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THE PUBLIC AND THE NEPA PROCESS

The following provides a brief description of the NEPA process and the public's role in that process. "NEPA", or the National Environmental Policy Act of 1969, sets forth the basic legal requirements for consideration in the decision-making process of the potential for environmental consequences associated with major federal actions. NEPA requires, in Section 102(2) (C), the preparation of an environmental impact statement, or "EIS", by every federal agency which proposes to undertake a major action significantly affecting the quality of the human environment.

Details for conducting the NEPA process, leading to the publication of a final EIS are found in regulations published by the Council on Environmental Quality, known as "CEQ", in Title 40, Code of Federal Regulations, Parts 1500 through 1508. CEQ was established by the NEPA. As required by CEQ regulations on March 28, 1980, the DOE published final guidelines for compliance with NEPA. On April 24, 1992 DOE issued revised guidelines. These were published in the Code of Federal Regulations at 10 CFR 1021. These revised regulations demonstrated DOE commitment to the NEPA process and environmental values. These regulations in pertinent part provide that scoping, which is the subject matter of this and other similar meetings, is an integral part of the overall EIS process. Scoping is basically defined as an early and open process which will assist in determining the scope of issues to be addressed in the EIS, as well as the exclusion of those issues that are not related or are insignificant relative to the proposed action. The scoping process also contemplates that the responsible federal agency will invite the participation of affected federal, state and local agencies, Indian Tribes, proponents of the action and other interested persons including those that might not be in accord with the proposed action.

The scoping process begins with the publication of a Notice of Intent, popularly known as, an "NOI". The NOI is the means of giving the broadest notice of the agency's proposed action and the impending EIS process. Such a Notice was published by the Department in the Federal Register on January 28, 1994. Notice of the scoping meetings was also given in local newspaper advertising and through mailings to known interested individuals.

The scoping period for this proposed action began with the publication of the NOI on January 28, 1994, and will close, as identified in that Notice, on March 15, 1994. Until that date, the Department will accept any written comments or suggestions on the scope of the Draft EIS, in addition to the oral comments presented at these meetings. Any comments received after that date will be considered to the extent practicable.

At the conclusion of scoping, an Implementation Plan, is prepared by DOE which includes the issues to be addressed in the Draft EIS; its scope and content; the purpose and need for the proposed action; a description of the scoping process and summary of comments received and their disposition; target schedules; and more. Everything contained in the record developed through this scoping process, including the records developed during the scoping meeting, will be considered by the Department in its decision making process as to what issues will be addressed in the Draft EIS.



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Once the Draft EIS is prepared, it will be published and circulated for, public review and comment. Any comments received on the Draft EIS will be considered and, as appropriate, addressed by the Department in the Final EIS. Notices of the availability of these documents also will be made by the Department in the Federal Register at a later date. Individuals may ask to be put on the distribution list for the Final EIS when it becomes available.



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