200.1, INFORMATION MANAGEMENT PROGRAM, and DOE G 1324.5B, IMPLEMENTATION GUIDE FOR 36 CFR CHAPTER XII – SUBCHAPTER B, RECORDS MANAGEMENT.

## 6.0 TRAINING.

Training for this procedure should include required reading and understanding of this procedure, as well as, additional NEPA training or experience with the NEPA process. All training should be documented and records maintained by the appropriate Training Coordinator.



## ORO NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) PROCEDURE 2, CATEGORICAL EXCLUSION (CX) PROCESS

### 1.0 PURPOSE.

To establish procedures for the preparation, review, and approval of a NEPA CX.

### 2.0 APPLICABILITY.

This procedure is applicable to Oak Ridge Operations (ORO) personnel who prepare, review, or approve CXs.

### 3.0 RESPONSIBILITIES.

- 3.1 Program NEPA Coordinator transmits the proposed CX determination to the NEPA Compliance Officer (NCO) if the appropriate level of NEPA review has been established, and the action description is accurate.
- 3.2 NEPA Compliance Officer (NCO) approves the CX determination if the appropriate level of NEPA review has been established.
- 3.3 Contractors prepare and transmit to the Program NEPA Coordinator a CX determination that contains a recommendation on the appropriate level of NEPA review and an accurate description of the proposed action.

### 4.0 PROCEDURE.

- 4.1 Flowchart. A flowchart depicting the process and steps presented in this procedure is presented in Figure 2-1 at the end of this attachment.
- 4.2 Preliminary CX Determination Review. For the use of the following procedural steps, the results of the preliminary NEPA level determination review, which was performed under Attachment 2, ORO NEPA Procedure 1, Establishing the Level of National Environmental Policy Act Review and Documentation, should indicate that the proposed action is listed in Appendices A or B to Subpart D of Title 10 Code of Federal Regulations (CFR) 1021. If the proposed action is not listed in one of the referenced appendices, ORO NEPA Procedure 1 should be reviewed for determining the proper NEPA review level for the proposed action.
- 4.3 Generic CX Document.
  - 4.3.1 The proposed action should be reviewed against the list of generic CXs in Appendix A to this attachment, *Oak Ridge Operations (ORO) Generic Categorical Exclusions (CXs)*, to determine if the proposed action is covered by an existing approved generic CX.

If the proposed action is covered by a generic CX, the use of generic CX determination should be documented by the program. If the proposed action is not covered by a generic CX, then proceed to paragraph 4.4.

#### 4.4 CX Document.

- 4.4.1 If the proposed action is not covered by a generic CX determination, then the ORO staff or contractor will prepare a draft CX determination for review by the Program NEPA Coordinator and the NCO.
- 4.4.2 The format for a CX determination should be a memo or electronic document that includes:
- The title of the proposed action including a unique identification number assigned by the program sponsoring or conducting the proposed action;
  - Proposed Action: A one-sentence description of the action;
  - Location: The location of the action;
  - Description of the Proposed Action: A brief, yet complete, description of the proposed action;
  - CX to be applied: Citation of the applicable CX from Appendix A or B of Subpart D (10 CFR 1021); and
  - Signature block for NCO approval.
- 4.4.3 The draft CX determination should contain sufficient information to conclude that the environmental impacts of the project are insignificant and that a CX listed in Appendix B of Subpart D (10 CFR 1021) is appropriate. Further, the CX should address whether there are extraordinary circumstances and whether the action is connected to other actions with potentially significant impacts (as described in 10 CFR 1021.410(b)(2) and (3)). The document should also address briefly the four criteria listed in Appendix A and/or B of Subpart D (10 CFR 1021), as well as disposal/storage of wastes resulting from the action (both construction and operation, if applicable) and any local, State, or Federal environmental permits required (permits required by the contractor at the facility should not be included). Also, any change or lack of change in effluents should be addressed; and if the change is an increase, then disposal and any modifications or lack of modification in permits should be addressed.
- 4.4.4 The CX determination may describe multiple actions that fit in the same category of actions listed in Appendix A and/or B of Subpart D (10 CFR 1021), describing each one individually in the CX determination (i.e., one CX applied to several similar actions); or the CX determination may describe one action and apply it to more than one CX, as when a building alteration requires a tank removal as well as construction

(i.e., applying two CXs to one action). A CX determination statement may also contain Best Management Practices (BMP) utilized to avoid environmental impacts or to enhance safety.

4.4.5 An example CX determination is shown in Appendix B.

4.5 Document Flow.

4.5.1 The ORO staff or contractor prepares a description of the action and the draft CX determination and submits the draft CX determination to the Program NEPA Coordinator and the ORO NCO. If requested, the NCO NEPA staff can review the draft CX determination concurrently and provide comments in order to expedite the process.

4.5.2 The responsible Program NEPA Coordinator prepares the CX memorandum for hard copy or electronic submittal to the NCO.

4.6 Document Review. Upon receipt of a proposed CX determination, the NEPA staff will:

4.6.1 Review it to obtain a clear understanding of the proposed action.

4.6.2 Review it for the location of the action, including building numbers (if applicable), whether environmentally sensitive areas are involved, and whether or not the action is within the boundaries of an established facility or within a building on the facility.

4.6.3 Ensure that it describes the types of wastes that are expected to be generated, and a plan for their ultimate disposition.

4.6.4 Ensure that it discusses all issues of concern, including any expected releases of hazardous or contaminated materials to the environment, additional permits that may be required, modifications to permits that may be needed, and complete citations for exemptions to State or Federal permitting requirements.

4.6.5 Ensure that a CX is the appropriate level of NEPA documentation for the action (i.e., the environmental impacts of the action are clearly insignificant). A determination of the significance of an action requires consideration of both context and intensity (See Council on Environmental Quality (CEQ) Regulations [40 CFR 1508.27]).

4.6.6 Ensure that an appropriate CX was applied. (See 10 CFR 1021, Appendix A and/or B to Subpart D).

4.6.7 Review it for grammar, spelling, and format.

4.6.8 If the document is inadequate, return it to the cognizant Program NEPA Coordinator for revision.

4.7 Document Approval. If the CX determination is acceptable, the NCO will approve it. After the NCO approves the CX determination, notification is made to those listed on the CX determination.

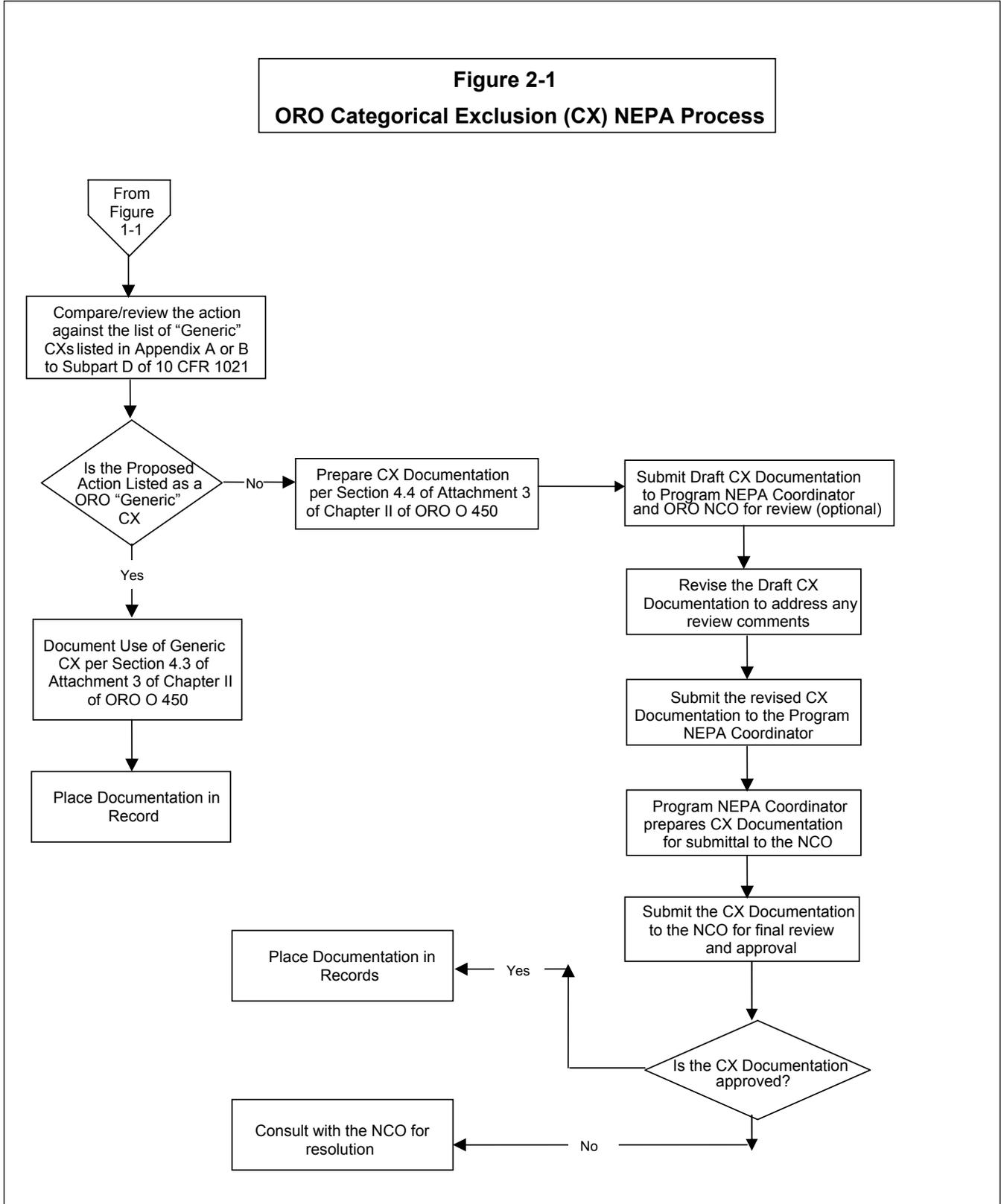
## 5.0 RECORDS.

ORO Programs will maintain official records of NEPA documentation submitted and approved, as well as annual reports generated by the contractor regarding actions where generic CXs were applied. NEPA records will be maintained and disposed of in accordance with DOE O 200.1, INFORMATION MANAGEMENT PROGRAM and DOE G 1324.5B, IMPLEMENTATION GUIDE FOR 36 CFR CHAPTER XII – SUBCHAPTER B, RECORDS MANAGEMENT. The NEPA staff will maintain a comprehensive database of NEPA documentation of the Oak Ridge Reservation.

## 6.0 TRAINING.

Training for this procedure should include required reading and understanding of this procedure, as well as, additional NEPA training or experience with the NEPA process. All training should be documented and records maintained by the appropriate Training Coordinator.

**Figure 2-1**  
**ORO Categorical Exclusion (CX) NEPA Process**



**APPENDIX A**  
**OAK RIDGE OPERATIONS (ORO) GENERIC CATEGORICAL EXCLUSIONS (CXs)**

DOE F 1325.8  
(3/99)

United States Government

**Department of Energy**  
Oak Ridge Operations Office

# memorandum

DATE:  
REPLY TO:  
ATTN OF: SE:30-1:Hartman  
SUBJECT: **OAK RIDGE OPERATIONS GENERIC CATEGORICAL EXCLUSIONS**

TO: Mark Belvin, SE-31  
Susan Cange, AU-61  
Larry Clark, AU-61  
Richard Frounfelker, EM-91  
Patricia Hart, AU-61  
Barbara Morgan, TJNAF  
Harvey Rice, EM-91

Attached are approved generic Categorical Exclusions (CXs) that may be used for Oak Ridge Operations (ORO). These CXs replace the generic CXs that were issued in October 1997 by David R. Allen. Only minor modifications were made to the CXs; however, one additional CX has been included for closure activities under the Resource Conservation and Recovery Act.

These generic CXs are not intended to circumvent the internal National Environmental Policy Act (NEPA) process; therefore, proposed actions should still undergo a review to determine the appropriate level of impact analysis; i.e., CX, environmental assessment, or environmental impact statement. If a proposed action is covered by these CXs, documentation of this review should be maintained and a list of projects with reference to the applicable generic CX should be forwarded to the ORO NEPA Compliance Officer by March 1 of each year for the preceding calendar year projects.

If you have any questions concerning these CXs, please contact me at 865-576-0273.

Gary S. Hartman  
DOE ORO Acting  
NEPA Compliance Officer

Attachment

cc w/attachment:  
Katatra Day, SE-30-1  
James Elmore, SE-30-1  
David Page, SE-30-1  
Sheila Thornton, SE-30-1, Parallax

Those Listed 2

- cc w/attachment: (continued)  
Terry Olberding, NNSA  
Lee Hamblin, PORTS, AREA  
David Tidwell, PAD, EM-98  
Randy Smyth, EM-94  
Mildred Ferre, EM-91  
Michele Branton, ORNL, MS-6269  
Kristi Wiehle, PORTS, UE-54  
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Tony Poole, BJC, K-1320, MS 7234  
John Powell, BWXT Y-12, 9116, MS 8098  
Sara Welch, BJC, 6556X, MS 6410

Concurrence
Routing Symbol SE-30-1 J. E. E. Initials/Signature ELMORE 12/17/03 Date
Routing Symbol SE-30-1 R. S. Initials/Signature DAY 12/17/03 Date
Routing Symbol SE-30-1 D. R. Initials/Signature P. E. P. - 03 Date
Routing Symbol SE-30-1 O. J. Initials/Signature HARTMAN 12/17/03 Date
Routing Symbol SE-30-1 J. M. Initials/Signature Date 12/17/03

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DOE F 1325 8  
(3/96)

United States Government

**Department of Energy**  
Oak Ridge Operations Office

# memorandum

DATE:  
REPLY TO:  
ATTN OF: SE:30-1:Hartman  
SUBJECT: **OAK RIDGE OPERATIONS GENERIC CATEGORICAL EXCLUSIONS**

TO: Mark Belvin, SE-31  
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Gary S. Hartman  
DOE ORO Acting  
NEPA Compliance Officer

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Concurrence
Routing Symbol SE-30-1 <i>J. Z. E.</i> Initials/Signature ELMORE 12/19/03 Date
Routing Symbol SE-30-1 <i>J. Z. E.</i> Initials/Signature DAY 12/17/03 Date
Routing Symbol SE-30-1 <i>D. J. P.</i> Initials/Signature RACE 12/18/03 Date
Routing Symbol SE-30-1 <i>J. Z. E.</i> Initials/Signature HARTMAN 12/19/03 Date
Routing Symbol SE-30-1 <i>J. Z. E.</i> Initials/Signature WELCH 12/17/03 Date

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FC:

OFFICIAL FILE COPY

DOE F 1325.8  
(3/96)

United States Government

Department of Energy  
Oak Ridge Operations Office

# memorandum

DATE: December 23, 2003  
REPLY TO:  
ATTN OF: SE:30-1:Hartman  
SUBJECT: **OAK RIDGE OPERATIONS GENERIC CATEGORICAL EXCLUSIONS**

TO: Mark Belvin, SE-31  
Susan Cange, AU-61  
Larry Clark, AU-61  
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If you have any questions concerning these CXs, please contact me at 865-576-0273.

  
for Gary S. Hartman  
DOE ORO Acting  
NEPA Compliance Officer

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**CATEGORICAL EXCLUSIONS (CX) FOR:**

<b>CX-GEN-001</b>	<b>VENTILATION ACTIVITIES</b>
<b>CX-GEN-002</b>	<b>REMOVING ITEMS OR MATERIALS CONTAINING POLYCHLORINATED BIPHENYLS</b>
<b>CX-GEN-003</b>	<b>REPLACEMENT, REMOVAL, AND CLOSURE OF UNDERGROUND STORAGE TANKS</b>
<b>CX-GEN-004</b>	<b>SITE CHARACTERIZATION, INVESTIGATION, AND ENVIRONMENTAL MONITORING ACTIVITIES</b>
<b>CX-GEN-005</b>	<b>COMMUNICATIONS ENHANCEMENTS</b>
<b>CX-GEN-006</b>	<b>DIKE CONSTRUCTION AND MODIFICATIONS</b>
<b>CX-GEN-007</b>	<b>PERSONNEL SAFETY ENHANCEMENTS</b>
<b>CX-GEN-008</b>	<b>ASBESTOS ABATEMENT ACTIONS</b>
<b>CX-GEN-009</b>	<b>TRAINING EXERCISES AND SIMULATION PROJECTS</b>
<b>CX-GEN-010</b>	<b>FIRE PROTECTION UPGRADES</b>
<b>CX-GEN-011</b>	<b>MAINTENANCE ACTIVITIES</b>
<b>CX-GEN-012</b>	<b>ALTERATIONS TO EXISTING BUILDINGS, CONSTRUCTION OF SMALL-SCALE SUPPORT STRUCTURES, AND RELOCATION OF MACHINERY AND EQUIPMENT</b>
<b>CX-GEN-013</b>	<b>WASTE MINIMIZATION AND REUSE</b>
<b>CX-GEN-014</b>	<b>ANALYTICAL SERVICES AND DEVELOPMENT SUPPORT ACTIVITIES</b>
<b>CX-GEN-015</b>	<b>COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENT (CRADA) ACTIVITIES</b>
<b>CX-GEN-016</b>	<b>DEACTIVATION OF FACILITIES</b>
<b>CX-GEN-017</b>	<b>CLOSURE ACTIVITIES UNDER THE RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)</b>

**CATEGORICAL EXCLUSION (CX) FOR  
VENTILATION ACTIVITIES  
CX-GEN-001**

The DOE Oak Ridge Operations Office (ORO) proposes to upgrade, install, and/or modify ventilation systems at its facilities (hereafter referred to as ventilation actions).

Ventilation actions would take place at DOE-owned facilities on the DOE Oak Ridge Reservation (ORR) at Oak Ridge, Tennessee; the Thomas Jefferson National Accelerator Facility at Newport News, Virginia; and other DOE-ORO-operated facilities and ancillary areas associated with ORO sites, programs, and projects.

The proposed actions would involve installation of or modification to ventilation systems to (1) enhance workplace habitability [i.e., modifications to or installation of heating/ventilating/air conditioning (HVAC) systems]; (2) provide for personnel safety and health enhancement (i.e., installing/improving fume hoods and associated collection and exhaust systems); and (3) ensure proper temperature control of buildings and equipment. The proposed actions would also involve replacing air conditioners, chillers, pump towers, and associated piping, electrical, and structural work. Air handling units would be located inside existing facilities, and condenser units would be located either on the roof of existing structures or immediately outside existing facilities on poured concrete pads to be constructed prior to installation. As needed, new duct work would be installed to distribute cooled or heated air. Modifications to existing HVAC control systems would include removing old or deteriorated control systems (e.g., pneumatic temperature controllers, temperature indicators, and temperature transmitters) and installing new control systems (e.g., direct digital controls) and computer systems for new digital control modules. No increase in emissions would occur as a result of the installation of collection and exhaust systems. Modifications would also include cleaning existing components (grills, electric reheat coils, steam coils, etc.) and replacing asbestos-insulated supply ducts with new asbestos-free ducts.

Installing and modifying HVAC systems might involve either adding or removing refrigerants that are considered to be ozone-depleting substances. All actions involving the handling of refrigerants would be conducted only by qualified personnel who are aware of air pollution control rules restricting the release of refrigerants to the atmosphere and who are properly equipped to prevent such releases. All individual decisions to install and/or modify HVAC systems would conform to applicable programs or site-specific policies and plans.

Any planned upgrades, improvements, or modifications that might involve systems related to personnel safety and health (i.e., installing or improving fume hoods and associated collection and exhaust systems) would be reviewed for applicable permitting requirements under the Clean Air Act and/or the National Emission Standards for Hazardous Air Pollutants prior to construction. In addition, modifications to such systems would be reviewed, as required, by appropriate industrial hygiene and other environmental management personnel.

Any wastes generated during ventilation actions would be appropriately characterized and disposed of at existing permitted/approved waste storage, treatment, or disposal facilities. The proposed action would be evaluated by Pollution Prevention or other responsible personnel for action options to reduce or eliminate generation of waste materials.

The proposed ventilation actions that would take place on the ORR have been reviewed in accordance with the *Cultural Resource Management Plan* (CRMP) (DOE/OR-2085, July 2001) or applicable sections in a ratified Programmatic Agreement (PA) document and would not result in an adverse effect to historic properties included or eligible for inclusion in the National Register of Historic Places (National Register). If the proposed ORR actions would have an adverse effect on properties included or eligible for inclusion in the National Register, DOE-ORO would consult with the State Historic Preservation Officer and initiate actions specified in procedures set forth in the Advisory Council's regulations in 36 CFR Part 800.

For sites other than the ORR, DOE-ORO would complete Section 106 reviews consistent with the ORR CRMP, as discussed above, until PAs are ratified for the respective sites. At such time, the sites would conduct Section 106 reviews under provisions of the site-specific PA.

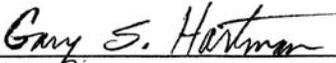
To ensure that sensitive resources are protected, existing maps and surveys/studies on threatened and endangered (T/E) species, wetlands and floodplains, and historically sensitive areas would be used to locate these areas. In addition, personnel responsible for identifying these resources would be consulted and, if warranted, additional surveys and walkovers would be conducted to confirm or update available information.

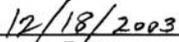
No known extraordinary circumstances would be associated with these actions that might affect the significance of the environmental effects of the proposed action based on past similar actions. These actions would not be connected to other actions with potentially significant impacts or related to other proposed actions with cumulatively significant impacts; they would meet the conditions that are integral elements of the classes of actions which may be categorically excluded from further National Environmental Policy Act (NEPA) documentation. Should the action not meet the conditions for CX consideration, a separate NEPA document would be prepared and submitted to DOE-ORO for review and approval.

Although an action may fall under the category of "installation of or modification to ventilation systems," a separate NEPA review would be performed and documented should the action or related/cumulative effect of the action have the potential to result in an unusual or significant impact to the environment.

B1.4, B2.1, B2.3, B1.16 are the applicable CXs that cover the proposed action in DOE NEPA Implementing Procedures, 10 CFR 1021, Subpart D, Appendix B.

Based on my review of the above description, I have determined that the above actions are categorically excluded from further NEPA review and documentation. The DOE Contracting Officer Representative is responsible for oversight of the application of this determination.

  
\_\_\_\_\_  
Gary S. Hartman  
DOE ORO Acting NEPA Compliance Officer

  
\_\_\_\_\_  
Date

**CATEGORICAL EXCLUSION (CX) FOR  
REMOVING ITEMS OR MATERIALS CONTAINING POLYCHLORINATED  
BIPHENYLS  
CX-GEN-002**

The DOE Oak Ridge Operations Office (ORO) proposes to remove, maintain, and dispose of items or materials such as transformers, capacitors, light ballasts, hydraulic systems, gaskets, coatings, and insulation that contain various levels of polychlorinated biphenyls (PCBs).

The proposed actions would take place at DOE-owned facilities on the DOE Oak Ridge Reservation (ORR) at Oak Ridge, Tennessee; the Thomas Jefferson National Accelerator Facility at Newport News, Virginia; and other DOE-ORO-operated facilities and ancillary areas associated with ORO sites, programs, and projects.

The proposed actions would involve removal of items containing various levels of PCBs, including transformers, capacitors, light ballasts, hydraulic systems, gaskets, coatings, and insulation. The proposed actions also include routine maintenance and flushing of equipment such as hydraulic systems and transformers. Other routine operations, such as PCB spill response and cleanup, would also be performed. The PCB spill cleanup may include establishment of storage areas to temporarily contain the wastes until the items can be relocated to existing treatment, disposal, or one-year storage facilities.

Removal of these items might require temporary removal of obstacles such as walls, ceilings, fences, or power lines which would prevent forklift or crane access to items targeted for removal. Some transformers may have connecting cables which contain asbestos and lead. These cables would be removed and/or disposed of in existing permitted/approved facilities. Some transformers, hydraulic systems, or other items may have PCB-containing pads and/or soil around the base. The surrounding substrate would be sampled and, if determined to contain PCBs, excavated or managed according to applicable Environmental Protection Agency regulations, DOE orders, and applicable programs or site-specific policies and procedures. The removed equipment would be stored until approved for release to an off-site contractor for disposal or recycling in accordance with regulations, applicable programs, or site-specific policies and plans.

When performing removal actions of large items, such items would be drained of free-flowing liquid, thereby reducing the risk of spill. Small-volume items would be drained if necessary. Other items, such as light ballasts, are sealed and would not require draining. If size permits, the items would also be placed in a Department of Transportation-approved container to further minimize spill potential. Following characterization, all wastes determined to be of or derived from a PCB concentration of 50 ppm or greater would be managed in accordance with the terms outlined for PCB waste found at 40 CFR 761 and, for activities taking place on the ORR, in the ORR PCB Federal Facilities Compliance Agreement, as well as any other applicable agreements or policies.

The proposed PCB removal actions that would take place on the ORR have been reviewed in accordance with the *Cultural Resource Management Plan (CRMP)* (DOE/OR-2085, July 2001) or applicable sections in a ratified Programmatic Agreement (PA) document and would not result in an adverse effect to historic properties included or eligible for inclusion in the National Register of Historic Places (National Register). If the proposed ORR actions would have an adverse effect on properties included or eligible for inclusion in the National Register, DOE-ORO would consult with

the State Historic Preservation Officer and initiate actions specified in procedures set forth in the Advisory Council's regulations in 36 CFR Part 800.

For sites other than the ORR, DOE-ORO would complete Section 106 reviews consistent with the ORR CRMP, as discussed above, until PAs are ratified for the respective sites. At such time, the sites would conduct Section 106 reviews under provisions of the site-specific PA.

To ensure that sensitive resources are protected, existing maps and surveys/studies on threatened and endangered (T/E) species, wetlands and floodplains, and historically sensitive areas would be used to locate these areas. In addition, personnel responsible for identifying these resources would be consulted and, if warranted, additional surveys and walkovers would be conducted to confirm or update available information.

No known extraordinary circumstances would be associated with these actions that might affect the significance of the environmental effects of the proposed action based on past similar actions. These actions would not be connected to other actions with potentially significant impacts or related to other proposed actions with cumulatively significant impacts; they would meet the conditions that are integral elements of the classes of actions which may be categorically excluded from further National Environmental Policy Act (NEPA) documentation. Should the action not meet the conditions for CX consideration, a separate NEPA document would be prepared and submitted to DOE-ORO for review and approval.

Although an action may fall under the category of a "PCB removal action," a separate NEPA review would be performed and documented should the action or related/cumulative effect of the action have the potential to result in an unusual or significant impact to the environment.

B1.17 is the applicable CX that covers the proposed actions in DOE NEPA Implementing Procedures, 10 CFR 1021, Subpart D, Appendix B.

Based on my review of the above description, I have determined that the above actions are categorically excluded from further NEPA review and documentation. The DOE Contracting Officer Representative is responsible for oversight of the application of this determination.

  
\_\_\_\_\_  
Gary S. Hartman  
DOE ORO Acting NEPA Compliance Officer

*12/18/2003*  
\_\_\_\_\_  
Date

**CATEGORICAL EXCLUSION (CX) FOR  
REPLACEMENT, REMOVAL, AND CLOSURE OF UNDERGROUND STORAGE  
TANKS  
CX-GEN-003**

The DOE Oak Ridge Operations Office (ORO) proposes to either remove, replace, upgrade, or permanently close underground storage tanks (USTs), associated piping and leak-detection systems, and underlying containment systems in accordance with state and federal (40 CFR 265 and 280) regulations.

The proposed actions would take place at DOE-owned facilities on the DOE Oak Ridge Reservation (ORR) at Oak Ridge, Tennessee; the Thomas Jefferson National Accelerator Facility at Newport News, Virginia; and other DOE-ORO-operated facilities and ancillary areas associated with ORO sites, programs, and projects.

The proposed actions would involve the following closure-related actions: (1) either excavating and removing the UST, associated piping, and underlying containment systems or closure in place by filling the UST with a solid, inert material (e.g., sand); (2) segmenting and cleaning the tank; (3) sampling and analyzing the soil and/or groundwater in the tank pit and vicinity; (4) remediating the site, if required; and (5) backfilling and seeding the excavated areas. The exhumed tank might be replaced with another double-walled and self-contained aboveground or belowground tank. These replacement actions would involve (1) excavating/grading to level the site and placing gravel on the site, (2) installing the new tank and any associated piping, and (3) landscaping to minimize any visual impacts.

Any remaining residual product would be pumped from the tank prior to closure and stored for later reuse or disposal. The exhumed tank would be taken to an appropriate area to be segmented (if required), cleaned, and (as appropriate) disposed of as scrap metal. Rinse water from cleaning the tanks would be drummed and transported to existing wastewater treatment facilities. Any soil taken from the vicinity of the tank that is contaminated with Resource Conservation and Recovery Act (RCRA)-hazardous materials (e.g., lead or other heavy metals) would be drummed, labeled, and transferred for storage at existing permitted/approved facilities; otherwise, excavated soil contaminated with petroleum-based hydrocarbons would be transported to an approved area, where the hydrocarbons would be allowed to volatilize. Radioactively contaminated soil, if encountered, would be properly contained and disposed of in solid waste storage areas at existing permitted/approved disposal facilities. Any soils contaminated with both radioactive and RCRA-hazardous materials would be properly handled, packaged, labeled, and stored at existing permitted/approved facilities. Should contaminated soils be encountered, over-excavation of soils up to 10 ft in any direction of the tank would be considered an acceptable method of remediation.

No individual removal action would exceed the Comprehensive Environmental Response, Compensation, and Liability Act regulatory cost and time limits (up to \$5 million over as many as five years).

Any wastes generated would be appropriately characterized and then disposed of in existing facilities permitted/approved for the types of waste created by each removal action. Excavated soils, concrete, and/or asphalt materials suspected of being contaminated would be temporarily stored in diked areas and encapsulated in plastic pending results of analytical laboratory testing to establish the appropriate action regarding storage or disposal in existing facilities. The proposed action would be evaluated by

Pollution Prevention or other responsible personnel for action options to reduce or eliminate generation of waste materials.

The proposed UST actions that would take place on the ORR have been reviewed in accordance with the *Cultural Resource Management Plan* (CRMP) (DOE/OR-2085, July 2001) or applicable sections in a ratified Programmatic Agreement (PA) document and would not result in an adverse effect to historic properties included or eligible for inclusion in the National Register of Historic Places (National Register). If the proposed ORR actions would have an adverse effect on properties included or eligible for inclusion in the National Register, DOE-ORO would consult with the State Historic Preservation Officer and initiate actions specified in procedures set forth in the Advisory Council's regulations in 36 CFR Part 800.

For sites other than the ORR, DOE-ORO would complete Section 106 reviews consistent with the ORR CRMP, as discussed above, until PAs are ratified for the respective sites. At such time, the sites would conduct Section 106 reviews under provisions of the site-specific PA.

Should the proposed UST actions involve ground disturbances at locations where an archeological survey has not been conducted or take place at previously disturbed locations where the potential exists to exceed the depth of previous ground disturbances, DOE-ORO would consult with the SHPO to determine whether an archeological survey would be warranted prior to initiating the proposed actions.

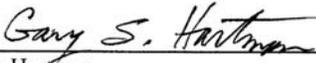
To ensure that sensitive resources are protected, existing maps and surveys/studies on threatened and endangered (T/E) species, wetlands and floodplains, and historically sensitive areas would be used to locate these areas. In addition, personnel responsible for identifying these resources would be consulted and, if warranted, additional surveys and walkovers would be conducted to confirm or update available information.

No known extraordinary circumstances would be associated with these actions that might affect the significance of the environmental effects of the proposed action based on past similar actions. These actions would not be connected to other actions with potentially significant impacts or related to other proposed actions with cumulatively significant impacts; they would meet the conditions that are integral elements of the classes of actions which may be categorically excluded from further National Environmental Policy Act (NEPA) documentation. Should the action not meet the conditions for CX consideration, a separate NEPA document would be prepared and submitted to DOE-ORO for review and approval.

Although an action may fall under the category of a "UST removal action," a separate NEPA review would be performed and documented should the action or related/cumulative effect of the action have the potential to result in an unusual or significant impact to the environment.

B2.5 and B6.1 are the applicable CXs that cover the proposed actions in DOE NEPA Implementing Procedures, 10 CFR 1021, Subpart D, Appendix B.

Based on my review of the above description, I have determined that the above actions are categorically excluded from further NEPA review and documentation. The DOE Contracting Officer Representative is responsible for oversight of the application of this determination.

  
\_\_\_\_\_  
Gary S. Hartman  
DOE ORO Acting NEPA Compliance Officer

  
\_\_\_\_\_  
Date

**CATEGORICAL EXCLUSION (CX) FOR  
SITE CHARACTERIZATION, INVESTIGATION, AND  
ENVIRONMENTAL MONITORING ACTIVITIES  
CX-GEN-004**

The DOE Oak Ridge Operations Office (ORO) proposes to conduct site characterization and monitoring, air and stack effluent monitoring, plant and animal sampling, surface water sampling, and actions that would include but not be limited to geological, geophysical, geochemical, engineering surveys, and mapping. Also, the proposed actions would be used to assess the soil and subsurface conditions in proposed construction projects, monitor and characterize groundwater flow, obtain data on aquifers, assess active and inactive waste management areas, and assess subsurface contaminated facilities that are potential sources of release to the environment.

The proposed actions would take place at DOE-owned facilities on the DOE Oak Ridge Reservation (ORR) at Oak Ridge, Tennessee; the Thomas Jefferson National Accelerator Facility at Newport News, Virginia; and other DOE-ORO-operated facilities and ancillary areas associated with ORO sites, programs, and projects.

As required by agreements among DOE, the Environmental Protection Agency, and the affected states, a variety of characterization actions would be performed to determine the presence or nature and extent of environmental contamination at the referenced locations. Characterization under these agreements would be done in accordance with applicable regulatory drivers, such as the Resource Conservation and Recovery Act (RCRA), the Atomic Energy Act, and/or state laws. These laws require monitoring and investigation of all environmental media that might have been affected by waste that was either treated, stored, or disposed of at the sites.

A variety of investigation/characterization actions would be performed to obtain geological, geophysical, and geochemical data and to determine the presence or nature and extent of environmental contamination. Actions would include collection and analysis of samples and interpretation of the data. Samples would be analyzed for site-specific parameters including (but not limited to) pH, conductivity, dissolved oxygen, metals, mercury, lead, volatile organics, semivolatile organics, polychlorinated biphenyls, asbestos, uranium, and various other radiological analyses of concern. Specific actions might include (but would not be limited to) the following:

1. Drilling of boreholes to obtain subsurface core samples. Core materials might be characterized in the field, archived for later analysis, or sampled for contamination.
2. Collection and analysis of surface soil samples.
3. Installation and development of long-term or short-term groundwater monitoring wells. Groundwater wells and temporary piezometers would be installed to monitor and characterize groundwater flow. Well installation would include soil and bedrock coring and sampling, well drilling, construction, and development of groundwater investigation and monitoring of wells (including vadose zone wells and installation). Construction and development would include (1) emplacement of well casings, screens, and annular seals and (2) construction of the concrete pad of the well, protective posts, and access road, if needed. Groundwater monitoring wells would be constructed in accordance with RCRA-quality requirements and would include seals to prevent infiltration of surface water and mixing of groundwater. Temporary piezometers (simple well screens without filter packs and seals) could be used for

some characterization. Piezometers would be used only in shallow formations where mixing of groundwater due to penetration of the borehole would be of no concern. Wells and piezometers would be periodically purged and sampled for groundwater contamination. Aquifer testing would be conducted at some wells.

4. Well plugging and abandonment (including inspection and sampling of wells to verify location, method of construction, and current conditions) and purging water, as required. Well plugging and abandonment would take place using a variety of methods such as casing removal, overdrilling, grout filling, etc. Minor excavation around wellheads might be required prior to commencement of plugging and abandonment actions.
5. Well plugging and abandonment that would include (1) decommissioning groundwater investigation or monitoring wells that have been damaged or destroyed or (2) wells that are a hindrance to construction activities or environmental restoration projects.
6. Installation of water-level monitoring equipment at wells and surface water stations. The latter might require construction of flumes/gaging stations within stream channels.
7. Surface and groundwater sampling and analysis. Some surface water sampling sites would require installation of temporary, removable devices for measurement of surface water flow rates. Actions would include dye tracer studies.
8. Aquifer testing that would include slug, hydraulic packer, and pump testing to characterize hydraulic properties of aquifers. This would include installation of water-level recording devices into characterization, monitoring, and/or piezometric wells to determine vertical and horizontal groundwater flow directions.
9. Installation/relocation of Surface Water Hydrological Information Support Systems houses to surface water monitoring locations.
10. Geophysical exploration including electromagnetic profiling, seismic reflection/refraction, wireline geophysics, and ground penetrating radar.
11. Installation of shallow (<1-foot-deep) soil gas monitors or insertion of soil gas withdrawal tubes.
12. Installation of rain gauges, evaporative pans, anemometers, or other meteorological monitoring equipment.
13. Construction and use of air monitoring stations to determine ambient air quality or potential air quality impacts during assessment actions.
14. Routine decontamination of equipment.
15. Sampling of solid waste streams including soil cuttings, personal protective equipment, and process equipment and process waste streams.

16. Sampling of nonendangered plant and animal species.
17. Sampling of stack effluent emissions.
18. Establishment of staging areas for purposes of conducting characterization work. Staging areas would be used for material and equipment laydown and as temporary satellite accumulation areas for wastes (in drums, tanks, or other containers) generated by characterization actions (e.g., drill cuttings and decontamination wastes). Staging areas would be operated and maintained in compliance with site waste management procedures for the duration of their operation and during setup of decontamination trailers/change houses. Staging areas would be established in previously disturbed areas (or in areas that would require minimal grading) and would be covered with gravel or gravel and geotextile material. Temporary access roadways (or temporary extensions of existing roadways) might also be constructed, as necessary. Clearing of low brush or removal of trees and shrubs with the goal of minimization of clearing might also occur.
19. Installation and operation of field instruments, such as flow-measuring devices.
20. Maintenance and modification of existing wells and structures (i.e., painting, minor surface grading/sloping, cleaning, tagging, etc.).

The proposed action would be evaluated by Pollution Prevention or other responsible personnel for action options to reduce or eliminate generation of waste materials. Environmental samples would be analyzed in on-site or off-site laboratories. The analysis procedures often consume the sample. Should the sample not be consumed, the remaining sample would be acceptable for disposal in existing permitted/approved facilities in accordance with laboratory operating procedures. Any wastes generated would be acceptable for disposal in existing permitted/approved or exempt facilities.

The proposed site characterization, investigation, and environmental monitoring actions that would take place on the ORR have been reviewed in accordance with the *Cultural Resource Management Plan* (CRMP) (DOE/OR-2085, July 2001) or applicable sections in a ratified Programmatic Agreement (PA) document and would not result in an adverse effect to historic properties included or eligible for inclusion in the National Register of Historic Places (National Register). If the proposed ORR actions would have an adverse effect on properties included or eligible for inclusion in the National Register, DOE-ORO would consult with the State Historic Preservation Officer and initiate actions specified in procedures set forth in the Advisory Council's regulations in 36 CFR Part 800.

For sites other than the ORR, DOE-ORO would complete Section 106 reviews consistent with the ORR CRMP, as discussed above, until PAs are ratified for the respective sites. At such time, the sites would conduct Section 106 reviews under provisions of the site-specific PA.

Should the proposed site characterization, investigation, and environmental monitoring actions involve ground disturbances at locations where an archeological survey had not been conducted or

take place at previously disturbed locations where the potential exists to exceed the depth of previous ground disturbances, DOE-ORO would consult with the SHPO to determine whether an archeological survey would be warranted prior to initiating the proposed actions.

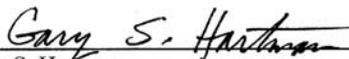
To ensure that sensitive resources are protected, existing maps, surveys and studies on threatened and/or endangered (T/E) species, wetlands and floodplains, and historically sensitive areas would be used to locate these areas. In addition, personnel responsible for identifying these resources would be consulted and, if warranted, additional surveys and walkovers would be conducted to confirm or update available information.

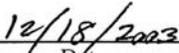
No known extraordinary circumstances would be associated with these actions that might affect the significance of the environmental effects of the proposed action based on past similar actions. These actions would not be connected to other actions with potentially significant impacts or related to other proposed actions with cumulatively significant impacts; they would meet the conditions that are integral elements of the classes of actions which may be categorically excluded from further National Environmental Policy Act (NEPA) documentation. Should the action not meet the conditions for CX consideration, a separate NEPA document would be prepared and submitted to DOE-ORO for review and approval.

Although an action might fall under the category of "site characterization, investigation, and environmental monitoring," a separate NEPA review would be performed and documented should the action or related/cumulative effect of the action have the potential to result in an unusual or significant impact to the environment.

B3.1 is the applicable CX that covers the proposed action in DOE NEPA Implementing Procedures, 10 CFR 1021, Subpart D, Appendix B.

Based on my review of the above description, I have determined that the above actions are categorically excluded from further NEPA review and documentation. The DOE Contracting Officer Representative is responsible for oversight of the application of this determination.

  
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Gary S. Hartman  
DOE ORO Acting NEPA Compliance Officer

  
\_\_\_\_\_  
Date

**CATEGORICAL EXCLUSION (CX) FOR  
COMMUNICATIONS ENHANCEMENTS  
CX-GEN-005**

The DOE Oak Ridge Operations Office (ORO) proposes to upgrade and/or enhance communications systems at its facilities.

Communications enhancements would take place at DOE-owned facilities on the DOE Oak Ridge Reservation (ORR) at Oak Ridge, Tennessee; the Thomas Jefferson National Accelerator Facility at Newport News, Virginia; and other DOE-ORO-operated facilities and ancillary areas associated with ORO sites, programs, and projects.

The proposed actions would involve installation, modification, upgrade, and/or enhancement of communications and computer systems, including telephone systems, computers and computer networks, and public address/warning systems. These actions might involve (1) project design, (2) procurement, and (3) installation of communications systems or system components. Installation might include installing aboveground and belowground conduits, cable trays, support poles, manholes, and hub stations that contain distribution panels, wiring, electronics, power supplies, coaxial and fiber optics cables, and miscellaneous tie-ins to existing systems such as the Broadband Communication Network, bar code readers, badge readers, electronic message signs, computer systems, or public address/warning systems. Actions might also include connection of remote equipment, tools, or terminals to a host computer and connection of new network systems designed to automate process controls and enhance graphics and imaging systems or enhance data collection, processing, storage, and retrieval systems. When no longer useful, buried communications and data transfer cable would either be removed from service or abandoned in place.

Acquisition and installation of communications systems and data processing equipment would involve either replacement of parts (to the extent that the replacement is in kind) or acquisition and installation of new system components. New system installation actions would generate minimal amounts of construction wastes, which would be disposed of at existing permitted/approved waste disposal sites. Old equipment/components would either be salvaged or disposed of at existing permitted/approved waste storage, treatment, or disposal facilities. The proposed action would be evaluated by Pollution Prevention or other responsible personnel for action options to reduce or eliminate generation of waste materials.

Installation of communications systems across (belowground) creeks and streams would be reviewed to determine if a Corps of Engineers or an Aquatic Resources Alterations Permit would be required. Requirements of 10 CFR 1022 would be met should wetlands or floodplains be involved in the action, and a rare plant/animal survey would be completed prior to installation actions in these areas.

The proposed communication enhancement actions that would take place on the ORR have been reviewed in accordance with the *Cultural Resource Management Plan* (CRMP) (DOE/OR-2085, July 2001) or applicable sections in a ratified Programmatic Agreement (PA) document and would not result in an adverse effect to historic properties included or eligible for inclusion in the National Register of Historic Places (National Register). If the proposed ORR actions would have an adverse effect on properties included or eligible for inclusion in the National Register, DOE-ORO would consult with the State Historic Preservation Officer and initiate actions specified in procedures set forth in the Advisory Council's regulations in 36 CFR Part 800.

For sites other than the ORR, DOE-ORO would complete Section 106 reviews consistent with the ORR CRMP, as discussed above, until PAs are ratified for the respective sites. At such time, the sites would conduct Section 106 reviews under provisions of the site-specific PA.

Should the proposed communications enhancement actions involve ground disturbances at locations where an archeological survey had not been conducted or take place at previously disturbed locations where the potential exists to exceed the depth of previous ground disturbances, DOE-ORO would consult with the SHPO to determine whether an archeological survey would be warranted prior to initiating the proposed actions.

To ensure that sensitive resources are protected, existing maps and surveys/studies on threatened and endangered (T/E) species, wetlands and floodplains, and historically sensitive areas would be used to locate these areas. In addition, personnel responsible for identifying these resources would be consulted and, if warranted, additional surveys and walkovers would be conducted to confirm or update available information.

No known extraordinary circumstances would be associated with these actions that might affect the significance of the environmental effects of the proposed action based on past similar actions. These actions would not be connected to other actions with potentially significant impacts or related to other proposed actions with cumulatively significant impacts; they would meet the conditions that are integral elements of the classes of actions which may be categorically excluded from further National Environmental Policy Act (NEPA) documentation. Should the action not meet the conditions for CX consideration, a separate NEPA document would be prepared and submitted to DOE-ORO for review and approval.

Although an action might fall under the category of "communications enhancements," a separate NEPA review would be performed and documented should the action or related/cumulative effect of the action have the potential to result in an unusual or significant impact to the environment.

B1.7 and B4.7 are the applicable CXs that cover the proposed actions in DOE NEPA Implementing Procedures, 10 CFR Part 1021, Subpart D, Appendix B.

Based on my review of the above description, I have determined that the above actions are categorically excluded from further NEPA review and documentation. The DOE Contracting Officer Representative is responsible for oversight of the application of this determination.

  
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Gary S. Hartman  
DOE ORO Acting NEPA Compliance Officer

12/18/2003  
Date

**CATEGORICAL EXCLUSION (CX) FOR  
DIKE CONSTRUCTION AND MODIFICATIONS  
CX-GEN-006**

The DOE Oak Ridge Operations Office (ORO) proposes to construct and/or modify dikes or use other methods for managing secondary containment at its facilities.

The proposed actions would be performed at DOE-owned facilities on the DOE Oak Ridge Reservation (ORR) at Oak Ridge, Tennessee; the Thomas Jefferson National Accelerator Facility at Newport News, Virginia; and other DOE-ORO-operated facilities and ancillary areas associated with ORO sites, programs, and projects.

The proposed actions would involve construction or modification of new or existing secondary containment structures such as dikes, berms, curbing, diversion structures, weirs, booms, and other barriers which would meet the requirements for secondary containment, as specified in 40 CFR Part 112.7(c), to prevent accidental discharges from reaching navigable water courses. The actions taken would include, but would not be limited to, the following types of actions: excavation of dirt, clay, gravel, rock, etc.; pouring and/or forming of concrete; demolition of existing dikes, berms, curbing, etc.; application of coatings, sealants, or liners to the walls and/or floors of dikes, berms, curbing, etc.; erection of roofs and walls around secondary containment areas; and installation of sump pumps and associated piping.

Any wastes generated would be appropriately characterized and then disposed of in existing permitted/approved facilities. The proposed action would be evaluated by Pollution Prevention or other responsible personnel for action options to reduce or eliminate the generation of waste materials.

The proposed dike construction and modification actions that would take place on the ORR have been reviewed in accordance with the *Cultural Resource Management Plan* (CRMP) (DOE/OR-2085, July 2001) or applicable sections in a ratified Programmatic Agreement (PA) document and would not result in an adverse effect to historic properties included or eligible for inclusion in the National Register of Historic Places (National Register). If the proposed ORR actions would have an adverse effect on properties included or eligible for inclusion in the National Register, DOE-ORO would consult with the State Historic Preservation Officer and initiate actions specified in procedures set forth in the Advisory Council's regulations in 36 CFR Part 800.

For sites other than the ORR, DOE-ORO would complete Section 106 reviews consistent with the ORR CRMP, as discussed above, until PAs are ratified for the respective sites. At such time, the sites would conduct Section 106 reviews under provisions of the site-specific PA.

Should the proposed dike construction and modification actions involve ground disturbances at locations where an archeological survey had not been conducted or take place at previously disturbed locations where the potential exists to exceed the depth of previous ground disturbances, DOE-ORO would consult with the SHPO to determine whether an archeological survey is warranted prior to initiating the proposed actions.

To ensure that sensitive resources are protected, existing maps and surveys/studies on threatened and endangered (T/E) species, wetlands and floodplains, and historically sensitive areas would be used to locate these areas. In addition, personnel responsible for identifying these resources would be

consulted and, if warranted, additional surveys and walkovers would be conducted to confirm or update available information.

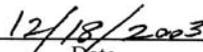
No known extraordinary circumstances would be associated with these actions that might affect the significance of the environmental effects of the proposed action based on past similar actions. These actions would not be connected to other actions with potentially significant impacts or related to other proposed actions with cumulatively significant impacts; they would meet the conditions that are integral elements of the classes of actions which may be categorically excluded from further National Environmental Policy Act (NEPA) documentation. Should the action not meet the conditions for CX consideration, a separate NEPA document would be prepared and submitted to DOE-ORO for review and approval.

Although an action might fall under the category of "dike construction and modification," a separate NEPA review would be performed and documented should the action or related/cumulative effect of the action have the potential to result in an unusual or significant impact to the environment. In addition, should the proposed action involve Corps of Engineers coordination and review or review under 10 CFR 1022, the action would not proceed until such reviews had been completed.

B1.6 is the applicable CX that covers the proposed actions in DOE NEPA Implementing Procedures, 10 CFR Part 1021, Subpart D, Appendix B.

Based on my review of the above description, I have determined that the above actions are categorically excluded from further NEPA review and documentation. The DOE Contracting Officer Representative is responsible for oversight of the application of this determination.

  
\_\_\_\_\_  
Gary S. Hartman  
DOE ORO Acting NEPA Compliance Officer

  
\_\_\_\_\_  
Date

**CATEGORICAL EXCLUSION (CX) FOR  
PERSONNEL SAFETY ENHANCEMENTS  
CX-GEN-007**

The DOE Oak Ridge Operations Office (ORO) proposes to modify and/or upgrade existing safety equipment, components, and/or systems and install new equipment, components, and/or systems at its facilities.

The proposed actions would be performed at DOE-owned facilities on the DOE Oak Ridge Reservation (ORR) at Oak Ridge, Tennessee; the Thomas Jefferson National Accelerator Facility at Newport News, Virginia; and other DOE-ORO-operated facilities and ancillary areas associated with ORO sites, programs, and projects.

The proposed actions would involve installation, modification, and/or upgrading of personnel safety systems and devices including, but not limited to, safety showers; eye washes; fume hoods; radiation monitoring devices; sprinkler systems; emergency exit lighting systems; emergency ingress/egress routes; protective equipment for electrical panels; circuit breakers and electrical switch gear; personnel accountability/assembly systems and stations; improvements to walking and working areas and/or surfaces; and fabrication, installation, or modification of platforms, rails, stairways, shields, and guards.

Upgrades and/or installations might be performed to meet compliance with the Occupational Safety and Health Act, National Institute for Occupational Safety and Health standards, National Fire Protection Association standards, and other agency standards for worker protection.

Installations and modifications would include all necessary electrical and utility connections. Where appropriate, containment diking would be provided around shower and sprinkler systems.

Any wastes generated during personnel safety enhancements would be appropriately characterized and then disposed of in existing facilities. The proposed action would be evaluated by Pollution Prevention or other responsible personnel for action options to reduce or eliminate generation of waste materials.

The proposed personnel safety enhancement actions that would take place on the ORR have been reviewed in accordance with the *Cultural Resource Management Plan (CRMP)* (DOE/OR-2085, July 2001) or applicable sections in a ratified Programmatic Agreement (PA) document and would not result in an adverse effect to historic properties included or eligible for inclusion in the National Register of Historic Places (National Register). If the proposed ORR actions would have an adverse effect on properties included or eligible for inclusion in the National Register, DOE-ORO would consult with the State Historic Preservation Officer and initiate actions specified in procedures set forth in the Advisory Council's regulations in 36 CFR Part 800.

For sites other than the ORR, DOE-ORO would complete Section 106 reviews consistent with the ORR CRMP, as discussed above, until PAs are ratified for the respective sites. At such time, the sites would conduct Section 106 reviews under provisions of the site-specific PA.

Should the proposed personnel safety enhancement actions involve ground disturbances at locations where an archeological survey had not been conducted or take place at previously disturbed locations where the potential exists to exceed the depth of previous ground disturbances, DOE-ORO would

consult with the SHPO to determine whether an archeological survey is warranted prior to initiating the proposed actions.

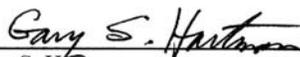
To ensure that sensitive resources are protected, existing maps and surveys/studies on threatened and endangered (T/E) species, wetlands and floodplains, and historically sensitive areas would be used to locate these areas. In addition, personnel responsible for identifying these resources would be consulted and, if warranted, additional surveys and walkovers would be conducted to confirm or update available information.

No known extraordinary circumstances would be associated with these actions that might affect the significance of the environmental effects of the proposed action based on past similar actions. These actions would not be connected to other actions with potentially significant impacts or related to other proposed actions with cumulatively significant impacts; they would meet the conditions that are integral elements of the classes of actions which may be categorically excluded from further National Environmental Policy Act (NEPA) documentation. Should the action not meet the conditions for CX consideration, a separate NEPA document would be prepared and submitted to DOE-ORO for review and approval.

Although an action might fall under the category of "personnel safety enhancements," a separate NEPA review would be performed and documented should the action or related/cumulative effect of the action have the potential to result in an unusual or significant impact to the environment.

B2.5 and B2.3 are the applicable CXs that cover the proposed actions in the DOE NEPA Implementing Procedures, 10 CFR Part 1021, Subpart D, Appendix B.

Based on my review of the above description, I have determined that the above actions are categorically excluded from further NEPA review and documentation. The DOE Contracting Officer Representative is responsible for oversight of the application of this determination.

  
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Gary S. Hartman  
DOE ORO Acting NEPA Compliance Officer

*12/18/2003*  
Date

**CATEGORICAL EXCLUSION (CX) FOR  
ASBESTOS ABATEMENT ACTIONS  
CX-GEN-008**

The DOE Oak Ridge Operations Office (ORO) proposes to perform asbestos removal and renovation actions which would include cleanup, encapsulation, removal, and/or disposal of asbestos-containing materials (ACM) from existing buildings or structures, with possible replacement of the ACM with an asbestos-free material. The ACM might be radiologically contaminated. Abatement actions would include disposal of ACM in accordance with regulations at existing facilities permitted/approved to handle the waste generated from these removal actions. Abatement actions would be conducted in accordance with 40 CFR 61.

The proposed actions would take place at DOE-owned facilities on the DOE Oak Ridge Reservation (ORR) at Oak Ridge, Tennessee; the Thomas Jefferson National Accelerator Facility at Newport News, Virginia; and other DOE-ORO-operated facilities and ancillary areas associated with ORO sites, programs, and projects.

The proposed actions would involve one or more of the following types of abatement actions with respect to ACM: (1) characterization, (2) cleanup, (3) encapsulation, (4) removal, (5) proper disposal of the ACM, and (6) possible replacement with asbestos-free materials.

Cleanup of ACM involves a combination of one or more of the following: picking up, shoveling, bagging, wrapping, vacuuming, and wet wiping any asbestos-contaminated items. Encapsulation involves spraying, painting, or (in some manner) sealing friable ACM. Removal is the elimination of ACM. Removal actions include stripping ACM insulation from pipes, tearing out ACM wallboard or ceiling tiles, removing ACM floor tiles, etc. Cleanup, encapsulation, and/or removal actions are performed by trained and qualified maintenance personnel or a licensed subcontractor in accordance with the Asbestos Hazardous Emergency Response Act. Removal and replacement actions might also involve the removal of ACM and replacement with an asbestos-free material.

Wastes generated as a result of these abatement actions would be appropriately characterized and disposed of in existing permitted/approved facilities. The removed ACM would be bagged and deposited in the approved landfill, unless radiological contamination levels in the ACM are found to exceed Health Physics Department specifications (as specified in Plant Procedures). Should the contamination exceed this limit, the waste would undergo volume reduction and either be stored in B-25 boxes pending further regulatory guidance or disposed of in an area designated specifically for disposal of this material. The proposed action would be evaluated by Pollution Prevention or other responsible personnel for action options to reduce or eliminate generation of waste materials.

The proposed asbestos abatement actions that would take place on the ORR have been reviewed in accordance with the *Cultural Resource Management Plan* (CRMP) (DOE/OR-2085, July 2001) or applicable sections in a ratified Programmatic Agreement (PA) document and would not result in an adverse effect to historic properties included or eligible for inclusion in the National Register of Historic Places (National Register). If the proposed ORR actions would have an adverse effect on properties included or eligible for inclusion in the National Register, DOE-ORO would consult with the State Historic Preservation Officer and initiate actions specified in procedures set forth in the Advisory Council's regulations in 36 CFR Part 800.

For sites other than the ORR, DOE-ORO would complete Section 106 reviews consistent with the ORR CRMP, as discussed above, until PAs are ratified for the respective sites. At such time, the sites would conduct Section 106 reviews under provisions of the site-specific PA.

Should the proposed asbestos abatement actions involve ground disturbances at locations where an archeological survey had not been conducted or take place at previously disturbed locations where the potential exists to exceed the depth of previous ground disturbances, DOE-ORO would consult with the SHPO to determine whether an archeological survey would be warranted prior to initiating the proposed actions.

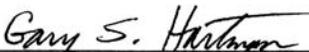
To ensure that sensitive resources are protected, existing maps and surveys/studies on threatened and endangered (T/E) species, wetlands and floodplains, and historically sensitive areas would be used to locate these areas. In addition, personnel responsible for identifying these resources would be consulted and, if warranted, additional surveys and walkovers would be conducted to confirm or update available information.

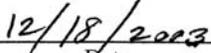
No known extraordinary circumstances would be associated with these actions that might affect the significance of the environmental effects of the proposed action based on past similar actions. These actions would not be connected to other actions with potentially significant impacts or related to other proposed actions with cumulatively significant impacts; they would meet the conditions that are integral elements of the classes of actions which may be categorically excluded from further National Environmental Policy Act (NEPA) documentation. Should the action not meet the conditions for CX consideration, a separate National Environmental Policy Act (NEPA) document would be prepared and submitted to DOE-ORO for review and approval.

Although an action might fall under the category of "asbestos abatement," a separate National Environmental Policy Act (NEPA) review would be performed and documented should the action or related/cumulative effect of the action have the potential to result in an unusual or significant impact to the environment.

B1.16 is the applicable CX that covers the proposed action in DOE National Environmental Policy Act (NEPA) Implementing Procedures, 10 CFR Part 1021, Subpart D, Appendix B.

Based on my review of the above description, I have determined that the above actions are categorically excluded from further National Environmental Policy Act (NEPA) review and documentation. The DOE Contracting Officer Representative is responsible for oversight of the application of this determination.

  
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Gary S. Hartman  
DOE ORO Acting NEPA Compliance Officer

  
\_\_\_\_\_  
Date

**CATEGORICAL EXCLUSION (CX) FOR  
TRAINING EXERCISES AND SIMULATION PROJECTS  
CX-GEN-009**

The DOE Oak Ridge Operations Office (ORO) proposes to conduct training, drills, and simulation exercises for the protection of personnel, facilities, and the environment. The proposed action is needed to develop, maintain, and test (1) responsibilities of fire protection, security, and emergency preparedness personnel; (2) adequacy of facilities and equipment; (3) accuracy and adequacy of procedures; and (4) effectiveness of training.

The proposed actions would take place at DOE-owned facilities on the DOE Oak Ridge Reservation (ORR) at Oak Ridge, Tennessee; the Thomas Jefferson National Accelerator Facility at Newport News, Virginia; and other DOE-ORO-operated facilities and ancillary areas associated with ORO sites, programs, and projects.

The proposed actions would involve conducting training exercises for the protection of personnel. Training would include classroom instruction, drills, and hands-on practice sessions. Topics would include daily operations, vehicle and weapon usage, and other special and routine job functions, as well as special equipment training (including the use of handcuffs, batons, tear gas, etc.).

Firearms training requiring live weapons (whether for practice, familiarization, testing, or qualification) would be conducted on DOE-approved ranges, with DOE-certified firearms instructors overseeing these actions.

Fire protection training exercises in the presence of an actual fire would consist of forcible entry; use of protective breathing apparatus; familiarity with fire hoses, nozzles, appliances, ladders, ventilation, and fire behavior; and practice of rescue and safety measures. Live fire training would take place at the Fire Training and Test Facility or other approved, designated location at each site.

Other fire fighter protection training exercises (field training) would consist of fire hose handling/correct use of hydrants, rescue, initial mitigation of hazardous materials spills, staging area management, resource accountability, basic emergency tool identification, facility evacuation drills, and American Red Cross First Aid Program.

Drill actions would include emergencies, hazardous materials detection and monitoring, evacuation, spill cleanup, and emergency categorization. At least one drill a year would include notification and emergency communications with regional federal, state, and local authorities and DOE Headquarters staff.

The proposed actions, which would involve only conducting various training, drills, and simulation exercises using existing facilities and equipment, would produce minimal amounts of waste. Any wastes generated would be disposed of in existing permitted/approved waste storage, treatment, or disposal facilities. Some waste might be Resource Conservation and Recovery Act-regulated lead waste, which would be managed according to regulatory requirements. The proposed action would be evaluated by Pollution Prevention or other responsible personnel for action options to reduce or eliminate generation of waste materials.

The proposed training exercise and simulation project actions that would take place on the ORR have been reviewed in accordance with the *Cultural Resource Management Plan* (CRMP)

(DOE/OR-2085, July 2001) or applicable sections in a ratified Programmatic Agreement (PA) document and would not result in an adverse effect to historic properties included or eligible for inclusion in the National Register of Historic Places (National Register). If the proposed ORR actions would have an adverse effect on properties included or eligible for inclusion in the National Register, DOE-ORO would consult with the State Historic Preservation Officer and initiate actions specified in procedures set forth in the Advisory Council's regulations in 36 CFR Part 800.

For sites other than the ORR, DOE-ORO would complete Section 106 reviews consistent with the ORR CRMP, as discussed above, until PAs are ratified for the respective sites. At such time, the sites would conduct Section 106 reviews under provisions of the site-specific PA.

Should the proposed training exercises and simulation actions involve ground disturbances at locations where an archeological survey had not been conducted or take place at previously disturbed locations where the potential exists to exceed the depth of previous ground disturbances, DOE-ORO would consult with the SHPO to determine whether an archeological survey would be warranted prior to initiating the proposed actions.

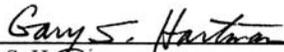
To ensure that sensitive resources are protected, existing maps and surveys/studies on threatened and endangered (T/E) species, wetlands and floodplains, and historically sensitive areas would be used to locate these areas. In addition, personnel responsible for identifying these resources would be consulted and, if warranted, additional surveys and walkovers would be conducted to confirm or update available information.

No known extraordinary circumstances would be associated with these actions that might affect the significance of the environmental effects of the proposed action based on past similar actions. These actions would not be connected to other actions with potentially significant impacts or related to other proposed actions with cumulatively significant impacts; they would meet the conditions that are integral elements of the classes of actions which may be categorically excluded from further National Environmental Policy Act (NEPA) documentation. Should the action not meet the conditions for CX consideration, a separate specific NEPA determination would be made.

Although an action might fall under the category of "training exercises and simulation," a separate NEPA review would be performed and documented should the action or related/cumulative effect of the action have the potential to result in an unusual or significant impact to the environment.

B1.2 is the applicable CX that covers the proposed action in DOE NEPA Implementing Procedures, 10 CFR Part 1021, Subpart D, Appendix B.

Based on my review of the above description, I have determined that the above actions are categorically excluded from further NEPA review and documentation. The DOE Contracting Officer Representative is responsible for oversight of the application of this determination.

  
\_\_\_\_\_  
Gary S. Hartman  
DOE ORO Acting NEPA Compliance Officer

12/18/2003  
Date

**CATEGORICAL EXCLUSION (CX) FOR  
FIRE PROTECTION UPGRADES  
CX-GEN-010**

The DOE Oak Ridge Operations Office (ORO) proposes to upgrade and/or install fire protection systems at DOE facilities. These actions would allow for frequently requested routine upgrades, installations, modifications, or replacements to fire protection systems.

The proposed actions would take place at DOE-owned facilities on the DOE Oak Ridge Reservation (ORR) at Oak Ridge, Tennessee; the Thomas Jefferson National Accelerator Facility at Newport News, Virginia; and other DOE-ORO-operated facilities and ancillary areas associated with ORO sites, programs, and projects.

The proposed actions would include, but would not be limited to, (1) installation of new automatic sprinkler systems; (2) installation of foam water fire protection systems; (3) installation of antifreeze devices in existing sprinkler systems; (4) replacement, modification, or installation of fire doors, fire walls/barriers, fire dampers, and exit lights; (5) upgrade of corridors and stairways; (6) upgrade of fire alarm systems; (7) installation of smoke detectors, including detectors that activate doors; (8) installation of fire hydrants and associated piping; and (9) replacement of emergency generators. In addition, diking and other containment measures would be installed or upgraded to allow for new and upgraded sprinkler systems. Actions would also include training actions necessary to qualify and train personnel to respond to emergency situations (including spill response).

Any wastes generated from fire protection upgrades or installations would be appropriately characterized and then disposed of in existing permitted/approved facilities. The proposed action would be evaluated by Pollution Prevention or other responsible personnel for action options to reduce or eliminate generation of waste materials.

The proposed fire protection upgrade actions that would take place on the ORR have been reviewed in accordance with the *Cultural Resource Management Plan (CRMP)* (DOE/OR-2085, July 2001) or applicable sections in a ratified Programmatic Agreement (PA) document and would not result in an adverse effect to historic properties included or eligible for inclusion in the National Register of Historic Places (National Register). If the proposed ORR actions would have an adverse effect on properties included or eligible for inclusion in the National Register, DOE-ORO would consult with the State Historic Preservation Officer and initiate actions specified in procedures set forth in the Advisory Council's regulations in 36 CFR Part 800.

For sites other than the ORR, DOE-ORO would complete Section 106 reviews consistent with the ORR CRMP, as discussed above, until PAs are ratified for the respective sites. At such time, the sites would conduct Section 106 reviews under provisions of the site-specific PA.

Should the proposed fire protection upgrade actions involve ground disturbances at locations where an archeological survey had not been conducted or take place at previously disturbed locations where the potential exists to exceed the depth of previous ground disturbances, DOE-ORO would consult with the SHPO to determine whether an archeological survey would be warranted prior to initiating the proposed actions.

To ensure that sensitive resources are protected, existing maps and surveys/studies on threatened and endangered (T/E) species, wetlands and floodplains, and historically sensitive areas would be used to locate these areas. In addition, personnel responsible for identifying these resources would be consulted and, if warranted, additional surveys and walkovers would be conducted to confirm or update available information.

No known extraordinary circumstances would be associated with these actions that might affect the significance of the environmental effects of the proposed action based on past similar actions. These actions would not be connected to other actions with potentially significant impacts or related to other proposed actions with cumulatively significant impacts; they would meet the conditions that are integral elements of the classes of actions which may be categorically excluded from further National Environmental Policy Act (NEPA) documentation. Should the action not meet the conditions for CX consideration, a separate specific NEPA determination would be made.

Although an action might fall under the category of "fire protection upgrades," a separate NEPA review would be performed and documented should the action or related/cumulative effect of the action have the potential to result in an unusual or significant impact to the environment.

B1.2 and B2.2 are the applicable CXs that cover the proposed action in DOE NEPA Implementing Procedures, 10 CFR Part 1021, Subpart D, Appendix B.

Based on my review of the above description, I have determined that the above actions are categorically excluded from further NEPA review and documentation. The DOE Contracting Officer Representative is responsible for oversight of the application of this determination.

  
\_\_\_\_\_  
Gary S. Hartman  
DOE ORO Acting NEPA Compliance Officer

  
\_\_\_\_\_  
Date

**CATEGORICAL EXCLUSION (CX) FOR  
MAINTENANCE ACTIVITIES  
CX-GEN-011**

The DOE Oak Ridge Operations Office (ORO) proposes to perform various routine maintenance activities, including corrective, preventive, and predictive maintenance and maintenance-related activities for DOE facilities and properties.

The proposed maintenance actions would take place at DOE-owned facilities on the DOE Oak Ridge Reservation (ORR) at Oak Ridge, Tennessee; the Thomas Jefferson National Accelerator Facility at Newport News, Virginia; and other DOE-ORO-operated facilities and ancillary areas associated with ORO sites, programs, and projects.

The proposed actions comprise maintenance support services frequently and routinely requested for operational support of DOE facilities and properties. While these actions are intended to maintain current operations, they would not substantially extend the useful life of a facility or allow for substantial upgrade or improvement. Such major renovations, upgrades, or other large-scale improvements would be appropriately documented through the National Environmental Policy Act (NEPA) process. The following is a listing of maintenance support services frequently and routinely requested for operational support of DOE facilities and properties:

1. Direct replacement or removal of equipment and/or facility components.
2. Maintenance, installation, relocation, removal, and repair of equipment, facility components, and associated systems, which include, but are not limited to, the following:
  - A. Machine shop equipment such as jib cranes, motors, valves, shredders, compressors, pumps, castors, power supplies, lathes, saws, shears, presses, welding equipment, dust collectors, dryboxes, and vent systems.
  - B. Processing, forming, and recovery equipment such as presses, rolling mills, tanks, ultrasonic cleaners, heat exchangers, ovens, furnaces, brazing and sintering equipment, cryogenic equipment, salt baths, centrifuges, conveyors, piping, autoclaves, hydroforms, forming presses, separators, humidifiers, vacuum pumps, molding and extruding equipment, filtration equipment, grinders, mills, and supercritical cleaning apparatus.
  - C. Inspection, monitoring, laboratory, and analytical equipment such as calorimeters, temperature and humidity chambers, refrigerators, freezers, blenders, grinders, polishers, blasters, X-ray generators, diffractometers, spectrometers, spectrographs, spectrophotometers, chromatographs, densitometers, lasers, microscopes, balances, process controllers, indicating/recording devices, ultrasonic and plasma generating equipment, analyzers, viscometers, and measuring equipment.
  - D. Control equipment such as weirs, skimmers, glove boxes, hoods, stacks, filters, filter housings, fans, exhausts, bag houses, precipitators, and scrubbers.
3. Maintenance, repair, relocation, modification, and installation of utility systems including, but not limited to, the following:

- A. Water systems
    - 1. cooling water
    - 2. steam and condensate lines
    - 3. potable and process
    - 4. storm sewer and drainage
    - 5. demineralizer
    - 6. sanitary sewers
    - 7. fire protection systems
    - 8. plumbing
  - B. Supplied air, gases, and liquid piping distribution systems including nitrogen, argon, helium, oxygen, propane, natural gas, and cryogenic piping systems, as well as equipment for gas cylinders.
  - C. Electrical systems
    - 1. switchyards
    - 2. building conduit, wiring, and lighting
    - 3. emergency lighting
    - 4. circuit and wiring maintenance
    - 5. non-PCB transformers, utility poles, conductors, crossarms, insulators, circuit breakers, capacitors, and transmission lines
  - D. Communications and computer systems
    - 1. public address
    - 2. VAX, FAX, computer and peripheral
    - 3. phones and facsimile equipment
    - 4. broadband and optical networks
    - 5. weather monitoring
  - E. Security systems such as computer security, detection, monitoring, surveillance, and alarm systems, including doors, walls, barriers, barricades, cameras, monitors, and shields.
- 4. Installation, repair, and modification of heating, ventilating, and air conditioning systems and associated filtration systems.
  - 5. Maintenance, repair, installation, or direct replacement associated with structures or buildings, including elevators, cranes, lifts, hoists, doors, ceilings, walls, windows, floors, floor coverings, painting, siding, roofing, and the mounting and hanging of wall items.
  - 6. Routine service activities:
    - A. mowing and trimming of grass, shrubs, and trees
    - B. assembling, uncrating, moving, and installing furniture and equipment

- C. snow removal
  - D. routine landscaping, revegetation, devegetation, and erosion control activities
  - E. janitorial, custodial, and housekeeping activities
  - F. small-scale use of pesticides and herbicides in accordance with applicable regulations
  - G. maintenance and repair of roads, road embankments, road drainage systems, sidewalks, and parking lots
  - H. maintenance and repair of vehicles and heavy equipment
  - I. maintenance of safes, vaults, and locks
  - J. maintenance and repair of industrial machinery
  - K. maintenance, repair, and installation of fencing
  - L. fabrication and installation of indoor and outdoor signs
  - M. construction of scaffolding
  - N. calibration, testing, repair, and maintenance of facility components, instrumentation, and equipment
  - O. preventive and corrective actions required to maintain and preserve buildings, structures, and equipment in a condition suitable for fulfillment of their designated purpose
  - P. fabrication of tooling, fixtures, and parts used with equipment and/or structures for experimental work
  - Q. routine decontamination of tools, rooms, surfaces, and equipment and removal of contaminated intact equipment and other materials where the action is not part of a decommissioning project
  - R. routine on-site transfer of liquid wastes from tanks and drums to existing permitted/approved facilities for neutralization, treatment, and/or storage
  - S. maintenance of hazard-prevention equipment, including grounding of equipment and cabinets and mounting fire extinguishers
  - T. maintenance, including tightness testing and repair, of storage tanks and associated piping
7. Maintenance support activities required to maintain environment, safety, and health standards, including the following:
- A. maintenance, repair, replacement, relocation, fabrication, installation, and modification of safety railings, machine guards, hand rails, machine and belt guards, guard rails, stairs, ladders, and frames
  - B. installation of nonskid surfaces and anchoring of floor mats
  - C. grounding of structures and equipment
  - D. installation and repair of eye washes, safety showers, and radiation monitoring devices
  - E. maintenance, repair, or replacement of equipment used in current operations designed to maintain compliance with permits and regulations
8. Maintenance of waste treatment, storage, and disposal facilities, including the following:
- A. maintenance of landfills
  - B. maintenance, repair, or replacement of liquid retention tanks, dikes, and associated piping

- C. maintenance or repair of lagoons, quarries, and basins
  - D. maintenance of mixed, solid, liquid, radioactive, and inert waste storage areas
  - E. maintenance of temporary waste holding areas for routine activities
  - F. support of spill cleanup activities
9. Maintenance of surplus facilities in accordance with DOE Order 435.1 Change 1 (Radioactive Waste Management).
  10. Maintenance and repair of environmental monitoring systems (e.g., flow meters, weirs, stilling wells, and air sampling devices).
  11. Groundwater monitoring well maintenance that would include maintenance and repair or replacement of well caps, hasps, locks, protective casings, posts, and concrete pads. Well maintenance would also include additional well development to remove incrustation and sediment accumulations, well logging, and regrading/repaving of access roads to maintain access to well sites.
  12. Maintenance of existing structures at sewage treatment and groundwater treatment facilities.
  13. Maintenance and repair of ventilation off-gas scrubbing, absorption, and filtration systems.
  14. Maintenance and repair of office equipment, including printers, scanners, laser printers, copiers, cameras, and phototypesetters.
  15. Routine decontamination of tools, rooms, hot cells, equipment, and other interior surfaces and removal of contaminated intact equipment and other materials where the action is not part of a decommissioning project.
  16. Routine paving of gravel parking lots and roads.
  17. Surveillance and maintenance associated with storage of cylinders containing uranium hexafluoride at facilities designated for their storage.
  18. Small-scale, routine open burning of cleared woody brush from landscape maintenance activities, in accordance with approved permits, which will not occur in sensitive areas such as archaeological or historic sites and which will have no impact on (a) habitats of any threatened, endangered, or other rare wildlife species of special concern; (b) floodplains; or (c) wetlands.
  19. Activities that would be required for disconnecting utility services such as water, steam, telecommunications, and electrical power after it has been determined that continued operation of these systems would not be needed for safety purposes.
  20. Establishment and maintenance of a temporary spoil storage area of excess earthen material, gravel, or asphalt for reuse.

Any wastes generated as a result of maintenance activities would be acceptable for disposal in existing facilities. The proposed action would be evaluated by Pollution Prevention or other responsible personnel for action options to reduce or eliminate generation of waste materials.

The proposed maintenance actions that would take place on the ORR have been reviewed in accordance with the *Cultural Resource Management Plan* (CRMP) (DOE/OR-2085, July 2001) or applicable sections in a ratified Programmatic Agreement (PA) document and would not result in an adverse effect to historic properties included or eligible for inclusion in the National Register of Historic Places (National Register). If the proposed ORR actions would have an adverse effect on properties included or eligible for inclusion in the National Register, DOE-ORO would consult with the State Historic Preservation Officer and initiate actions specified in procedures set forth in the Advisory Council's regulations in 36 CFR Part 800.

For sites other than the ORR, DOE-ORO would complete Section 106 reviews consistent with the ORR CRMP, as discussed above, until PAs are ratified for the respective sites. At such time, the sites would conduct Section 106 reviews under provisions of the site-specific PA.

Should the proposed routine maintenance activities involve ground disturbances at locations where an archeological survey had not been conducted or take place at previously disturbed locations where the potential exists to exceed the depth of previous ground disturbances, DOE-ORO would consult with the SHPO to determine whether an archeological survey is warranted prior to initiating the proposed activities.

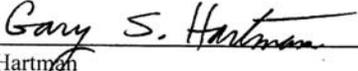
To ensure that sensitive resources are protected, existing maps and surveys/studies on threatened and endangered (T/E) species, wetlands and floodplains, and historically sensitive areas would be used to locate these areas. In addition, personnel responsible for identifying these resources would be consulted and, if warranted, additional surveys and walkovers would be conducted to confirm or update available information.

No known extraordinary circumstances would be associated with these actions that might affect the significance of the environmental effects of the proposed action based on past similar actions. These actions would not be connected to other actions with potentially significant impacts or related to other proposed actions with cumulatively significant impacts; they would meet the conditions that are integral elements of the classes of actions which may be categorically excluded from further NEPA documentation. Should the action not meet the conditions for CX consideration, a separate NEPA document would be prepared and submitted to DOE-ORO for review and approval.

Although an action might fall under the category of "routine maintenance," a separate NEPA review would be performed and documented should the action or related/cumulative effect of the action have the potential to result in an unusual or significant impact to the environment.

B1.3, B1.27, B2.1, B2.2, and B2.3 are the applicable CXs that cover the proposed actions in DOE NEPA Implementing Procedures, 10 CFR Part 1021, Subpart D, Appendix B.

Based on my review of the above description, I have determined that the above actions are categorically excluded from further NEPA review and documentation. The DOE Contracting Officer Representative is responsible for oversight of the application of this determination.

  
\_\_\_\_\_  
Gary S. Hartman  
DOE ORO Acting NEPA Compliance Officer

  
\_\_\_\_\_  
Date

**CATEGORICAL EXCLUSION (CX) FOR ALTERATIONS TO EXISTING BUILDINGS,  
CONSTRUCTION OF SMALL-SCALE SUPPORT STRUCTURES, AND  
RELOCATION OF MACHINERY AND EQUIPMENT  
CX-GEN-012**

The DOE Oak Ridge Operations Office (ORO) proposes to (1) modify existing DOE facilities and either construct or install small-scale support buildings and security and support structures (e.g., prefabricated buildings and mobile trailers) to house personnel and equipment and (2) relocate machinery and equipment to other facilities where the uses of the relocated items would be similar to their former uses and consistent with the general missions of the receiving structure. New and modified structures would be used to provide either temporary or permanent space for administrative purposes, security, fire protection, offices, parking, routine maintenance actions, supply and equipment storage, education and training, cafeteria services, visitor reception, computer and data processing services, employee health services, employee recreational activities, conferences, and rest rooms; the structures would not be used for waste storage actions.

The proposed actions would take place at DOE-owned facilities on the DOE Oak Ridge Reservation (ORR) at Oak Ridge, Tennessee; the Thomas Jefferson National Accelerator Facility at Newport News, Virginia; and other DOE-ORO-operated facilities and ancillary areas associated with ORO sites, programs, and projects.

The proposed actions would involve minor alterations to structures including, but not limited to, (1) modifying, installing, extending, and enclosing docks and platforms; (2) refurbishing buildings, offices, and rooms; (3) modifying and renovating laboratories; (4) converting rooms/laboratories into office space; (5) installing and replacing canopies; (6) installing and modifying stairways; (7) installing new flooring, stainless steel flooring, and floor decking; (8) providing structural support; (9) installing and replacing doorways; (10) installing and replacing siding; (11) providing storage areas for nonwaste materials; (12) relocating office, shop, and storage areas; (13) providing handicap access; (14) modifying traffic and work areas within buildings; (15) converting areas into bathrooms; (16) providing ingress/egress routes; and (17) installing docking collars. The proposed actions would also include (1) transporting support structures to the site, establishing the structures at the site, and removing the structures from the site when no longer needed or (2) constructing small-scale support structures, including small-scale additions to existing facilities, within or contiguous to developed areas. Security structures would include installation of chain link fences, barbed wire fences, wood fences, security doors, roll-up doors, wire mesh barriers, vault-type cages, automated portals, and central alarm stations. Actions would also include (1) surface grading and leveling necessary for installation of the structures; (2) construction of access roads, sidewalks, and parking lots; (3) minor excavation for installation of underground utilities; and (4) installation of aboveground utilities. Drainage run-off control would be provided by means of standard erosion control techniques (e.g., through the use of silt fences and hay bales) to prevent the potential for impacting streams or water channels as the result of sediment loading. Stream diversion channels would be constructed, if needed. Clearing, grading, and excavation actions would be scheduled to avoid adverse weather conditions. Items to be relocated would include, but not be limited to, analytical laboratory apparatus, electronic hardware, maintenance equipment, and health and safety equipment.

All installation/construction wastes generated during the proposed actions would be stored, handled, packaged, and disposed of in existing permitted/approved storage/disposal facilities and in a manner appropriate for the waste type and level of contamination as determined in a project waste

management plan. The proposed action would be evaluated by Pollution Prevention or other responsible personnel for action options to reduce or eliminate generation of waste materials.

The proposed alterations to existing buildings, construction of small-scale support structures, and relocation of machinery and equipment actions that would take place on the ORR have been reviewed in accordance with the *Cultural Resource Management Plan (CRMP)* (DOE/OR-2085, July 2001) or applicable sections in a ratified Programmatic Agreement (PA) document and would not result in an adverse effect to historic properties included or eligible for inclusion in the National Register of Historic Places (National Register). If the proposed ORR actions would have an adverse effect on properties included or eligible for inclusion in the National Register, DOE-ORO would consult with the State Historic Preservation Officer and initiate actions specified in procedures set forth in the Advisory Council's regulations in 36 CFR Part 800.

For sites other than the ORR, DOE-ORO would complete Section 106 reviews consistent with the ORR CRMP, as discussed above, until PAs are ratified for the respective sites. At such time, the sites would conduct Section 106 reviews under provisions of the site-specific PA.

Should the proposed actions involve ground disturbances at locations where an archeological survey had not been conducted or take place at previously disturbed locations where the potential exists to exceed the depth of previous ground disturbances, DOE-ORO would consult with the SHPO to determine whether an archeological survey would be warranted prior to initiating the proposed actions.

To ensure that sensitive resources are protected, existing maps and surveys/studies on threatened and endangered (T/E) species, wetlands and floodplains, and historically sensitive areas would be used to locate these areas. In addition, personnel responsible for identifying these resources would be consulted and, if warranted, additional surveys and walkovers would be conducted to confirm or update available information.

No known extraordinary circumstances would be associated with these actions that might affect the significance of the environmental effects of the proposed action based on past similar actions. These actions would not be connected to other actions with potentially significant impacts or related to other proposed actions with cumulatively significant impacts; they would meet the conditions that are integral elements of the classes of actions which may be categorically excluded from further National Environmental Policy Act (NEPA) documentation. Should the action not meet the conditions for CX consideration, a separate NEPA document would be prepared and submitted to DOE-ORO for review and approval.

Although an action might fall under the category of "alterations to existing buildings and construction of small-scale support structures," a separate NEPA review would be performed and documented should the action or related/cumulative effect of the action have the potential to result in an unusual or significant impact to the environment.

B1.11, B1.15, and B1.31 are the applicable CXs that cover the proposed action in DOE NEPA Implementing Procedures, 10 CFR Part 1021, Subpart D, Appendix B.

Based on my review of the above description, I have determined that the above actions are categorically excluded from further NEPA review and documentation. The DOE Contracting Officer Representative is responsible for oversight of the application of this determination.

Gary S. Hartman 12/18/2003  
Gary S. Hartman Date  
DOE ORO Acting NEPA Compliance Officer

**CATEGORICAL EXCLUSION (CX) FOR  
WASTE MINIMIZATION AND REUSE  
CX-GEN-013**

The DOE Oak Ridge Operations Office (ORO) proposes to minimize the generation of waste by separating and recycling useful components of waste streams and by installing equipment that would result in better utilization of existing resources. Also, DOE-ORO proposes to conduct laboratory research on (1) materials, equipment, and components that would be used to minimize waste and (2) ways to minimize the disposal of waste materials.

The proposed actions would take place at DOE-owned facilities on the DOE Oak Ridge Reservation (ORR) at Oak Ridge, Tennessee; the Thomas Jefferson National Accelerator Facility at Newport News, Virginia; and other DOE-ORO-operated facilities and ancillary areas associated with ORO sites, programs, and projects.

The proposed actions would involve the use of new equipment and vendor services that would result in waste minimization and reuse of materials. Materials used in waste minimization, as well as the equipment and the proposed process, would be reviewed by compliance or other responsible personnel to ensure compliance with existing state and federal laws and with all applicable environment, safety, and health permit requirements. The proposed action would involve, but not be limited to, the following:

**Minor operational changes at existing facilities to minimize waste generation and for reuse of materials.** This would include (but not be limited to) adding filtration and recycle piping to allow reuse of machining oil, setting up sorting areas to improve process efficiency, and segregating previously mingled waste streams. Debris collected in the filtration process would be disposed of in accordance with existing waste management procedures and practices. Other than occasional filter replacement, no new or increased effluents, air emissions, or solid wastes would be generated as a result of operational changes.

**Pulping of paper materials.** This would include installation of a pulping system in an existing facility for treating nonrecyclable paper or paper-type materials. The process would use only water (and no chemicals) for pulping. The pulp would be used in grass-seeding actions as insulation material, etc. Waste generated would include wastewater that would be treated at existing wastewater treatment facilities. Airborne emissions generated during the pulping process would include small amounts of chemicals released from wet paper materials, which would be released to the atmosphere either through a permitted/approved release source or one that would be exempt from permitting for this type of action.

**Cleaning coolant and cutting fluids.** This would include installation of equipment for recycling nonradioactive, nonhazardous machine coolant and/or cutting fluids. The coolant or cutting fluids would be reused in routine shop operations. Residual shavings and small pieces of metal separated from the fluids would be disposed of as scrap metal. Rinse water generated from equipment cleaning would be disposed of as process wastewater in existing process wastewater systems. No new or increased regulated airborne releases would result from the recycling process.

**Concentrating sewage sludge materials.** This would include installation of sludge dewatering systems that might involve a centrifuge to separate solids from the supernatant, as well as installation

of oven dryers to remove liquids. Liquid wastes generated would be returned for further treatment and disposal by existing sewage treatment systems. The solid wastes would be placed in approved disposal containers for storage in accordance with the levels and types of contamination. Airborne emissions would be discharged through an existing exhaust system or through an exhaust system with an approved air permit, if applicable.

**Conducting indoor laboratory research actions.** This would involve studying ways to minimize the generation of waste, as well as segregation and reuse of waste materials. Small amounts of routine laboratory wastes would be generated and then collected, handled, and disposed of according to standard waste management procedures and regulatory requirements. Airborne emissions would be discharged through existing laboratory hoods, which are exempt from permitting under state rules and regulations as they operate within agreed-to de minimis levels.

**Improving utilities services.** This would involve installation of equipment and components (primarily control systems) to improve the efficiency of utility services, including heating/ventilating/air conditioning, water, steam, etc. Wastes would include small amounts of conduit, electrical wiring, paper, and plastic. All waste materials generated would be collected at the sites and transferred to existing facilities for disposal. No liquid wastes would be generated, stored, or disposed of as part of the proposed action. In addition, no regulated airborne releases would result from the proposed action.

**Recycling of fluorescent-light materials.** This would involve packaging and transfer of fluorescent light bulbs and light fixtures to an off-site vendor for recycling and reuse of materials and components. The polychlorinated biphenyl (PCB)-containing ballasts would be removed and disposed of as a Toxic Substances Control Act waste. No liquid or gaseous waste would be generated.

Any waste remaining after volume reduction and recycling efforts would continue to be disposed of by acceptable practices. Wastes that are not toxic or hazardous would be disposed of in existing waste disposal facilities. Materials that can no longer be recycled would be disposed of in accordance with waste management procedures of existing facilities. No major actions, such as construction or large-scale operational changes, would occur that would generate large volumes of waste materials.

The proposed waste minimization and reuse actions that would take place on the ORR have been reviewed in accordance with the *Cultural Resource Management Plan (CRMP)* (DOE/OR-2085, July 2001) or applicable sections in a ratified Programmatic Agreement (PA) document and would not result in an adverse effect to historic properties included or eligible for inclusion in the National Register of Historic Places (National Register). If the proposed ORR actions would have an adverse effect on properties included or eligible for inclusion in the National Register, DOE-ORO would consult with the State Historic Preservation Officer and initiate actions specified in procedures set forth in the Advisory Council's regulations in 36 CFR Part 800.

For sites other than the ORR, DOE-ORO would complete Section 106 reviews consistent with the ORR CRMP, as discussed above, until PAs are ratified for the respective sites. At such time, the sites would conduct Section 106 reviews under provisions of the site-specific PA.

Should the proposed waste minimization and reuse actions involve ground disturbances at locations where an archeological survey had not been conducted or take place at previously disturbed locations

where the potential exists to exceed the depth of previous ground disturbances, DOE-ORO would consult with the SHPO to determine whether an archeological survey would be warranted prior to initiating the proposed actions.

To ensure that sensitive resources are protected, existing maps and surveys/studies on threatened and endangered (T/E) species, wetlands and floodplains, and historically sensitive areas would be used to locate these areas. In addition, personnel responsible for identifying these resources would be consulted and, if warranted, additional surveys and walkovers would be conducted to confirm or update available information.

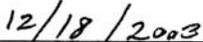
No known extraordinary circumstances would be associated with these actions that might affect the significance of the environmental effects of the proposed action based on past similar actions. These actions would not be connected to other actions with potentially significant impacts or related to other proposed actions with cumulatively significant impacts; they would meet the conditions that are integral elements of the classes of actions which may be categorically excluded from further National Environmental Policy Act (NEPA) documentation. Should the action not meet the conditions for CX consideration, a separate specific NEPA determination would be made.

Although an action might fall under the category of "waste minimization and reuse," a separate NEPA review would be performed and documented should the action or related/cumulative effect of the action have the potential to result in an unusual or significant impact to the environment.

B3.6 and B6.8 are the applicable CXs that cover the proposed action in DOE NEPA Implementing Procedures, 10 CFR 1021, Subpart D, Appendix B.

Based on my review of the above description, I have determined that the above actions are categorically excluded from further NEPA review and documentation. The DOE Contracting Officer Representative is responsible for oversight of the application of this determination.

  
\_\_\_\_\_  
Gary S. Hartman  
DOE ORO Acting NEPA Compliance Officer

  
\_\_\_\_\_  
Date

**CATEGORICAL EXCLUSION (CX) FOR  
ANALYTICAL SERVICES AND DEVELOPMENT SUPPORT ACTIVITIES  
CX-GEN-014**

The DOE Oak Ridge Operations Office (ORO) proposes to perform routinely requested work as necessary to provide for or enhance mission capabilities, support the Technology Transfer Program, and remediate regulatory deficiencies for the purpose of continuing organization operations in support of programmatic guidelines and goals.

The proposed actions would take place at DOE-owned facilities on the DOE Oak Ridge Reservation (ORR) at Oak Ridge, Tennessee; the Thomas Jefferson National Accelerator Facility at Newport News, Virginia; and other DOE-ORO-operated facilities and ancillary areas associated with ORO sites, programs, and projects.

The purpose of this document is to allow for frequently requested upgrades and modifications which would provide for or enhance current capabilities, support the Technology Transfer Program (e.g., Cooperative Research and Development Agreements), and remediate regulatory deficiencies. Some analytical services and research and development activities require modification or relocation of equipment and instruments to accommodate changes in analytical workloads or sample types during the course of experimentation. In addition, some areas initially dedicated to one project must be altered to provide different capabilities for new projects.

The proposed actions, therefore, cover a wide variety of activities, as would be expected from diverse operations of an analytical chemistry laboratory or an applied research and development organization. Typical activities include the following:

1. Installing, modifying, and/or relocating electrical wiring (in facilities) and electrical devices such as controllers, recorders, breakers, switches, receptacles, and associated equipment used in organization operations.
2. Fabricating, installing, modifying, repairing, and/or relocating utility lines (such as potable, process, and demineralized water lines and steam plant nitrogen, argon, helium, oxygen, propane, and natural gas lines) and equipment for gas cylinders.
3. Fabricating, installing, modifying, repairing, and/or relocating heating, ventilating, and air conditioning systems. This would include laboratory hoods, glove boxes, exhaust and supply fans, duct work, air-handling equipment, heating and cooling equipment, filter housings and filters, and monitoring devices.
4. Fabricating, installing, modifying, repairing, and/or relocating drains and drain lines, guttering, and downspouts both internal and external to organization buildings.
5. Fabricating, installing, modifying, repairing, and/or relocating piping, piping racks, manifolds, ladders and railings, hoists, lifts, cranes, and nonwaste tanks (distilled water, process material, etc.).
6. Minor building alterations such as installing, modifying, repairing, and/or relocating walls, floors, ceilings, doors, windows, furniture, shelving, safes, storage cabinets, lights, and benches.

7. Fabricating, installing, modifying, repairing, and/or relocating laboratory-scale equipment used in performance of sample analysis and research and development projects including, but not limited to, the following:
  - A. Temperature-regulating equipment such as ovens, furnaces, casters, baths, hot plates, calorimeters, temperature/humidity chambers, refrigerators, freezers, and humidifiers.
  - B. Electrical equipment such as vacuum pumps, centrifuges, transformers, power conditioners, and power supplies.
  - C. Fabricating equipment such as blenders, pulverizers, mills, grinders, dust collectors, polishers, grit blasters, saws, shears, shredders, lathes, turning machines, presses, and wire drawing equipment.
  - D. Joining equipment such as welding equipment and brazing equipment.
  - E. Analytical equipment such as X-ray generators and diffractometers, ultrasonic and plasma-generating equipment, lasers, material analyzers, mechanical analyzers, viscometers, microscopes, analytical balances, electronic measuring equipment, chromatographs, mass spectrometers, spectrographs, and computers.
  - F. Material processing equipment such as super-critical cleaning apparatus, microwave sintering equipment, molders, extruders, filament winding equipment, and filtration equipment.
  - G. Sample preparation equipment such as blenders, pulverizers, mills, grinders, polishers, saws, shears, shredders, presses, tumblers, and drying equipment.
8. Fabricating tooling, fixtures, and parts used with equipment for analytical and experimental work.
9. Fabricating, installing, modifying, and/or relocating signs, labels, or other methods of warning and notifications (as needed for regulatory compliance).
10. Conducting regular analytical operations including receipt, preparation, analysis, reporting, and salvaging of routine samples and samples requiring special analysis.
11. Installing and repairing eyewashes and safety showers to maintain safety and health standards.
12. Use of existing facilities, technology, equipment, and personnel in support of the Technology Transfer Program.

Various types of wastes would be generated as a result of performing the above-listed actions due to the missions of the organization; however, these wastes are typically generated and disposed of in

existing facilities according to established regulations and procedures. Solid and liquid waste generated during installation or relocation of the above-mentioned equipment would consist of various types; however, because of the small-scale alterations, only small quantities would be generated. In general, uncontaminated solid waste generated during construction would be disposed of in the existing sanitary landfill. Solid waste contaminated with radioactive, hazardous, or mixed materials would be treated, stored, or disposed of, as appropriate, at existing permitted/approved facilities. Solid and liquid waste of any type generated during analytical operations would be disposed of according to well-defined and established procedures addressing each characteristic waste stream. Discharges of water to creeks and streams are limited by administrative controls in accordance with the National Pollutant Discharge Elimination System (NPDES) permits. Other potential effluent discharges would also be contained and treated at existing treatment facilities in accordance with their NPDES permits. The proposed action would be evaluated by Pollution Prevention or other responsible personnel for action options to reduce or eliminate the generation of waste materials.

The proposed analytical services and development support actions that would take place on the ORR have been reviewed in accordance with the *Cultural Resource Management Plan (CRMP)* (DOE/OR-2085, July 2001) or applicable sections in a ratified Programmatic Agreement (PA) document and would not result in an adverse effect to historic properties included or eligible for inclusion in the National Register of Historic Places (National Register). If the proposed ORR actions would have an adverse effect on properties included or eligible for inclusion in the National Register, DOE-ORO would consult with the State Historic Preservation Officer and initiate actions specified in procedures set forth in the Advisory Council's regulations in 36 CFR Part 800.

For sites other than the ORR, DOE-ORO would complete Section 106 reviews consistent with the ORR CRMP, as discussed above, until PAs are ratified for the respective sites. At such time, the sites would conduct Section 106 reviews under provisions of the site-specific PA.

Should the proposed analytical services and development support actions involve ground disturbances at locations where an archeological survey had not been conducted or take place at previously disturbed locations where the potential exists to exceed the depth of previous ground disturbances, DOE-ORO would consult with the SHPO to determine whether an archeological survey is warranted prior to initiating the proposed actions.

To ensure that sensitive resources are protected, existing maps and surveys/studies on threatened and endangered (T/E) species, wetlands and floodplains, and historically sensitive areas would be used to locate these areas. In addition, personnel responsible for identifying these resources would be consulted and, if warranted, additional surveys and walkovers would be conducted to confirm or update available information.

No known extraordinary circumstances would be associated with these actions that might affect the significance of the environmental effects of the proposed action based on past similar actions. These actions would not be connected to other actions with potentially significant impacts or related to other proposed actions with cumulatively significant impacts; they would meet the conditions that are integral elements of the classes of actions which may be categorically excluded from further

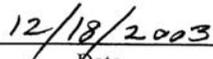
National Environmental Policy Act (NEPA) documentation. Should the action not meet the conditions for CX consideration, a separate specific NEPA determination would be made.

Although an action might fall under the category of "analytical services and development support actions," a separate NEPA review would be performed and documented should the action or related/cumulative effect of the action have the potential to result in an unusual or significant impact to the environment.

B1.15, B3.1, B3.6, and B3.10 are the applicable CXs that cover the proposed actions in DOE NEPA Implementing Procedures, 10 CFR Part 1021, Subpart D, Appendix B.

Based on my review of the above description, I have determined that the above actions are categorically excluded from further NEPA review and documentation. The DOE Contracting Officer Representative is responsible for oversight of the application of this determination.

  
\_\_\_\_\_  
Gary S. Hartman  
DOE ORO Acting NEPA Compliance Officer

  
\_\_\_\_\_  
Date

**CATEGORICAL EXCLUSION (CX) FOR COOPERATIVE RESEARCH  
AND DEVELOPMENT AGREEMENT (CRADA) ACTIVITIES  
CX-GEN-015**

The DOE Oak Ridge Operations Office (ORO) proposes to conduct bench-scale and pilot-scale research activities at its own facilities as part of all Cooperative Research and Development Agreement (CRADA) initiatives between DOE-ORO-managed facilities (Contractors) and private companies and industries (Partners).

The proposed actions would take place at DOE-owned facilities on the DOE Oak Ridge Reservation (ORR) at Oak Ridge, Tennessee; the Thomas Jefferson National Accelerator Facility at Newport News, Virginia; and other DOE-ORO-operated facilities and ancillary areas associated with ORO sites, programs, and projects.

Actions associated with CRADAs include but are not limited to (1) demonstrating processes for production of various materials components to be used by industries and the private sector; (2) providing expertise, experience, facilities, and equipment for working with and developing new processes and technologies; (3) evaluating and testing new materials, equipment, and components; (4) analyzing and testing materials to increase understanding of important manufacturing technologies and processing parameters; (5) demonstrating the feasibility of new products and processing technologies; (6) testing and demonstrating cost-effective, high-volume, environmentally responsible processing technologies; (7) developing new capabilities for fabricating instrumentation relevant to environmental monitoring, proliferation detection, etc.; (8) developing and improving computer and data processing systems hardware and software applications; (9) using theoretical and computational capabilities to model problems of industrial interest; and (10) demonstrating, developing, and verifying appropriate cost-effective sample process technologies.

Because CRADAs are associated with existing research activities, it is anticipated that no new permits or modifications to existing permits would be required for the proposed actions. Should new permits or modifications to existing permits be required, the actions would be reviewed by site compliance personnel and handled in accordance with existing site compliance procedures. In addition, site participation in CRADAs would take place in previously developed/disturbed areas and would not disturb sensitive resources.

Any wastes generated during CRADA activities would be appropriately characterized and disposed of at existing permitted/approved waste storage, treatment, or disposal facilities. The proposed action would be evaluated by Pollution Prevention or other responsible personnel for action options to reduce or eliminate generation of waste materials.

The proposed CRADA actions that would take place on the ORR have been reviewed in accordance with the *Cultural Resource Management Plan* (CRMP) (DOE/OR-2085, July 2001) or applicable sections in a ratified Programmatic Agreement (PA) document and would not result in an adverse effect to historic properties included or eligible for inclusion in the National Register of Historic Places (National Register). If the proposed ORR actions would have an adverse effect on properties included or eligible for inclusion in the National Register, DOE-ORO would consult with the State Historic Preservation Officer and initiate actions specified in procedures set forth in the Advisory Council's regulations in 36 CFR Part 800.

For sites other than the ORR, DOE-ORO would complete Section 106 reviews consistent with the ORR CRMP, as discussed above, until PAs are ratified for the respective sites. At such time, the sites would conduct Section 106 reviews under provisions of the site-specific PA.

To ensure that sensitive resources are protected, existing maps and surveys/studies on threatened and endangered (T/E) species, wetlands and floodplains, and historically sensitive areas would be used to locate these areas. In addition, personnel responsible for identifying these resources would be consulted and, if warranted, additional surveys and walkovers would be conducted to confirm or update available information.

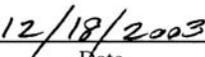
No known extraordinary circumstances would be associated with these actions that might affect the significance of the environmental effects of the proposed action based on past similar actions. These actions would not be connected to other actions with potentially significant impacts or related to other proposed actions with cumulatively significant impacts; they would meet the conditions that are integral elements of the classes of actions which may be categorically excluded from further National Environmental Policy Act (NEPA) documentation. Should the action not meet the conditions for CX consideration, a separate NEPA document would be prepared and submitted to DOE-ORO for review and approval.

Although an action may fall under the category of "CRADA," a separate NEPA review would be performed and documented should the action or related/cumulative effect of the action have the potential to result in an unusual or significant impact to the environment.

B3.6, B3.10, and B3.11 are the applicable CXs that cover the proposed action in DOE NEPA Implementing Procedures, 10 CFR 1021, Subpart D, Appendix B.

Based on my review of the above description, I have determined that the above actions are categorically excluded from further NEPA review and documentation. The DOE Contracting Officer Representative is responsible for oversight of the application of this determination.

  
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Gary S. Hartman  
DOE ORO Acting NEPA Compliance Officer

  
\_\_\_\_\_  
Date

**CATEGORICAL EXCLUSION (CX) FOR  
DEACTIVATION OF FACILITIES  
CX-GEN-016**

The DOE Oak Ridge Operations Office (ORO) proposes to deactivate facilities for which there is no proposed use.

The proposed deactivation actions would take place at DOE-owned facilities on the DOE Oak Ridge Reservation (ORR) at Oak Ridge, Tennessee; the Thomas Jefferson National Accelerator Facility at Newport News, Virginia; and other DOE-ORO-operated facilities and ancillary areas associated with ORO sites, programs, and projects.

The proposed actions would involve activities required for disconnecting utility services such as water, steam, telecommunications, and electrical power after it had been determined that continued operation of such systems was not needed for safety or for the control of hazardous materials. Other actions would include minor activities required to place a facility in an environmentally safe condition including, but not limited to, reducing surface contamination; identifying, characterizing, and removing/disposing of materials, equipment, or waste; plugging sinks, drains, and toilets to prevent inadvertent discharge of liquids; properly storing or disposing of documents and records; and generally preparing the areas to reflect good housekeeping. Labels such as "Empty" or "Out of Service" would be applied, as appropriate, to tanks, showers, cabinets, etc.

Existing permits under the Clear Air Act and Clean Water Act would be reviewed and modified or canceled, as needed, as the result of deactivation of processing areas and shutdown of exhaust and discharge systems.

Any wastes generated during deactivation activities would be appropriately characterized and disposed of at existing permitted/approved waste storage, treatment, or disposal facilities. The proposed action would be evaluated by Pollution Prevention or other responsible personnel for action options to reduce or eliminate generation of waste materials and to reuse/recycle all possible material or equipment.

The proposed deactivation actions that would take place on the ORR have been reviewed in accordance with the *Cultural Resource Management Plan (CRMP)* (DOE/OR-2085, July 2001) or applicable sections in a ratified Programmatic Agreement (PA) document and would not result in an adverse effect to historic properties included or eligible for inclusion in the National Register of Historic Places (National Register). If the proposed ORR actions would have an adverse effect on properties included or eligible for inclusion in the National Register, DOE-ORO would consult with the State Historic Preservation Officer and initiate actions specified in procedures set forth in the Advisory Council's regulations in 36 CFR Part 800.

For sites other than the ORR, DOE-ORO would complete Section 106 reviews consistent with the ORR CRMP, as discussed above, until PAs are ratified for the respective sites. At such time, the sites would conduct Section 106 reviews under provisions of the site-specific PA.

To ensure that sensitive resources are protected, existing maps and surveys/studies on threatened and endangered (T/E) species, wetlands and floodplains, and historically sensitive areas would be used to locate these areas. In addition, personnel responsible for identifying these resources would be

consulted and, if warranted, additional surveys and walkovers would be conducted to confirm or update available information.

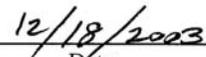
No known extraordinary circumstances would be associated with these actions that might affect the significance of the environmental effects of the proposed action based on past similar actions. These actions would not be connected to other actions with potentially significant impacts or related to other proposed actions with cumulatively significant impacts; they would meet the conditions that are integral elements of the classes of actions which may be categorically excluded from further National Environmental Policy Act (NEPA) documentation. Should the action not meet the conditions for CX consideration, a separate NEPA document would be prepared and submitted to DOE-ORO for review and approval.

Although an action may fall under the category of "deactivation," a separate NEPA review would be performed and documented should the action or related/cumulative effect of the action have the potential to result in an unusual or significant impact to the environment.

B1.27 and B1.28 are the applicable CXs that cover the proposed action in DOE NEPA Implementing Procedures, 10 CFR 1021, Subpart D, Appendix B.

Based on my review of the above description, I have determined that the above actions are categorically excluded from further NEPA review and documentation. The DOE Contracting Officer Representative is responsible for oversight of the application of this determination.

  
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Gary S. Hartman  
DOE ORO Acting NEPA Compliance Officer

  
\_\_\_\_\_  
Date

**CATEGORICAL EXCLUSION FOR CLOSURE ACTIVITIES UNDER THE  
RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)  
(CX-GEN-017)**

The DOE Oak Ridge Operations Office (ORO) proposes to perform small-scale, short-term cleanup and/or closure activities of legacy waste storage units (WSUs) under RCRA to facilitate waste storage consolidation and/or a change in mission of a particular building or facility.

The proposed RCRA closure actions would take place at DOE-owned facilities on the DOE Oak Ridge Reservation (ORR) at Oak Ridge, Tennessee; the Thomas Jefferson National Accelerator Facility at Newport News, Virginia; and other DOE-ORO-operated facilities and ancillary areas associated with ORO sites, programs, and projects.

The contractor or subcontractor performing the work would inspect, decontaminate, and provide independent certification of RCRA closure. The closure for any WSU would be conducted in accordance with applicable permits, regulatory guidance, and all requirements as specified within the project work plan.

Support for these closure activities may include installing temporary mobile trailers, equipment, and materials. Prior to demobilization, all applicable equipment would be decontaminated.

The general sequence of events for closure of the WSUs would include, but not necessarily be limited to, (1) assessment mobilization, (2) WSU assessment, (3) decontamination mobilization, (4) nondestructive and/or destructive decontamination, (5) contaminated equipment removal, (6) waste minimization and disposal, and (7) site demobilization.

A visual inspection of the WSU floor surfaces for any evidence of leaks or spills via discoloration, residue, or visible stains that could be the result of a previous spill, leak, or release that occurred during waste storage activities would be performed as part of the facility assessment. If contamination is present, nondestructive decontamination would be performed, and areas requiring decontamination would be decontaminated according to the approved work plan. Air suppression methods would be in place to control dust emissions and prevent any potential airborne contamination. All floor drains, storm sewers, and other collectors for surface runoff that are designed for collecting surface drainage from the facilities would be protected in accordance with industry standards. If the requirements of the closure plan cannot be achieved, destructive decontamination would be completed in accordance with the approved work plan.

Tank closure activities would be performed in accordance with the RCRA closure plan for a site-specific RCRA permit for polychlorinated biphenyls (PCB) decontamination standards and procedures.

Ancillary equipment would be removed and could include, but not necessarily be limited to, (1) performing pipe and internal tank decontamination, (2) performing sludge removal, (3) completing pipe and internal tank decontamination, and (4) performing secondary containment decontamination. Throughout the execution of the project, inspections would be performed in the work area.

Tank loading station secondary containment material, such as poly sheeting, railroad ties, and any other existing readily-removable materials, would be removed, size reduced, loaded into intermodal

containers, and disposed in accordance with the approved waste management plan.

Under normal circumstances, there is no air permitting or emission concerns associated with tank closures because the decontamination/removal process would normally employ a rotating spray nozzle inside a closed tank. In the event that other decontamination/removal methods would be utilized (i.e., manned entry to clean out tank), the contractor or subcontractor would evaluate the method and need for an air permit and provide the applicable source-term information and source-term emission calculations to the appropriate personnel for evaluation.

Equipment spill prevention measures would be considered as part of the overall project planning, and equipment would be inspected to ensure proper operation and determine if any leaks are present.

Any wastes generated would be appropriately characterized and disposed at existing permitted/approved waste storage, treatment, or disposal facilities. The proposed action would be evaluated by Pollution Prevention or other responsible personnel for action options to reduce or eliminate generation of waste materials and to reuse/recycle all possible material or equipment.

The proposed RCRA closure actions that would take place on the ORR have been reviewed in accordance with the *Cultural Resource Management Plan* (CRMP) (DOE/OR-2085, July 2001) or applicable sections in a ratified Programmatic Agreement (PA) document and would not result in an adverse effect to historic properties included or eligible for inclusion in the National Register of Historic Places (National Register). If the proposed ORR actions would have an adverse effect on properties included or eligible for inclusion in the National Register, DOE-ORO would consult with the State Historic Preservation Officer and initiate actions specified in procedures set forth in the Advisory Council's regulations in 36 CFR Part 800.

For sites other than the ORR, DOE-ORO would complete Section 106 reviews consistent with the ORR CRMP, as discussed above, until PAs are ratified for the respective sites. At such time, the sites would conduct Section 106 reviews under provisions of the site-specific PA.

To ensure that sensitive resources are protected, existing maps and surveys/studies on threatened and endangered (T/E) species, wetlands and floodplains, and historically sensitive areas would be used to locate these areas. In addition, personnel responsible for identifying these resources would be consulted and, if warranted, additional surveys and walkovers would be conducted to confirm or update available information.

No known extraordinary circumstances would be associated with these actions that might affect the significance of the environmental effects of the proposed action based on past similar actions. These actions would not be connected to other actions with potentially significant impacts or related to other proposed actions with cumulatively significant impacts; they would meet the conditions that are integral elements of the classes of actions which may be categorically excluded from further National Environmental Policy Act (NEPA) documentation. Should the action not meet the conditions for CX consideration, a separate NEPA document would be prepared and submitted to DOE-ORO for review and approval.

Although an action may fall under the category of "closure activities under RCRA," a separate

NEPA review would be performed and documented should the action or related/cumulative effect of the action have the potential to result in an unusual or significant impact to the environment.

B6.1 is the applicable categorical exclusion (CX) that covers the proposed action in DOE NEPA Implementing Procedures, 10 CFR Part 1021, Subpart D, Appendix B. The proposed action would cost less than \$5M, be completed in less than 5 years, and would reduce the risk to human health and the environment from the release or threat of release of a hazardous substance including treatment, recovery, storage, or disposal of wastes at an existing permitted facility currently handling the type of waste involved in the proposed action.

Based on my review of the above description, I have determined that the above actions are categorically excluded from further NEPA review and documentation. The DOE Contracting Officer Representative is responsible for oversight of the application of this determination.

  
\_\_\_\_\_  
Gary S. Hartman  
DOE ORO Acting NEPA Compliance Officer

*12/18/2003*  
Date

**APPENDIX B  
EXAMPLE CX DOCUMENT**

Date: March 5, 2003  
To: D. R. Allen, DOE-ORO  
From: W. M. Belvin, DOE-ORO  
Subject: **Contract DE-AC05-00OR22725, National Environmental Policy Act (NEPA) Categorical Exclusion (CX) for Habitat Enhancement and Restoration along First Creek, Oak Ridge Reservation (3121X)**

The Department of Energy (DOE) Oak Ridge Operations Office (ORO) proposes to restore native vegetation in a wetland area along First Creek near the Oak Ridge National Laboratory (ORNL) on the Oak Ridge Reservation. Native streamside vegetation was established along First Creek several years ago as a wetlands mitigation project. Since that time, invasive species such as fescue, privet, and autumn olive have grown within the planted area. There is a need to eliminate these species at least from the streamside zone before they overwhelm native plant species. The proposed project is expected to eliminate invasive plants and establish additional native plants (e.g., broomsedge, river oats, sedges, and rushes) to help keep invasives out.

Invasive plants within an area of about 1/3 acre along First Creek will be removed manually or spot-treated with herbicide. The herbicide used will be AquaMaster, Roundup, or other glyphosate formulation approved for use in wetlands and other aquatic environments. Treatment will be to individual plants using a backpack sprayer. Subsequently, plugs of native grasses, sedges, and rushes will be hand planted in the treated area. Plant surveys will be conducted before and after the work to maintain a record of success and effects.

The application of small amounts of herbicide would not have an impact on the aquatic communities in First Creek. The types of herbicide applied will be compatible with the aquatic species and would be applied to avoid the stream proper. Application would be controlled by use of spot spraying or barriers to limit spray drift. Further, application would only occur on days when precipitation is not in the forecast, thereby limiting runoff to the stream.

The proposed action would not result in the generation of solid or liquid wastes. Plants that are removed manually would be left on the ground at the site and allow to biodegrade naturally. The spraying of herbicide on plants is not expected to result in a significant level of airborne hazards.

No new permits or modifications to existing permits would be required for the proposed action. The proposed action has been evaluated by the Pollution Prevention personnel for action options to reduce or eliminate the generation of waste materials.

This project would pose no threat of significant individual or cumulative environmental effects. The described action would not be part of an ongoing Environmental Assessment or Environmental Impact Statement. No extraordinary circumstances would be related to this action, and the proposal would not be connected to other actions with potentially significant impacts.

This action falls under Section 5.1.1.3.A.1 of the Cultural Resource Management Plan (DOE/ORO 2085, July 2001). The applicable categorical exclusion (CX) is B1.20 (Small-scale activities undertaken to protect, restore, or improve fish and wildlife habitat...) as listed in DOE NEPA Implementing Procedures, 10 CFR 1021, Subpart D, Appendix B.

The above description accurately describes the proposed action, which reflects the requirements of the CX cited above. Therefore, I recommend that the proposed action be categorically excluded from further NEPA review and documentation.

W. Mark Belvin 4/2/03  
W. Mark Belvin Date  
DOE-ORO Program Manager

Based on my review and the recommendation of the DOE-ORO Program Manager, I have determined that the proposed action is categorically excluded from further NEPA review and documentation.

\_\_\_\_\_  
David R. Allen Date  
DOE-ORO Office NEPA Compliance Officer

**Notification:**  
W. M. Belvin, ER-11  
J. A. Hall, 4500N, MS-6185

**ORO NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) PROCEDURE 3,  
ENVIRONMENTAL ASSESSMENT (EA) PROCESS**

1.0 PURPOSE.

To establish procedures for the preparation, review, and approval of NEPA Environmental Assessment Determinations (EADs), EAs, and Findings of No Significant Impacts (FONSI) for actions under the purview of Oak Ridge Operations (ORO).

2.0 APPLICABILITY.

This procedure is applicable to ORO personnel and contractors who prepare, review or approve EADs, EAs, or FONSI for actions that are the responsibility of ORO.

3.0 RESPONSIBILITIES.

3.1 ORO Manager.

3.1.1 Approves formal EADs.

3.1.2 Performs duties associated with NEPA delegations from Department of Energy (DOE) Headquarters (HQ).

3.2 ORO Assistant Manager.

3.2.1 Concurs and signs the EAD request.

3.2.2 Designates the NEPA Document Manager (NDM).

3.3 NEPA Compliance Officer (NCO).

3.3.1 Concurs on and signs the EAD request.

3.3.2 Notifies the host state(s) in writing that a determination has been made to prepare an EA.

3.3.3 Reviews and concurs on EAs.

3.3.4 Participates in the review of contractor Task Order proposals and the selection of the successful offeror for the preparation of an EA.

3.4 Contracting Officer (CO).

3.4.1 Receives project-related deliverables.

3.4.2 Participates in the review of contractor Task Order proposals and the selection of the successful offeror for the preparation of an EA.

- 3.4.3 Ensures contractor compliance with the Task Order Statement of Work (SOW) through completion.

3.5 Contracting Officer's Representative (COR).

- 3.5.1 Develops DOE-Wide NEPA Task Order SOW with NDM, NCO, and other NEPA Project Team members.
- 3.5.2 Participates in the review of contractor Task Order proposals and the selection of the successful offeror for the preparation of an EA.
- 3.5.3 Ensures contractor compliance with the Task Order SOW through completion.

3.6 NEPA Document Manager.

- 3.6.1 Assembles NEPA Project Team.
- 3.6.2 Prepares cover memorandum to accompany the EAD, Draft EA, Final EA, and FONSI through the ORO concurrence chain.
- 3.6.3 Ensures that the EAD, Draft EA, Final EA, and FONSI contain the appropriate level of NEPA review and an accurate description of the proposed action. The NDM initials on the concurrence chain to signify that the document meets the above criteria.
- 3.6.4 Prepares or oversees preparation of EAs to ensure the production of an adequate document and that the NEPA process is kept on schedule and within budget.
- 3.6.5 Notifies the public of intent to prepare EA.
- 3.6.6 Participates in the review of contractor Task Order proposals and the selection of the successful offeror for the preparation of an EA.
- 3.6.7 Prepares approval memo and distribution letter for the Final EA and FONSI (an example is provided in Appendix A).

3.7 Contractor.

- 3.7.1 Prepares EAs when requested by the COR.
- 3.7.2 Submits an Organizational Conflict of Interest (OCI) Statement to the CO prior to the awarding of work. The contractor selected must not have an interest in the outcome of the project.

3.8 Office of Chief Counsel (OCC).

- 3.8.1 Reviews and concurs on the EAD and identifies any potential legal issues..

3.8.2 Reviews and concurs on EAs and FONSI's

3.9 NEPA Project Team. The project team is assembled by the NDM. Members of the project team could include:

- ORO Program/Project Manager;
- ORO NCO or representative designated by NCO;
- ORO Counsel (OCC);
- ORO and/or Contractor Community/Public Relations Specialist;
- Site Contractor Program/Project Manager;
- Site Contractor Project/Design Engineer;
- NEPA Contractor Project Manager;
- Contractor Environmental/NEPA Specialist; or
- Other Environmental and Technical Specialist from ORO.

Depending on the complexity, degree of public concern or the level of controversy regarding an action, the NDM may decide to include the HQ Program Manager as a representative on the project team.

4.0 PROCEDURE.

4.1 The EA/FONSI process is described below and shown in Figure 3-1 at the end of this attachment.

4.1.1 Prepare EA Determination. The format of an EAD is as follows:

- The title of the proposed action and the name of the project.
- Location of the action.
- A brief description of the proposed action and potential issues.
- The class of actions to be applied.
- Signature blocks for approvals.

4.1.1.1 The NDM reviews the description of the actions and prepares an EAD. The EAD should contain sufficient information to determine that an EA is the appropriate level of review. Subpart D EADs should cite the class of action from Appendix C to Subpart D of Title 10 Code of Federal Regulations (CFR) 1021.

EADs should include signature lines for the ORO NCO, the cognizant ORO Assistant Manager, and the ORO Manager

4.1.1.2 The NDM submits the draft EAD to the ORO NCO. The NCO staff:

- Determines if an EA is the correct level of NEPA review, and if the EAD correctly identifies the action as a Subpart D EAD or a Non-subpart D EAD.
- Reviews the EAD for a brief description of the action and the location of the action.
- Reviews the EAD for appropriate application of a class of actions in accordance with the DOE NEPA Rule (Subpart D actions).
- Reviews the EAD for grammar, spelling, and correct format.
- Determines the need for a multidisciplinary review by other staff within the Environmental Protection Group.
- Indicates changes needed in the EAD and may confer with the responsible NDM before returning the documents for revision.

**NOTE:** This step is repeated, as necessary, until the EAD is acceptable.

4.1.1.3 The NDM prepares the EAD request for routing through the ORO NEPA concurrence chain and transmits the EAD request to the ORO NCO along with a memorandum. The memorandum should be from the ORO Manager to the cognizant ORO Assistant Manager.

4.1.1.4 At a minimum, the ORO NEPA concurrence chain will contain the NDM, ORO NCO, OCC, cognizant ORO Assistant Manager, and the ORO Manager. After the ORO Manager has signed the EAD, a copy of the signed EAD is transmitted to the NDM.

4.1.1.5 The ORO NCO will notify the host State and tribes and appropriate stakeholders (for a baseline list please refer to the Stakeholders Directory at <http://tis.eh.doe.gov/nepa/guidance.html#comp>) of ORO's intent to prepare an EA. See Attachment 8 for a description of the ORO NEPA Procedure 7, Public Participation Under the NEPA Process.

4.1.2 Conduct Internal Scoping and Notify Public.

4.1.2.1 The purpose of internal scoping for the EA is to determine issues and alternatives that need to be evaluated and the depth of the analysis required. Internal scoping is initiated by the NDM after the project team has been selected and should occur early in the EA process, typically

immediately after the approval of the EAD. Internal scoping will be conducted in accordance with Attachment 6, ORO NEPA Procedure 5, Internal Scoping During the NEPA Process.

4.1.2.2 The NDM will notify the public of the intent to prepare an EA. Public notice that an EA will be prepared should be made in accordance with Attachment 8, ORO NEPA Procedure 7, Public Participation Under the NEPA Process.

4.1.3 Invite Cooperating Agencies to Participate.

The NDM will consult, when necessary, with the U.S. Fish and Wildlife Service under Section 7, *Endangered Species* (see Chapter VIII, *Endangered Species Act Compliance Program*); the U.S. Army Corps of Engineers and appropriate state agencies under Section 404 of the *Clean Water Act* (see Chapter VII, *Floodplains and Wetland Compliance Program*); and with the State Historic Preservation Offices under Section 106, *National Historic Preservation Act* consultations (see Chapter III, *Cultural Resources Management Program*), to identify potential environmental consequences of a proposed action. ORO NEPA staff will seek the cooperation of other potentially interested agencies, including Federal, state, local, tribal and non-governmental entities.

4.1.4 Prepare Preliminary Draft EA.

The NDM will manage preparation of the Preliminary Draft EA that provides a complete analysis of all data and impacts of the proposed action and alternatives and recommend mitigation, if necessary, in compliance with Council on Environmental Quality and DOE's NEPA implementing regulations (40 CFR 1500 *et seq.* and 10 CFR 1021). It should address all technical issues in an appropriate level of detail commensurate with potential impacts in order to determine that either a FONSI can be issued, or that the action is a major Federal action requiring an Environmental Impact Statement (EIS) because it significantly affects the quality of the human environment. The Preliminary Draft EA should include a description of the location of the action, figures depicting project location, and the proposed action and alternatives, and a description of any environmentally sensitive areas that may be impacted.

The EA should be prepared in accordance with the *Recommendations for the Preparation of Environmental Assessments and Environmental Impact Statements*, May 1993, [http://tis.eh.doe.gov/nepa/tools/guidance/reccom/toc\\_rec.htm#toc](http://tis.eh.doe.gov/nepa/tools/guidance/reccom/toc_rec.htm#toc). The following is a general outline of the information to be included in an EA.

- Title Page
- Table of Contents
- List of Figures
- List of Tables
- Summary

- Introduction
- Purpose and Need
- Scope
- Proposed Action and Alternatives
- Existing/Affected Environment
- Environmental Consequences
- Agencies Consulted
- Environmental Permits
- References
- List of Preparers
- Appendices (including copies of letters of consultation, comments, and response to comments)
- Approved/Signed FONSI should be bound in the front of the Final EA document

4.1.5 Conduct Internal Review of Preliminary Draft EA.

Upon receipt of the Preliminary Draft EA the ORO NEPA Staff reviews the document to ensure the following elements are included:

- A clear statement of the purpose, a complete description of the project, a description of the need for the project, and relevant background information;
- A description of reasonable alternatives (always including the no action alternative) to the proposed action under consideration, and a description of alternatives considered and rejected;
- A description of the existing/affected environment at the location of the action;
- An analysis of any potential environmental issues associated with the proposed action and the alternatives;
- A section on permit compliance that identifies any permits that will be required in order to perform the action; and
- Grammar, spelling, and format. Provides comments to and confers with the NDM before returning the EA for revision.

4.1.6 Prepare Concurrence Draft EA.

The NDM will manage preparation of the Concurrence Draft EA. The Concurrence Draft EA will incorporate all internal and cooperating/interagency comments received on the Preliminary Draft EA and address any outstanding data or analysis issues that were in the Preliminary Draft EA. After a thorough

review to ensure that all comments and/or outstanding issues were addressed, the Concurrence Draft EA is sent by the NDM to the NCO, OCC, cognizant Assistant Manager, and ORO Manager for review and approval.

**NOTE:** Reviews are repeated until all comments on the Concurrence Draft EA are resolved.

4.1.7 Publish Draft EA.

Upon receipt of approval on the Concurrence Draft EA, the NDM or contractor will prepare a Draft EA for distribution to the public.

4.1.8 Distribute Draft EA.

The NCO, after concurrence from the NDM and the OCC, transmits the Draft EA for comment to the affected State and appropriate stakeholders.

4.1.9 Hold Public Meeting on Draft EA.

Within 30 days of the release of the Draft EA, the NDM will hold a public information meeting on the Draft EA. This forum will allow the public to meet with ORO project personnel and ask questions as well as submit comments on the draft. See Attachment 8, ORO NEPA Procedure 7, Public Participation under the NEPA Process and *Effective Public Participation under the National Environmental Policy Act* (<http://tis.eh.doe.gov/nepa/tools/guidance/pubpart2.html>) for guidance and recommendations for effective public participation.

4.1.10 Incorporate Comments and Prepare Concurrence Final EA.

Comments on the Draft EA will be compiled by the NDM. The NDM may choose to summarize comments or respond to individual comments. The contractor and/or NDM will prepare responses to comments received on the Draft EA, working with the NCO and, if necessary, the OCC. The NDM may also convene a comment resolution meeting with contractors, the NCO, Programs, and, if necessary, the OCC to resolve any outstanding comments, address new potential mitigation measures, or evaluate any newly proposed alternatives for inclusion in the Final EA. The NDM or contractor will prepare a comment resolution document which will include public comments (or summaries) and responses to comments.

Preparation of the Concurrence Final EA will include a review and, if necessary, an update of proposed mitigation measures. The Concurrence Final EA is sent by the NDM to the NCO, OCC, cognizant Assistant Manager and ORO Manager for review and approval.

4.1.11 Prepare Draft FONSI.

The NDM will prepare a Draft FONSI. The FONSI will include a brief summary of the EA, the basis and authority for the determination, and the determination.

4.1.12 Review of Concurrence Final EA and Draft FONSI.

Upon receipt of the Concurrence Final EA and Draft FONSI, the ORO NEPA Staff will:

- Review the Concurrence Final EA and provide comments to the NDM.
- Review the draft FONSI for format and grammar and to ensure that conclusions of the FONSI are consistent with the Final EA and provide comments to the NDM.

**NOTE:** Reviews are repeated until the all comments on the Concurrence Final EA and draft FONSI are adequately addressed.

4.1.13 Prepare Final EA and FONSI.

Upon receipt of approval on the Concurrence Final EA and Draft FONSI, the NDM or contractor will prepare the Final EA and FONSI for distribution to the public.

4.1.14 Publish and Distribute Final EA and FONSI.

The NDM will distribute the Final EA and FONSI and issue the notice of public availability. The NDM or contractor will arrange to have the final version of the EA bound and develop a distribution list of interested parties within DOE and other agencies. The EA and FONSI should be distributed (normally within 2 weeks of approval) to the host state planning and environmental departments, adjacent affected states (if appropriate), ORO Information Center (2 copies), City of Oak Ridge Environmental Quality Advisory Board (for projects in the Oak Ridge vicinity only), EH-25 (5 copies), ORO NEPA Compliance Officer (2 copies), and pertinent program offices. Other interested agencies, organizations, and individuals should receive either a copy of the EA and FONSI or notice of its availability and where they may go to read it or obtain a copy (ORO –Freedom of Information Reading Room).

4.1.14.1 *Notify Public.* The NDM coordinates release of information on the EA and FONSI with the ORO Public Information Office. The NDM should make sure that either a Notice of Availability (NOA) or the entire FONSI is published in the local newspapers. The NOA should state where copies of the EA and FONSI are available and provide an address for individuals who want to request a copy, normally the DOE Information Center at 475 Oak Ridge Turnpike, Oak Ridge, TN 37830. In addition, the NDM must provide a monthly status report of each NEPA action to the NCO for placement in the ORO Public Involvement News.

4.1.14.2 *Publish FONSI in Federal Register.* The FONSI will be published in the Federal Register if the proposed action is of national interest. An action of local interest only should involve notification activities as described above.

4.1.14.3 *Provide Final EA and FONSI to DOE Information Center.* The NDM ensures that copies of the EA and FONSI are delivered to the DOE Information Center before a press release or NOA announces its availability. The EA and FONSI are available for the public to read or obtain copies (at a cost of 10 cents per page) at the DOE Information Center.

4.1.15 Compile Administrative Record (AR).

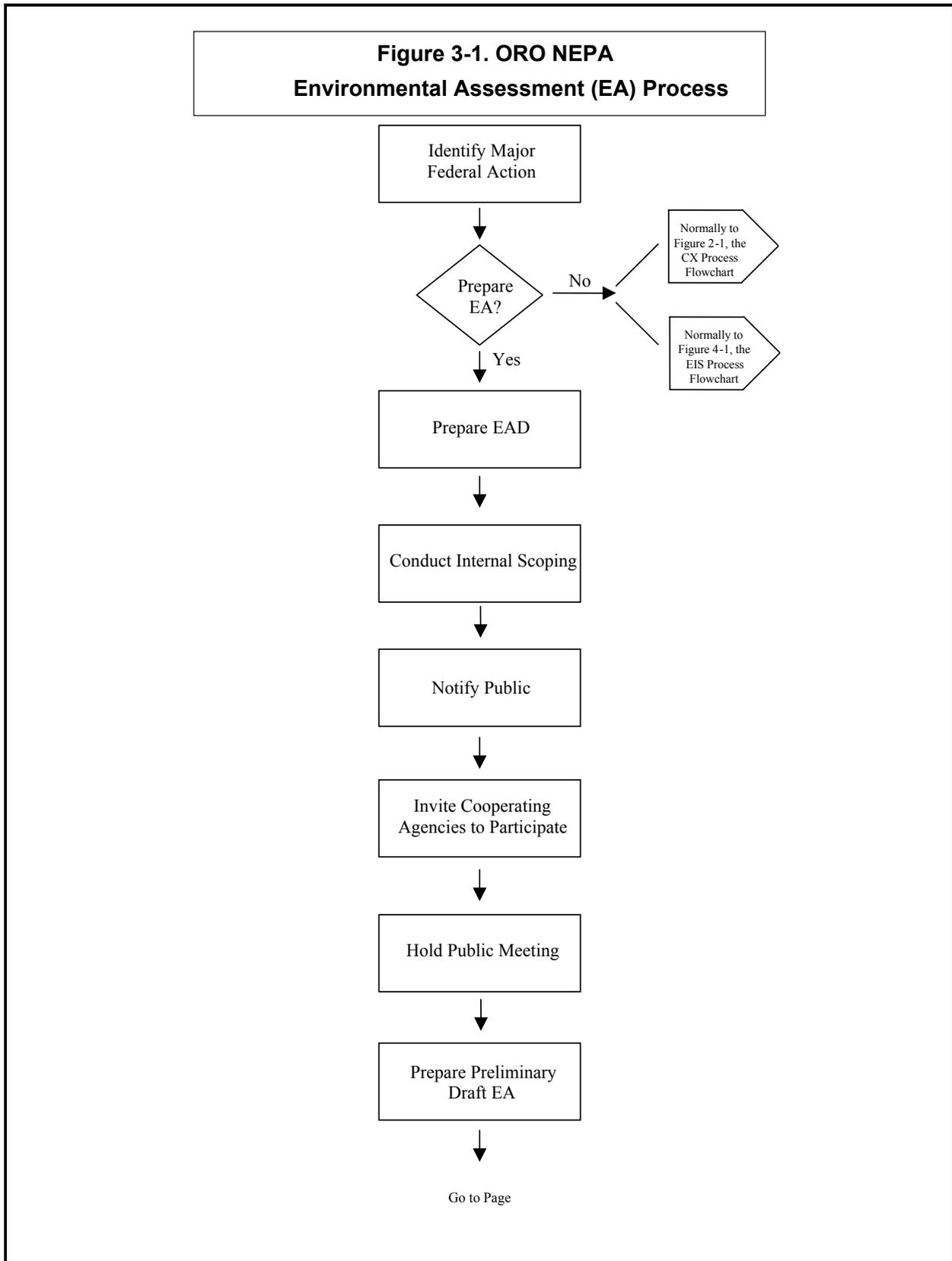
The NDM or contractor will maintain an AR throughout the EA Process. The AR should include correspondence with cooperating agencies, documents related to key decisions, meeting records, input from the public, written technical direction from ORO to contractors, documentation on assumptions associated with alternatives, data sources or data used to make assumptions for analysis, personal communications that were used in the EA, memoranda on rationale for any major changes to the EA or supporting analysis, response letters to commentors, public notices, copies of all postal or delivery services records of delivery, and the decision document.

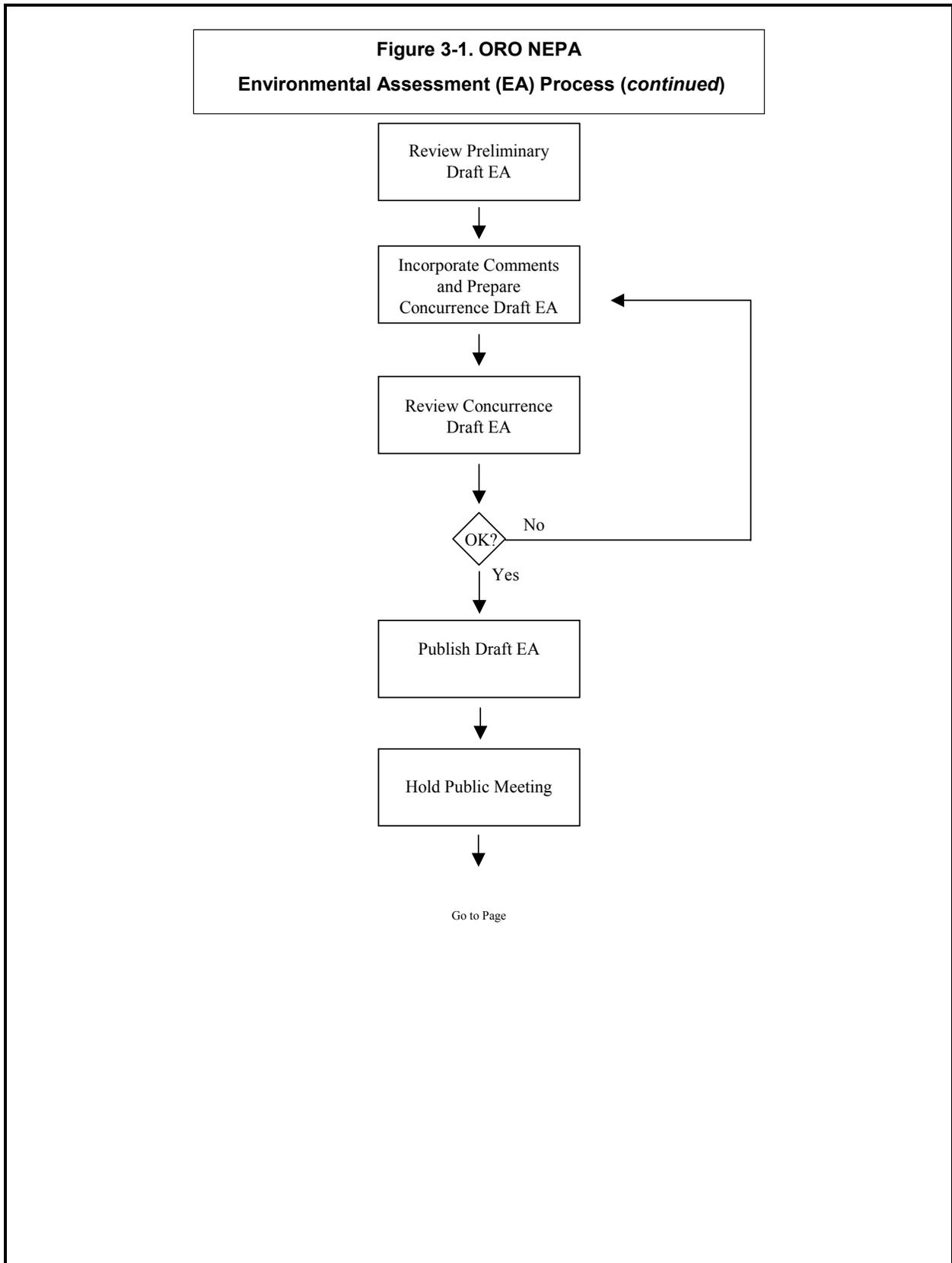
5.0 RECORDS.

The ORO Programs will maintain official records of NEPA documentation submitted and approved. NEPA records will be maintained and disposed of in accordance with DOE O 200.1, INFORMATION MANAGEMENT PROGRAM, and DOE G 1324.5B, IMPLEMENTATION GUIDE FOR 36 CFR CHAPTER XII – SUBCHAPTER B, RECORDS MANAGEMENT.

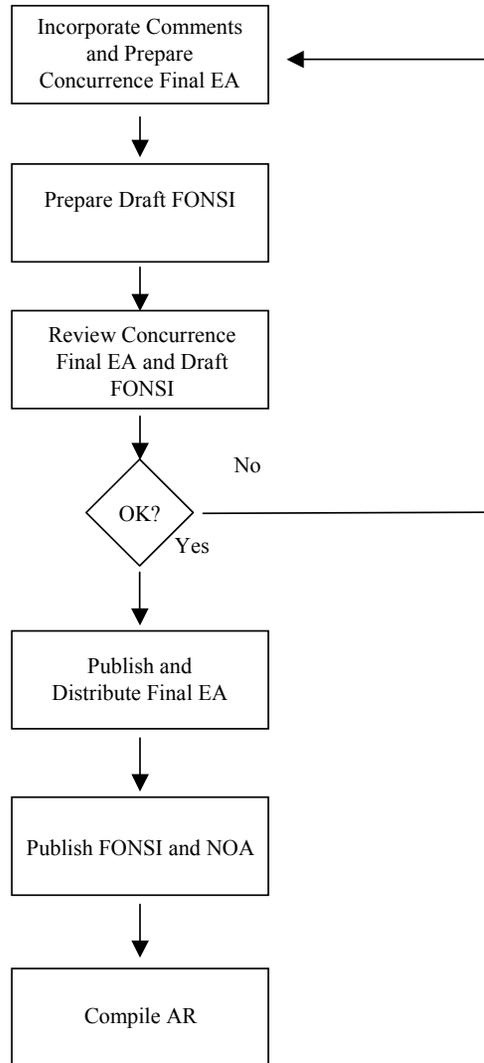
6.0 TRAINING.

Training for this procedure should include required reading and understanding of this procedure, as well as additional NEPA training or experience with the NEPA process. All training should be documented and records maintained by the Training Coordinator.





**Figure 3-1. ORO NEPA  
Environmental Assessment (EA) Process (continued)**



**APPENDIX A  
EXAMPLE APPROVAL MEMO FOR EA**

DOE F 1325.8  
(4/93)

United States Government

**Department of Energy**

Oak Ridge Operations Office

# memorandum

DATE:

REPLY TO

ATTN OF: EM-97:Vicks

SUBJECT: **ENVIRONMENTAL ASSESSMENT FOR QUADRANT II CORRECTIVE  
MEASURES IMPLEMENTATION AT THE PORTSMOUTH GASEOUS  
DIFFUSION PLANT, PIKETON, OHIO**

TO: Dennis Boggs, Chief Operating Officer, EM-90/ORO

The subject Environmental Assessment (EA), dated January 2003, has been reviewed in accordance with our responsibilities under the Department of Energy (DOE) Order 451.1B, paragraph 5a(9). Based upon this review, recommendations made by your staff and, after consultation with the Office of Chief Counsel and the National Environmental Policy Act (NEPA) Compliance Officer, I have determined that within the meaning of NEPA, the proposed action is not a major Federal action significantly affecting the quality of the human environment. Therefore, the preparation of an Environmental Impact Statement is not required. The basis for this determination is explained in the attached Finding of No Significant Impact (FONSI) and the supporting final EA.

Please note that the Portsmouth Site Office is responsible for providing public notice of the availability of the EA and FONSI in accordance to 40 CFR 1506.6(b), 10 CFR 1021.322, and DOE Order 451.1B, paragraph 5e(5).

If you need further assistance or have any questions or comments, please contact David R. Allen, Oak Ridge Operations Office NEPA Compliance Officer at (865) 576-0411.

Gerald Boyd  
Manager

Attachment

cc w/attachment:  
W. Murphie, EM-1/Cloverleaf  
M. Tobert, EM-32/HQ  
T. Slack, CC-10/ORO  
C. M. Borgstrom, EH-42/HQ  
D. Allen, SE-32/ORO  
D. Page, SE-30-1/ORO  
G. Drexel, BJC/PORTS  
Administrative Records

**APPENDIX B  
EXAMPLE OF AN ENVIRONMENTAL ASSESSMENT DETERMINATION**

**ENVIRONMENTAL ASSESSMENT DETERMINATION (EAD)**

**U.S. DEPARTMENT OF ENERGY  
QUADRANT II CORRECTIVE MEASURES IMPLEMENTATION AT THE PORTSMOUTH GASEOUS  
DIFFUSION PLANT  
(NON-SUBPART D)  
EAD PORTS-2002-001**

**Proposed Action:** To implement corrective measures activities in Quadrant II at the Portsmouth Gaseous Diffusion Plant.

**Location:** The location of the proposed action is the Portsmouth Gaseous Diffusion Plant (PORTS), Piketon, Ohio.

**Brief Description of the Proposed Action:** The U.S. Department of Energy (DOE) proposes to implement corrective measures in Quadrant II at PORTS. The environmental corrective measures are necessary to comply with the DOE signed compliance agreement with the U.S. Environmental Protection Agency (EPA) and the Ohio EPA that require DOE to conduct RCRA corrective measures at PORTS to remediate soil and groundwater in portions of Quadrant II, which are contaminated at levels exceeding acceptable risk criteria. A system was developed to evaluate Solid Waste Management Units (SWMU) in Quadrant II which are considered a source or potential source of contamination. Each SWMU was categorized on the basis of current and realistic future risk as determined by analyzing data from the RCRA Facility Investigation (RFI) Baseline Risk Assessment. The units were placed in categories of SWMUs requiring no further action, SWMUs deferred to decontamination & decommissioning, and SWMUs requiring remedial action alternatives developed in a Corrective Action Study/Corrective Measures Study (CAS/CMS).

Two units were determined to require development of remedial action alternatives. These were the X-701B Holding Pond and Retention Basins Area and the X-701B Groundwater Plume Area. A wide range of corrective measures technologies and methods were evaluated as part of the Quadrant II CAS/CMS. At the X-701B Holding Pond and Retention Basins, these potential corrective measures ranged from institutional controls to removal of all contaminated soil. They included subsurface piping systems installation and installation of an engineered cap. For the X-701B Groundwater Plume Area, the potential corrective measures ranged from institutional controls to various combinations of ex-situ and in-situ treatment including bio- and phyto- remediation and steam stripping or electrical resistance heating with vapor extraction. The proposed action is to implement an as yet undetermined combination of these technologies to remediate groundwater and soil contamination in these two areas of Quadrant II.

**Class of Action:** Non-Subpart D

Based on my review, I recommend that an Environmental Assessment (EA) be prepared to assess the impacts of the proposed action.

---

David R. Allen, ORO \_\_\_\_\_ Date  
National Environmental Policy Act Compliance Officer

Based on my review and the recommendation of the ORO NEPA Compliance Officer, I recommend that an EA be prepared to assess the impacts of the proposed action.

---

Gerald G. Boyd, ORO \_\_\_\_\_ Date  
Assistant Manager for Environmental Management

Based on the recommendations of the ORO NEPA Compliance Officer and the Assistant Manager for Environmental Management, I have determined that an EA will be prepared to assess the impacts of the proposed action. Based on the analysis in the EA, DOE will either prepare a Finding of No Significant Impact and proceed with the action or will prepare an Environmental Impact Statement if the EA reveals the potential for significant impacts.

---

James A. Turi, Acting Manager  
Oak Ridge Operations Office

Date

**ENVIRONMENTAL ASSESSMENT DETERMINATION  
FOR QUADRANT II CORRECTIVE MEASURES  
IMPLEMENTATION AT PORTSMOUTH GASEOUS DIFFUSION PLANT**

Based on the recommendations of the ORO NEPA Compliance Officer and the Assistant Manager for Administration, I have determined that an EA will be prepared to assess the impacts of the proposed action. Based on the analysis in the EA, DOE will either prepare a Finding of No Significant Impact and proceed with the action or will prepare an Environmental Impact Statement if the EA reveals the potential for significant impacts.

---

Michael D. Holland, Acting Manager

Date

**APPENDIX C**  
**ENVIRONMENTAL ASSESSMENT DETERMINATION MEMO**

DOE F 1325.8  
(4/93)

United States Government

**Department of Energy**

Oak Ridge Operations Office

# memorandum

DATE:

REPLY TO

ATTN OF: SE-30-1:Page

SUBJECT: **ENVIRONMENTAL ASSESSMENT DETERMINATION FOR QUADRANT II  
CORRECTIVE MEASURES IMPLEMENTATION AT PORTSMOUTH  
GASEOUS DIFFUSION PLANT**

TO: Gerald G. Boyd, Assistant Manager for Environmental Management, EM-90

Attached is the Environmental Assessment (EA) Determination for the proposed alternatives to implement corrective measures in Quadrant II at the Portsmouth Gaseous Diffusion Plant (PORTS). Environmental corrective measures are necessary to comply with the U.S. Department of Energy (DOE) signed compliance agreement with the U.S. Environmental Protection Agency (EPA) and the Ohio EPA which requires DOE to conduct Resource Conservation and Recovery Act corrective measures at PORTS to remediate soil and groundwater in portions of Quadrant II, which are contaminated at levels exceeding acceptable risk criteria. This is a National Environmental Policy Act (NEPA) Non-Subpart D Determination because the proposed action is not listed in Subpart D of DOE NEPA Implementing Procedures in 10 CFR 1021. Based on the analysis in the EA, DOE will either prepare a Finding of No Significant Impact and proceed with the action or prepare an Environmental Impact Statement if the EA reveals the potential for significant impacts. I am designating Kristi Wiehle as the NEPA Document Manager for this document per DOE Order 451.1B, National Environmental Policy Act Compliance Program, paragraph 5(a)(2).

If you have any NEPA compliance issues related to the proposed action, you may direct them to David R. Allen, Oak Ridge Operations NEPA Compliance Officer at 576-0411.

James A. Turi  
Acting Manager

Attachment

cc w/o Attachment:

Carol Borgstrom, EH-42, HQ/FORS

Kristi Wiehle, EM-97, PORTS

Terri Slack, CC-10, ORO

David Page, SE-30-1, ORO

Katatra Day, SE-30-1, ORO

Walter Perry, M-4, ORO

**ORO NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) PROCEDURE 4,  
ENVIRONMENTAL IMPACT STATEMENT (EIS) PROCESS**

1.0 PURPOSE.

To establish procedures for the drafting, review, and approval of NEPA Environmental Impact Statement Determinations (EISDs), Notices of Intent (NOIs), EISs, Records of Decision (RODs), and Mitigation Action Plan (MAP) for actions under the purview of Oak Ridge Operations (ORO).

2.0 APPLICABILITY.

This procedure is applicable to ORO personnel and contractors who deal with drafting, reviewing, or approving EISDs, NOIs, EISs, MAPs, or RODs for actions that are the responsibility of ORO.

3.0 RESPONSIBILITIES.

3.1 ORO Manager.

- 3.1.1 Approves EISDs for all ORO actions.
- 3.1.2 Performs duties associated with NEPA delegations from Department of Energy (DOE) Headquarters (HQ).
- 3.1.3 Submits NOIs, EISs, RODs, and MAPs to DOE HQ for final approval.

3.2 ORO Assistant Manager.

- 3.2.1 Concurs and signs the EISD request document.
- 3.2.2 Concurs on NOIs, EISs, RODs, and MAPs.
- 3.2.3 Designates the NEPA Document Manager (NDM).

3.3 NEPA Compliance Officer (NCO).

- 3.3.1 Concurs and signs the EISD request document.
- 3.3.2 Notifies the host state(s) in writing that a determination has been made to prepare an EIS.
- 3.3.3 Reviews and concurs on NOIs, EISs, RODs, and MAPs.
- 3.3.4 Participates in the review of contractor Task Order proposals and the selection of the successful offeror for the preparation of an EIS.

3.4 Contracting Officer (CO).

- 3.4.1 Receives project-related deliverables.

- 3.4.2 Participates in the review of contractor Task Order proposals and the selection of the successful offeror for the preparation of an EIS.
- 3.4.3 Ensures contractor compliance with the Task Order Statement of Work (SOW) through completion.
- 3.5 Contracting Officer's Representative (COR).
  - 3.5.1 Develops DOE-Wide NEPA Task Order SOW with NDM, NCO, and other NEPA Project Team members.
  - 3.5.2 Participates in the review of contractor Task Order proposals and the selection of the successful offeror for the preparation of an EIS.
  - 3.5.3 Ensures contractor compliance with the Task Order SOW through completion.
- 3.6 NEPA Document Manager.
  - 3.6.1 Prepares cover memorandum to accompany the EISD request document, NOI, ROD, and MAP through the ORO concurrence chain.
  - 3.6.2 Prepares the NOI.
  - 3.6.3 Verifies that the EISD, ROD, MAP, request document contains the appropriate level of NEPA review, the description of the proposed action is accurate, and the document is otherwise adequate. The NDM initials on the concurrence chain to signify that the document meets the above criteria.
  - 3.6.4 Oversees preparation of EISs to ensure the production of an adequate document.
  - 3.6.5 Participates in the review of contractor Task Order proposals and the selection of the successful offeror for the preparation of an EIS.
  - 3.6.6 Assembles NEPA Project Team.
- 3.7 Contractor.
  - 3.7.1 Prepares EISs when requested by the COR.
  - 3.7.2 Submits an Organizational Conflict of Interest (OCI) statement to the CO prior to the awarding of the work. The contractor selected must not have an interest in the outcome of the project.
- 3.8 Office of Chief Counsel (OCC).
  - 3.8.1 Reviews and concurs on EISD request, EISs, RODs, and MAPs.

3.9 NEPA Project Team. The project team is assembled by the NDM. Members of the project team could include:

- ORO Program/Project Manager;
- ORO NCO or representative designated by NCO;
- ORO Counsel (OCC)
- ORO and/or Contractor Community/Public Relations Specialist;
- Site Contractor Program/Project Manager;
- Site Contractor Project/Design Engineer;
- NEPA Contractor Project Manager;
- Contractor Environmental/NEPA Specialist; and
- Other Environmental and Technical Specialist from ORO.

Depending on the complexity, degree of public concern or the level of controversy regarding an action, the NDM may decide to include the HQ Program Manager as a representative on the project team.

#### 4.0 PROCEDURE.

##### 4.1 Environmental Impact Statement/Record of Decision.

An EIS is an assessment document that generally includes considerably more analysis and public review than an Environmental Assessment (EA). The decision document resulting from an EIS is a ROD. The standard format given below (from Title 40 Code of Federal Regulations [CFR] 1502.10) is used unless there is a compelling reason to do otherwise.

The steps involved in the preparation of an EIS are shown in Figure 4-1 at the end of this Attachment. The EIS should be prepared in accordance with the *Recommendations for the Preparation of Environmental Assessments and Environmental Impact Statements*, May 1993, <http://tis.eh.doe.gov/nepa/tools/guidance/Guidance-PDFs/iv-6.pdf>.

4.1.1 EIS Determination. The ORO Manager makes a determination that an EIS is required when:

- The proposed activity meets the criteria for preparation of an EIS in accordance with the DOE NEPA Rule, Subpart D.
- The proposed activity does not fit under a category of activities listed in Subpart D, but the ORO Manager is reasonably certain that an EA would not support a Finding of No Significant Impacts (FONSI); or

- After preparing an EA, the ORO Manager decides that the environmental impacts of the proposed action are significant.

#### 4.1.2 Conduct Internal Scoping.

The purpose of internal scoping for an EIS is to identify the preliminary issues related to the proposed action and to establish the project team which will guide the preparation of the EIS. The scoping process should involve a team representing all necessary departmental elements. The NDM will conduct internal scoping early in the EIS process and it should precede the public scoping process that begins with publication of a NOI. Internal scoping should be conducted in accordance with Attachment 6, ORO NEPA Procedure 5, Internal Scoping During the NEPA Process.

- 4.1.2.1 Internal scoping process will include the adoption of a proposed schedule for the preparation of the NEPA document and a public participation plan tailored to the proposed project.
- 4.1.2.2 For each EIS, the schedule established during the internal scoping process will, absent of any extraordinary circumstances, provide for the completion of a final EIS within 15 months of the issuance of the NOI.

#### 4.1.3 Prepare and Issue Notice of Intent.

After the EISD has been approved, the NDM submits an NOI to prepare an EIS for publication in the Federal Register. A typical NOI contains the following sections:

- Agency
- Action: NOI to prepare an EIS
- Summary
- Invitation to Comment
- Address where to send comments or requests to speak at scoping meetings
- Date: Deadline for comments or requests
- Background Information
- Description of Proposed Action
- Alternatives Proposed for Consideration
- Identification of Environmental Issues
- Related Documentation
- Scoping Meetings

On receipt of a draft NOI, the COR or NDM:

- Ensures the NOI complies with the requirements set forth in the Council on Environmental Quality (CEQ) Regulations and the DOE NEPA Rule.
- Ensures the NOI contains a clear description of the proposed action and possible alternatives.

- Ensures the NOI describes DOE's proposed scoping process, including scoping meetings to be held, with date, time, and location, if applicable.
- Ensures the NOI contains the name and address of a person within the Site or Program Office who can answer questions about the proposed action and the EIS. (In many cases, this person will be the COR, although other personnel may be delegated this responsibility.)
- Reviews the NOI for grammar, spelling, and format. NDM confers with the COR or other NEPA staff before returning NOI to contractor for revision, if necessary. (This step may be repeated until the NOI is correct).
- A cover memorandum is prepared by the COR or NDM to transmit the NOI from the ORO Manager to the Secretarial Officer (SO); the ORO NEPA concurrence chain will contain the ORO NCO, OCC, cognizant Assistant Manager(s), and the ORO Manager.
- The COR or NDM transmits the memorandum and the NOI to the ORO NCO, who starts it up the concurrence chain to ORO Manager. The ORO Manager transmits the memorandum and the NOI to the COR who sends it to HQ.

#### 4.1.4 Invite Cooperating Agencies to Participate.

The NDM will consult, when necessary, with the U.S. Fish and Wildlife Service under Section 7, *Endangered Species* (see Chapter VIII, *Endangered Species Act Compliance Program*); the U.S. Army Corps of Engineers and appropriate state agencies under Section 404 of the *Clean Water Act* (see Chapter VII, *Floodplains and Wetland Compliance Program*); and with the State Historic Preservation Offices under Section 106, *National Historic Preservation Act* consultations (see Chapter III, *Cultural Resources Management Program*) to identify potential environmental consequences of a proposed action. ORO NEPA staff will seek the cooperation of other potentially interested agencies, including Federal, State, local, tribal and non-governmental entities.

#### 4.1.5 Conduct Public Scoping.

The purpose of public scoping as part of the EIS process is to give the public the opportunity to provide input on the scope of issues to be addressed in the EIS and to identify significant issues related to the proposed action. The requirements and recommendations for the EIS public scoping process are presented in Section 4 of *Effective Public Participation under the National Environmental Policy Act* (<http://tis.eh.doe.gov/nepa/tools/guidance/pubpart2.html>).

- ##### 4.1.5.1 Publication of the NOI in the Federal Register begins the scoping process for an EIS.

4.1.5.2 The scoping process for an EIS shall allow a minimum of 30 days from the date the NOI is published for the receipt of comments. DOE requires at least one scoping meeting for an EIS. At least 15 days must be allowed after public notification before a scoping meeting may be held.

4.1.5.3 The COR or NDM:

- Ensures that at least one public scoping meeting is held and that the scoping process is in accordance with the CEQ Regulations and DOE NEPA Rule.
- Reviews for accuracy of facts, grammar, spelling, and format of all briefing materials that pertain to the project, the Draft Environmental Impact Statement (DEIS), press releases, and public notices before they are sent to HQ for approval or released to the public.
- Participates in community outreach and public information activities such as meetings with interested environmental groups and affected individuals. Ensures that the project is diligent in its effort to involve the public.
- Ensures that a mailing list of all interested individuals and groups is started early in the EIS preparation process and maintained throughout the process.
- Reviews the qualifications of the Community Relations or Public Information Specialist the contractor assigns to the task of organizing the meeting(s).
- Reviews the scoping meeting locations for adequate room and security.
- Reviews the task descriptions of each person involved in holding the meeting, ensuring that there are media coordinators, speaker sign-up attendants, information table attendants, a meeting moderator, a recorder or court reporter, setup assistance, and an overall meeting manager in charge of all aspects of the meeting.
- Provides liaison support between the contractor, EIS contractor, and DOE project personnel in scheduling the scoping meetings.
- Attends the scoping meetings and/or performs as a panel member accepting comments on the proposed project.

4.1.5.4 The results of the scoping process are reviewed after the close of the scoping period. The COR or NDM will:

- Review all written and oral public comments submitted from the scoping period.
- Participate in resolving public comments, in developing the scope of the EIS, and the alternatives that will be addressed in the EIS.

4.1.6 Prepare Preliminary Draft EIS.

The NDM will manage the preparation of the Preliminary DEIS that describes the Purpose and Need for the action, the alternatives (including no action), and the existing/affected environment; and evaluates the environmental consequences of the alternatives. The Preliminary DEIS should provide a complete analysis of all data and impacts of the proposed action and alternatives and recommend mitigation, if necessary, in compliance with CEQ and DOE's NEPA implementing regulations (40 CFR 1500 *et seq.* and 10 CFR 1021). The depth of analysis and discussion of impacts should be relative to the level of significance. Each resource evaluated should contain a description of the impact methodology used in analysis of the resource/issue area, general discussion of effects on resources, impacts specific to the project, and mitigation measures, where necessary. The Preliminary DEIS should include a description of the location of the action, figures depicting project location, and the proposed action and alternatives, and a description of any environmentally sensitive areas that may be impacted.

The EIS should be prepared in accordance with the *Recommendations for the Preparation of Environmental Assessments and Environmental Impact Statements*, May 1993,

[http://tis.eh.doe.gov/nepa/tools/guidance/reccom/toc\\_rec.htm#toc](http://tis.eh.doe.gov/nepa/tools/guidance/reccom/toc_rec.htm#toc). The following is a recommended outline for an EIS as specified in 40 CFR 1502.10.

- Cover sheet
- Summary
- Table of contents
- Purpose of and need for action
- Alternatives including proposed action
- Affected environment
- Environmental consequences
- List of preparers
- List of Agencies, Organizations, and persons to whom copies of the statement are sent
- Index
- Appendices (if any)

4.1.7 Conduct Internal Review of Preliminary DEIS.

Upon receipt of the Preliminary DEIS from the NDM, the ORO NEPA staff reviews the document to ensure the following elements:

- A clear statement of the purpose, a complete description of the project, a description of the need for the project, and relevant background information;
- A description of reasonable alternatives (always including the no action alternative) to the proposed action under consideration, and a description of alternatives considered and rejected;
- A description of the existing/affected environment at the location of the action;
- An analysis of any potential environmental issues associated with the proposed action and the alternatives;
- A section on permit compliance that identifies any permits that will be required in order to perform the action;
- Grammar, spelling, and format. Provides comments to and confers with the NDM before returning the EIS for revision;
- All sections of the DEIS to ensure the overall quality of the document;
- The DEIS complies with the requirements established in accordance with the CEQ Regulations and DOE NEPA Rule;
- Adequate peer reviews are conducted to ensure the quality of the technical material in the document; and
- Technical reviews and ensures that all comments are addressed prior to publication for public review.

4.1.8 Prepare Concurrence DEIS.

The NDM will manage the preparation of the Concurrence DEIS. The Concurrence DEIS will incorporate all internal and cooperating/interagency comments received on the Preliminary DEIS and address any outstanding data or analysis issues that were in the Preliminary DEIS. After a thorough quality assurance review to ensure that all comments and/or outstanding issues were addressed, the Concurrence DEIS is sent by the COR or NDM to the NCO, OCC, cognizant Assistant Manager and ORO Manager for review and approval. The COR or NDM prepares a cover memorandum transmitting the DEIS from the Manager to the SO. The Manager transmits the DEIS to the SO.

The NDM will coordinate the resolution of all comments on the Concurrence DEIS. Comments/changes provided during the Concurrence phase should be incorporated and change pages issued for the Concurrence DEIS.

**NOTE:** Reviews are repeated until all comments on the Concurrence DEIS are resolved.

4.1.9 Publish and Distribute DEIS.

The DEIS provides a mechanism for obtaining public input on a proposed action. Upon receipt of approval on the Concurrence DEIS, the NDM or contractor will prepare a DEIS for distribution to the public. The NDM or contractor will arrange to have the DEIS bound and will distribute the DEIS to Federal, State, local, and tribal governments, the public, and other interested stakeholders.

4.1.9.1 *Notice of Availability.* The NDM must use appropriate means to publicize the availability of the DEIS. The DEIS shall be filed with the Environmental Protection Agency (EPA), Office of Federal Activities (A-104), 401 M Street SW, Washington, D.C. 20460. Statements shall be filed with EPA no earlier than they are also transmitted to commenting agencies and made available to the public. ORO may publish a separate notice of availability that provides additional information, such as public hearing schedules and how to obtain copies of the EIS.

**NOTE:** The Assistant Secretary for Environment, Safety and Health files the DEIS with the EPA. The EPA publishes a filing notice in the Federal Register.

4.1.10 Hold Public Meeting on DEIS.

The public and interested agencies will have at least 45 days to review and comment on the DEIS. Regulatory requirements and recommendations for public participation activities related to the DEIS are presented in Section 5 of *Effective Public Participation under the National Environmental Policy Act* and Attachment 8, ORO NEPA Procedure 7, Public Participation Under the NEPA Process.

The NDM or contractor will prepare a project-specific public participation plan which will consider the following:

- The amount of time reserved for legislators and representatives of organizations.
- The length of time each individual will be allowed to speak. This is critical. In order to ensure fairness to all, scheduled speaking times must be set and enforced. Representatives for a group sometimes allowed to speak for longer time intervals than individuals.

- The types of presentations that will be allowed (e.g, skits, songs, or other dramatic presentations).
- The use of court reporters and facilitators.
- Method for presenting and preserving comments for the record
- Allowances for media and media equipment.
- Having a question and answer period. These may be difficult to manage. DOE personnel must be knowledgeable both about the project and DOE policy in relation to the project. Answers must be consistent.
- Meeting room logistics (i.e., arrangement and staffing).

The NDM will:

- Select all locations for public hearings for adequacy, comfort, and security.
- Review all planning documents for public hearing(s), including seating arrangements, task descriptions, hearing rules, fact sheets for public distribution, and room and meal arrangements to ensure that the EIS contractor is making adequate plans for the hearing.
- Meet with DOE and other agency security personnel and contractor-hearing personnel to ensure communication is clear.
- Meet with contractor personnel, DOE security personnel, and the hearing moderator to establish the format of the hearings.
- Ensure a telephone line is manned, at least during business hours, for comments and hearing/speaking appointments. Some projects use a 24-hour 800 number with an answering machine.
- Ensure that participating DOE officials are adequately briefed on the project. Prepares practice questions as needed.
- Assist the DOE Public Affairs Officer with arranging press conferences and attends them, as appropriate.
- Attend all hearings and participates on the DOE panel (usually DOE management and DOE project personnel) as appropriate.
- Review lessons learned from each hearing.

4.1.11 Incorporate Comments and Prepare Concurrence Final Environmental Impact Statement.

Preparation of the Final EIS (FEIS) should begin shortly after the commencement of the public comment period on the DEIS because changes will occur based on comments received on the DEIS. The preparation of the FEIS includes incorporating public comments and preparing the Concurrence FEIS for review and approval and a FEIS for distribution.

Comments on the DEIS will be compiled by the NDM. The NDM will:

- Ensure that all public comments are addressed (responded to or dismissed with justification).
- Coordinate resolution of all issues raised during the public comment period.
- Ensure that the Concurrence FEIS incorporates public comments and includes a section containing a response to public comments. (See the CEQ Regulations and the DOE NEPA Rule on how the FEIS can incorporate public comments).
- Ensure that any responsible opposing viewpoints that were not discussed in the draft are discussed in the final statement.
- Review all sections of the Concurrence FEIS to ensure it complies with the requirements for an EIS in accordance with NEPA, the CEQ Regulations, and the DOE NEPA Rule.
- Ensure that an Executive Summary of the EIS is prepared (under separate cover from the FEIS, if appropriate).
- Review the Executive Summary for overall quality and ensures that it accurately reflects what was declared in the statement.
- Ensure that adequate peer reviews are conducted to ensures quality and technical content of the document and coordinate technical reviews.
- Transmits the Concurrence FEIS to the NCO, OCC, cognizant Assistant Manager, and ORO Manager for review and approval.

**NOTE:** Reviews are repeated until all comments on the Concurrence FEIS are resolved.

- Once ORO approval is received on the Concurrence FEIS, the ORO Manager transmits the FEIS to the SO.

4.1.12 Publish and Distribute FEIS.

Upon receipt of approval on the Concurrence FEIS from DOE HQ, the NDM or contractor will prepare the FEIS for distribution to the public. The NDM or contractor will arrange to have the final version of the FEIS bound and distributed to Federal, State, local, and tribal entities as well as the public and other interested stakeholders.

**NOTE:** The Assistant Secretary for Environment, Safety and Health files the FEIS with the EPA. EPA publishes a filing notice in the Federal Register. A 30 day waiting period commences.

4.1.12.1 *Notify Public.* The NDM coordinates release of information on the FEIS and with the DOE Public Information Office. The NDM should make sure that the Notice of Availability (NOA) is published in the local newspapers. The NOA should state where copies of the FEIS are available and provide an address for individuals who want to request a copy, normally the DOE Information Center at 475 Oak Ridge Turnpike, Oak Ridge, TN 37830. In addition, the NDM must provide a monthly status report of each NEPA action to the NCO for placement in the ORO Public Involvement News.

4.1.12.2 *Provide FEIS to DOE Information Center.* The NDM ensures that copies of the EIS are delivered to the DOE Information Center before a press release or NOA announces its availability. The EIS available for the public to read or obtain copies (at a cost of 10 cents per page) at the DOE Information Center. The NDM will also transmit three hard copies and the electronic file(s) to Director, Office of NEPA Policy and Compliance (EH-42), U.S. Department of Energy, Room 3E-094, 1000 Independence Ave., SW, Washington, D.C. 20585 for placement on the DOE NEPA website). A Document Certification and Transmittal Form (<http://tis.eh.doe.gov/nepa/docs/certform.pdf>) should be included and electronic files submitted in one of the following formats (e.g., Microsoft Word, WordPerfect) and publishing method (HTML, PDF, or combination).

4.1.13 Prepare Record of Decision and Mitigation Action Plan.

The Assistant Secretary for Environment, Safety and Health makes a decision on the proposed action, and the COR or NDM organizes the preparation of the ROD, no sooner than 90 days after a DEIS is circulated and no sooner than 30 days after the FEIS is circulated.

The NDM:

- Ensures that a ROD is prepared for publication in the Federal Register.
- Prepares a cover memorandum transmitting the FEIS, ROD, and MAP

from the Manager to the SO.

- Participates in community outreach and public information activities such as meetings with interested environmental groups and exhibits. Ensures that the project is diligent in its effort to involve the public.
- Ensures that a mailing list of all interested individuals and groups is maintained throughout the process and submitted into the administrative record.
- Reviews the ROD to ensure compliance with the CEQ Regulations and the DOE NEPA Rule.
- Reviews the ROD for overall quality and to ensure that it accurately summarizes the facts contained in the FEIS about the proposed action, alternatives, and decisions made concerning the alternatives.

**NOTE:** A MAP, as defined in the DOE NEPA Rule, should be prepared and submitted with the ROD. DOE HQ approves the ROD.

The COR or NDM:

- Reviews the MAP for overall quality and to ensure it complies with the requirements for a MAP set forth in the DOE NEPA Rule.
- Transmits the Concurrence FEIS to the NCO, OCC, cognizant Assistant Manager, and ORO Manager for review and approval

The ORO Manager:

- Transmits the FEIS, ROD, and MAP to the SO.
- Reviews the Federal Register announcement of the ROD.

**NOTE:** No action shall be taken until the decision has been made public.

- Distributes the ROD, FEIS, MAP, or any combination thereof, to interested DOE officials, DOE reading rooms, interested individuals, agencies with jurisdiction or expertise, states, and special interest groups.
- Monitors and enforces any mitigation commitments made pursuant to the ROD, as the proposed action commences. If the action is not implemented according to the EIS, consults with the SO and EH-25. Implements any necessary corrective actions.
- Provides the Assistant Secretary for Environment, Safety and Health with an annual report on mitigation activity monitoring.

4.1.14 Prepare Supplement Analysis (SA).

A SA is prepared to assess the need for a Supplemental EIS. The SA will contain sufficient information for the ORO Manager to determine whether: (1) an existing EIS should be supplemented; (2) a new EIS should be prepared; or (3) no further NEPA documentation is required.

The Cognizant Assistant Manager:

- Decides if a SA is required to determine (1) if impacts of a new action has been evaluated in an EIS; (2) if a new action is a substantial change from a previously evaluated proposal; or (3) if new information could change the environmental impacts assessed for a proposed action in a Draft or Final EIS.
- Prepares the SA.
- Makes copies of SA available in appropriate reading rooms or other appropriate locations for a reasonable time.

The ORO Manager:

- Reviews the SA to determine that it adequately discusses the circumstances pertinent to deciding if a Supplemental Environmental Impact Statement (SEIS) is needed.
- Approves the SA if the analysis is adequately bounded.

4.1.15 Prepare Supplemental EIS.

A SEIS is prepared when there are substantial changes to a proposal or significant new circumstances or information relevant to environmental concerns. The CEQ Regulations and the DOE NEPA Rule contain the regulations guiding preparation of a SEIS. The process for preparing an SEIS is the same as the EIS process shown in Figure 4-1.

The NDM:

- Determines if a SEIS is necessary.
- Determines if scoping is necessary. Regulatory requirements and recommendations on SA and SEIS are presented in Section 7 of *Effective Public Participation under the National Environmental Policy Act*. Scoping is optional for a SEIS.
- Oversees the preparation, review, and circulation of a SEIS in the same manner as an EIS.

- Ensures that the supplement analysis complies with the requirements of a DEIS and FEIS as set forth in the CEQ Regulations and DOE NEPA Rule

4.1.16 Compile Administrative Record (AR).

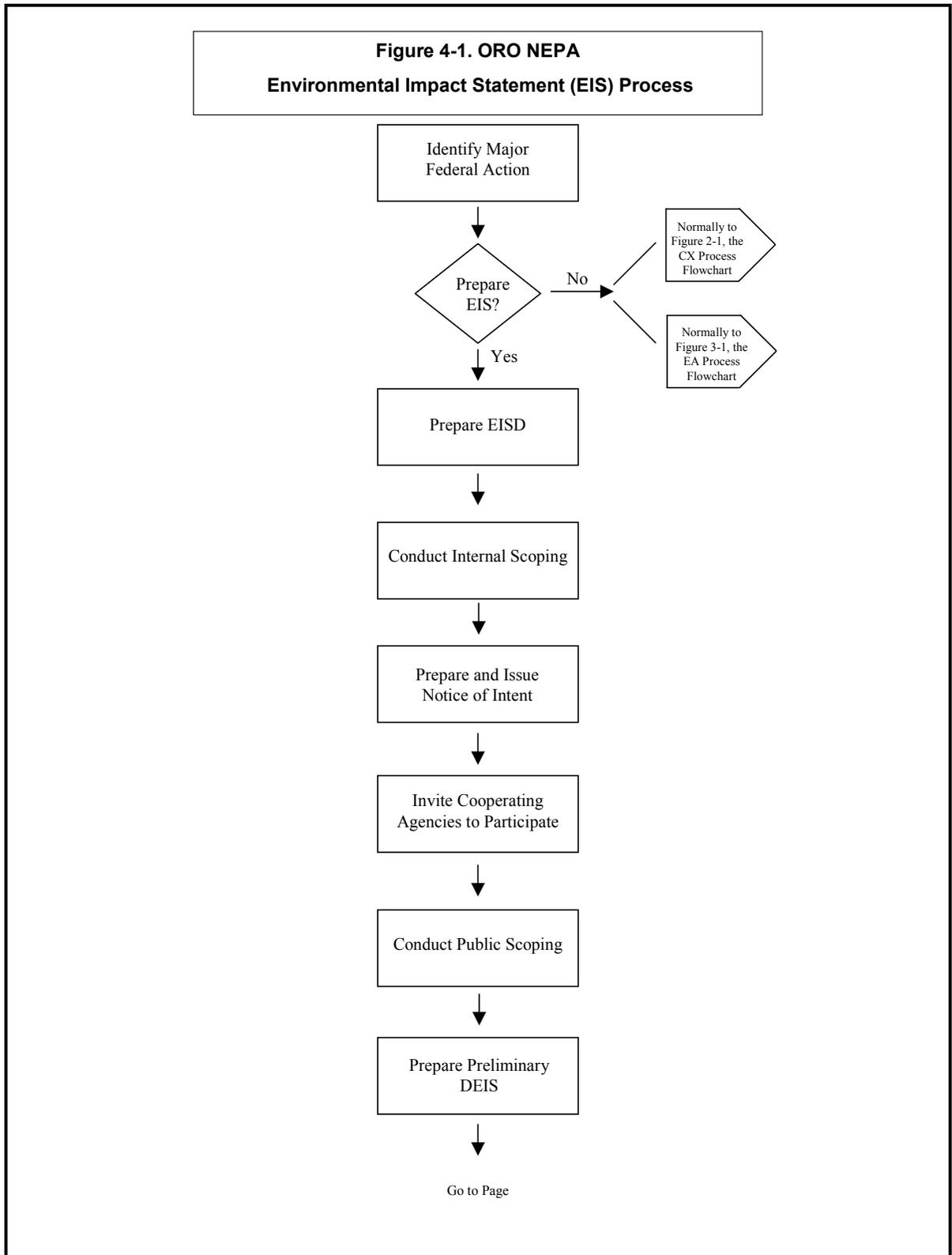
The NDM or contractor will maintain an AR throughout the EIS process. The AR should include correspondence with cooperating agencies, documents related to key decisions, meeting records, input from the public, written technical direction from ORO to contractors, documentation on assumptions associated with alternatives, data sources or data used to make assumptions for analysis, personal communications that were used in the EIS, memoranda on rationale for any major changes to the EIS or supporting analysis, response letters to commentors, NOI correspondence, public notices, copies of all postal or delivery services records of delivery, and the decision document.

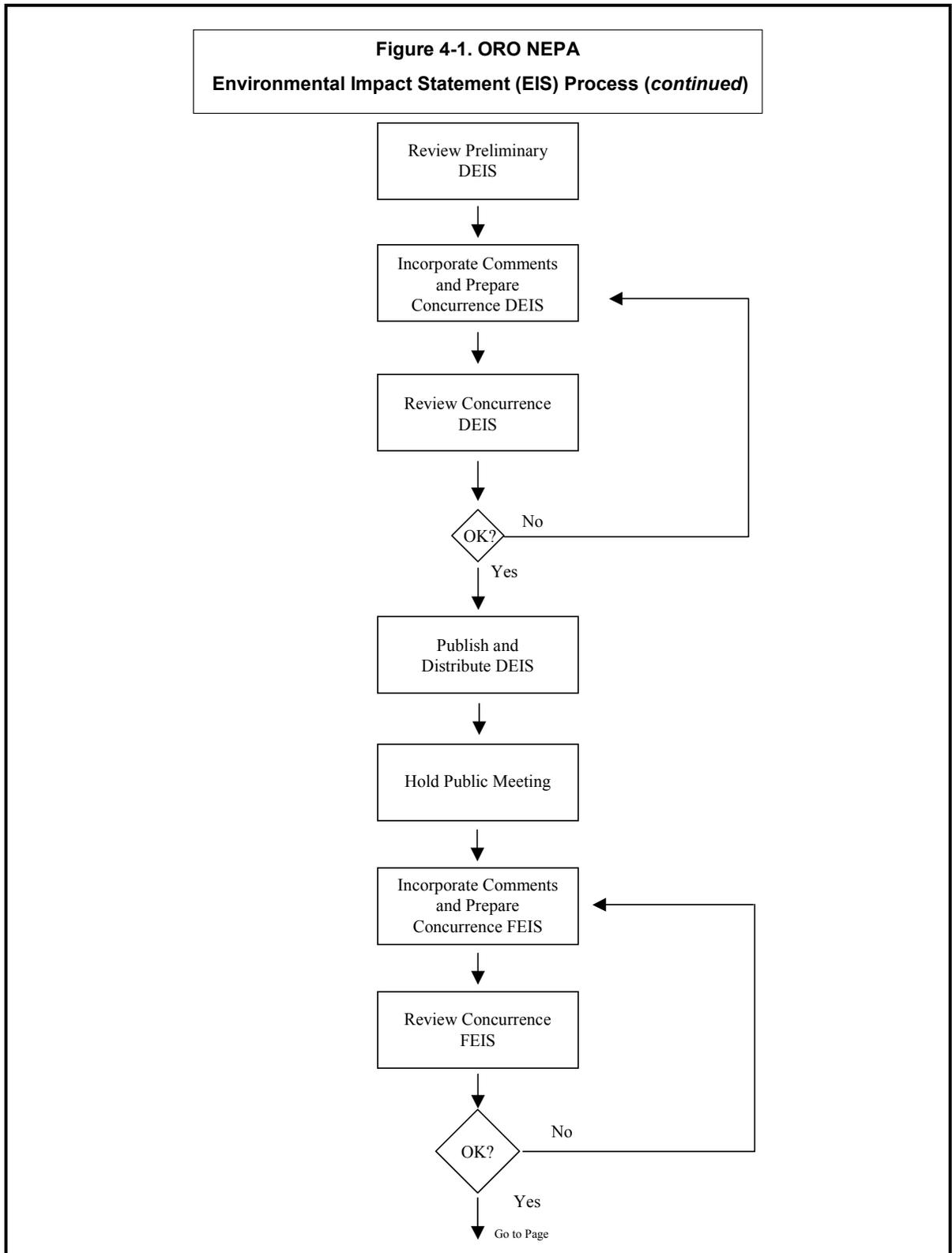
5.0 RECORDS.

The ORO COR or NDM will maintain official records of NEPA documentation submitted and approved. NEPA records will be maintained and disposed of in accordance with DOE O 200.1, INFORMATION MANAGEMENT PROGRAM, and DOE G 1324.5B, IMPLEMENTATION GUIDE FOR 36 CFR CHAPTER XII – SUBCHAPTER B, RECORDS MANAGEMENT.

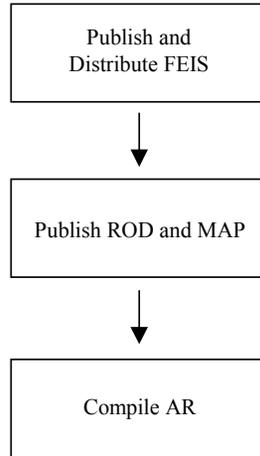
6.0 TRAINING.

Training for this procedure should include required reading and understanding of this procedure, as well as, additional NEPA training or experience with the NEPA process. All training should be documented and records maintained by the appropriate Training Coordinator.





**Figure 4-1. ORO NEPA  
Environmental Impact Statement (EIS) Process (continued)**



**ORO NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) PROCEDURE 5,  
INTERNAL SCOPING DURING THE NEPA PROCESS**

1.0 PURPOSE.

To establish procedures for conducting internal scoping for the NEPA documentation process, including Environmental Assessments (EAs) and Environmental Impact Statements (EISs) for actions under the purview of Department of Energy (DOE) Oak Ridge Operations (ORO) Office.

2.0 APPLICABILITY.

This procedure is applicable to ORO personnel and contractors who participate in internal scoping efforts on EAs or EISs for actions that are the responsibility of ORO.

3.0 RESPONSIBILITIES.

3.1 NEPA Compliance Officer (NCO) participates in the internal scoping process by reviewing and commenting on documents and related material provided by the NEPA Document Manager (NDM) and by participating in internal scoping meetings and other forms of communication.

3.2 NEPA Document Manager.

3.2.1 Manages the preparation, review, and processing of NEPA documentation.

3.2.2 Assembles the project team for internal scoping.

3.2.3 Conducts internal scoping.

3.2.4 Documents the results of the internal scoping process.

3.3 Office of Chief Counsel (OCC) serves as an advisor to the Corporate Council and participates in the internal scoping process by reviewing and commenting on documents and related material provided by the NDM, and by participating in internal scoping meetings and other forms of communication, as requested.

3.4 Contracting Officer's Representative (COR) participates in the internal scoping process by reviewing and commenting on documents and related material provided by the NDM, and by participating in internal scoping meetings and other forms of communication.

3.5 Site Contractor participates in the internal scoping process by reviewing and commenting on documents and related material provided by the NDM, and by participating in internal scoping meetings and other forms of communication.

3.6 NEPA Contractor support may be obtained via the DOE-Wide NEPA contracts in accordance with Attachment 9, ORO NEPA Procedure 8, Use of DOE-Wide NEPA Contracts, <http://tis.eh.doe.gov/nepa/tools/guidance/Guidance-PDFs/14653.pdf>:

3.6.1 When requested by the NDM, participates in the internal scoping process by reviewing and commenting on documents and related material provided by the NDM, and by participating in internal scoping meetings and other forms of communication.

3.6.2 When requested by the NDM, prepares and revises NEPA documentation and other material used during the internal scoping process.

#### 4.0 PROCEDURE.

4.1 Assemble the Project Team for Internal Scoping. The Project Team for Internal Scoping is established by the NDM. Members of the project team could include:

- Site Contractor Project/Design Engineer;
- Site Contractor Program/Project Manager;
- ORO Program/Project Manager;
- Contractor Environmental/NEPA Specialist;
- NEPA Contractor Project Manager;
- ORO Counsel (OCC);
- ORO NCO or representative designated by NCO;
- ORO, DOE, and/or Contractor Community/Public Relations Specialist; and
- Other Environmental and Technical Specialists from DOE/ORO or contractor, as appropriate.

Depending on the complexity, degree of public concern, or the level of controversy regarding an action, the NDM may decide to include the Headquarters (HQ) Program Manager and representatives on the project team.

4.2 Conduct Internal Scoping. Internal scoping is intended to be an informal exchange of information to ensure the best product and a common understanding of the task. The goal is to improve the quality of first drafts of DOE EAs and EISs. Internal scoping should occur early in the process, typically starting immediately after the approval of the Environmental Assessment Determination (EAD). For complex actions, however, the NDM may decide to initiate early internal scoping prior to the EAD. For an EIS, internal scoping should be initiated prior to public scoping.

Internal scoping is initiated by the NDM after the project team has been selected. Internal scoping may occur in one or a few meetings, depending on the action, or through an exchange of memoranda if the action is straightforward.

The purpose of internal scoping for the EA is to establish the project team that will guide the preparation of the EA and to determine issues and alternatives that need to be evaluated and the depth of analysis required. The purpose of internal scoping for an EIS is to identify the preliminary issues related to the action and to establish the project team, which will guide the preparation of the EIS.

The NDM should provide the project team members with the following information at or prior to the first internal scoping meeting:

- Preliminary draft material on the purpose and need for the action;
- Preliminary draft material on a description of the action; and
- Identification and summary material on other ongoing NEPA reviews related to the action.

The number and format of the internal scoping meetings is determined by the complexity of the action and the degree of public concern. The internal scoping process for an EA is considered complete when the project team reaches a consensus on the issues, alternatives, and depth of analysis, and decides on the level of public participation. The internal scoping process for an EIS is considered complete when the project team has identified the proposed action, reasonable alternatives, issues to address, and coordination.

4.3 Document the Results of the Internal Scoping Process. At the conclusion of the internal scoping process for an EA, the NDM will provide the following to the EA writing team:

- Scope of action,
- Purpose and need,
- Project description,
- List of alternatives to be evaluated,
- Guidance on the depth of analysis to be pursued,
- List of other NEPA analyses from which to tier or reference,
- Proposed schedule, and
- Proposed public participation plan.

## 5.0 RECORDS.

The NDM will maintain the documentation of the internal scoping process. This documentation may be physically located with the NEPA contractor. At a minimum, this documentation includes the materials provided to the project team members and to the EA writing team members.

## 6.0 TRAINING.

Training for this procedure should include required reading and understanding of this procedure, as well as additional NEPA training or experience with the NEPA process. All training should be

documented and records maintained by the appropriate Training Coordinator.

## **QUALITY ASSURANCE PLAN (QAP) FOR THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) PROCESS**

### **1.0 PURPOSE.**

This QAP will provide additional confidence that the Department of Energy (DOE) proposed actions executed by the Oak Ridge Operations Office (ORO) are completed in accordance with DOE's policy to follow the letter and spirit of NEPA. The QAP will address the Council on Environmental Quality (CEQ) Regulations and ensure the NEPA review process is applied early in the planning stages for DOE proposals.

This QAP defines policy, responsibilities, and requirements, and provides guidance for using DOE NEPA Implementing Procedures (10 Code of Federal Regulations [CFR] 1021). Appendix A is the ORO document hierarchy for the review of NEPA documentation at ORO. Appendix B provides a matrix of ORO responsibilities. Appendix C provides a template for a contractor QAP.

### **2.0 APPLICABILITY.**

The scope of this plan encompasses the preparation, review, approval, and issuance of NEPA documentation at ORO including:

- Categorical Exclusion (CX)
- Environmental Assessment (EA)
- Finding of No Significant Impact (FONSI)
- Notice of Intent (NOI)
- Environmental Impact Statement (EIS)
- Record Of Decision (ROD)
- Any other document prepared pursuant to NEPA or the CEQ Regulations

### **3.0 ORGANIZATION ROLES AND RESPONSIBILITIES.**

Organizational roles and responsibilities for compliance with NEPA, in accordance with the requirements of DOE O 451.1B, Change 1, are provided in paragraph 5. Organizational roles and responsibilities are further defined in the *DOE Secretarial Policy Statement on the National Environmental Policy Act*, June 1994. A matrix of organizational roles and responsibilities as defined by DOE O 451.1B, Change 1, is provided in Appendix B.

Organizational roles and responsibilities for the implementation of quality assurance criteria, in accordance with the requirements of DOE O 414.1A Change 1, are provided in paragraph 4 of ORO O 410, Chapter III, Change 3 and Attachment 1, "Quality Assurance Program Description (QAPD).

### **4.0 APPROVAL OF CONTRACTOR'S QUALITY ASSURANCE PLAN.**

At the discretion of the cognizant Contracting Officer's Representative (COR) or Project Manager, contractors may be required to develop QAPs that comply with NEPA and Quality Assurance (QA) references provided in Section 7.0. If a contractor NEPA QAP is required, the NEPA Document

Manager (NDM), COR, or Project Manager shall review and approve the contractor's QAP to ensure that the contractor's plan adequately complies with these requirements.

Project specific QAPs are required for all EISs. A template for a QAP is provided in Appendix C.

## 5.0 PREPARATIONS AND REVIEW OF NEPA DOCUMENTATION.

5.1 Establishing the Level of NEPA Review. The method for determining the level of NEPA review required when the NEPA process begins shall be in accordance with the requirements of DOE O 451.1B, Change 1, and is provided in ORO O 450, Chapter II, Attachment 2, *ORO NEPA Procedure 1, Establishing the Level of NEPA Review and Documentation.*

5.2 Categorical Exclusion Process. The process for preparation, review, approval, and issuance of CXs shall be in accordance with the requirements of DOE O 451.1B, Change 1 and is provided in ORO O 450, Chapter II, Attachment 3, *ORO NEPA Procedure 2, and Categorical Exclusion (CX) Process.*

5.3 Environmental Assessment/Finding of No Significant Impact Process. The process for preparation, review, approval, and issuance of EAs and FONSI's shall be in accordance with the requirements of DOE O 451.1B, Change 1, and is provided in ORO O 450, Chapter II, Attachment 4, *ORO NEPA Procedure 3, Environmental Assessment (EA) Process.*

EAs do not always result in FONSI's, and may lead to the determination that preparation of an EIS is necessary, as addressed in Section 5.4.

5.4 Environmental Impact Statement/EIS Implementation Plan/EIS Record of Decision Process. The process for preparation, review, approval, and issuance of EISs and associated documents shall be in accordance with the requirements of DOE O 451.1B, Change 1, and is provided in ORO O 450, Chapter II, Attachment 5, *ORO NEPA Procedure 4, Environmental Impact Statement (EIS) Process.*

## 6.0 ASSESSMENT OF ORO NEPA PROCESS.

6.1 Assessment Procedure. The procedure for assessing the contractor's NEPA process, including the preparation, review, approval, and issuance of NEPA documentation, shall be in accordance with the requirements of DOE O 451.1B, Change 1, and is provided in ORO O 450, Chapter II.

6.2 Additional Guidance. The "Office of NEPA Oversight Paper" (Reference L) provides additional guidance and recommendations that should materially aid those responsible for preparation and review of NEPA documents in focusing on significant environmental issues, adequately analyzing environmental impacts, and effectively presenting the analysis to decision makers and the public.

## 7.0 REFERENCES.

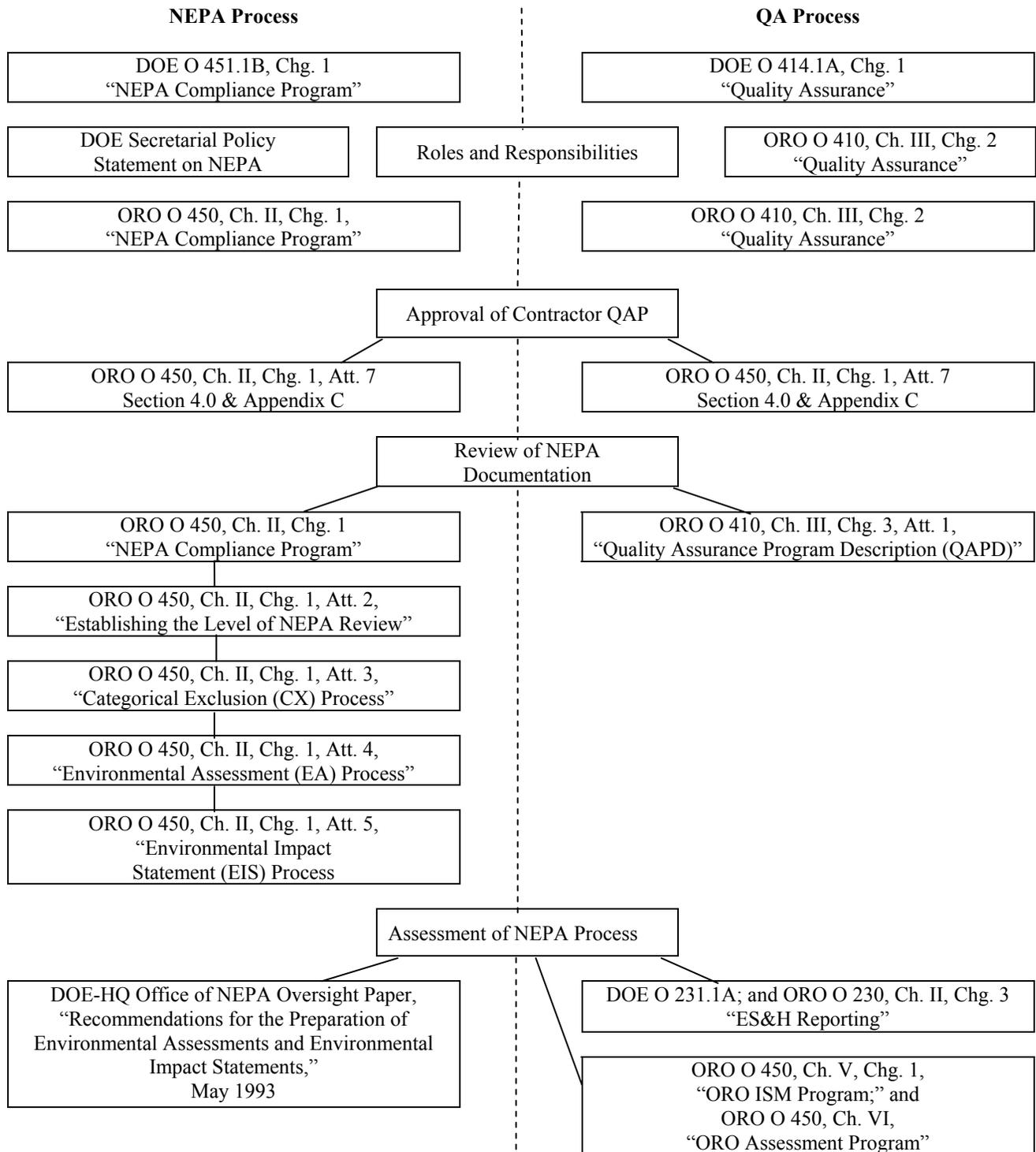
- a. National Environmental Policy Act of 1969 (42 U.S. Code 4321 et seq.)

- b. 40 Code of Federal Regulations (CFR) Parts 1500-1508, “Council on Environmental Quality Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act”.
- c. 10 CFR Part 1021, “NEPA Implementing Procedures”.
- d. DOE “Secretarial Policy Statement on the National Environmental Policy Act,” dated June 1994.
- e. DOE O 231.1A, ENVIRONMENT, SAFETY AND HEALTH REPORTING, dated August 19 2003.
- f. DOE O 414.1A, Change 1 QUALITY ASSURANCE, dated July 12, 2001.
- g. DOE O 451.1B, Change 1, NATIONAL ENVIRONMENTAL POLICY ACT COMPLIANCE PROGRAM,” dated September 28, 2001.
- h. ORO O 230, Chapter II, Change 3, ENVIRONMENT, SAFETY AND HEALTH REPORTING, dated October 3, 2001.
- i. ORO O 410, Chapter III, Change 2, QUALITY ASSURANCE, dated February 24, 2003.
- j. ORO O 450, Chapter V, Change 1, ORO INTEGRATED SAFETY MANAGEMENT PROGRAM, dated September 5, 2003.
- k. ORO O 450, Chapter VI, ORO ASSESSMENT PROGRAM, dated December 31, 2002.
- l. DOE-HQ, Office of NEPA Oversight (EH-25) Paper, “Recommendations for the Preparation of Environmental Assessments and Environmental Impact Statements,” dated May 1993.

## 8.0 ATTACHMENTS.

- a. Appendix A: ORO Document Hierarchy for the NEPA Process.
- b. Appendix B: Matrix of ORO Roles and Responsibilities as Defined in DOE O 451.1B, Change 1.
- c. Appendix C: Template for a Contractor NEPA Quality Assurance Plan.

**APPENDIX A  
ORO DOCUMENT HIERARCHY FOR THE NEPA PROCESS**



**APPENDIX B  
 ORO RESPONSIBILITIES**

**MATRIX OF ORO ROLES AND RESPONSIBILITIES AS DEFINED IN DOE ORDER 451.1B**

<b>DOE ORDER 451.1B</b>	<b>DOE ORDER AND ORIG PARAGRAPH NUMBERS*</b>															
	5.a (1)	5.a (2)	5.a (3)	5.a (4)	5.a (5)	5.a (6)	5.a (7)	5.a (8)	5.a (9)	5.a (10)	5.a (11)	5.a (12)	5.a (13)	5.a (14)	5.d	5.e
<b>ORO Manager</b>	•	•					•			•						
<b>CORs</b>				•	•	•										
<b>NCO</b>			•					•	•	•	•	•	•	•	•	
<b>NDM</b>			•						•		•	•	•			•
<b>Director, P&amp;CD</b>				•												
<b>Director, P&amp;BD</b>					•											
<b>Office of Chief Council</b>									•		•	•	•	•		

\*See Page 2-2 – 2-5 for paragraph description key

**LEGEND:**

- ORO – Oak Ridge Operations
- COR – Contracting Officer’s Representative
- NCO – NEPA Compliance Officer
- NDM – NEPA Document Manager
- P&CD – Procurement & Contracts Division
- P&BD – Planning & Budget Division

Paragraph  
No.

**DESCRIPTION**

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- 5.a. Field Officers are persons responsible for managing a DOE Field Office or similar field organization, who report directly to a Secretarial Officer. For the purpose of DOE O 451.1B, Change 1, the Manager, Oak Ridge Operations Office, is the Field Officer. Each Field Officer shall, for matters under his authority:
- 5.a.(1) Establish a NEPA compliance program and use the NEPA process early in project and program planning to consider environmental factors along with other relevant information.
- 5.a.(2) Maintain a DOE NEPA Compliance Officer for the office.
- 5.a.(3) Ensure that internal scoping procedures, a quality assurance plan and a public participation plan are prepared for the office.
- 5.a.(4) Include in new contracts and grants a provision that the awardee may not undertake on DOE's behalf an action that is subject to NEPA until DOE has notified the awardee that DOE has satisfied applicable NEPA requirements.
- 5.a.(5) Incorporate NEPA milestones in project planning documents.
- 5.a.(6) Incorporate NEPA compliance status information in internal budget review documents.
- 5.a.(7) Submit an annual NEPA planning summary to the Assistant Secretary for Environment, Safety and Health by January 31 of each year and make it available to the public.
- 5.a.(8) Determine that an environmental assessment or an environmental impact statement is appropriate or required.
- 5.a.(9) After an environmental assessment determination, prepare and issue an environmental assessment. Responsibilities for approving and adopting environmental assessments and issuing findings of no significant impact may not be delegated except as provided in DOE O 451.1B, Change 1. In addition to meeting requirements established in the Regulations, responsibilities include:
- (a) When another agency is involved in preparation, determining whether DOE shall be a lead or cooperating agency.
  - (b) Obtaining concurrence of ORO counsel in the legal adequacy of an environmental assessment before it is approved and in any finding of no significant impact before it is issued.
  - (c) Determining, based on an environmental assessment, that the impacts of a proposed action are significant and that an environmental impact statement is required, or issuing a finding of no significant impact when appropriate.
  - (d) Adopting another agency's environmental assessment.

Paragraph  
No.

**DESCRIPTION**

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- (e) When a commitment to mitigation is essential to render the impacts of a proposed action not significant, preparing a mitigation action plan for any such commitment before issuing the finding of no significant impact.
  - (f) Tracking and annually reporting progress made in implementing, and the effectiveness of, any commitment for environmental impact mitigation that is essential to render the impacts of a proposed action not significant.
- 5.a.(10) Request from the Assistant Secretary for Environment, Safety and Health delegation of approval or adoption authority for a specific environmental impact statement when appropriate to expedite the review and approval process.
- 5.a.(11) When required by the Regulations, prepare a supplement analysis and with the concurrence of ORO counsel, determine whether a supplemental or a new environmental impact statement is required for a proposed action, or whether no further documentation is required.
- 5.a.(12) Determine that a proposed action that may be interim action is clearly allowable under the Regulations. For a proposed action that may be an interim action not clearly allowable under the Regulations, provide the Assistant Secretary for Environment, Safety and Health with a recommendation whether the proposed action may proceed.
- 5.a.(13) Incorporate NEPA values, such as analysis of cumulative, off-site, ecological, and socioeconomic impacts, to the extent practicable, in DOE documents prepared under the Comprehensive Environmental Response, Compensation, and Liability Act.
- 5.a.(14) When appropriate, request from the Assistant Secretary for Environment, Safety and Health a variance from the DOE NEPA Regulations or from DOE O 451.1B.
- 5.d The NEPA Compliance Officer (NCO) shall, for matters under the authority of his/her program office or field organization:
- 5.d.(1) Develop program office or field organization NEPA procedures and information management requirements, and document the office's organization's compliance with those procedures and requirements.
  - 5.d.(2) For actions specifically listed in Appendix A or B to Subpart D of the DOE Regulations, make categorical exclusion determinations and approve and issue any required associated floodplain and wetland documents. These responsibilities may not be delegated except as provided in DOE O 451.1B, Change 1. Categorical exclusion determinations need not be documented.
  - 5.d.(3) Report to the Office of NEPA Policy and Compliance on lessons learned after completing each environmental impact statement and environmental assessment.
  - 5.d.(4) Coordinate NEPA compliance strategies for matters within the office's purview.

- 5.d.(5) Advise on NEPA-related matters, including the provisions of the Regulations, the DOE NEPA Compliance Guide, DOE O 451.1B, Change 1, and any other related requirements and guidance.
- 5.d.(6) Recommend to the Head of the Office served (i.e., Secretarial Officer, Field Officer) whether an environmental assessment or environmental impact statement is appropriate or required.
- 5.d.(7) Assist with the NEPA process and document preparation.
- 5.d.(8) Advise on the adequacy of NEPA documents and other related documents.
- 5.d.(9) Participate in periodic NEPA meetings and workshops conducted by the Office of NEPA Policy and Compliance; provide NEPA training and disseminate NEPA guidance materials and related information.
- 5.d.(10) Notify the Office of NEPA Policy and Compliance promptly – generally, within two weeks of:
  - (a) The designation of a NEPA Document Manager.
  - (b) A determination to prepare an environmental assessment.
  - (c) A transmittal of an environmental assessment to States, Tribes and, and when applicable, members of the public, other Federal agencies, and local governments for pre-approval review.
  - (d) A determination to prepare a environmental impact statement.
- 5.d.(11) Provide the Office of NEPA Policy and Compliance promptly – generally, within 2 weeks of their availability – five copies and one electronic file of:
  - (a) An approved environmental assessment and finding of no significant impact.
  - (b) A proposed finding of no significant impact required under the Council on Environmental Quality Regulations.
  - (c) [Removed and reserved].
  - (d) An approved draft or final environmental impact statement.
  - (e) A record of decision for an environmental impact statement.
  - (f) A mitigation action plan and corresponding annual mitigation report. The mitigation report may be submitted on the anniversary of a mitigation action plan or in a combined report (for example, as part of the annual NEPA planning summary) for multiple plans until mitigation is completed.
  - (g) An environmental impact statement supplement analysis and any determination based

on it.

- 5.e NEPA Document Manager shall, for the environmental impact statement or environmental assessment being prepared:
- 5.e.(1) Establish a team, representing all necessary DOE Elements to plan, assist in preparing, and concurrently review documents.
  - 5.e.(2) Conduct an early internal scoping process.
  - 5.e.(3) Maintain tracking systems to monitor costs of and adherence to the schedule for the NEPA process.
  - 5.e.(4) Manage the document preparation process, including reviewing internal drafts for technical adequacy, controlling cost, and maintaining schedule.
  - 5.e.(5) Encourage and facilitate public participation through the NEPA process.
  - 5.e.(6) [Removed and reserved].
  - 5.e.(7) Evaluate, upon completion of the environmental impact statement or environmental assessment, any support contractor's performance for timeliness, quality, cost effectiveness, responsiveness, and application of requirements and guidance.
  - 5.e.(8) Report to the Office of NEPA Policy and Compliance on lessons learned after completing the environmental impact statement or environmental assessment.

**APPENDIX C**  
**TEMPLATE FOR A CONTRACTOR NEPA QUALITY ASSURANCE PLAN**  
**NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)**  
**QUALITY ASSURANCE PLAN (QAP)**

1.0 BACKGROUND.

**NOTE:** This section discusses the requirements and applicability of NEPA. The following is an example of text that could be included in this section.

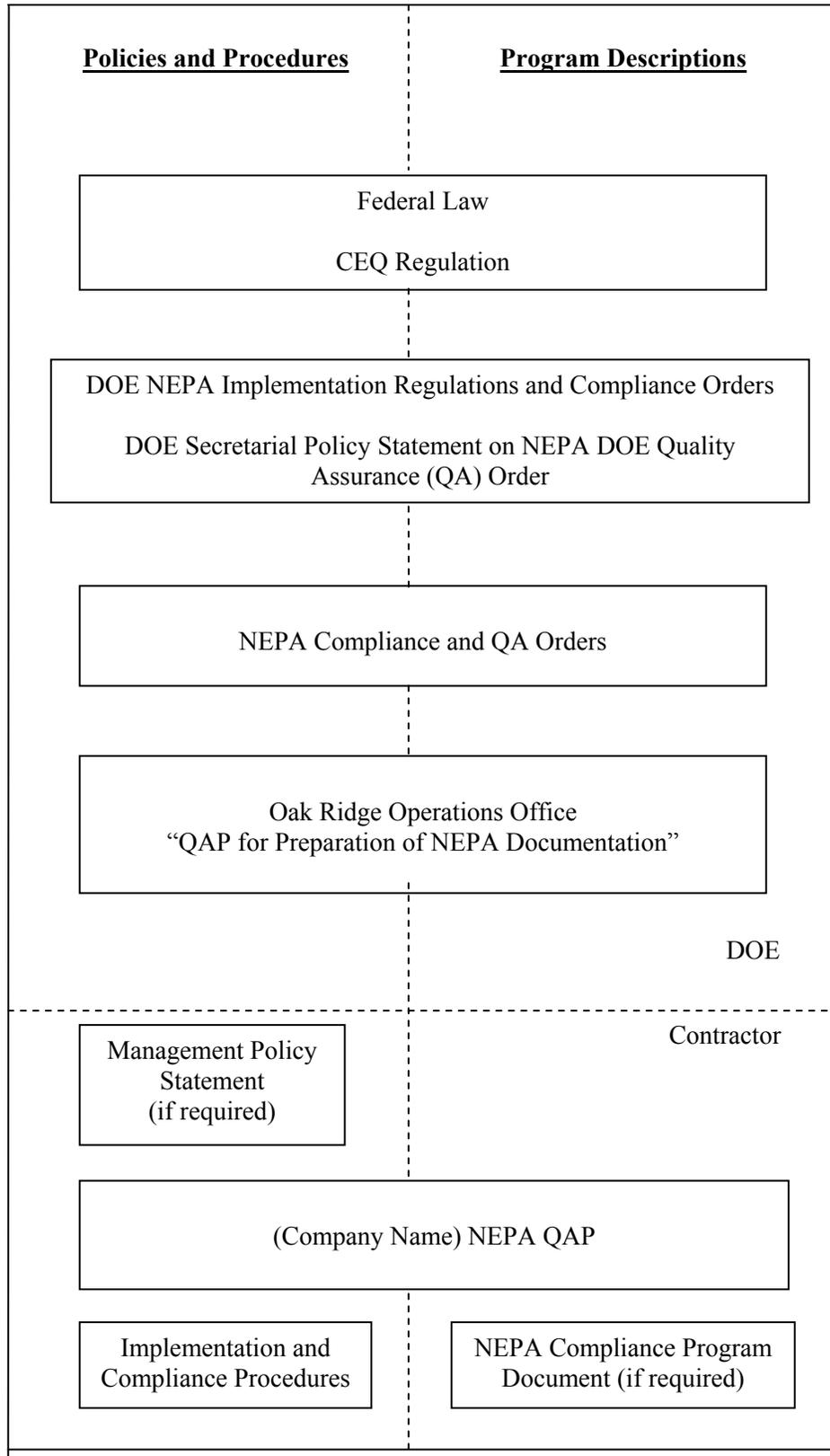
Compliance with NEPA is required for all proposed Department of Energy (DOE) activities affecting the quality of the environment of the United States and its territories or possessions. NEPA requires the analysis and consideration of environmental impacts in Federal government decision-making. All DOE actions performed by the Oak Ridge Operations (ORO) Office must be reviewed and evaluated for potential environmental impact. Preparation and review of NEPA documents can take several months. It is essential to consider NEPA requirements early in the planning process because (1) DOE regulations require it, (2) it makes for better planning and decision-making, and (3) it avoids potential delays and costs to the project. DOE must comply with the NEPA requirements before significant resources are committed to the proposed action.

ORO implementation of this DOE requirement is documented in the operating procedure (**NOTE:** List all ORO contractor operating and administrative NEPA procedures here) and individual internal procedures within the affected organizations. Implementation of a QAP will assure continued compliance with NEPA by requiring the evaluation of all controls and documents used in the program.

2.0 DRIVERS.

Some DOE Directives and memoranda outline authorities and responsibilities within DOE, as well as requirements for document preparation. These requirements are illustrated in Figure C-1.

The following documents are used to develop and implement the NEPA Compliance Program. NEPA documents will utilize the applicable requirements of these documents. If additional requirements are added, this QAP will be revised to reflect the most current requirements.



**Figure C-1. NEPA Document Hierarchy**

DOE NEPA program drivers include the following:

- “National Environmental Policy Act of 1969,” 42 U.S. Code 4321 et seq.
- 40 CFR Parts 1500-1508, “Council on Environmental Quality Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act.”
- 10 CFR Part 1021, “NEPA Implementing Procedures.”
- 10 CFR Part 1022, “Compliance with Floodplain/Wetlands Environmental Review Requirements.”
- DOE “Secretarial Policy Statement On The National Environmental Policy Act,” dated June 1994.
- DOE-HQ, “Recommendations for the Preparation of Environmental Assessments and Environmental Impact Statements,” dated May 1993.
- DOE O 451.1B, Change 1, NATIONAL ENVIRONMENTAL POLICY ACT COMPLIANCE PROGRAM, dated September 28, 2001.
- DOE O 414.1A, Change 1, QUALITY ASSURANCE, dated July 12, 2001.
- ORO O 450, Chapter II, NATIONAL ENVIRONMENTAL POLICY ACT COMPLIANCE PROGRAM, dated December 15, 2003.
- ORO O 410, Chapter III, Change 3, QUALITY ASSURANCE, dated February 24, 2003.

### 3.0 GENERAL.

(NOTE: This section provides an overview of managerial and organizational responsibilities and commitments. An organizational chart can be used to highlight organizations with responsibility for NEPA compliance. Listed below is an example of how this section could be structured.)

The contractor QAP for the review of NEPA documentation is written to show how the contractor’s NEPA Compliance Program satisfies the applicable requirements of DOE Order 414.1A, Change 1.

To clearly demonstrate this relationship, the contractor QAP is arranged to match the format of DOE O 414.1A, Change 1, Attachment 1, *Contractor Requirements Document*.

The contractor’s implementation of its QAP at ORO will successfully accomplish the objective of providing and maintaining a prevention-oriented program. A proactive approach to NEPA compliance activities will ensure deliverables meet requirements and satisfy DOE’s expectations, now and in the future.

#### 4.0 QUALITY ASSURANCE CRITERIA (QAC).

The QAC include subsections describing the applicable QAC in the areas of management, performance, and assessment as identified in DOE O 414.1A, Change 1. Descriptions of the content of each subsection listed below are included in the DOE O 414.1A, Change 1, Section 4b, "Quality Assurance Criteria".

- 4.1 Program: Describe in detail all contractor organizations with responsibilities and authority for NEPA compliance.
- 4.2 Personnel Training and Qualification: Describe NEPA training for responsible individuals (Program Coordinators) as well as for document preparers.
- 4.3 Quality Improvement: Describe or refer to quality control measures used during document preparation and review.
- 4.4 Documents and Records: Include a discussion of the system used for tracking NEPA documentation.
- 4.5 Work Process: Describe processes for performing work to support NEPA analyses.
- 4.6 Design: These criteria may not be applicable based on the contractor's NEPA implementation. Refer to DOE O 414.1A, Change 1, for detailed description.
- 4.7 Procurement: Establish procurement requirements for items and services performed by contractors.
- 4.8 Inspection and Acceptance Testing: These criteria may not be applicable based on the contractor's NEPA implementation. Refer to DOE O 414.1A, Change 1, for detailed description.
- 4.9 Management Assessment: Include a discussion of internal assessments performed by individuals and organizations responsible for program compliance.
- 4.10 Independent Assessments: Include a discussion of assessments performed by individuals and organizations (internal or external) who are not responsible for program compliance.

## **ORO NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) PROCEDURE 7, PUBLIC PARTICIPATION UNDER THE NEPA**

### 1.0 PURPOSE.

To present the requirements and recommendations for public participation for actions that are subject to NEPA. Oak Ridge Operations (ORO) intends to meet the spirit of NEPA as embodied in the requirements of the Secretarial Policy Statements, Council of Environmental Quality (CEQ), and Department of Energy (DOE) Implementing Regulations as well as DOE Directives on NEPA and public participation.

### 2.0 APPLICABILITY.

This procedure is applicable to ORO personnel who manage or are involved in NEPA actions under the purview of ORO.

### 3.0 RESPONSIBILITIES.

3.1 NEPA Compliance Officer (NCO) interfaces with the NEPA Document Managers (NDM), provides direction in identifying the public participation requirements for NEPA actions, provides advice in developing and implementing effective strategy for public participation for NEPA actions, and determines the level of public participation.

3.2 NEPA Document Managers are responsible for conducting the applicable public participation requirements for the proposed action and for ensuring that the public participation requirements are properly implemented and documented. The NDM also communicates with and interfaces with the NCO to ensure that public participation is properly and effectively implemented.

### 4.0 PROCEDURE.

4.1 The document *Effective Public Participation under the National Environmental Policy Act*, 2<sup>nd</sup> Edition, dated August 19, 1998, <http://tis.eh.doe.gov/nepa/tools/guidance/pubpart2.html>, presents the requirements and recommendations for effective public participation for categorical exclusions (CXs), environmental assessments (EAs), environmental impact statements (EISs), EIS supplement analysis, and supplemental EISs, as well as recommendations on general public participation activities.

4.2 Based on the results of the level of the NEPA review established under Attachment 1, *Establishing the Level of NEPA Review*, the NDM will review *Effective Public Participation under the National Environmental Policy Act* for the requirements and recommendations for the proposed action.

4.2.1 Categorical Exclusions. Public participation is not required for CXs.

4.2.2 Environmental Assessments. The NEPA requirements for affording public participation in the EA process are dependent on the scope of the proposed action. However, to meet the spirit of NEPA as embodied in the requirements of the Secretarial Policy Statements, CEQ, and DOE Implementing Regulations as well as DOE Directives on NEPA and public participation, the ORO requirements and options for inviting public participation are presented below. Because of the degree of public interest and participation in EAs for specific projects will vary greatly, consultation between the NCO and the NDM is crucial. Additional options are discussed in the document *Effective Public Participation under the National Environmental Policy Act*.

4.2.2.1 The objectives of inviting public participation are:

- To stimulate an early response to the draft EA from the public and potentially affected stakeholders.
- To determine stakeholder acceptance of the range of alternatives in the draft EA and its components.
- To avoid late discovery of controversy arising from lack of stakeholder acceptance.
- To identify stakeholders who choose to be involved during the planning process, and ensure that the draft EA considers all comments.

4.2.2.2 In addition to the requirements presented in Section 8 of *Effective Public Participation under the National Environmental Policy Act*, the NDM shall observe the following requirements for affording public involvement in administration of the Draft:

- Notify public of the intent to prepare an EA along with Public Education Information Session before the release of the Draft EA or EIS.
- Hold a sufficient number of public meetings during the comment period.
- Release draft documents for review and comment (concurrent with state/tribal review).
- Make available copies of Draft EA, Final EA/Findings of No Significant Impacts (FONSIs), usually in DOE Public Reading Rooms.
- Issue FONSI for a 30-day comment period if the following criteria are met: (1) the proposed action is, or is closely similar to, one which normally requires the preparation of an EIS; (2) the nature of

- the proposed action is one without precedent, or (3) if otherwise beneficial.
- Provide ~~of~~ fact sheet or other materials for the public meeting.

4.2.2.3 The NDM should promote community understanding through the use of:

- Public meetings.
- Comment period. Extend comment period for the draft EA, if requested.
- Internet websites. Use Internet websites as a way to provide public access to the EA.
- Copies of NEPA documents. Provide copies of NEPA documents to the DOE Headquarters Assistant Manager for Environmental Safety and Health.

4.2.2.4 Techniques for accomplishing the requirements and the recommendations for affording public involvement include the following:

- Media Relations. Communicate information through newspapers and other media outlets in the local area. This may be accomplished by providing press releases or arranging interviews with the EA project team members through the ORO Public Affairs Office.
- Speakers Bureau. EA/EIS project team members may give presentations before professional, civic, and other interested organizations. The NDM and NCO should approve the content of the presentations.
- Public Workshops. If there are indications of sufficient public interest, schedule evening and/or Saturday sessions.
- Tours. If applicable, develop a tour and supporting written material. Advertise the tour in media outlets.
- Video and Fact Sheet. Develop a project specific video and fact sheet and make them available to interested parties.
- Site Environmental Reports. EAs should be described in the Annual Site Environmental Report.
- Employee Communications. Articles may be prepared for inclusion in DOE and contractor employee publications, and EA

presentations may be given to employees.

- Property Owners Communications. Affected property owners should be kept informed of the project status. This may be accomplished by letters from the NDM or by any of the other means discussed above.

4.2.3 Environmental Impact Statements. The requirements and recommendations for EIS public scoping process, draft EIS, and final EIS are presented in Sections 4, 5, and 6 of *Effective Public Participation under the National Environmental Policy Act*. The NDM will prepare a project specific public participation plan which will consider the following:

- The amount of time reserved for legislators and representatives of organizations.
- The length of time each individual will be allowed to speak. This is critical. In order to ensure fairness to all, scheduled speaking times must be set and enforced. Representatives for a group are sometimes allowed to speak for longer time intervals than individuals.
- The types of presentations that will be allowed (e.g., skits, songs, or other dramatic presentations).
- The use of court reporters and facilitators.
- Method for presenting and preserving comments for the record.
- Allowances for media and media equipment.
- Having a question and answer period. These may be difficult to manage. DOE personnel must be knowledgeable both about the project and DOE Policy in relation to the project. Answers must be consistent.
- Meeting room logistics (i.e., arrangement and staffing).

4.2.4 Supplement Analysis and Supplemental EIS. The requirements and recommendations for the supplement analysis and supplemental EIS public involvement activities are presented in Section 7 of *Effective Public Participation under the National Environmental Policy Act*.

## 5.0 RECORDS.

ORO NDMs will maintain official records of public participation activities. This documentation may be physically located with the NEPA contractor. As a minimum, the records should include the following items, if they were generated: press releases, fact sheets, meeting and tour attendance sheets, videos, workshop presentation information, and property owners communications.

## 6.0 TRAINING.

Training for this procedure should include required reading and understanding of this procedure, as well as, additional NEPA training or experience with the NEPA process. All training should be documented and records maintained by the appropriate Training Coordinator.

## **ORO NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) PROCEDURE 8, USE OF DOE-WIDE NEPA CONTRACTS**

### **1.0 PURPOSE.**

To establish procedures for obtaining NEPA contractor support for the Department of Energy (DOE) Oak Ridge Operations (ORO) Office through the DOE-Wide NEPA Support Services Contracts. Services include the preparation and review of Environmental Impact Statements (EISs), Environmental Assessments (EAs), and other environmental tasks.

Information on DOE NEPA contracting can be found at  
<http://tis.eh.doe.gov/nepa/guidance.html#contract>.

For additional information on the DOE-Wide NEPA Contracts, contact David Gallegos, National Nuclear Security Administration, Albuquerque Operations Office, at [dgallegos@doeal.gov](mailto:dgallegos@doeal.gov) or (505) 845-5849.

### **2.0 APPLICABILITY.**

This procedure is applicable to ORO personnel responsible for the procurement and management of NEPA contractor support services for ORO.

### **3.0 RESPONSIBILITIES.**

#### **3.1 Contracting Officer (CO).**

The Ordering Contracting Office/CO responsibility reside with the Albuquerque Operations Office. The ORO CO/Contract Office is only responsible for the administration and oversight of Project Task Orders, not for the contract.

- 3.1.1 Oversees the development of the DOE-Wide NEPA Task Order Statement of Work (SOW).
- 3.1.2 Develops and issues the Request for Task Proposal (RFTP) to selected DOE-Wide NEPA contractor(s).
- 3.1.3 Oversees the evaluation of contractor Task Order proposals and the selection of the successful offeror.
- 3.1.4 Issues Task Order to successful offeror.
- 3.1.5 Administers Task Order through completion.
- 3.1.6 Issues any required modifications to the Task Order.
- 3.1.7 Approves invoices for the Task Order.

- 3.1.8 Conducts debriefings, along with members of the Evaluation Team, with unsuccessful offerors, if requested.
- 3.1.9 Provides input for the contractor's performance appraisal for the task.
- 3.2 Contracting Officer's Representative (COR).
  - 3.2.1 Develops DOE-Wide NEPA Task Order SOW with NEPA Document Manager (NDM), NEPA Compliance Officer (NCO), and other NEPA Project Team members.
  - 3.2.2 Participates in the evaluation of contractor Task Order proposals and the selection of the successful offeror.
  - 3.2.3 Ensures contractor compliance with the Task Order SOW through completion.
  - 3.2.4 Provides technical direction to the NEPA contractor within the framework of the Task Order SOW.
  - 3.2.5 Reviews invoices and provides approval/disapproval to the ORO CO.
  - 3.2.6 Participates in debriefings to unsuccessful offerors, if requested.
  - 3.2.7 Provides input for the contractor's performance appraisal for the task.
- 3.3 NEPA Compliance Officer.
  - 3.3.1 Participates in and develops DOE-Wide NEPA Task Order SOW with COR, NDM, and other NEPA Project Team members.
  - 3.3.2 Participates in the evaluation of contractor Task Order proposals and the selection of the successful offeror.
  - 3.3.3 Provides final concurrence on award of NEPA Task Order.
  - 3.3.4 Participates in debriefings to unsuccessful offerors, if requested.
  - 3.3.5 Provides input for the contractor's performance appraisal for the task.
- 3.4 NEPA Document Manager. The NDM should be a program employee unless there is a compelling reason to do otherwise.
  - 3.4.1 Develops DOE-Wide NEPA Task Order SOW with input from COR, NCO, and other NEPA Project Team members.
  - 3.4.2 Coordinates the evaluation of contractor Task Order proposals and the selection of the successful offeror.

- 3.4.3 Ensures contractor compliance with the Task Order SOW through completion.
- 3.4.5 Participates in the evaluation of contractor Task Order proposals and the selection of the successful offeror.
- 3.4.6 Participates in debriefings to unsuccessful offerors, if requested.
- 3.4.7 Provides input for the contractor's performance appraisal for the task.
- 3.4.8 Ensures overall NEPA document quality.
- 3.4.9 Assembles NEPA Project Team.

3.5 DOE-Wide NEPA Contractor.

- 3.5.1 Prepares Task Order proposal in response to RFTP.
- 3.5.2 Completes Task Order SOW, if selected.

4.0 PROCEDURE.

4.1 Assemble the NEPA Project Team. The NEPA Project Team is assembled by the NDM. Size and complexity will vary as a function of the complexity of the NEPA project. In addition to the primary participants, on a very large and complex project members of the Project Team could include:

- ORO Counsel (Office of Chief Counsel [OCC])
- ORO Community/Public Relations Specialist
- Other ORO Environmental or Technical Specialists
- ORO NCO

Depending on the degree of complexity, the degree of public concern, or the level of technical controversy regarding an action, DOE/ORO may decide to include the Headquarters (HQ) representatives from program or project offices, DOE-HQ Office of Environment, Safety, and Health and Office of General Counsel, on the NEPA Project Team.

4.2 Develop DOE-Wide NEPA Task Order SOW. The SOW should be developed by the NEPA Project Team to ensure compliance with DOE and ORO NEPA implementing requirements, establish required schedule commitments, and to provide guidelines for the technical accuracy and quality of the NEPA document. The SOW should also be consistent with the results of any internal scoping completed.

Development of the SOW is initiated after the NEPA Project Team has been selected. SOW development may occur in one or more meetings, depending on the action, or through an exchange of memoranda.

The SOW should include:

- The objective of the action requiring NEPA analysis, including any required completion dates for the action.
  - The scope of the NEPA analysis, including the type of analysis (EIS, EA, other environmental study), the alternatives, and the decisions to be supported by the NEPA analysis.
  - The schedule for the NEPA analysis, including the major deliverables and activities such as Public Scoping and Public Meetings.
  - Any additional requirements, such as special security requirements.
  - The Deliverables required, including content, quantity, and format.
  - Any other relevant information, such as additional program or project information, the results of internal scoping, Notices of Intent (draft or published), any government-furnished property to be provided, any travel required, or any legal agreements or documents associated with the action.
  - Applicable documents.
- 4.3 Prepare RFTP. Once the SOW is complete, it is the responsibility of the CO with input from the COR, NDM, and NCO, to prepare the RFTP. Appendix A contains the DOE-Wide NEPA Request for Task Proposal/Task Order form, which is available electronically at <http://tis.eh.doe.gov/nepa/guidance.html#contract>.

The NDM should first determine the Selection Factors (evaluation criteria) and their Relative Importance. Typically, the Selection Factors will be some combination of personnel, past performance, schedule, cost, and technical and management approach. Once the factors are selected, relative points should be assigned for each based on each factor's importance to the success of the task. The total points assigned should be equal to 100.

Because all DOE-Wide NEPA contractors have been pre-qualified by DOE through a rigorous selection process, it is not necessary to evaluate their capabilities beyond the scope of the task at hand. Nor is it necessary to reevaluate any cost build-up or details other than how each contractor applies their contractual billing rates to the task. Focus on the selection factors.

Individual proposal sections (excluding cost) should be page-limited to focus attention on the most critical factors and assist ORO in the selection process. For example, an EA proposal may be limited to 10 pages overall, whereas an EIS proposal may require 2 page resumes for each of five key personnel, 5 pages of relevant past performance information, and 10 pages of technical and management approach.

Most of the other information required to complete the RFTP should be taken directly from the SOW, or may simply reference the SOW, where appropriate. The specific unique information that should be included in the SOW is:

- Block 1, the Task Order Number.
- Block 12, Due Date for the contractor Task Order Proposal, typically 5 working days depending on complexity.
- Block 13, Selection Factors and Relative Importance.
- Block 14, Pricing, Fixed Price, Cost Reimbursable (fixed or incentive fee), or Task Order Specific Ceiling Rates.
- Block 15, the ORO CO, COR, and NDM and their contact information.
- Block 16, any Small Business Subcontracting Goals for the Task Order.
- Block 17, Task Order Billing Instructions.

- 4.4 Issue RFTP. Once the RFTP is prepared, it is the responsibility of the ORO CO with input from the COR, NDM, and NCO, to issue it to the contractor or contractors selected to provide proposals.

The ORO awards a Task Order to an individual contractor based entirely on the performance of previous task orders, as indicated in Block 13 of the RFTP/Task Order form. This award is not a sole source award, but a competitive procurement under the DOE-Wide NEPA contracts. In order to issue tasks on this basis, where not all contractors have performed a comparable task, the ORO CO may consider the quality of the contractor's technical proposal leading to the award of the contract, taking into account the portion of the proposal most comparable to the prospective task. After such an evaluation, the ORO CO with concurrence from the NCO will award the contractor most likely to perform the task at the highest quality at the best value. If the issuance of a task will be based solely on the performance of previous task, a request for task proposal will not be issued. In the interest of cost savings for DOE and their contractors, it is recommended that this approach be utilized if it is determined by ORO that one contractor is uniquely qualified to support a task.

DOE-Wide NEPA contractor Points of Contact are:

AGEISS Environmental, Inc.  
Program Manager: Jeffery Lawrence  
[jeffl@ageiss.com](mailto:jeffl@ageiss.com), (303) 674-7819

Battelle Memorial Institute  
Program Manager: Lucinda Low Swartz  
[swartzl@battelle.org](mailto:swartzl@battelle.org), (301) 933-4668

Jason Associates Corporation  
Program Manager: Ernie Harr  
[eharr@jason.com](mailto:eharr@jason.com), (301) 432-4414

Potomac-Hudson Engineering, Inc.  
Program Manager: David McGaw  
[dave@phe.com](mailto:dave@phe.com), (301) 907-9078

Science Applications International Corporation  
Program Manager: Patricia Wherley  
[wherleyp@saic.com](mailto:wherleyp@saic.com), (301) 353-8346

Tetra Tech, Inc.  
Program Manager: Thomas Magette  
[Thomas.Magette@tetrattech.com](mailto:Thomas.Magette@tetrattech.com), (703) 931-9301

- 4.5 Pre-Bid Meeting. Depending on the complexity of the task the NDM should hold a pre-bid meeting to further explain the scope and answer any questions about the SOW before the DOE-Wide NEPA contractor submits proposals.
- 4.6 Evaluate Proposals and Select Contractor. After receipt of the Task Order Proposal(s), and a preliminary review of proposals has been performed by the ORO CO to ensure the proposals are in accordance with the requirements of the request for task proposal, an evaluation committee should be selected from the NEPA Project Team to evaluate and score the proposals against the Selection Factors. The committee should include the NDM, COR, and NCO. In addition to these participants, other members could include:
- ORO Counsel (OCC)
  - ORO Community/Public Relations Specialist
  - Other Environmental or Technical Specialists from ORO

Depending on the degree of complexity, the degree of public concern, or the level of technical controversy regarding an action, ORO may decide to include the HQ representatives from program or project offices on the evaluation committee.

After the ORO CO has received the committee's consensus evaluation, the Task Order will be awarded to the contractor whose proposal received the highest score. To issue the Task Order, the ORO CO only needs to sign and issue the RFTP/Task Order form provided by the selected contractor with their proposal, if properly completed by the contractor. Only at that time can the contractor perform the task. A task order can be awarded within 2 to 4 weeks, depending on the complexity of the task.

- 4.7 Evaluate Contractor Performance. At the completion of the task, the NDM should evaluate the DOE-Wide NEPA Contractors performance using procedures and forms compatible with procurement evaluation requirements. Appendix B contains the DOE-Wide NEPA Contractor Performance Evaluation Form, which is available electronically at <http://tis.eh.doe.gov/nepa/Contracting/PerformanceEvaluationForm.doc>.

5.0 RECORDS.

The NDM will maintain the documentation of the SOW development process. The ORO CO will maintain the documentation of the procurement and selection process.

6.0 TRAINING.

Training for this procedure should include required reading and understanding of this procedure, as well as additional NEPA training or experience with the NEPA process. All training should be documented and records maintained by the appropriate Training Coordinator.

**APPENDIX A  
DOE-WIDE NEPA REQUEST FOR TASK PROPOSAL/TASK ORDER FORM**

**Request for Task Proposal/Task Order**

<b>1. Contractor(s)</b>			
		a. Contract No.	
		b. Task Order No.	
		c. Revision No.	
<p>This Request for Task Proposal/Task Order is issued pursuant to the Task Orders and Procedures for Issuing Task Orders Clauses of the contract. Technical Direction for this Task shall be in accordance with the Technical Direction Clause of the Contract.</p> <p>Issued by: _____ Date: _____</p>			
<b>2. Items Being Acquired</b>	<input type="checkbox"/> EA	<input type="checkbox"/> EIS	<input type="checkbox"/> Special Environmental Analysis/Section <input type="checkbox"/> Environmental Report
<b>3. Task to be Performed</b>			
Title: _____			
<b>4. Project/Program Description Information Available</b> (Examples of available task information)		<input type="checkbox"/> Attached (additions to the SOW)	
Background/Location of Work	Project or Program Description	Expected Complexity of Task	Extent of Available Documents and Other Information
Purpose and Need (if identified)	Preliminary Alternatives (if identified, or expectations)	Materials Involved, Hazards, Special Safety Considerations	Security Considerations, Site Access Requirements
		Special Services or Staffing which may be Required	
<b>5.</b>	Expected Date of Commencement of Work and Schedule for Performance	<input type="checkbox"/> Attached	
<b>6.</b>	Scoping Meetings, Public Meetings, Public Involvement Expected	<input type="checkbox"/> Attached	<input type="checkbox"/> None
<b>7.</b>	Expected Purpose, Duration and Location of Travel	<input type="checkbox"/> Attached	<input type="checkbox"/> None
<b>8.</b>	Government Furnished Facilities, Materials, Property and/or Equipment	<input type="checkbox"/> Attached	<input type="checkbox"/> None
<b>9.</b>	Deliverables and Reports Required and Delivery Schedule	<input type="checkbox"/> Attached	
<b>10. NEPA Process/Document Checklists Applicable – Most recent version is hereby incorporated by reference.</b>			
<b>11.</b>	Any Other Pertinent Task Information	<input type="checkbox"/> Attached	<input type="checkbox"/> None
<b>12. The following action is required by the contractor:</b>			
<input type="checkbox"/> Task Proposal Requested - the contractor shall submit a Task Proposal to the Ordering Contracting Officer by <u>(time and day)</u> . Further instructions from the Ordering Contracting Officer will follow after review of the Task Proposal.			
<input type="checkbox"/> Task Order - the contractor shall provide a Task plan within 10 (or other _____) calendar days. Further instructions from the Ordering Contracting Officer will be issued before proceeding with the Task Order described herein.			
<b>13. Selection Factors for Competitive Task Proposals (If Applicable)</b>			
<input type="checkbox"/>	Cost Price Only (does not require selection factors)	<input type="checkbox"/>	Cost Price and Other Factors
<input type="checkbox"/>	Past Performance Only (does not require selection factors)	<input type="checkbox"/>	Past Performance and Other Factors
		<input type="checkbox"/>	Other Criteria
		<input type="checkbox"/>	Selection Factors and Relative Importance
<b>14. Pricing</b>	<input type="checkbox"/> Fixed Price	<input type="checkbox"/> Cost Reimbursable	<input type="checkbox"/> Incentive Fee Applicable: <input type="checkbox"/> Yes <input type="checkbox"/> No

Task Order specific ceiling rates/hour attached

### Request for Task Proposal/Task Order

**15. Ordering Contracting Officer and Contracting Officer's Representative**

The Ordering Contracting Officer for this Task Order is: \_\_\_\_\_ The Ordering Contracting Officer Representative for this Task Order is: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

**Document Manager**

If not the Ordering Contracting Officer's Representative, the Document Manager for this Task Order is:

Telephone Number: \_\_\_\_\_

**16. Small Business Subcontracting Plan**

Type of Business	Percentage Goal	Dollar Goal
Small Business (Include SDB, WOSB, HUBZone SB)	_____ %	\$ _____
Large Business	_____ %	\$ _____
Small Disadvantaged Business (SDB)	_____ %	\$ _____
Woman Owned Small Business (WOSB)	_____ %	\$ _____
Hubzone Small Business (HUBZone SB)	_____ %	\$ _____
Total	_____ %	\$ _____

**17. Billing Instructions**

For this Task Order, billing will be in accordance with the payment terms of this contract, with invoices submitted to:

**18. Funds Allotment**

In accordance with the Funds Allotment Clause of the contract, the total amount allotted for this Task Order is \$ \_\_\_\_\_. Funds are allotted through the Ordering Contracting Officer's organization.

Allotment Symbol:	Approp. Symbol:	Obj. Class:	B&R Code:	B&R \$:
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

**19. Amendments/Changes**

After issuance, any necessary revisions to this Task Order to the estimated cost or level of effort shall be promptly submitted to the Ordering Contracting Officer in a revised Task Plan. Revised Task Plans submitted by the contractor are subject to review and approval by the Ordering Contracting Officer.

**20. Pricing**

Fixed Price     **OR**  
 Cost Reimbursement

Estimated/Target Cost \$ _____	Incentive Fee	Target Fee \$ _____
Fixed Fee \$ _____ (if applicable)		Minimum Fee \$ _____
Total Not to Exceed \$ _____		Maximum Fee \$ _____
Other Direct Cost \$ _____		

\_\_\_\_\_  
Name and Signature of Contracting Officer's Rep.     Date

\_\_\_\_\_  
Name and Signature of Contracting Officer     Date

\_\_\_\_\_  
Name and Signature of Contractor     Date

**APPENDIX B**  
**DOE-WIDE NEPA CONTRACTOR PERFORMANCE EVALUATION FORM**

DOE NEPA Contractor Performance Evaluation Form, 2/03, Page 1 of 4

**DOE NEPA Contractor Performance Evaluation**

**Source Selection Information; Not Subject to Release under Freedom of Information Act**

**1. CONTRACTOR/EVALUATION PERIOD**

CONTRACTOR NAME AND ADDRESS \_\_\_\_\_

PERIOD COVERED BY EVALUATION:

\_\_\_\_/\_\_\_\_ through \_\_\_\_/\_\_\_\_

**2. CONTRACT/TASK INFORMATION**

CONTRACT NUMBER \_\_\_\_\_ TASK NUMBER(S) \_\_\_\_\_

TYPE OF WORK PERFORMED (e.g., SCOPING, EA PREPARATION, EIS PREPARATION, ENVIRONMENTAL REPORT, OTHER ENVIRONMENTAL TASKS)

NEPA DOCUMENT NUMBER AND TITLE

**3. OVERALL RATING AND RECOMMENDATION**

OVERALL RATING

RECOMMENDED FOR FUTURE CONTRACTS

1 Excellent Plus (5)

2 Fair (2)

3 Excellent (4)

4 Poor (1)

5 YES

6 NO

7 CONDITIONALLY

8 Good (3)

9 Unsatisfactory (0)

[Transferred from detailed evaluation in Item 5.]

[Explain No or Conditionally in Item 6.]

**4. SIGNATURES**

DOE NEPA DOCUMENT MANAGER  
SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

NAME/ADDRESS/PHONE/E-MAIL

[The NEPA Document Manager should provide the evaluation to the Contractor Project Manager for a minimum 30-day review; contractor comments on the evaluation should be noted in Item 7.]

CONTRACTOR PROJECT MANAGER  
SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

NAME/ADDRESS/PHONE/E-MAIL

[The Contractor Project Manager should return the signed evaluation to the NEPA Document Manager.]

CONTRACTING OFFICER NAME/ADDRESS/PHONE/E-MAIL

[The NEPA Document Manager should send the evaluation to the DOE-wide Contract Administrator.]

**5. EVALUATION OF NEPA SUPPORT SERVICES**

Evaluation Scale: Excellent Plus: Exceptionally high performance, including exceeding contract requirements.  
 Excellent: Exceptional strength resulted in achieving all contract requirements.  
 Good: Effective performance with minor issues that did not impact achievement of all contract requirements.  
 Fair: Performance supported achievement of most contract requirements.  
 Poor: Weakness compromised achievement of contract requirements.  
 Unsatisfactory: Contract requirements were not achieved because of failings in this performance element.  
 If scope of work did not require this performance element or rating official could not evaluate this element, note in comment box.

<b>5a. QUALITY</b>	Excellent Plus	Excellent	Good	Fair	Poor	Unsatisfactory
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Comment on technical accuracy, appropriateness and thoroughness of analysis, other aspects of deliverable quality:  
 [ \_\_\_ Comment continued in Item 6.]

<b>5b. COST CONTROL</b>	Excellent Plus	Excellent	Good	Fair	Poor	Unsatisfactory
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Comment on contractor's adherence to established budget, assignment of personnel of appropriate technical expertise, appropriate and efficient use of resources, accurate and complete billing, relationship of negotiated cost to actual cost, other aspects of cost-effectiveness:  
 [ \_\_\_ Comment continued in Item 6.]

<b>5c. TIMELINESS OF PERFORMANCE</b>	Excellent Plus	Excellent	Good	Fair	Poor	Unsatisfactory
--------------------------------------	----------------	-----------	------	------	------	----------------

Comment on contractor's provision of input to initial schedule, timely project startup, adherence to established schedule, identification of potential delays, proposal and execution of measures to avert delay, on-time submittal of deliverables, on-time contract administration, no liquidated damages assessed, other aspects of timeliness:  
 [ \_\_\_ Comment continued in Item 6.]

<b>5d. RESPONSIVENESS</b>	Excellent Plus	Excellent	Good	Fair	Poor	Unsatisfactory
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Comment on contractor's responsiveness to Contracting Officer/Document Manager instructions, communication links at project and technical levels, response to work scope changes, response to special requests, ability to address and resolve problems, other aspects of responsiveness:  
 [ \_\_\_ Comment continued in Item 6.]

<b>5e. APPLICATION OF REQUIREMENTS AND GUIDANCE</b>	Excellent Plus	Excellent	Good	Fair	Poor	Unsatisfactory
---	----------------	-----------	------	------	------	----------------

Comment on contractor's knowledge of requirements and guidance, meeting of requirements, and application of guidance, other aspects of consistency with requirements and guidance:  
 [ \_\_\_ Comment continued in Item 6.]

<b>5f. INNOVATION</b>	Excellent Plus	Excellent	Good	Fair	Poor	Unsatisfactory
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Comment on contractor's ability to develop new strategies or approaches to project implementation, original analytical techniques, cost and schedule reduction ideas, and other aspects of innovation:  
 [ \_\_\_ Comment continued in Item 6.]

<b>5g. PLANNING</b>	Excellent Plus	Excellent	Good	Fair	Poor	Unsatisfactory
Comment on contractor's ability to develop comprehensive project plan, adjust plan to changes in project needs, other aspects of planning: [ ____ Comment continued in Item 6.]						

<b>5h. STAFFING</b>	Excellent Plus	Excellent	Good	Fair	Poor	Unsatisfactory
Comment on adequacy and qualifications of contractor's staff to meet project management and technical needs; availability, continuity, and performance of key personnel; ability to provide needed staffing during peak activity periods or unplanned circumstances; other aspects of staffing: [ ____ Comment continued in Item 6.]						

<b>5i. COMMUNICATIONS</b>	Excellent Plus	Excellent	Good	Fair	Poor	Unsatisfactory
Comment on clarity and effectiveness of contractor's communication with Contracting Officer/Document Manager, other contractors, subcontractors, and others on technical, schedule and cost issues, on routine matters and on problems/issues, businesslike correspondence, and other aspects of communications: [ ____ Comment continued in Item 6.]						

<b>5j. DELIVERABLES</b>	Excellent Plus	Excellent	Good	Fair	Poor	Unsatisfactory
Comment on clarity, appropriateness, and editorial and design quality of contractor's written deliverables, including text, figures, graphics, other aspects of deliverable quality: [ ____ Comment continued in Item 6.]						

<b>5k. TEAMWORK/COOPERATION/BUSINESS RELATIONS</b>	Excellent Plus	Excellent	Good	Fair	Poor	Unsatisfactory
Comment on cooperation and coordination with Contract/Document Manager, other contractors, subcontractors, review team, and others; effective pro-active management, flexibility, effective contractor-recommended solutions, willingness to put in extra effort to get tasks completed; other aspects of teamwork and cooperation: [ ____ Comment continued in Item 6.]						

<b>SUMMARY OF PERFORMANCE EVALUATION</b>	Excellent Plus (5)	Excellent (4)	Good (3)	Fair (2)	Poor (1)	Unsatisfactory (0)
a. QUALITY						
b. COST CONTROL						
c. TIMELINESS						
d. RESPONSIVENESS						
e. APPLICATION OF REQUIREMENTS AND GUIDANCE						
f. INNOVATION						
g. PLANNING						
h. STAFFING						
i. COMMUNICATIONS						
j. DELIVERABLES						
k. TEAMWORK/COOPERATION/BUSINESS RELATIONS						
<b>OVERALL EVALUATION</b> [Transfer response to Item 3.]	Excellent Plus (5)	Excellent (4)	Good (3)	Fair (2)	Poor (1)	Unsatisfactory (0)

**6. NEPA DOCUMENT MANAGER COMMENTS**  
[Attach additional sheet(s) or documentation if necessary; sign and date in Item 4.]

ITEM NUMBER	COMMENTS

**7. CONTRACTOR PROJECT MANAGER COMMENTS**  
[Attach additional sheet(s) or documentation if necessary; sign and date in Item 4.]

ITEM NUMBER	COMMENTS

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