



# National Environmental Policy Act Complex Transformation Supplemental Programmatic Environmental Impact Statement



The National Environmental Policy Act (NEPA) of 1969 was enacted by Congress 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 both the physical environment (e.g., air, water, geography, geology) and the human environment (e.g., health and safety, jobs, housing, schools, transportation, cultural resources). A **Supplemental EIS (SEIS)** is prepared, circulated for public comment, and finalized in the same fashion as a draft and final EIS and is prepared if (i) the federal agency makes substantial changes in the proposed action of an existing EIS that are relevant to environmental concerns or (ii) there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts. The National Nuclear Security Administration (NNSA), an agency within the Department of Energy (DOE), decided that the 1996 Stockpile Stewardship and Management **Programmatic Environmental Impact Statement (PEIS)**, which assessed alternatives for transforming the Complex by developing capabilities to maintain the safety and reliability of the nation’s nuclear weapons stockpile without underground nuclear testing, would form the basis for assessing the Complex Transformation proposal and alternatives. Thus, NNSA decided that the appropriate document would be a **Supplemental PEIS or SPEIS** (hence the name “Complex Transformation Supplemental PEIS”).

The Council on Environmental Quality (CEQ) established NEPA requirements for all federal agencies, including procedures for preparing EISs. Individual agencies, including DOE, have established their own implementing regulations to meet or exceed these requirements. These requirements and related information are available on the DOE NEPA website at [www.eh.doe.gov/nepa](http://www.eh.doe.gov/nepa). The major steps in the NEPA process for preparing an EIS are: issuing a **Notice of Intent** to begin the EIS process; gathering input on the scope of the EIS from federal agencies, state and local governments, Native American tribes, the public, and other stakeholders; preparing the **draft EIS**; receiving public comments on the draft EIS and responding to those comments in a **final EIS**; and issuing a **Record of Decision**. The Record of Decision explains the agency’s decision, which is based on the EIS and other related information (such as policy, technical factors, and costs).



## Notice of Intent and Scoping Process

A Notice of Intent (NOI) describes the proposed action an agency is considering; provides information on issues and potential impacts that will be analyzed in an EIS (or PEIS, or SPEIS); and invites comments, questions, and suggestions (both written and oral) on the scope of the EIS. These scoping comments aid the

agency in determining the alternatives, issues, and environmental impacts to be analyzed in the EIS. NNSA published a NOI for the Complex Transformation SPEIS in the Federal Register on October 19, 2006, to inform the public that a Supplemental PEIS would be prepared and to formally announce the beginning of the scoping process. For the Complex Transformation SPEIS, the NNSA held 17 public meetings.

## Draft EIS

A **draft EIS** (or draft PEIS or draft SPEIS) describes, analyzes, and compares the potential environmental impacts of reasonable alternatives that could accomplish the purpose and need to which the agency is responding, as well as the alternatives of continuing with on-going activities (the No Action Alternative). It also provides information on the methodologies and assumptions used for the analyses. If one or more preferred alternative(s) exist at this stage of the NEPA process, they will be identified in a draft EIS.

## Public Comment on a Draft EIS

Once a draft EIS is distributed, a minimum of 45 days is provided for federal agencies, state and local governments, Native American tribes, the public, and other stakeholders to comment on the draft. The public comment period begins when the Environmental Protection Agency (EPA) publishes a **Notice of Availability (NOA)** for the draft EIS in the *Federal Register*. NNSA published a NOA on January 11, 2008. At least one public hearing is held to solicit public comment on a draft EIS. The schedule for such hearing(s) was announced in this *Federal Register* notice and in the local media. Other methods to submit comments on a draft EIS include U.S. mail, e-mail, and fax. All comments received will be considered in the preparation of the final EIS. For the Complex Transformation SPEIS, NNSA will hold 19 public hearings.

## Final EIS

Following the public comment period for a draft EIS, a **final EIS** is prepared and distributed. A final EIS reflects consideration of all comments received on the draft EIS, contains the Department's responses to those comments, and reflects updated and revised analyses of potential environmental impacts. In addition, a final EIS will identify the agency's preferred alternative(s). EPA will publish a Notice of Availability in the *Federal Register* when a final EIS is issued.

## Record of Decision

Once the final EIS is distributed, DOE waits a minimum of 30 days before issuing a **Record of Decision (ROD)**, which will be published in the *Federal Register*. The ROD announces the agency's decisions regarding the proposed action and the reasons for the decisions. In addition to potential environmental impacts, the ROD may discuss consideration of other decision factors such as technical feasibility, agency statutory mission, objectives, and cost. The NEPA process does not dictate that an agency select the most environmentally beneficial alternative. The purpose of the NEPA process is to ensure that accurate environmental studies are performed; that there is public involvement; and that public officials, like those at NNSA, make decisions based on an understanding of environmental consequences.

### YOU ARE VITAL TO THE PROCESS

*The Department is fully committed to providing public access to pertinent information about its activities and opportunities for involvement throughout the NEPA process. Accordingly, NNSA encourages public involvement in the SPEIS development process. Your involvement in NNSA's public participation process helps shape the scope and issues addressed in the SPEIS.*

### For further information contact:

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