Public Involvement and the NEPA Process

The National Environmental Policy Act (NEPA) was enacted by Congress in 1969 to ensure that Federal agencies consider the potential environmental impacts of their proposed actions and alternatives before deciding on a course of action. NEPA requires the preparation of an environmental impact statement (EIS) for major Federal actions that may significantly affect the quality of the environment. Under NEPA, the term "environment" encompasses the natural and physical environment (i.e., air, water, geography, and geology) as well as the relationship of people with that environment (i.e., health and safety, jobs, housing, schools, transportation, cultural resources, noise, and aesthetics).

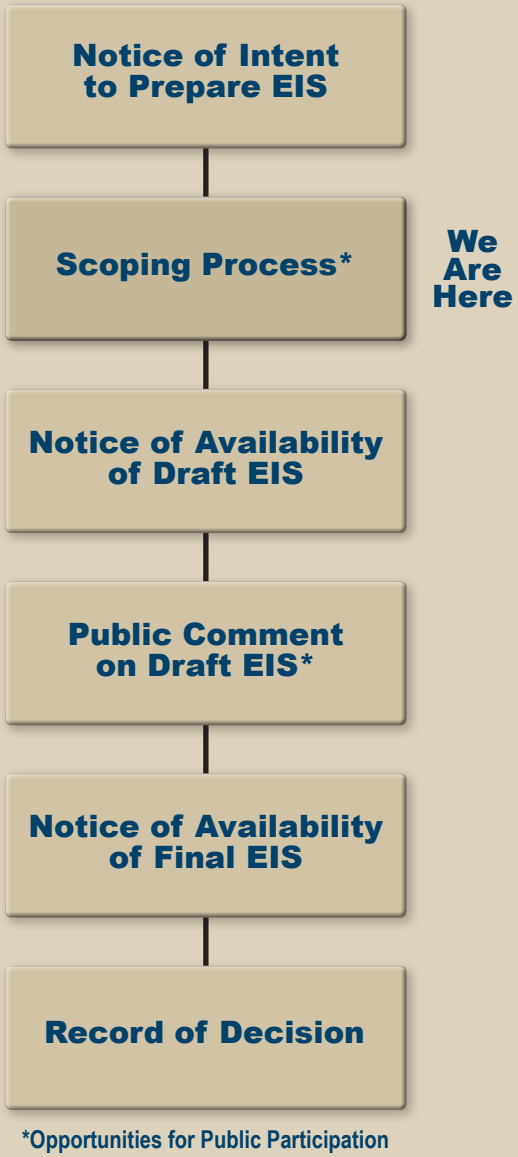
The Council on Environmental Quality established NEPA requirements for all Federal agencies, including procedures for preparing and supplementing an EIS. Individual agencies have established their own implementing regulations to meet or exceed these requirements. The major steps in the NEPA process for preparing an EIS are as follows:

- Issue a Notice of Intent to begin the EIS process.
- Conduct the scoping process (gather input) on the scope of issues to be addressed and identify significant issues related to a proposed action.
- Issue a Notice of Availability (NOA) that announces the comment period on the draft EIS.
- Respond to public comments on the draft EIS.
- Prepare the final EIS.
- Issue a Record of Decision (ROD).

NEPA regulations require that a supplement to an EIS be prepared if (1) an agency makes substantial changes in the proposed action that are relevant to environmental concerns or (2) there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts. The process for preparing a supplemental EIS is the same as for a new EIS.

Steps in the EIS Process

The process is the same for an EIS or a supplemental EIS. An amended Record of Decision generally follows completion of a final supplemental EIS.



*Opportunities for Public Participation

Public Involvement

A Federal agency first issues a Notice of Intent in the *Federal Register* to inform the public that an EIS (or supplemental EIS) will be prepared and to formally announce the beginning of the scoping process. A minimum of 30 days is required for the scoping period, during which time input is sought from the public, Federal agencies, state and local governments, and American Indian tribes about the scope of the EIS issues, alternatives, and analyses. At least one public meeting is required to be held during the scoping period. Comments received during the scoping process are considered in developing the scope of the EIS.

Once a draft EIS is issued, a minimum of 45 days is provided for the public, Federal agencies, state and local governments, and American Indian tribes to provide comments. The public comment period begins with the publication of an NOA for the draft EIS in the *Federal Register*. At least one public hearing is held to solicit public input on the draft EIS.

Following the public comment period, a final EIS is published and distributed. Consideration of public comments on a draft EIS during preparation of a final EIS is required under NEPA. Therefore, the final EIS that supports agency decisionmaking reflects consideration of all comments received during the public comment period. The final EIS includes responses to comments received during the public comment process and provides revised EIS text based on those comments. The final EIS also identifies the agency's preferred alternative.

Once the final EIS is published, a minimum 30-day waiting period is required before a ROD can be issued in the *Federal Register*. The ROD notifies the public of the decision made on the proposed action and the reasons for that decision. The ROD also includes a discussion of any other factors considered in making the decision, such as cost, technical feasibility, agency statutory mission, or national objectives.

The NEPA process does not dictate that an agency select the most environmentally beneficial or least expensive alternative. The purpose of the NEPA process is to ensure that accurate environmental analyses are performed; that the public is involved; and that public officials make decisions based on an understanding of environmental consequences.

How Can You Participate in this Draft SPD Supplemental EIS?

The scoping process gives you the opportunity to attend public scoping meetings and provide comments to help DOE determine the alternatives, issues, and environmental impacts to be analyzed in this *Draft Surplus Plutonium Disposition Supplemental Environmental Impact Statement (Draft SPD Supplemental EIS)*. You will also have an opportunity to provide comments on this *Draft SPD Supplemental EIS* after it is issued at public hearings and by other means.

The scoping period for this *Draft SPD Supplemental EIS* extends for 60 days, from July 19, 2010 through September 17, 2010. Five scoping meetings will be held during that time. All comments must be submitted to DOE by September 17, 2010. All comments received by this date will be considered during preparation of this *Draft SPD Supplemental EIS*. Comments received after the close of the scoping period will be considered to the extent practicable.

Comments can be submitted in the following ways:

- Orally or in writing at the scoping meetings
- Via email to spdsupplementaleis@saic.com or through the EIS Website at www.spdsupplementaleis.com
- By faxing toll-free to 877-865-0277
- By mail to Sachiko McAlhany, SEIS Document Manager, P.O. Box 2324, Germantown, MD 20874-2324

Please mark all envelopes, faxes, and email: "Draft SPD Supplemental EIS Comments."

Visit the *SPD Supplemental EIS* website at **www.spdsupplementaleis.com** for more information.