

Management System: Environment

Subject Area: Environmental Compliance

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1.0 Introduction

The purpose of this Subject Area is to provide for the EMCBC a consistent method to effectively and efficiently oversee and manage work and operations in a manner that ensures the protection of the environment and the public. This Environmental Compliance Subject Area Description (SAD) outlines the processes and procedures required for EMCBC Federal employees to implement EMCBC Environmental Compliance responsibilities.

The EMCBC implements Environmental Compliance programs and activities to protect the environment utilizing the principles and functions of Integrated Safety Management (ISM). Federal EMCBC staff (1) ensure that applicable Environmental Compliance requirements are followed by EMCBC, Small Site personnel and contractors; (2) ensure that appropriate Environmental Compliance requirements are placed into contracts; (3) provide oversight of contractor Environmental Compliance work, planning, and controls; (4) integrate continuous feedback and improvement mechanisms into their work; and (5) perform the necessary oversight/assessments of the EMCBC, Small Site personnel and contractors.

This Subject Area Description provides the processes and procedures to ensure that Environmental Compliance expectations and requirements are identified, communicated, and implemented by both EMCBC Federal staff and contractors. Effective implementation of this Subject Area will help ensure the protection of the environment. This is accomplished by (1) the oversight, assessment, and evaluation of both Federal EMCBC staff and contractor performance and (2) reporting of Environmental Compliance performance data to EMCBC and other entities (e.g., U.S. Department of Energy [DOE] and, as appropriate, Federal, state, and local governments).

2.0 Contents

Procedure	Procedure Content
<u>PL-451-01, National Environmental Policy Act (NEPA) Compliance</u>	This plan and procedures (Appendices A, B, C, D, E, and F) applies to EMCBC and sites serviced by EMCBC (if they choose to adopt this plan and associated procedures). Serviced sites may elect to

	implement their own DOE NEPA oversight process or supplement this plan with their own plan and associated procedures.
<u>IP-451-02 - NEPA Establishing the Level of NEPA Review and Documentation</u>	This procedure is applicable to EMCBC or Service Level Agreement (SLA) personnel who establish or verify the level of NEPA review for the proposed actions
<u>IP-451-03, NEPA Categorical Exclusion (CX) Process</u>	This procedure is applicable to EMCBC / SLA personnel who prepare, review, or approve CX's.
<u>IP-451-04, NEPA Environmental Assessment (EA) Process</u>	This procedure is applicable to EMCBC or SLA personnel and contractors, who prepare, review or approve Environmental Assessments (EA's) or Findings of no Significant Impact (FONSI's) for actions that are the responsibility of EMCBC or SLA sites.
<u>IP-451-05, NEPA Environmental Impact Statements (EIS) Process</u>	This procedure is applicable to EMCBC/SLA personnel and contractors who deal with drafting, reviewing, or approving Environmental Impact Statement Determinations (EISDs), Notices of Intent (NOIs), EISs, Mitigation Action Plans (MAPS), or Records of Decision (RODs), for actions that are the responsible of EMCBC/SLA Sites.
<u>PL-451-06, Quality Assurance Plan for NEPA</u>	This plan is applicable to EMCBC or SLA personnel who establish or verify the level of quality assurance that is necessary in support of the preparation of either an Categorical Exclusion, Environmental Assessment or Environmental Impact Statement and associated documentation.
<u>PL-451-07, EMCBC or SLA NEPA Public Participation</u>	This plan is applicable to EMCBC/SLA personnel who manage or are involved in NEPA actions under the purview of EMCBC.

3.0 Exhibits and Forms

None

4.0 Related Information

- [DOE/EH-051](#), *Environmental Guidelines for the Development of Cultural Resource Management Plans*
- [Memorandum for Director Consolidated Business Center Delegation of Environmental Authority](#)
- [DOE G 450.1-1A](#), *Implementation Guide for Use With DOE O 450.1, "Environmental Protection Program"*
- [DOE G 450.1-2](#), *Implementation Guide for Integrating Environmental Management Systems Into Integrated Safety Management Systems*
- [DOE G 450.1-3](#), *Environmental Guidelines for Development of Cultural Resource Management Plans—Update*
- [DOE G 450.1-4](#), *Implementation Guide, Wildland Fire Management Program for Use With DOE O 450.1, "Environmental Protection Program"*
- [DOE G 450.1-5](#), *Implementation Guide for Integrating Pollution Prevention Into Environmental Management Systems*
- [DOE G 450.1-6](#), *Ground Water Surveillance Monitoring Implementation Guide for Use With DOE O 450.1, "Environmental Protection Program"*
- [DOE G 450.1-9](#), *Ground Water Protection Programs Implementation Guide for Use With DOE O 450.1, "Environmental Protection Program"*
- [DOE G 450.1-10](#), *Senior Managers' Implementation Guide for Use with DOE O 450.1, "Environmental Protection Program"*

5.0 Requirements

Document	Title
<u>7 CFR 657</u>	Prime and Unique Farmlands
<u>10 CFR 1021</u>	National Environmental Policy Act Implementing Procedures
<u>10 CFR 1022</u>	Compliance with Floodplain and Wetland Environmental Review Requirements
<u>15 CFR 922</u>	National Marine Sanctuary Program Regulations
<u>36 CFR 60</u>	National Register of Historic Places
<u>36 CFR 78</u>	Waiver of Federal Agency Responsibilities Under Section 110 of the National Historic Preservation Act
<u>36 CFR 79</u>	Curation of Federally-Owned and Administered Archaeological Collections
<u>36 CFR 297</u>	Wild and Scenic Rivers

<u>40 CFR 61</u>	National Emission Standards For Hazardous Air Pollutants
<u>40 CFR 112</u>	Oil Pollution Prevention
<u>40 CFR 117</u>	Determination of Reportable Quantities for Hazardous Substances
<u>40 CFR 122</u>	EPA Administered Permit Programs: The National Pollutant Discharge Elimination System
<u>40 CFR 125</u>	Criteria and Standards for the National Pollutant Discharge Elimination System
<u>40 CFR 129</u>	Toxic Pollutant Effluent Standards
<u>40 CFR 131</u>	Water Quality Standards
<u>40 CFR 141</u>	National Primary Drinking Water Regulations
<u>40 CFR 143</u>	National Secondary Drinking Water Regulations
<u>40 CFR 149</u>	Sole Source Aquifers
<u>40 CFR 165</u>	Pesticide Management and Disposal
<u>40 CFR 170</u>	Worker Protection Standard
<u>40 CFR 191</u>	Environmental Radiation Protection Standards for Management and Disposal of Spent Nuclear Fuel, High-Level and Transuranic Radioactive Wastes
<u>40 CFR 260</u>	Hazardous Waste Management System: General
<u>40 CFR 261</u>	Identification and Listing of Hazardous Waste
<u>40 CFR 262</u>	Standards Applicable to Generators of Hazardous Waste
<u>40 CFR 264</u>	Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
<u>40 CFR 265</u>	Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
<u>40 CFR 268</u>	Land Disposal Restrictions

<u>40 CFR 270</u>	EPA-Administered Permit Programs: The Hazardous Waste Permit Program
<u>40 CFR 271</u>	Requirements for Authorization of State Hazardous Waste Programs
<u>40 CFR 279</u>	Standards for the Management of Used Oil
<u>40 CFR 280</u>	Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks (UST)
<u>40 CFR 300</u>	National Oil and Hazardous Substances Pollution Contingency Plan
<u>40 CFR 302</u>	Designation, Reportable Quantities, and Notification
<u>40 CFR 355</u>	Emergency Planning and Notification
<u>40 CFR 370</u>	Hazardous Chemical Reporting: Community Right-To-Know
<u>40 CFR 372</u>	Toxic Chemical Release Reporting: Community Right-To-Know
<u>40 CFR 453</u>	Endangered Species Committee
<u>40 CFR 710</u>	TSCA Chemical Inventory Regulations
<u>40 CFR 745</u>	Lead-Based Paint Poisoning Prevention In Certain Residential Structures
<u>40 CFR 763</u>	Asbestos
<u>40 CFR 1500</u>	Council on Environmental Quality; Purpose, Policy, and Mandate
<u>43 CFR 10</u>	Native American Graves Protection and Repatriation Regulations
<u>48 CFR 970.5223-1</u>	Integration Of Environment, Safety, And Health Into Work Planning And Execution (Also Called The ISMS Clause)
<u>49 CFR 107</u>	Transportation; Hazardous Materials Program Procedures
<u>50 CFR 21</u>	Migratory Bird Permits
<u>50 CFR 22</u>	Eagle Permits
<u>50 CFR 402</u>	Interagency Cooperation -- Endangered Species Act of 1973, as Amended

<u>DEAR 970.5223-1</u>	Integration of Environment, Safety, and Health into Work Planning and Execution
<u>DOE P 141.1</u>	Department Of Energy Management Of Cultural Resources
<u>DOE O 231.1B</u>	Environment, Safety And Health Reporting
<u>DOE O 451.1B, Change 2</u>	National Environmental Policy Act Compliance Program
<u>DOE O 458.1, Admin. Change 2</u>	Radiation Protection Of The Public And The Environment
<u>E.O. 11514</u>	Protection And Enhancement Of Environmental Quality (Amended by E.O. 11541 and E.O. 11991)
<u>E.O. 11593</u>	Protection And Enhancement Of The Cultural Environment
<u>E.O. 11738</u>	Providing for administration of the Clean Air Act And The Federal Water Pollution Control Act With Respect To Federal Contracts, Grants, Or Loans
<u>E.O. 11988</u>	Floodplain Management (Amended by E.O. 12148)
<u>E.O. 11990</u>	Protection Of Wetlands (Amended by E.O. 12608)
<u>E.O. 12114</u>	Environmental Effects Abroad Of Major Federal Actions
<u>E.O. 12196</u>	Occupational Safety And Health Programs For Federal Employees (Continued by E.O. 13511)
<u>E.O. 13007</u>	Indian Sacred Sites
<u>E.O. 13112</u>	Invasive Species (Amended by E.O. 13286)
<u>E.O. 13175</u>	Consultation And Coordination With Indian Tribal Governments
<u>E.O. 13186</u>	Responsibilities Of Federal Agencies To Protect Migratory Birds
<u>E.O. 13547</u>	Stewardship of the Ocean, Our Coasts, and the Great Lakes
<u>P.L. 86-523</u>	Archaeological and Historic Preservation Act, as Amended

<u>P.L. 85-624</u>	Fish and Wildlife Coordination Act
<u>P.L. 89-665</u>	National Historic Preservation Act
<u>P.L. 91-190</u>	National Environmental Policy Act
<u>P.L. 91-224</u>	Environmental Quality Improvement Act of 1970
<u>P.L. 91-604</u>	Clean Air Act of 1970
<u>P.L. 93-205</u>	An Act To Provide For The Conservation Of Endangered And Threatened Species Of Fish, Wildlife, And Plants, And For Other Purposes.
<u>P.L. 95-341</u>	Joint Resolution American Indians Religious Freedom
<u>P.L. 96-95</u>	An Act to Protect Archaeological Resources On Public Lands and Indian Lands, and for Other Purposes
<u>P.L. 96-510</u>	Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)
<u>P.L. 99-499</u>	Superfund Amendments and Reauthorization Act (SARA)
<u>P.L. 101-508</u>	Pollution Prevention Act of 1990
<u>P.L. 101-601</u>	To Provide for the Protection of Native American Graves, and for Other Purposes
<u>P.L. 102-386</u>	Federal Facilities Compliance Act (FFCA) of 1992
<u>P.L. 104-303</u>	Water Resources Development Act Of 1996
<u>16 U.S.C., Section 469</u>	Preservation Of Historical And Archeological Data Threatened By Dam Construction Or Alterations Of Terrain
<u>16 U.S.C., Section 661</u>	Declaration of Purpose; Cooperation of Agencies; Surveys and Investigations; Donations
<u>16 U.S.C., Section 662</u>	Impounding, Diverting, or Controlling of Waters
<u>16 U.S.C., Section 663</u>	Impoundment or Diversion of Waters

<u>16 U.S.C., Section 664</u>	Administration; Rules and Regulations; Availability of Lands to State Agencies
<u>16 U.S.C., Section 668</u>	Protection of Bald and Golden Eagles; Bald and Golden Eagles
<u>16 U.S.C., Section 703</u>	Migratory Bird Treaty; Taking, Killing, or Possessing Migratory Birds Unlawful
<u>16 U.S.C., Section 1374</u>	Conservation and Protection of Marine Mammals; Permits
<u>25 U.S.C., Chapter 32</u>	Native American Graves Protection and Repatriation
<u>33 U.S.C., Section 404</u>	Establishment Of Harbor Lines; Conditions To Grants For Extension Of Piers, etc.
<u>42 U.S.C., Chapter 23</u>	Development and Control of Atomic Energy
<u>42 U.S.C., Section 1996</u>	Protection and Preservation of Traditional Religions of Native Americans
<u>42 U.S.C., Section 9620 (h)(3)(A)-©</u>	Federal Facilities - Property Transferred by Federal Agencies

6.0 Definitions

None