

**KICKING NEPA INTO HIGH GEAR – MAKING THE PROCESS WORK  
FOR YOUR PROJECT! A CASE STUDY OF THE  
U. S. DEPARTMENT OF ENERGY OAK RIDGE RESERVATION'S  
EAST TENNESSEE TECHNOLOGY PARK**

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**ABSTRACT**

Beginning in 1995, the U. S. Department of Energy (DOE) Oak Ridge Operations Office (ORO) set the goal of reusing excess and underutilized areas of the Oak Ridge Reservation. A critical linchpin in the reuse of the DOE land and facilities in Oak Ridge was to revitalize the former gaseous diffusion plant site (the K-25 Site) through a process called “reindustrialization.” Rather than seeing the site as a liability, a transformation of process, policy, and philosophy occurred wherein the site, renamed East Tennessee Technology Park (ETTP), was viewed as a marketable asset of land, facilities, and human and technical capabilities. As the policy mind-set was developing, a question arose — *how do we plan for the future use of this resource when all we have is a vision and nothing yet tangible?*

Recognizing that DOE’s vision for ETTP was one of marked change and improvement for the Oak Ridge region, it was determined that the National Environmental Policy Act (NEPA) review process would be initiated to document the baseline, plan for the future, and try to identify the “reasonably foreseeable.” Although NEPA categorical exclusions (CXs) were available for a number of initial leases, it was believed that further analysis was needed to attempt to capture that vision.

Thus the adventure began.

DOE-ORO faced many challenges, including:

- working on a work-in-progress,
- integrating future reuse objectives with an ambitious clean-up program,
- describing baseline conditions and a “no action alternative” inherently influenced by federal funding levels,
- achieving the objective of being flexible in our plans, which contrasted with the need to provide details on future site tenants, and
- reviewing potential future tenant activities against the scope of the environmental assessment (EA) prepared for the Reindustrialization Program.

Importantly, we have also had many successes, including the satisfaction of seeing some of the plans come to fruition. Thus the adventure continues!

**INTRODUCTION**

Realignment of DOE missions made necessary by the end of the Cold War and the transition from nuclear power as an energy option has left a legacy of underutilized land and facilities throughout the DOE Complex. These potentially productive resources are characterized by varying levels of chemical and radiological contamination. Through partnerships with private industry, DOE-ORO is securing a new future for retired nuclear production plants and support facilities. Firms engaged in manufacturing, value-added processing, and services are leasing and rehabilitating these facilities and resources for private

commercial use. In exchange for favorable lease terms, these firms agree to provide decontamination and decommissioning (D&D) or other needed clean-up related services to DOE. In this manner, the environmental management (EM) missions of D&D and environmental restoration are executed at low to no net cost to the government while ensuring regional economic stability through facility reuse, thus providing jobs and new opportunities for growth to the local economy.

Much has been written in the past two years about various topics related to Reindustrialization. Rather than repeat information that may be found in the published literature, the goal of this discussion is to establish the background for preparation of NEPA analysis and documentation at the primary DOE facility undergoing the Reindustrialization process. By discussing Reindustrialization in the context of the documented baseline at ETTP (Figure 1) and amidst the various programs operating at the facility, it is hoped that the reader will gain an understanding of the broad spectrum of the changes that have occurred and the challenges of trying to document these changes.

## **THE PRESENT DAY ETTP**

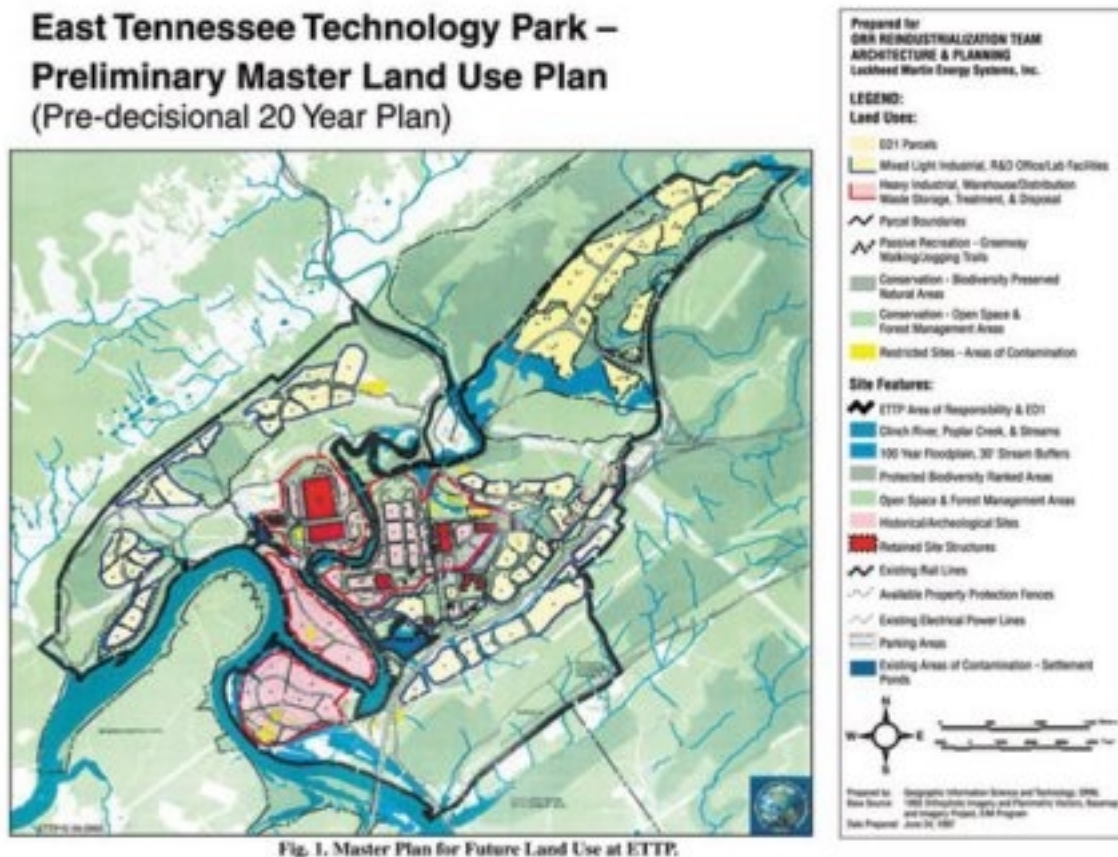
ETTP looks quite different than it did when Reindustrialization began in 1996. Not only are there signs — those placed by tenants to identify their spaces — but signs of life, literally. People are moving around the site, working in facilities once classified as “abandoned-in-place” while awaiting promised D&D program activities. Contractor employees are conducting walkdowns and radiological surveys of areas proposed for lease. Members of the Community Reuse Organization of East Tennessee (CROET) (an organization established by DOE to serve as the Department’s landlord of transferred land and facilities), along with DOE and its contract support, are showing interested companies facilities and land that may be suitable for their businesses. Just east of ETTP, on a 1000-acre parcel leased to CROET, bulldozers and backhoes are clearing land to place roads and infrastructure. This is a far different view than would have been seen only a few years ago — in fact it might be more suggestive of the type of activity that took place 56 years ago when the Manhattan District of the Army Corps of Engineers came to Oak Ridge with a unique mission in mind.

Currently, in addition to Reindustrialization activities, other DOE activities at ETTP include environmental restoration, waste treatment, storage and management, and technology development and demonstration. With the sole exception of Reindustrialization, these functions are to be completed, relocated, or discontinued within the next 10 to 15 years. Many industrial facilities at ETTP are unoccupied or unused, some because they have radiological contamination and others because they are no longer needed by DOE or are unsuitable for current missions. While the facilities may be unsuitable for traditional DOE missions, they may be quite desirable for tenants wishing to demonstrate clean-up technologies, operate businesses under radioactive materials licenses, or demolish them and use the land on which they now stand.

Given the status quo that prevailed from 1985 (when DOE placed the former Oak Ridge Gaseous Diffusion Plant into stand-by mode), transforming ETTP into a privately operated, viable, productive facility with tenants that would perform clean-up for DOE and jobs that would pay comparable salaries, would take a great deal of perseverance, persistence, local and other political support both internal and external to the agency, and...NEPA documentation.

## **ETTP NEPA BASELINE**

Although NEPA was passed in 1969 and enacted in 1970 (1), with operative programmatic regulations promulgated in 1978 by the Council on Environmental Quality (CEQ) (2), it was largely ignored by many federal agencies for a decade or more. It was not until the issuance of Secretarial Energy Notice 15-90 (3)



by Secretary Watkins that DOE was awakened to the realities of its compliance obligations in this regard. Shortly thereafter in April 1992, the agency promulgated its first implementing regulations for NEPA compliance, found at 10 CFR 1021 (4) and since updated twice.

Considering the major decisions that have been made involving ETTP since the enactment of NEPA, one might expect that DOE would have used the CEQ regulations to assist in the decision making process in several cases, for example, in deciding to place the gaseous diffusion process in stand-by status in 1985 and then to shut it down in 1987, or deciding to cease the gas centrifuge demonstration program in 1985. Instead, DOE relied upon management decisions founded in knowledge of the programs, their costs and benefits to the agency and the community, the need for the programs within DOE, world market demand for the product (in the case of ETTP, the product was low enriched uranium for use in commercial and research nuclear reactors), and the prevailing political climate. All in all, these are good bases for informed decision making, but they do not respond to NEPA requirements.

Since 1990, however, DOE has conducted numerous NEPA reviews to address proposed actions at ETTP. The majority of the analyses were lower-tiered and consisted primarily of categorical exclusions (CXs). There were two EAs prepared, one for the construction of waste storage facilities to manage wastes removed from two holding ponds at the site (the Pond Waste Management Project) (5), the other for the shipment of the drummed pond wastes to a disposal location (6). Only one environmental impact statement (EIS) has been prepared for an ETTP project. This project was the construction and operation

of the Toxic Substances Control Act Incinerator (7), the only incinerator in the United States that is able to burn radioactively contaminated polychlorinated biphenyl (PCB) wastes.

With the exception of the three higher-tiered documents noted above, there were no others that provide analysis and documentation for ETPP activities. It is worth mentioning that the majority of ETPP Resource Conservation and Recovery Act (RCRA) and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) actions were documented with CXs. After the issuance of the DOE Secretarial Policy on NEPA (8), NEPA values have been incorporated into CERCLA documents, thereby streamlining the often maligned parallel process of preparing NEPA and CERCLA decision-making documentation. Further streamlining of the incorporation of NEPA values was made possible through the joint DOE/Environmental Protection Agency (EPA) policy on the use of the CERCLA process for the D&D Program (9). Prior to the issuance of this policy, wherein DOE could use the CERCLA process for D&D projects, higher-tiered NEPA analyses and documentation had been contemplated for the large process buildings at ETPP, the D&D of which were cited as “listed” EISs in the DOE NEPA regulations (10).

The dearth of higher-tiered NEPA documents, especially for ETPP, is understandable given the shut-down status of the facility since 1985 (and prior to SEN 15-90). Extensive NEPA analysis is not warranted for the actions that were ongoing at the site at the time Reindustrialization began. Non-CERCLA action site activities consisted of surveillance and maintenance, removal of PCB gaskets, technology demonstrations, waste transport, painting and re-stacking of UF<sub>6</sub> cylinders, bridge repair, re-roofing, environmental monitoring and sampling, and placement of facilities in safe shut-down condition. When the time came to consider leasing buildings for the “upstart, system-bucking” Reindustrialization Program, an applicable CX came to mind – “lease of property, use unchanged” (11). That CX, however, was not intended to cover what was envisioned for Reindustrialization — we intended to *change things!*

We knew that we were proposing something that had the potential to bring a variety of positive economic benefits to an area undergoing years of downsizing, both in regard to employment and DOE missions. We also knew that we had the opportunity, via the leasing program, to achieve clean-up objectives using private-sector funding rather than taxpayer dollars. Use of “brownfields” for industrial purposes would also be achievable — ETPP certainly was a brownfield and there was a lot of “field” to be had. At the time, we didn’t quite know how much or in what way we wanted to proceed. In fact, it was early enough that we could still dream and imagine. Dreaming and imagining is hard to describe, though, in the proposed action section of a NEPA document.

#### **STOP PLANNING AND START WRITING: SETTING THE STAGE FOR THE ETPP LEASING EA**

During the formative period of the Reindustrialization Program in 1995, when it was referred to as “facility reuse,” a regulatory strategy was developed for the proposed activities of leasing and metal recycling. The strategy looked into compliance approaches for regulations such as RCRA, TSCA, the Clean Air Act, the Clean Water Act, and the myriad of other regulations to which DOE is subject. Complicating the strict compliance responsibilities was the National Priorities List status of the site, including the tri-party clean-up agreement between DOE, EPA Region 4, and the Tennessee Department of Environment and Conservation. The uncertainties were many and the learning curve steep, as we all learned at the same time. With the NEPA process, however, it seemed fairly straightforward — DOE’s decision was whether or not to sign a lease, therefore the NEPA review process would need to be applied to each and every lease decision. Right?

Thereupon arises the issue of segmentation, expressly prohibited by the CEQ regulations (12). If we were going to be leasing, would it be appropriate to look only at the individual leases, or should we look at the whole program? At the time these questions were being asked, however, there was no program, only the small Vision 2010 Task Team, which was assigned to get things going, not to develop plans, procedures, and the like. Other established ETTP programs looked anxiously towards the Vision 2010 Task Team to understand what was being planned, how it would work, and how it would effect them. Other programs, fearful of anyone opening the Pandora's box of NEPA, suggested that no NEPA would be needed for the leasing program. After all, it was known that DOE was preparing Baseline Environmental Management Reports, Site Management Plans, and Annual Site Environmental Reports, as well as conducting a large-scale Oak Ridge Reservation-wide planning effort called the Common Ground Process. There was also a public involvement process initiated by the Oak Ridge Environmental Management Site-Specific Advisory Board called the End Use Working Group, which sought to determine end uses for each of Oak Ridge Reservation area and sub-area. The need for another document was questioned. Couldn't Reindustrialization simply add leasing to CERCLA documents as a proposed clean-up alternative? Couldn't we just wait until the cleanup was completed? Couldn't we just go away?

A two-day meeting involving the DOE Task Team, CROET, and the DOE management and operating contractor was held in January 1996. The goal of the meeting was to brainstorm about this new concept, now called "reindustrialization," and to discuss the means to achieve a reindustrialized site. The issue of "How do we get there from here?" in the context of planning and execution, came up repeatedly, as did the response "Prepare an EA." There was much disbelief that NEPA could facilitate progress and save money, but over and over again arguments were made in favor of a broad-based analysis of leasing at ETTP. By the end of the meeting, people were convinced of the value of NEPA and aware of its uniqueness and applicability versus a site management plan or a series of CERCLA documents. By February 1996, preparation of an EA was an action item. *Lesson #1: Sell NEPA as an asset and a tool and begin to do so as early as possible.*

## **BASIS, GOALS, AND STRATEGY OF THE ETTP LEASING EA**

Oftentimes the NEPA process is "imposed" on a project long after the decisions on how to proceed have been made. In the case of the EA for the Lease of Land and Facilities within ETTP (13), as just noted, we sought to use the NEPA process to help us plan and shape the formative Reindustrialization Program. The basis for the EA was simple — we were proposing a new program, and we didn't quite know what it would look like, how long it would take, how long it would last, or if people were very interested in what we were proposing. What we did know was that NEPA could help us plan.

Our goals for the leasing EA were established early. They guided us through a fairly complex process given the speed at which the program took off and the controversy that surrounded it. These goals should be encouraged for all NEPA analyses. First and foremost, we needed to focus on the proposed action and to distinguish it from the traditional CERCLA cleanup. What we were proposing would accelerate clean-up by using private sector dollars to do clean-up on behalf of DOE in exchange for leasing facilities at reduced rates. We were not avoiding clean-up, contrary to the views of many, but proposing it in a unique manner in hopes of achieving it ahead of schedule and at far-reduced costs. Secondly, in an action such as we proposed, we wanted to include as large a land area as possible to avoid the need for preparing future documents with the same proposed action. (Figure 2) Thirdly, we desired to include as many types of businesses and operations as we could imagine. We did not want to have to prepare additional analyses for other EA-level opportunities. Next, we wanted to be able to use the CXs that were available while we were writing the document (14) and not have to stop leasing while we awaited a decision on the EA. This was a fine line to walk (more about this is found in the next section). Lastly, and most critical,

we had to work quickly because the Reindustrialization train was leaving the station as we were analyzing and writing. Without doubt, we wanted to conduct the NEPA process as proactively as possible, but we did not want it to tie up our ability to move forward.

DOE had made a commitment to the community to keep as many jobs in place as possible and to create new ones to replace those that would be lost to proposed budget cuts. In that regard, DOE had a responsibility to the community. It also had a responsibility to the regulators (EPA and the Tennessee Department of Environment and Conservation) to continue forward with the clean-up program (in the midst of reduced funding), and also to the regulatory requirements of NEPA. These factors posed a difficult balancing act to our Reindustrialization goals.

## **CHALLENGES ALONG THE WAY**

As our data gathering and analysis continued on topics as varied as socioeconomic and transportation impacts to the effects on National Register of Historic Places-eligible properties, private sector firms continued to express interest in leasing DOE land and facilities. As we wrote we frequently had to modify our analysis to include data and information on new businesses. While we felt that we were being as expansive in our analysis as possible, it did not prepare us for the types of companies and interests that arose (Table I). Not all of the opportunities that were presented came to fruition, but we wanted to be sure our document included a range of possibilities. The requirement to consider everything that was “reasonably foreseeable” in NEPA analysis was at the forefront of our efforts.

We also struggled with the need to keep the program going while the EA was in process. A number of individuals felt that we should not conduct any type of leasing until the EA was complete. Others also

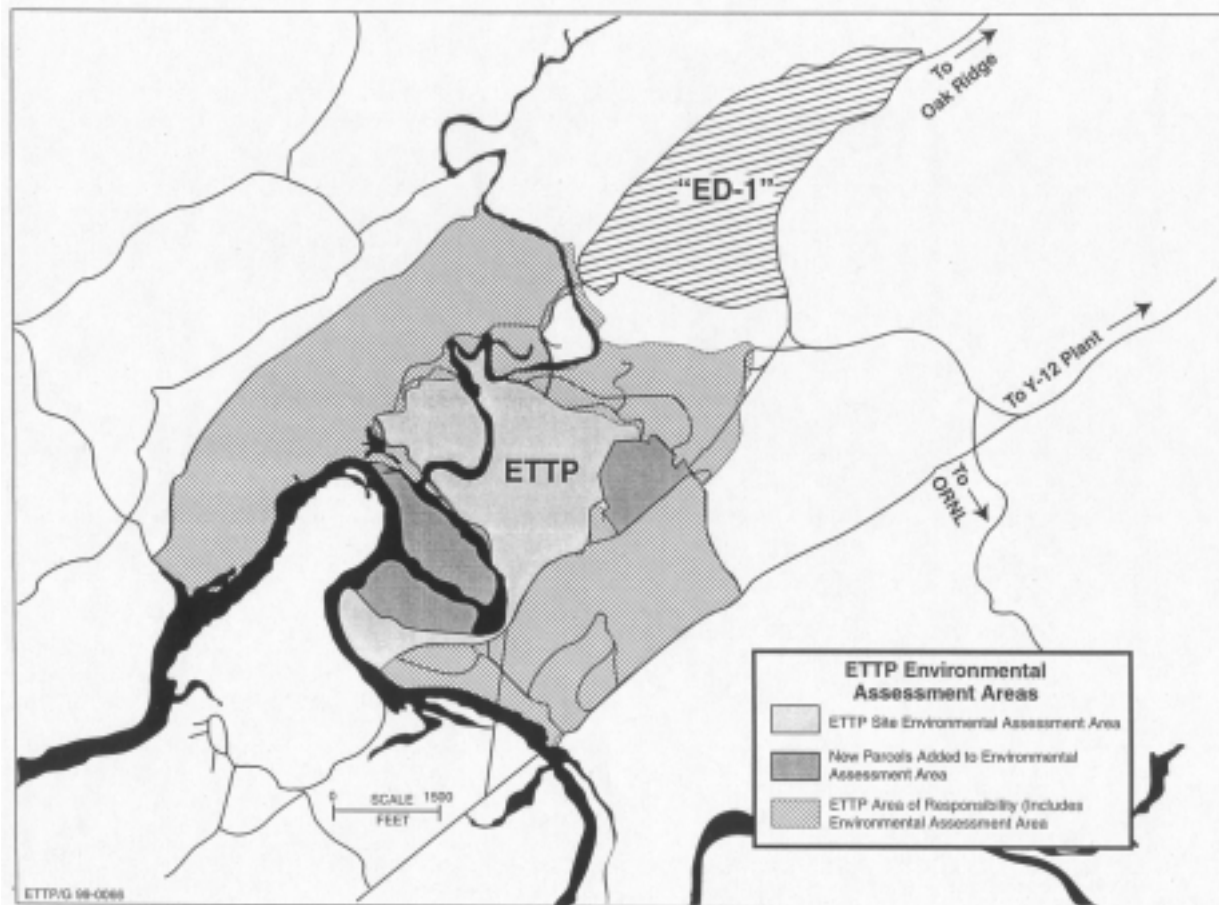


FIG. 2. ETP RA Areas

**Table I. Past and Current Uses of Representative ETP Facilities**

| <b>Building Number</b> | <b>Date Built</b> | <b>Former Use</b>                     | <b>Lessee(s)</b>                                                                                       | <b>Current Use</b>                              |
|------------------------|-------------------|---------------------------------------|--------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| K-1006                 | 1962              | Development laboratory                | Materials and Chemistry Laboratory                                                                     | Laboratory/ analytical services                 |
| K-1007                 | 1960              | Computer science                      | AC-USA.COM                                                                                             | Internet-related enterprise                     |
| K-1036                 | 1945              | Services office building              | Southern Freight Logistics                                                                             | Transportation and distribution services        |
| K-1037                 | 1953              | Industrial research                   | PCC Enterprises                                                                                        | Membrane/filter manufacturing                   |
| K-1056                 | 1945              | Materials warehouse                   | BioSterile                                                                                             | Medical waste treatment                         |
| K-1095                 | 1980              | Paint shop                            | Strip Technologies of America                                                                          | Paint shop                                      |
| K-1098E                | 1948              | Heat treatment                        | J. W. Cook Heating and Air                                                                             | HVAC services                                   |
| K-1200 Complex         | 1972              | Centrifuge facility                   | East Tennessee Materials and Energy Corp.                                                              | Waste treatment                                 |
| K-1220                 | 1981              | Office space/laser laboratory         | Diversified Environmental Services                                                                     | Waste treatment equipment design and production |
| K-1310N                | 1980s             | Office space                          | Design Integration Group                                                                               | Graphics services                               |
| K-1310P                | 1980s             | Office space                          | GLR Corp.                                                                                              | Environmental restoration services              |
| K-1401                 | 1944              | Equipment maintenance and fabrication | American Technologies, Inc.; Dienamic Tooling Systems; Infrared Technologies; Logixx; Machine Kinetics | Metals machining and fabrication                |
| Portal 9 Parking Lot   | N/a               | Employee parking                      | TRISM Environmental Services                                                                           | Waste transportation                            |
| 709 Yard               | N/a               | Storage                               | VasCon LLC                                                                                             | Metals recycling                                |

believed that DOE should not conduct any type of leasing until the site was remediated. Neither of those positions was acceptable to the program, and we dealt with them by ensuring

- (1) the leases being considered (prior to the completion of the NEPA process) would not prejudice future opportunities or activities at the site, meeting the criterion of allowable interim actions, and
- (2) the leases and the lessees' activities would fall under the available categorical exclusions. It is worth pointing out that the decision to lease is not the sole focus of the NEPA analysis in this regard. It is the proposed actions of the lessees that require the most thorough review. Without analyzing the lessees' proposed business operations, the NEPA review is baseless.

While we notified the public of the EAD and availability of the draft EA in the newspapers, we received less than a dozen requests for copies of the draft EA as a result of the EAD notice, and only ten sets of comments on the draft EA. Comments on the draft EA, which were fairly numerous, showed the frustration of the public with the multitude of planning efforts and seemingly repetitive processes, the decreasing budgets for clean-up and the concern that Reindustrialization would remove money from the clean-up program, and the anxiety about economic impacts to the City of Oak Ridge and the community at large. Individuals also expressed concerns about ETTP being used for undesirable industrial activities, while others were suspicious of the lack of complete detail in discussing potential lessee operations. We responded to each of the comments (15) and frequently found ourselves in the difficult position of trying to describe something that we could imagine and plan for, but for which there was no tangible example — no one had tried to do what we were doing at a site such as ETTP. The process of Reindustrialization was sometimes easier to carry out to explain!

The presence of the National Environmental Research Park (NERP) within the ETTP area of responsibility also posed challenges. The NERP is an area designated to conduct research on the environmental effects of DOE missions and operations on DOE landholdings. For example, what are the effects of TSCA Incinerator emissions on local populations of migrant neo-tropical songbirds? What are the effects on wetlands resulting from groundwater pump and treat operations designed to remediate contaminant plumes? The NERP is an administrative entity as opposed to a material environmental ecosystem. Despite that status, certain groups felt that the NERP boundaries were sacrosanct and should not be subject to Reindustrialization. These challenges were also addressed during the NEPA process, as well as by later administrative changes to the NERP boundary, but the EA for leasing land and facilities at ETTP did serve as a flash point in the overall land management issues on the ORR.

## **TURNING CHALLENGES INTO PROGRESS**

With all of the challenges and difficulties that were encountered in the program and the effort to document our plans for it, there were a multitude of learning opportunities. While it is often difficult to see the positive side of a negative or difficult situation, an obstacle to progress, or a requirement to put things "on hold" so that others can "get on board," it is always worthwhile to be retrospective of the events and introspective of your instincts, and to keep things in perspective. Granted, our desires were to move expeditiously and produce an efficient and focused analysis, but that does not mean moving through a process without thought or with reckless abandon. A number of practical and effective methods were employed.

*Primary in importance is establishing a multi-disciplinary team with a strong leader in the NEPA Document Manager position.* The job of NEPA Document Manager is not for the indifferent or harried. It requires a certain level of intensity and commitment. It is not necessary to have someone with experience as a NEPA Document Manager, but it is essential to have someone who is committed to the

project, knowledgeable of the proposed action, clear and focused, and not easily discouraged by the bureaucratic and administrative nature of the NEPA process.

*Next, focus on what you are proposing, not what you aren't proposing — avoid writing “negative” (and “defensive”) documents.* It is easy to get corralled into a situation of disproving negative assertions, but do not succumb to that method. By returning the focus of the document to a positive presentation of the proposed action, the proposed action will be better understood. The proposed action may not be desired by some or appreciated by others, but it will nevertheless be understood.

*It is essential to obtain the services of a “lead author” for the document.* This person need not be an administrative whiz, but the primary writer should be a persistent and organized individual. Having a document land on someone's desk and take up residency is not a desired result. The lead author does not need to have the answers to all of the questions, but they need to know who does, to follow up with them, and to expect responses.

*Think big.* If you think it's reasonably foreseeable, include it. If you don't, you may get to prepare a new document in the future.

*Inform everyone in your program, both locally and in the appropriate headquarter's organization, of what you are doing.* Send them copies of the EAD. Talk to them regularly. Support is available from those who are informed, as opposed to those who are isolated from programmatic information. NEPA is not intended to be a secret. Tell people what you're doing and don't be ashamed to admit it.

*Timing is critical, so start early.* Start earlier than you think you need to. Trying to describe something that is only planned and does not yet have visible examples for illustrative purposes is a challenge, but if you start early and explain things from a bottom-up perspective, the level of information sharing will work to your advantage.

*Don't be dissuaded by controversy.* Chances are favorable that NEPA documents involving land use and management subjects will be controversial. Just accept it and move on.

*Ask questions and listen to the answers.* This applies to the people working on the document with you as well as the public. Oftentimes we make presentations with set speeches in mind and standard answers at the ready. That is roughly equivalent to the “DAD” principal of NEPA (i.e., Decide, Announce, Defend) and can have serious repercussions. It may be frustrating to have your plans dissected, but having these discussions internally will be useful in responding to the public comments that will follow.

*Don't give in to focusing on the typical instead of the relevant.* The less scrutinizing reviewer will seek to perform comparisons between NEPA documents, which may lead to confusion or delay to the understanding or implementation of the proposed action. For example, the reviewer may collect a series of NEPA documents and say “You said you would make 40 million widgets in this document, but in your EA you said that you didn't need any widgets at all. What do you want to do?” Responding to these type of comments is necessary, but always bring the reviewer back to what is relevant, not what is typical. In much the same way as reviewers want to see their comments addressed individually, they want to see consistency, even if it means an inordinate amount of redundancy. Reject the standard “packaged” document and instead prepare something focused and responsive to your project's needs.

*Model it after something that already exists.* This is not intended to suggest plagiarism, but if another document has been through the public process before or presents a body of reference material that you can use, by all means use it. Do take the time to review it in its entirety to see where it needs revision and

updating. Also, if the philosophy behind the proposed action is applicable, use it again. This approach may lead to questions such as “This is just like the last EA you did. Why didn’t you include this area before?” Those questions require response, so be sure to be well grounded in your response and expansive as well, lest more serious questions of segmentation arise.

*Address comments collectively.* While many reviewers want to see their specific comment addressed individually, this method is time-consuming and highly duplicative. In addition to responding to similar comments with a singular response, we also chose to respond to thematic comments collectively, similar in nature to a CERCLA Responsiveness Summary. This results in “essay form” responses as opposed to typical question-and-answer format. This method provides a contextual response and allows commenters to see the response to their question in the context of the proposed action and its explanation. People may think and form opinions in a question-and-answer mode, but understanding is gained in more informative discussions and analysis.

*Don’t be intimidated by established conditions or the status quo.* There is rarely a “third rail” in proposed actions that cannot be addressed honestly and openly. If your project is challenging an accepted premise or status quo, it may take explanation to present your position. If you see that your proposal has merit in light of the present conditions, then proceed, but don’t forget to state your case thoroughly.

## **NOW THAT WE HAVE IT, WHAT DO WE DO WITH IT?**

It was a difficult and challenging process, but a worthwhile effort nevertheless. DOE Reindustrialization has been able to reference the leasing EA dozens of times, and to date it has negated the need to prepare at least two new EAs. Many things we could only imagine while we were writing are coming to fruition. Alternatively, we have only found one proposal that was not within the scope of the EA, and that proposal subsequently was abandoned. This was clearly a valid undertaking, but what do we do next?

*Distribute it.* Employ a broad distribution on an EA of this type. Chances are that every site program will be effected by a leasing process, or at minimum, a land management effort.

*Use it.* The EA is not the end of the line in environmental review — it is a tool. In the instance of leasing at ETTP, we work with potential sublessee companies to gather information on their proposed action to be sure it is within the bounds of the EA. Being familiar with the EA, especially the section on scope and purpose, and developing a checklist to prompt sublessee information has proven to be very useful.

*Follow through.* The NEPA process does not end with the FONSI, despite the relief that one feels when the paperwork is complete. Rather, NEPA is an on-going process of diligence and compliance review. It is necessary not only to use the EA to review sublessee actions, in the case of ETTP, but it is necessary to see that tenants stay within the envelope of the FONSI. If there are actions that stretch the limits of the FONSI, that is when it is time to start a file of all of the actions to include in a supplement to the EA... or in a new NEPA document.

## **CONCLUSIONS**

From the time the decision was made to prepare an EAD and an EA until the time the FONSI was issued, approximately 18 months had elapsed. The delays we encountered were more a function of the need to coordinate internal review and comment between the various DOE programs involved than a function of the process being cumbersome or inherently delay-producing. Choices were also made in regard to timing the release of the document to the public (primarily due to the nature of the job loss projection figures in the socioeconomics text), revisions to incorporate new types of industries that were interested in ETTP,

and workload scheduling for the primary author. In spite of the duration of the process, which is still not unduly lengthy given the character of the proposed action, the end result is a document that is very useful to the Reindustrialization Program. Given the choice of speed or utility and value, most would choose the latter.

The fact that there was a great deal of enthusiasm and anticipation going into the EA for Lease of Land and Facilities at ETTP helped us get through the difficult periods of comment response and the doldrums that occur when you can't bear to pick up the document one more time. The team that was established in the beginning was crucial to our success, as was the lead author concept. If it had to be done over again we would choose to do it in the same way, incorporating the lessons that were learned in our process. The subject of leasing is very specialized, and the subject of leasing contaminated land and facilities is especially so. Meeting to discuss lessons learned and conducting information exchange with others who have been down this path is highly recommended.

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