

EMCBC/SLA RESPONSIBILITIES

MATRIX OF ORO ROLES AND RESPONSIBILITIES AS DEFINED IN DOE ORDER 451.1B

DOE ORDER 451.1B	DOE ORDER AND ORIG. PARAGRAPH NUMBERS*														5.e	
	5.a (1)	5.a (2)	5.a (3)	5.a (4)	5.a (5)	5.a (6)	5.a (7)	5.a (8)	5.a (9)	5.a (10)	5.a (11)	5.a (12)	5.a (13)	5.a (14)		5.d
EMCBC/SLA Director	•	•					•									
CORs				•	•	•										
NCO			•					•	•	•	•	•	•	•	•	
NDM			•						•	•	•	•	•	•		•
Director, P&CD				•												
Director, P&BD					•											
Office of Chief Council									•				•	•	•	•

*See Page 2-2 – 2-5 for paragraph description key

LEGEND:

EMCBC -

COR – Contracting Officer’s Representative

NCO – NEPA Compliance Officer

NDM – NEPA Document Manager

P&CD –Procurement & Contracts Division

P&BD –Planning & Budget Division

SLA - Service Level Agreement Site

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(con't)

Paragraph No.	DESCRIPTION
5.a.	<u>Field Officers</u> are persons responsible for managing a DOE Field Office or similar field organizations, who report directly to a Secretarial Officer. For the purpose of DOE O 451.1B, Change 1, the Director of EMCBC or FPDs of SLA sites are the Field Officer. Each Field Officer shall for matters under his authority:
5.a.(1)	Establish a NEPA compliance program and use the NEPA process early in project and program planning to consider environmental factors along with other relevant information.
5.a.(2)	Maintain a DOE NEPA Compliance Officer for the office.
5.a.(3)	Ensure that a NEPA Program Plan, a quality assurance plan and a public participation plan are prepared for the office.
5.a.(4)	Include in new contracts and grants a provision that the awardee may not undertake on DOE's behalf an action that is subject to NEPA and DOE has notified the awardee that DOE has satisfied applicable NEPA requirements.
5.a.(5)	Incorporate NEPA milestones in project planning documents.
5.a.(6)	Incorporate NEPA compliance status information in internal budget review documents.
5.a.(7)	Submit an annual NEPA planning summary to the Office of General Council by January 31 of each year and make it available to the public.
5.a.(8)	Determine that an environmental assessment or an environmental impact statement is appropriate or required.
5.a.(9)	After an environmental assessment determination, prepare and issue an environmental assessment. Responsibilities for approving and adopting environmental assessments and issuing findings of no significant impact may not be delegated except as provided in DOE O 451.1B, Change 1. In addition to meeting requirements established in the Regulations, responsibilities include:
(a)	When another agency is involved in preparation, determining whether DOE shall be a lead or cooperating agency.
(b)	Obtaining concurrence of EMCBC Office of Legal Services (OLS) or if SLA Site their counsel in the legal adequacy of an environmental assessment before it is approved and in any finding of no significant impact before it is issued.

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- (c) Determining, based on an environmental assessment, that the impacts of a proposed action are significant and that an environment impact statement is required, or issuing a finding of no significant impact when appropriate.
 - (d) When a commitment to mitigation is essential to render the impacts of a proposed action not significant, preparing a mitigation action plan for any such commitment before issuing the finding of no significant impact.
 - (e) Tracking and annually reporting progress made in implementing, and the effectiveness of, any commitment for environmental impact mitigation that is essential to render the impacts of a proposed action not significant.
- 5.a.(10) Request from the Office of General Counsel delegation of approval or adoption authority for a specific environmental impact statement when appropriate to expedite the review and approval process.
- 5.a.(11) When required by the Regulations, prepare a supplement analysis and with the concurrence of EMCBC OLS or SLA counsel, determine whether a supplemental or a new environmental impact statement is required for a proposed action, or whether no further documentation is required.
- 5.a.(12) Determine that a proposed action that may be interim action is clearly allowable under the Regulations. For a proposed action that may be an interim action not clearly allowable under the Regulations, provide the Office of General Counsel with a recommendation whether the proposed action may proceed.
- 5.a.(13) Incorporate NEPA values, such as analysis of cumulative, off-site, ecological, and socioeconomic impacts, to the extent practicable, in DOE documents prepared under the Comprehensive Environmental Response, Compensation, and Liability Act.
- 5.a.(14) When appropriate, request from the Office of General Counsel a variance from the DOE NEPA Regulations or from DOE O 451.1B.
- 5.d The NEPA Compliance Officer (NCO) shall, for matters under the authority of his/her program office or field organization.
- 5.d.(1) Develop program office or field organization NEPA procedures and information management requirements, and document in the office's organization's compliance with those procedures and requirements.
- 5.d.(2) For actions specifically listed in Appendix A or B to Subpart D of the DOE Regulations, make categorical exclusion determinations and approve and issue any required associated floodplain and wetland documents. These responsibilities may not be delegated except as provided in DOE O 451.1B, Change 1. Categorical exclusion determinations need not be documented. However, EMCBC/SLA NEPA Procedure 2, CX process requires an

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Environmental Impact determination and environmental checklist to be prepared, proposed and maintained in accordance with EMCBC/SLA records protocol.

- 5.d.(3) Report to the Office of NEPA Policy and Compliance on lessons learned after completing each environmental impact statement and environmental assessment.
- 5.d.(4) Coordinate NEPA compliance strategies for matters within the office's purview.
- 5.d.(5) Advise on NEPA related matters, including the provisions of the Regulations, the DOE NEPA Compliance Guide, DOE O 451.1B, Change 1, and any other related requirements and guidance.
- 5.d.(6) Recommend to the Head of the Office served (i.e., Secretarial Officer, Field Officer) whether an environmental assessment or environmental impact statement is appropriate or required.
- 5.d.(7) Assist with the NEPA process and document preparation.
- 5.d.(8) Advise on the adequacy of NEPA documents and other related documents.
- 5.d.(9) Participate in periodic NEPA meetings and workshops conducted by the Office of NEPA Policy and Compliance, provide NEPA training and disseminate NEPA guidance materials and related information.
- 5.d.(10) Notify the Office of NEPA Policy and Compliance promptly – generally, within two weeks of:
 - (a) The designation of a NEPA Document Manager.
 - (b) A determination to prepare an environmental assessment.
 - (c) A transmittal of an environmental assessment to States, Tribes and, and when applicable, members of the public, other Federal agencies, and local governments for pre-approval review.
 - (d) A determination to prepare an environmental impact statement.
- 5.d.(11) Provide the Office of NEPA Policy and Compliance promptly - generally, within 2 weeks of their availability – five copies and one electronic file of:
 - (a) An approved environmental assessment and finding of no significant impact.
 - (b) A proposed finding of no significant impact required under the Council on Environmental Quality Regulations.
 - (c) An approved draft or final environmental impact statement.

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- (d) A record of decision for an environmental impact statement.
 - (e) A mitigation action plan and corresponding annual mitigation report. The mitigation report may be submitted on the anniversary of a mitigation action plan or in a combined report (for example, as part of the annual NEPA planning summary) for multiple plans until mitigation is completed.
 - (f) An environmental impact statement supplement analysis and any determination based on it.
- 5.e NEPA Document Manager shall, for the environmental impact statement or environmental assessment being prepared:
- 5.e.(1) Establish a team, representing all necessary DOE elements to plan, assist in preparing, and concurrently review documents.
 - 5.e.(2) Conduct an early internal scoping process.
 - 5.e.(3) Maintain tracking systems to monitor costs of and adherence to the schedule for the NEPA process.
 - 5.e.(4) Manage the document preparation process, including reviewing internal drafts for technical adequacy, controlling cost, and maintaining schedule.
 - 5.e.(5) Encourage and facilitate public participation through the NEPA process.
 - 5.e.(6) Evaluate, upon completion of the environmental impact statement or environmental assessment, any support contractor's performance for timelines, quality, cost effectiveness, responsiveness, and application of requirements and guidance.
 - 5.e.(7) Report to the Office of NEPA Policy and Compliance on lessons learned after completing the environmental impact statement or environmental assessment.