



Evaluating Waste Management Alternatives Under NEPA

Suzanne Bohan, US EPA Region 8

Director, NEPA Compliance and Review Program

Bohan.suzanne@epa.gov

303-312-6925

Session # 067

NEPA EIS Requirements

- Section 102: Directs agencies to prepare EISs for major federal actions significantly affecting the environment
 - Environmental impacts of proposed action
 - Unavoidable adverse impacts of proposal
 - Alternatives
 - Short-term uses vs. long-term productivity
 - Irreversible/irretrievable commitments of resources

EPA Review Responsibilities

- Under Section 102 of NEPA, all federal agencies and the public can review EISs.
- Under Section 309 of the Clean Air Act, EPA must review:
 - legislation proposed by another federal agency;
 - federal construction projects and major federal actions (i.e., EISs); and
 - regulations proposed by other federal agencies.
- Comments must be in writing, and must be made public.

Important EPA Review Concerns

- Water quality
- Ground water/sole source aquifers
- Air quality
- Wetlands
- Hazardous waste issues
- Environmental Justice
- Cumulative Impacts

Range of Alternatives

- Includes all reasonable alternatives
 - must be “rigorously explored” and “objectively evaluated”
 - avoid or minimize adverse effects of proposed action
- Includes other alternatives eliminated from detailed study
- 1500.2(e), 1502.14

Reasonable Alternatives

- Alternatives outside the capability of applicant
 - emphasis is on what is "reasonable" vs. if applicant likes or is itself capable of carrying out alternative.
 - Reasonable alternatives are practical or feasible using common sense
 - CEQ 40 Questions 2a

Reasonable Alternatives

- Alternatives outside the jurisdiction or capability of the agency - 1502.14 (c)
- Alternatives inconsistent with any approved State or local plan and laws – 1506.2 (d)
- CEQ 40 Questions 2b

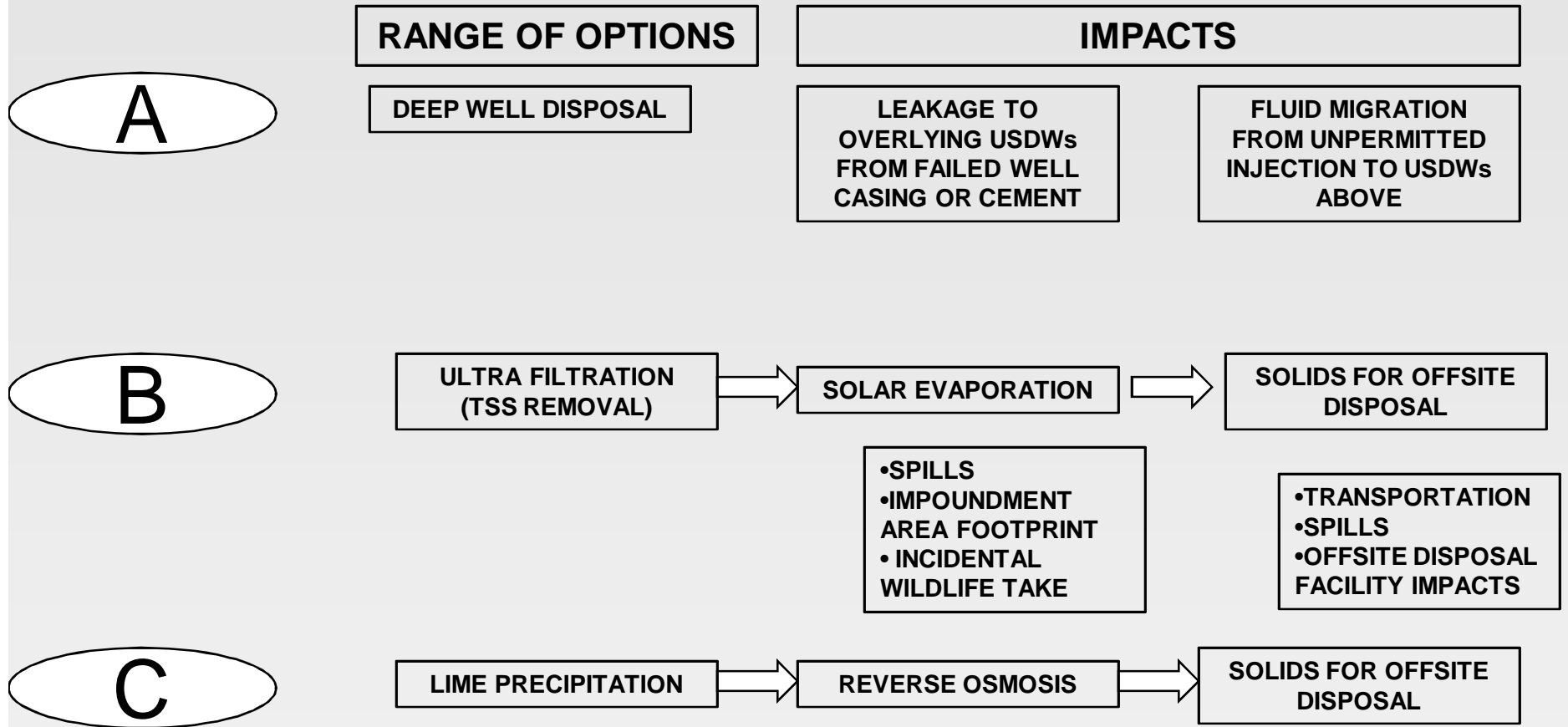
EPA Alternatives Review

- If significant impacts are associated with the proposal and they cannot be adequately mitigated, EPA's comments should suggest an environmentally preferable alternative
- Suggested alternatives should be both reasonable and feasible

NEPA Alternative Analysis for Wastewater Management Options

- Consider goals
- Reasonable range of options
- Evaluate wastewater quality & flow rates
- Identify site specific constraints
- Compare environmental impacts & mitigation

Potential Wastewater Options



EPA's EIS Rating System

- Project:
 - LO = Lack of Objections
 - EC = Environmental Concerns
 - EO = Environmental Objections
 - EU = Environmentally Unsatisfactory
- Document:
 - 1 = Adequate EIS
 - 2 = Insufficient Information
 - 3 = Inadequate EIS

Rating the Adequacy of EIS

- 2-Insufficient Information... new, reasonably available alternatives within the spectrum of alternatives analyzed, could reduce the impacts of the proposal.
- 3-Inadequate EIS...new, reasonably available alternatives, outside of the spectrum of alternatives analyzed, should be analyzed in order to reduce potentially significant impacts.