

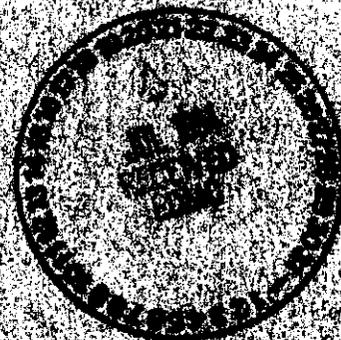
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DOE/RL-94-41  
Rev. 0

# NEPA Roadmap for the Environmental Restoration Disposal Facility Regulatory Package

9413281-0362



United States  
Department of Energy  
Richland, Washington

Approved for Public Release

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# NEPA Roadmap for the Environmental Restoration Disposal Facility Regulatory Package

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June 1994



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P.O. Box 550  
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## 1.0 INTRODUCTION

In 1989, the *Hanford Federal Facility Agreement and Consent Order* (Tri-Party Agreement) (Ecology et al. 1989) was signed by the U.S. Department of Energy (DOE), U.S. Environmental Protection Agency (EPA), and the State of Washington Department of Ecology (Ecology) to develop a framework for Hanford Site cleanup. The Tri-Party Agreement is a legally binding document that establishes responsibilities of the three parties in achieving full compliance with the *Resource Conservation and Recovery Act* (RCRA) and the timely cleanup of the Hanford Site in accordance with the *Comprehensive Environmental Response, Compensation, and Liability Act* (CERCLA). The Tri-Party Agreement establishes a procedural framework and schedule for developing and implementing appropriate remedial actions. The Tri-Party Agreement was amended for the fourth time in January 1994. The fourth amendment to the Tri-Party Agreement includes a compliance schedule and basic regulatory and design assumptions for the Environmental Restoration Disposal Facility (ERDF).

The amended Tri-Party Agreement states that a pilot project concept to demonstrate *National Environmental Policy Act* (NEPA)/CERCLA functional equivalency will be utilized for the ERDF project. Additional or separate NEPA procedures and documentation will not be prepared. The Tri-Party Agreement amendments were presented in a formal public comment period from October 18, to December 1, 1993, although comments were accepted through December 16, 1993. Comments were sought through announcements placed in newspapers and briefings to interested groups. More than 400 copies of the review package were distributed, and public meetings were held in November 1993 in five cities of Washington and Oregon: Richland, Hood River, Spokane, Seattle, and Portland.

In accordance with the Tri-Party Agreement, additional or separate NEPA documentation was not prepared to address the design, construction, and operation of the ERDF. Instead, this NEPA Roadmap is provided, which identifies where in the ERDF Regulatory Package the requisite NEPA elements are addressed. The DOE has made every effort to comply with the substantive requirements of NEPA in the regulatory process. For example, public input during the ERDF scoping process was sought in meetings held in January and February 1994, in Richland and Seattle.

At the ERDF public scoping meetings, one comment was voiced by many interested parties regarding the large size of the proposed facility. At the time of scoping, the ERDF was estimated to require about 6 mi<sup>2</sup> of land (4 mi<sup>2</sup> and 2 mi<sup>2</sup> for contingency). To reduce the land requirement, DOE-RL developed an innovative approach for facility design. Instead of constructing several standard RCRA-compliant trenches about 35 ft deep, it was decided to evaluate the feasibility of a single, large trench that would be about 70 ft deep. This design change allows the overall land footprint of the facility to be reduced from about 6 mi<sup>2</sup> to only 1.6 mi<sup>2</sup>. This reduction is expected to substantially reduce associated environmental and habitat impacts to the 200 Area plateau.

The function of this NEPA Roadmap is to help the reader readily locate in the ERDF Regulatory Package those elements normally addressed in a NEPA analysis. The ERDF is a pilot demonstration project, and the relationship

between NEPA and other environmental regulations such as CERCLA and RCRA is deliberately maintained in a fluid, responsive manner, to ensure that duplication of paperwork and effort is minimized. The ERDF Regulatory Package consists of:

- CERCLA Remedial Investigation/Feasibility Study (RI/FS), which provides technical information and information about alternatives
- RCRA Corrective Action Management Unit (CAMU) application, which also provides technical information for the ERDF
- CERCLA Proposed Plan, which provides a summary of the information in the RI/FS and identifies the proposed remedial action alternative for construction of the ERDF. The Proposed Plan also provides information about the review period and public participation opportunities.
- NEPA Roadmap, which identifies for the reader where elements normally found in a NEPA document are to be found in the ERDF Regulatory Package.

Together, the RI/FS and the CAMU application form the foundation of environmental information and analysis upon which regulatory decisions regarding the ERDF project will be based.

## 2.0 IDENTIFICATION OF NEPA ELEMENTS

The following documentation and procedural elements comprise the recommended format for NEPA Environmental Impact Statements (EIS) as identified in the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (40 CFR 1500-1508). To achieve the purposes of NEPA, CEQ suggests that EISs be analytic rather than encyclopedic in nature, and that impacts be discussed in proportion to their significance. This guidance was one of the factors that steered the development of the ERDF Regulatory Package. The reader is directed to specific parts of the ERDF Regulatory Package for a discussion of the following NEPA elements.

### 2.1 COVER SHEET

The CEQ regulations (40 CFR 1502.11) state that the NEPA cover sheet should include:

- list of responsible agencies
- title
- name, address, and telephone number of agency personnel who can supply further information
- document designation (draft, final, supplement)
- one paragraph abstract
- date by which comments must be received

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The RI/FS and the CAMU application each have cover sheets, although they do not provide all the information listed above. Information about the review period and the appropriate persons to contact for additional information is presented in the *Introduction* of the CERCLA Proposed Plan.

## 2.2 SUMMARY

According to 40 CFR 1502.12, "Each environmental impact statement shall contain a summary which adequately and accurately summarizes the statement."

An executive summary of the ERDF Regulatory Package is provided for reviewers. In addition, summaries are provided in the RI/FS and the CAMU Application.

## 2.3 TABLE OF CONTENTS

A table of contents is included in the RI/FS and in the draft CAMU application. This NEPA Roadmap also serves as a table of contents relative to NEPA requirements.

## 2.4 PURPOSE AND NEED FOR ACTION

In NEPA documents this section briefly specifies the underlying purpose and need to which DOE is responding. The statement helps to identify the range of reasonable alternatives considered by DOE.

The purpose and need underlying the proposal to construct and operate the ERDF are presented in Section 1.2 *Purpose of the RI/FS*. In addition, Chapter 1.0 *Introduction of the CAMU Application*, briefly discusses the background of the ERDF.

## 2.5 ALTERNATIVES INCLUDING PROPOSED ACTION

In NEPA documents this section presents the range of reasonable alternatives under consideration by DOE. CEQ's regulations direct that agencies use the NEPA process to identify and comparatively analyze the reasonable alternatives to proposed actions that will avoid or minimize adverse effects on the quality of the human environment. Alternatives include all reasonable alternatives, including the alternative of no action. If alternatives are eliminated from detailed evaluation, the reasons are briefly explained. The actions should be described in sufficient detail so that potential pre-operational, operational, and post-operational impacts can be identified, investigated, and compared. As appropriate, mitigation measures are also discussed in this section.

The description of alternatives is found in Chapters 8.0 *Identification and Screening of Technologies* and 9.0 *Assembly and Detailed Evaluation of Remedial Alternatives*, of the RI/FS and in Chapters 2.0 *Facility Description*, 4.0 *Process Information*, and 15.0 *Decision Criteria for CAMU Designation*, of the CAMU application. The No Action alternative is discussed in Section 9.4.1

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Alternative 1 - No Action, of the RI/FS. Specific NEPA elements and their location in the ERDF Regulatory Package are identified in Table 1.

Table 1. Alternatives Including the Proposed Action.

NEPA Element	RI/FS	CAMU Application
Proposed Action	3.0 Waste Characterization 7.2 Remedial Action Objectives 8.0 Identification and Screening of Technologies 9.1 Assembly of Alternatives 9.3 Common Elements and Impacts. See Sections: 9.3.6 9.3.7 9.3.8 9.3.9 9.3.15 9.4 Detailed Evaluation	1.0 Introduction 2.1 Description of the ERDF 4.0 Process Information 11.0 Closure and Post-Closure
Alternatives (reasonable alternatives to the proposed action)	1.3 Scope 7.2 Remedial Action Objectives 8.0 Identification and Screening of Technologies 9.1 Assembly of Alternatives 9.3 Common Elements and Impacts 9.4 Detailed Evaluation 9.5 Comparative Analysis	15.0 Decision Criteria for CAMU Designation. See Sections: 15.2.1.6.1 15.2.1.6.2 15.2.3.1 15.2.3.2 15.2.7.1
No Action	9.4.1 Alternative 1 - No Action	Briefly discussed in Section 15.2.7.1
Connected Actions (closely related actions)	2.9 Characteristics of Fine-Grained Soils Borrow Site 2.10 Characteristics of Basalt Borrow Site 3.0 Waste Characteristics	1.0 Introduction See Sections: 1.1 1.2 2.4 Traffic Information... 4.0 Process Information See Sections: 4.13 4.14 4.15
Alternatives Not Carried Through Detailed Evaluation (alternatives not considered feasible after preliminary evaluation)	8.0 Identification and Screening of Technologies	15.0 Decision Criteria for CAMU Designation. See Sections: 15.2.1.6 15.2.3.1 15.2.3.3
Mitigation Measures (measures to avoid, minimize, reduce, or eliminate adverse impacts, or to compensate for adverse impacts)	9.3 Common Elements and Impacts See Sections: 9.3.10 9.3.12 9.3.19	2.8.3 Ecological Setting 6.0 Procedures to Prevent Hazards 7.0 Contingency Plan 8.0 Personnel Training 11.0 Closure and Post-Closure 12.0 Reporting and Record-keeping

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## 2.6 AFFECTED ENVIRONMENT

In accordance with 40 CFR 1502.15, this section provides a succinct description of the physical and human environment of the area to be affected by the alternatives under consideration. The extent of the affected environment is determined by the nature and significance of ecological, cultural, health and economic impacts associated with the proposed action and alternatives. As applicable, potential energy requirements and conservation potential of each alternative are also discussed. The descriptions are to discuss "data and analyses in a statement ... commensurate with the importance of the impact, with less important material summarized, consolidated, or simply referenced."

Discussions about the affected environment can be found in Chapter 2.0 *Site Characteristics*, of the RI/FS. Chapters 2.0 *Facility Description*, 4.0 *Process Information*, 5.0 *Groundwater Monitoring*, 13.0 *Other Relevant Laws*, and 15.0 *Decision Criteria for CAMU Designation* of the CAMU application contain information concerning the affected environment. Specific elements of the Affected Environment and their location in the ERDF Regulatory Package are presented in Table 2.

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Table 2. Affected Environment.

NEPA Element	RI/FS	CAMU Application
Meteorology (atmospheric phenomena and weather)	2.2 Meteorological Characteristics	2.8.4 Meteorologic Data
Hydrology (surface and subsurface water)	2.3 Surface Hydrological Characteristics 2.6 Hydrogeological Characteristics	2.8.3.3 Introduction to Hanford Facility Geology and Hydrology 5.0 Groundwater Monitoring 5.3.4 Regional Hydrogeology 5.3.5.2 ERDF Area Hydrology 5.4 Groundwater Quality App. 5A Monitoring Well Log and Construction Information
Geology (soils, rocks, and subsurface structure)	2.4 Geological Characteristics	2.8.3.3 Introduction to Hanford Facility Geology and Hydrology 4.0 Process Information. 4.12.4 Liner System, Foundation 5.3.3 Regional Geology 5.3.5.1 ERDF Area Geology App. 5A Monitoring Well Log and Construction Information
Ecological Resources (wildlife and plants)	2.8 Ecology 2.9.4 Wildlife Ecology	2.8.3 Ecological Setting 13.6 Endangered Species Act of 1973
Cultural Resources (historical and archaeological resources, and resources of religious significance to Native Americans)	2.7.3 Historical, Archaeological, and Cultural Resources 2.9.3 Archaeological and Cultural Characteristics	13.8 National Historic Preservation Act of 1966
Land use and Socioeconomics (current land uses and regional socioeconomic status)	2.7.1 Land Use 2.7.4 Socioeconomics	2.8.1 Local Land Use Information 2.8.2 Population of Hanford Area and Region
Energy Availability and Requirements	2.7.4.10 Utilities (discusses current energy availability)	May be included in the Operations Plan, which is referenced in the Conceptual Design Report
Visual Resources and Noise	2.7.4.11 Visual Resources 2.7.5 Noise	
Existing Transportation Systems	2.7.4.5 Transportation	2.4 Traffic Information:...
Conservation Measures and Waste Minimization	9.3 Common Elements and Impacts	10.0 Waste Minimization

## 2.7 ENVIRONMENTAL CONSEQUENCES

40 CFR 1502.16 states that "this section forms the scientific and analytic basis for comparisons under 40 CFR 1502.14 (comparison of alternatives)." The discussions are to include the environmental impacts of the alternatives including the proposed action, any adverse environmental effects that cannot be avoided should the ERDF be implemented, the relationship between short-term uses of man's environment and the maintenance and enhancement of long-term productivity, any irreversible or irretrievable commitments of resources that would be involved if the ERDF were implemented, and mitigation measures of adverse environmental effects. The environmental impacts of the alternatives are evaluated in comparative form, defining the issues and providing a basis for choice by the decision-makers and the public.

The Environmental Consequences are addressed in Chapters 6.0 *Risk Assessment* and 9.0 *Assembly and Detailed Evaluation of Remedial Alternatives* of the RI/FS. The CAMU application addresses environmental consequences in Chapters 2.0 *Facility Description*, 3.0 *Waste Characteristics*, and 4.0 *Process Information*. The location of specific elements is presented in Table 3.

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Table 3. Environmental Consequences or Impacts. (sheet 1 of 2)

NEPA Element	RI/FS	CAMU Application
Unavoidable Adverse Effects (should the proposed action or an alternative be implemented)	9.3 Common Elements and Impacts 9.4 Detailed Evaluation	2.8.3 Ecological Setting
Direct Impacts (impacts caused by the action that occur at the same time and place)	9.3 Common Elements and Impacts 9.4 Detailed Evaluation	4.12 ERDF Trench 15.0 Decision Criteria for CAMU Designation. See Sections: 15.2.1.2 15.2.1.4 15.2.2
Indirect Impacts (caused by the action and are later in time or farther removed in distance, but are still foreseeable)	6.0 Risk Assessment 9.3 Common Elements and Impacts See section: 9.3.18 9.4 Detailed Evaluation	11.0 Closure and Post-Closure 15.0 Decision Criteria for CAMU Designation. See Sections: 15.2.1.3 15.2.1.4 15.2.4
Commitments of Resources (natural and man-made resources)	9.3 Common Elements and Impacts See Section: 9.3.17 9.4 Detailed Evaluation	2.10 Irreversible and Irretrievable Commitment of Resources 11.5 Closure Cost Estimate 11.7 Post-Closure Cost Estimate
Cumulative Impacts (impact that results from the incremental impact of the action added to other on-site actions)	9.3.18 Indirect and Cumulative Effects	15.2.1 CAMU Decision Criterion No. 1
Socioeconomic Impacts	9.3.13 Socioeconomic Impacts	15.2.1.6 Cost Effectiveness of the Unit Relative to Other Designs
Human Health Impacts	6.0 Risk Assessment. See Section 6.2 9.3.16 Short-Term Worker and Public Risk 9.4 Detailed Evaluation	15.0 Decision Criteria for CAMU Designation. See Sections: 15.2.1.4 15.2.1.5 15.2.2.2 15.2.4.3 15.2.6.4
Accident Analyses	6.0 Risk Assessment 9.3.16 Short-Term Worker and Public Risk	7.0 Contingency Plan App. 7A Building Emergency Plan for the ERDF
Impacts to Ecological Resources (including impacts to floodplains and wetlands)	2.3 Surface Hydrological Characteristics 9.3.10 Ecological Impacts	2.3 Location Information 13.6 Endangered Species Act of 1973 15.2.2.2 Qualitative Risk and Contaminant Migration Pathways

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Table 3. Environmental Consequences. (sheet 2 of 2)

NEPA Element	RI/FS	CAMU Application
Impacts to Cultural Resources	9.3.12 Impacts on Historical and Cultural Resources	13.8 National Historic Preservation Act of 1966
Impacts to Visual Resources and Noise	9.3.14 Impacts on Visual Resources and Noise	
Transportation Impacts	9.3.5 Transportation Expansion and Impacts 9.3.16 Short-Term Worker and Public Risk	2.4 Traffic Information: ... 4.15 ERDF Operations
Operations Impacts	9.3 Common Elements and Impacts 9.4 Detailed Evaluation	4.14 Description of ERDF Support Facilities 4.15 ERDF Operations 15.0 Decision Criteria for CAMU Designation. See Sections: 15.2.1.2 15.2.2.1 15.2.4.1
Future Closure Impacts	9.3 Common Elements and Impacts 9.4 Detailed Evaluation	11.10 Closure Plan 11.11 Post-Closure Plan 15.0 Decision Criteria for CAMU Designation. See Sections: 15.2.1.3 15.2.4.2 15.2.7
Impacts to Water	4.1 Model Development 9.3.4 Wastewater Treatment 9.4 Detailed Evaluation App. A Fate and Transport Modeling	4.12 ERDF Trench See Sections: 4.12.6 4.12.8 4.12.10 4.14.2 Decontamination Facility 5.0 Groundwater Monitoring 13.3 Clean Water Act of 1977 13.4 Washington State Water Pollution Control Act 15.0 Decision Criteria for CAMU Designation. See Sections: 15.2.1.1 15.2.1.4 15.2.1.5 15.2.4.3
Impacts to Air	9.3.2 Dust Control 9.3.5 Transportation Expansion and Impacts 9.3.11 Impacts on Air Quality	4.12.9 Control of Wind Dispersal 13.2 Clean Air Act of 1977 15.0 Decision Criteria for CAMU Designation. See Sections: 15.2.1.1 15.2.1.4 15.2.2.1
Mitigation Measures	9.3 Common Elements and Impacts See Sections: 9.3.10 9.3.12 9.3.19	2.8.3 Ecological Setting 6.0 Procedures to Prevent Hazards 7.0 Contingency Plan 8.0 Personnel Training 11.0 Closure and Post-Closure 12.0 Reporting and Recordkeeping

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## 2.8 APPLICABLE LAWS AND GUIDELINES

The laws and guidelines applicable to the ERDF project are identified in Chapter 7.0 *Remedial Action Objectives* of the RI/FS and in Section 1.6 *Cross-Reference Table* and Chapter 13.0 *Other Relevant Laws*, of the CAMU application.

## 2.9 LIST OF PREPARERS

The names and qualifications of those primarily responsible for preparing the environmental analysis are included in this section of a NEPA document. Because neither the CAMU application nor the RI/FS normally include the names of the preparers, this information is provided below.

The interdisciplinary effort was led by B. L. Foley, Physical Scientist with the Environmental Remediation Branch, DOE-RL. Other DOE staff providing reviews of the draft materials were P. F. X. Dunigan, Jr., RL NEPA Compliance Officer, R. M. Carosino, RL Assistant Chief Counsel, and K. M. Thompson, Acting Director of Environmental Remediation.

Tri-Party Agreement regulatory staff included P. S. Innis of EPA and N. T. Hepner of Ecology.

The draft RI/FS was prepared by staff from Golder Associates, contracted by Westinghouse Hanford Company (WHC). Names of Golder staff and their qualifications are provided in Table 4.

The draft CAMU application was prepared by staff from AT Kearney and Associates, contracted by WHC. Names of AT Kearney staff and their qualifications are provided in Table 5.

WHC personnel provided background information and reviews of draft documents. Principal staff include V. R. Dronen, F. V. Roeck, J. H. Dunkirk, G. C. Evans, R. S. Weeks, D. E. Gilkeson, and M. A. Casbon.

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Table 4. Golder Associates Personnel

Responsibility	Qualification
Douglas Dunster Project Manager	B.S., Environmental Studies; M.S., Biology - 13 years experience in a variety of environmental regulatory programs
J. Scott Kindred Task Leader	B.S., Geology; M.S., Civil Engineering - Water Resource 7 years experience in hazardous waste site investigation and remediation technology and a variety of CERCLA RI/FS projects
Walt (H.A.) Haerer EIS Oversight	MBA B.S., Zoology and Anthropology - 19 years experience in EIS management, risk assessment, and environmental monitoring
Erik Still Waste Characteristics and Risk Assessment	B.S., Physics and Mathematics; M.S., Radiological Sciences 5 years experience in conducting human health and environmental risk assessments for CERCLA, RCRA, and other hazardous waste projects
Frank S. Shuri Landfill Design	B.S., Geology - 19 years experience in geotechnical engineering, including planning and design of RCRA-compliant hazardous and municipal waste facilities
John S. Velimesis Technology and Alternative Development and Evaluation	B.S., Environmental Science and Resource Management, Geology; M.S.E., Civil Engineering - Hydraulics and Water Resources 8 years experience in geotechnical and environmental services for RCRA compliance and CERCLA RI/FS projects
Craig R. Hunter Risk Assessment	Ph.D., Soil Science; M.S., Soil Science; B.S., Forest Resources - 6 years experience in soil science, environmental chemistry of soils and sediments, and preparation of RI/FS reports
Joseph P. Eckhoff ARARs	B.S., Environmental Science - 6 years experience in analysis and evaluation of environmental regulations
Li Fu Fate and Transport Modeling	B.S., Hydrogeology and Engineering Geology; M.A., Hydrogeology - 5 years experience in geological engineering and 3 years experience in site investigation and groundwater modeling
Diana Tener Cultural Resources Assessment and Fate and Transport Modeling	B.S., Civil Engineering - 7 years experience in site investigation and groundwater modeling
Sandra Sutton-Schildt Ecological Assessment	B.A., Biology - 3 years experience in environmental science
Gregory C. Moon Physical Site Characterization	B.S., Civil Engineering - 3 years experience in site assessment and hydrology

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Table 5. A. T. Kearney Personnel.

Responsibility	Qualification
Jim Ashworth, C.P.G. Writer	M.S. Geology -11 years of experience, including RCRA groundwater monitoring, post closure, and corrective action activities.
Bruce Christian Writer	M.S. Environmental Health - 5 years of experience, including RCRA Compliance and Industrial Hygiene and Safety activities.
John Darabaris, P.E., C.P.A. Program Director	M.S., Geologic Engineering - 20 of years experience in RCRA Contract Implementation, including RFI Work Plan reviews, RFI oversight, and Part B permit application reviews.
June Dreith Writer	B.S., Environmental Health - 16 years of experience in preparing and managing RCRA tasks, including; Part B permit application reviews, permit writing, and corrective action assignments.
Heather Duncan Writer	B.S., Biology, - 5 years of experience in regulatory and procedural compliance assessment/analysis for industry and DOE facilities.
Heidi Schoser Writer	B.S., Chemical Engineering - 2 years of experience in industry, including data validation and preparation of a RCRA permit application.
Helen Sellers Writer	M.S., Biological Sciences - 6 years of experience in natural resource assessment, including RCRA Part B Permit Application Waste Characterization reviews.
Dave Soltis Writer	M.S., Engineering Administration - 23 years of experience, including management of site investigations and remediation projects requiring preparation of detailed construction cost estimates.
Greg Starkebaum, P.E. Writer	M.S., Civil Engineering - 15 years of experience in restoration strategy development and planning activities at Hanford and other DOE sites.
Connie Walker, P.G. Program Manager	M.S., Geology - 12 years of experience in large-scale project management including RI/FS studies, Part B Permit Application reviews, RCRA permit preparation and corrective action projects.
Dave Walker, P.E. Writer	B.S., Geologic Engineering - 10 years of experience in RCRA engineering compliance issues including Part B Permit Application preparation and review, RCRA permit writing and RCRA corrective action.
Rob Young Writer	B.S., Geology - 10 years experience in RFA, RFI and Part B Permit Application reviews, and RCRA compliance investigations.
Leo Dielmann, P.E. (Radian Corporation) Writer	M.S., Environmental Engineering - over 12 years of experience including participation in the RCRA Subpart S RIA for USEPA, and management of large-scale RCRA corrective action and CERCLA remediation projects.

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## 2.10 DISTRIBUTION

Included below is a list of organizations and individuals who received copies of the draft RI/FS and/or draft CAMU application.

- DOE, Headquarters and Richland Operations Office
- EPA, Region X
- Yakama Indian Nation
- Confederated Tribes of the Umatilla Indian Nation
- Nez Perce
- U.S. Army Corps of Engineers
- Washington State Department of Ecology
- Oregon State Department of Energy
- Washington State Department of Health
- Heart of America Northwest
- Hanford Education Action League
- Columbia River United
- Hanford Watch
- Westinghouse Hanford Company.

In addition, information about the proposed action will be provided to interested parties on the Tri-Party Agreement mailing list, in the form of a focus sheet.

## 2.11 REFERENCES

Although CEQ guidance does not explicitly require that references be provided in NEPA documents, it is customary to include them. The RI/FS and CAMU application both contain reference lists.

## 2.12 INDEX

The tables of contents appear to adequately inform the readers of the location of various elements of the draft documents. An index was not included in the RI/FS or the CAMU application.

## 2.13 APPENDICES

The RI/FS and CAMU application both contain appendices with detailed information regarding a variety of issues related to the ERDF project.

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## 3.0 PROCEDURAL COMPARISON

In addition to the documentation requirements, NEPA requires certain procedural steps to fulfill the intent and purpose of the law. A comparison of the NEPA procedural requirements and the ERDF regulatory schedule is presented in Table 6. As with any major project, this preliminary schedule is subject to change.

Table 6. NEPA Procedural Requirements.

CEQ NEPA Requirements	ERDF Schedule & Procedures
The agency will publish a Notice of Intent in the Federal Register of the intention to prepare an EIS. The agency will provide public notice and invite the participation of federal, state and local agencies, affected Indian tribes, and other interested persons (40 CFR 1501.7 and 40 CFR 1506.6).	A Public Notice was sent to all interested parties on the Tri-Party Agreement mailing list, including tribal nations, states, and local governments. Advertisements were placed in newspapers. Two public scoping meetings were held.
The agency shall allow not less than 45 days for comments on the draft statement (40 CFR 1506.10).	Comments on the Regulatory Package will be accepted from June 27, 1994 through August 10, 1994.
The agency shall request the comments of appropriate state and local agencies, affected Indian tribes, and any agency which has requested that it receive statements of the kind proposed (40 CFR 1503.1).	A request for comments from appropriate individuals and agencies was made during the scoping process. DOE will also ask for comments on the draft ERDF Regulatory Package in the summer of 1994.
The agency should make the statement available to the public at least 15 days in advance of a public hearing or public meeting (40 CFR 1506.6).	The draft ERDF Regulatory Package will be made available at least 25 days before the first scheduled public meeting.
An agency preparing a final EIS shall assess and consider comments both individually and collectively, and shall respond to comments (40 CFR 1503.4).	Comments received during the scoping process were considered, and responses were prepared for all substantive comments. The size requirement of the facility was critically re-evaluated to address comments received during scoping. As comments are received regarding the draft ERDF Regulatory Package, comments and responses will be compiled in a responsiveness summary table, which will be available to the public as the CERCLA Record of Decision is issued.
An agency shall cooperate with state and local agencies to the fullest extent possible to reduce duplication between NEPA and state requirements (40 CFR 1506.2).	The draft ERDF Regulatory Package is intended to serve as a State EIS, to comply with State of Washington environmental review requirements.
All substantive comments should be attached to the final statement (40 CFR 1503.4).	Public comments and responses will be attached to the final ERDF Regulatory Package and will be available to the public when the CERCLA Record of Decision is issued.
An agency shall prepare a concise Record of Decision (40 CFR 1505.2).	It is the intent of the Tri-Party Agreement participants that this project serve as a pilot project to demonstrate the functional equivalence of CERCLA for NEPA. A NEPA Record of Decision will not be prepared.

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#### 4.0 ADDITIONAL INFORMATION

Information about DOE NEPA procedures or the status of NEPA reviews may be obtained from:

Carol M. Borgstrom, Director  
Office of NEPA Oversight, EH-25  
U.S. Department of Energy  
1000 Independence Avenue, SW  
Washington, DC 20585  
(202) 586-4600 or (800) 472-2756

Additional NEPA information can also be found in the following documents and implementing procedures:

*National Environmental Policy Act* of 1969, Title 42 USC 4321, approved January 1, 1970.

*CEQ Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act*, 40 CFR 1500-1508 (43 FR 55978-56007).

"Forty Most Asked Questions Concerning CEQ's NEPA Regulations" (46 FR 18026; March 23, 1981).

*DOE NEPA Implementing Procedures*, 10 CFR 1021 (57 FR 15122).

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