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ER-8.2

Definitions and Framework for Implementing Appendix B Generic and Consolidated Categorical Exclusions for Office of Energy Research Activities

Energy Research NEPA Distribution

The Office of Energy Research (ER) has assisted the Operations Offices in evaluating the use of categorical exclusions (CXs) for ER funded activities at its National Laboratory sites. This evaluation was conducted by the ER Office of Environment, Safety and Health Technical Support (ER-8) and the Office of Laboratory Management (ER-80) in cooperation with the NEPA Compliance Officers (NCO) from Chicago and Oakland Operations Offices, as well as representatives from several Area and Site Offices, and several of the Laboratories. The evaluation was conducted to identify the use and the number of "generic" CXs used across the ER complex and to develop some consistency in their implementation.

Energy Research and the Operations Offices have found that many activities at the Laboratory sites are evaluated by use of "consolidated" and "generic" CXs, but there has been very little consistency across the ER programs as to the definition of a "generic" CX and how to limit or delineate what can be done under such a CX. This issue surfaced and was discussed at the ER NEPA Workshop held in conjunction with the November 1994 ER Semiannual Environment, Safety and Health Coordination Meeting. The participants at that meeting concluded that there was a need to define the terms "consolidated" and "generic" CXs in an effort to develop a consistent approach to the use of such CXs across the ER programs.

A CX Working Group was established to define the terms and establish a framework for implementing "generic" and "consolidated" CXs. A workshop was held on January 26, 1995, and was sponsored by the Chicago Operations Office and Argonne National Laboratory. In attendance were personnel from Chicago

and Oakland Operations, Argonne Area Office, Batavia Area Office, Princeton Area Office, Argonne National Laboratory, Brookhaven National Laboratory, Fermilab, Lawrence Berkeley Laboratory, and staff and technical support personnel from ER-8 and ER-80. Additionally, two conference calls were held to follow up on the workshops. Many electronic mail communications were exchanged among the parties that also included representatives from Oak Ridge, Richland, Pacific Northwest Laboratory, and Princeton Plasma Physics Laboratory. These efforts resulted in agreements on the working definition of "generic" and "consolidated" CXs, as well as a framework for their implementation by the Operations Offices and laboratories. The definitions and framework are discussed below.

DEFINITIONS AND FRAMEWORK FOR IMPLEMENTING APPENDIX B
GENERIC AND CONSOLIDATED CATEGORICAL EXCLUSIONS (CX)
FOR OFFICE OF ENERGY RESEARCH ACTIVITIES

Definitions

Generic (or "Blanket") CX: A CX determination that covers multiple and/or repetitive actions conducted routinely at a site over a period of time, and that sets appropriate bounding criteria.

Consolidated (or "Group") CX: A CX determination that covers multiple actual proposed actions defined with specificity and combined in one package as a matter of convenience.

Framework for Implementing Generic and Consolidated CXs

Generic and consolidated CXs used for ER sponsored activities will continue to receive full DOE review and approval ("determination"), as per the current procedures established by

DOE and the Operations Offices. Laboratory environmental compliance personnel will verify that a proposed action falls within a Generic CX, as per the procedures established by the Operations Office. The Laboratory's verification is subject to any bounding criteria set forth in the CX, as well as the conditions that are integral elements of the classes of actions that are applicable to all Appendix B CXs (as per 10 CFR 1021, Appendix B to Subpart D). Evidence of the Laboratory's verification review will be maintained in Laboratory files and available for DOE audit.

The term of a specific Generic or Consolidated CX is established by the Operations Office NCO. Following the term, requests for renewal of the Generic and/or Consolidated CX for another term will undergo the full review required for new Generic and/or Consolidated CXs.

Additional Information

The CX data that were collected by ER-80 and evaluated by ER-8 in support of the definitions and the framework are available for review upon request. If you have any questions on this ER NCO Communication, please call me at (301) 903-4930 or reach me by e-mail at Clarence.Hickey@mailgw.er.doe.gov.

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