

Department of Energy

Washington, DC 20585

January 7, 2013

MEMORANDUM TO: Secretarial Officers and Heads of Field Organizations

FROM:

Gregory H. Woods

General Counsel

SUBJECT:

Coordinating Schedules for NEPA Documents with Program

and Project Schedules

Secretary of Energy Steven Chu, in his June 12, 2012, memorandum for Heads of Departmental Elements, highlighted the importance of integrating National Environmental Policy Act (NEPA) compliance with program and project management. To follow up on the Secretary's memorandum, I have outlined below steps to ensure greater attention to developing schedules for preparing environmental impact statements (EISs) and environmental assessments (EAs) that are fully coordinated with programmatic and project schedules.

The DOE NEPA Order (DOE O 451.1B) requires internal scoping procedures for EAs and EISs, including the development of a schedule. The Order also requires each Secretarial Officer and Head of Field Organization to prepare and make public an Annual NEPA Planning Summary that provides the planned cost and schedule for any EIS expected to be prepared in the next 24 months and any EA expected to be prepared in the next 12 months.

The DOE Order for Program and Project Management for the Acquisition of Capital Assets (DOE O 413.3B) requires that by Critical Decision 1 (CD-1) there must be a complete "National Environmental Policy Act (NEPA) Strategy" including a determination of the level of NEPA review (e.g., EA or EIS) required by DOE O 451.1B. These planning tools should be used to ensure that programmatic schedules and expectations take full account of NEPA obligations, while NEPA schedules fully reflect programmatic needs.

As you may know, the Office of NEPA Policy and Compliance maintains a website (http://energy.gov/nepa) that provides monthly updates on Schedules for Key EISs and a comprehensive EA/EIS Status Chart, based on information provided by program NEPA Compliance Officers and NEPA Document Managers. Over the past year, more than half of the key EISs have not had a schedule for completion.

This indicates that increased senior management attention to NEPA planning and integration with project management is needed. I encourage you to review the monthly updates of Schedules for Key EISs (November 2012 edition attached) to ensure that your program needs are being met and that the provisions of the NEPA Order are being addressed. In addition, I request that each EIS Notice of Intent submitted to me for approval or consultation be accompanied by an EIS schedule that reflects input from all involved organizations. Similarly, when a draft EIS is submitted for approval or consultation, it should include an updated schedule for completion. I recognize that schedules may change for good reasons, and this memorandum is not intended to constrain management's ability to propose and implement such changes; rather, its purpose is to ensure that proper coordination is taking place.

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Ultimately, our goal is to ensure timely, high-quality NEPA reviews. Suggestions for additional steps that could be taken to improve the efficiency and effectiveness of the DOE NEPA compliance process are welcome.

Attachment

SCHEDIII ES OF KEY ENVIRONMENTAL IMPACT STATEMENTS*

November 15, 2012	Notice of Intent (NOI) Draft EIS (DEIS) Final EIS (FEIS) Record of Decision (ROD) Recovery Act	Legend Advance Notice of Intent (ANO)) Notice of Inte	Office of NEPA Policy and Compliance, GC-54 (202-586-4600) *Does not include Power Marketing Administrations Environmental Impact Statements
	Scheduld Uncertain	1/12	25. Disposition of the Bannister Federal Complex, Kansas City, MO (DOE/EIS-0475)
7/14	12/12 1/13	8/11 •	(DOE/EIS-0426) 24. Sile-wide Els for Continued Operation of Sandia National Laboratories, NM (DOE/EIS-0466)
	Schedule Uncertain	7/05	199
			Light Water Reactor (DOE/EIS-0288-S1) 22. Operation of a Biosafety Level 3 Facility at the Los Alamos
		3/07 1/12	
	3/13	7/10	20. Surplus Plutonium Disposition Supplemental EIS, AL, NM, SC, TN
	Schedule Uncertain	11/09	19. Federal Loan Guarantee for the Medicine Bow Fuel and Power Coal-to-Liquid Facility, Carbon County, WY (DDE/EIS-0432)
	Schedule Uncertain	10/09	-
	6/12 ► Schedule Under Development	11/09	 Federal Loan Guarantee for Indiana Integrated Gasification Combined Cycle, Rockport, IN (DOE/EIS-0429)
	Schedule Uncertain	11/09 •	
			LOAN PROGRAMS
3/14	1 2/13	6/11	 Programmatic Environmental Impact Statement for the Uranium Leasing Program, CO (DOE/EIS-0472)
			LEGACY MANAGEMENT
	9/12 Schedule Under Development	11/11	14 AWA. Parish Post-Combustion CO2 Capture and Sequestration Project, TX (DOE/EIS-0473)
	Schedule Under Development	4/11	13.▲ Lake Charles Carbon Capture and Sequestration, LA (DOE/EIS-0464)
	Schedule Under Development	5/11 •	12∆ FutureGen 2.0 (DOE/EIS-0460)
	6/12 2/13 5/13 6/13		11. A Hydrogen Energy California's Integrated Gasification Combined Cycle Project, CA (DOE/EIS-0431)
	ROD Schedule Uncertain	10.05 11/07 11/09	10. Mesaba Energy Project, Itasca County, MN (DOE/EIS-0382)
FEIS/ROD Spring 2014	Summer 2013	1/12	at the Hanford Site, Richland, WA (DOE/EIS-0467) FOSSIL ENERGY
ROD Schedule Uncertain	6/12		Supplemental EIS for the Storage and Management of Elemental Mercury (DOE/EIS-0423-S1) Acquisition of a Natural Gas Pipeline and Natural Gas Utility Service
		7/09 • 1/10 1/11	Storage and Management of Elemental Mercury (DOE/EIS-0423)
	Site Characterization Ongoing Schedule Uncertain		Santa Susana Field Laboratory Area IV, CA (DOE/EIS-0402)
	I 2/12 ▶ ROD Schedule Uncertain	2/06 •	Tank Closure and Waste Management for the Hanford Site, Richland, WA (DOE/EIS-0391)
	I → Schedule Uncertain	7/07 2/11	Disposal of Greater-Than-Class C Low-Level Radioactive Waste (DOE/EIS-0375)
			ENVIRONMENTAL MANAGEMENT
	Schedule Under Development	2/11	Presidential Permit Application, Northern Pass Transmission LLC, NH (DOE/EIS-0463)
	8/12 Schedule Under Development	12/10	Hawaii Clean Energy Programmatic EIS (DOE/EIS-0459)
with the second		6/10	Presidential Permit Application, Champlain Hudson Power Express Transmission Line (DOE/EIS-0447)
ed Jan Feb Mar Apr May Jun July Aug Sep Oct Nov De	Jan Feb Mar Apr May Jun July Aug Sep Oct Nov Ded Jan Feb Mar Apr May Jun July Aug Sep Oct Nov Ded Jan Feb Mar Apr May Jun July Aug Sep Oct Nov Dec	Jan Feb Mar And	ELECTRICITY DELIVERY AND ENERGY RELIABILITY