

ES&H DIVISION  
SLAC I-750-0A16C-001-R004

# National Environmental Policy Act (NEPA) Implementation Procedure



October 2025

This document, SLAC National Environmental Policy Act (NEPA) Implementation Procedure, SLAC-I-750-0A16C-001-R004, has been:

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# 1. PURPOSE

The purpose of this document is to describe and document SLAC National Accelerator Laboratory (SLAC)'s processes and procedures to comply with the requirements of the National Environmental Policy Act (NEPA) (42 USC § 4321 *et seq.*) and the U.S. Department of Energy (DOE) NEPA Implementing Procedures (10 CFR § 1021). NEPA requires federal entities such as SLAC to consider the environmental consequences of their actions to ensure that projects are environmentally responsible. This document outlines SLAC's process in support of the DOE's NEPA activity.

# 2. REGULATORY BACKGROUND

NEPA was signed into law on January 1, 1970, with the goal of protecting, restoring, and enhancing the environment. It is a procedural statute that applies to proposed actions that use federal funds, occur on federal lands (including leased lands), and/or require federal permit(s), approval, or oversight. Under NEPA, federal agencies, such as the DOE, must consider the environmental effects of their proposed actions as part of the decision-making process prior to implementing those actions. DOE's NEPA Implementing Procedures are published in 10 CFR § 1021. SLAC as a government-owned and contractor-operated federal facility is subject to the provisions of NEPA. Accordingly, the DOE has the ultimate decision-making authority on SLAC-based activities under NEPA.

On July 3, 2025, DOE issued an interim final rule revising NEPA implementation procedures to supplement the rescinded (April 11, 2025) Council on Environmental Quality (CEQ) NEPA implementing regulations (40 CFR parts 1500 through 1508). DOE will maintain the remainder of its procedures in a procedural guidance document ([DOE NEPA implementing procedures](#)) separate from 10 CFR § 1021. The interim final rule provides that routine actions listed in [Appendix A in 10 CFR § 1021](#) (formerly classified as categorical exclusions) are now considered administrative and do not require NEPA review.

In addition to NEPA, federal agencies are subject to the National Historic Preservation Act (NHPA). Section 106 of the NHPA requires federal agencies to consider the effects of their proposed activities – known under the NHPA as “undertakings” – on historic properties. Any undertaking that an agency determines may have the potential to affect a historic property must be evaluated under Section 106 of the NHPA. Though NEPA and the NHPA are separate laws – NEPA encompasses the consideration of impacts to a wide range of environmental resources and aspects, while Section 106 of the NHPA only considers impacts to historic properties – both require federal agencies to account for potential impacts to historic properties during the project planning and decision-making process. Therefore, the CEQ and the Advisory Council on Historic Preservation (ACHP), which is responsible for administering the NHPA, recommend that agencies integrate their NEPA and Section 106 reviews<sup>1</sup>.

# 3. TYPES OF DOCUMENTATION

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<sup>1</sup> *NEPA and NHPA: A Handbook for Integrating NEPA and Section 106*, Council on Environmental Quality Executive Office of the President and Advisory Council on Historic Preservation, March 2013.

There are four types of formal NEPA documents, each corresponding with a different level of environmental review or determination, that federal agencies prepare to demonstrate compliance with NEPA: Categorical Exclusion (CX), Environmental Assessment (EA), Supplement Analysis (SA), and Environmental Impact Statement (EIS). The DOE SLAC Site Office (SSO) NEPA Coordinator is responsible for determining what level of analysis and documentation is required for a proposed action under NEPA.

### **3.1. Categorical Exclusion (CX)**

CXs are actions taken that do not normally have a significant effect on the human environment and therefore may be “categorically excluded” from further detailed environmental analysis (i.e., do not require preparation of an EA or EIS). [Appendix B of 10 CFR § 1021](#) lists classes of actions that the DOE has determined qualify as a CXs (includes seven US Forest Service categorical exclusions). The DOE CX determination form can be found [here](#). In addition to the CX categories listed in Appendix B of 10 CFR § 1021, proposed actions at SLAC may fall under a Generic CX<sup>2</sup>. Generic CXs are seventeen groups of routine activities that have been pre-approved for SLAC by the DOE Office of Science NEPA Compliance Officer (NCO) at the DOE Office of Science Consolidated Service Center (formerly the DOE Oak Ridge Office). The majority of SLAC’s maintenance, operation, and infrastructure work and research and analytical activities can be approved under the existing Generic CXs. Approved Generic CXs can be found within the [NEPA Action Log](#). Examples of approved CX’s include the Large Scale Collaboration Center (LSCC), Cryomodule Repair and Maintenance Facility (CRMF) and the Critical Utilities Infrastructure Revitalization (CUIR). Completed CX’s are posted on the [SLAC NEPA website](#).

### **3.2. Environmental Assessment (EA)**

An EA is required when a proposed action is not covered under an existing CX or Generic CX and it is unclear whether the action would have a significant environmental effect. An EA is a concise public document that provides sufficient evidence and analysis to assist in determining the significance of the environmental effects of a proposed action. If the DOE determines that, based on the EA, the action will not have significant environmental effects, a Finding of No Significant Impact (FONSI) is prepared to document that there is no need for an EIS. If the action will result in significant environmental effects, an EIS must be prepared. An example of an EA and its associated FONSI is the LINAC Coherent Light Source-II. Completed EAs are posted on the [SLAC NEPA Website](#).

### **3.3. Supplement Analysis (SA)**

A SA analyzes the environmental effects of proposed changes to an action for which an EA has already been completed to determine whether the changes are within the scope and effect envelope of the original EA and/or if they present extraordinary circumstances that would affect the significance of the environmental effects analyzed in the original EA. If a SA finds that the proposed changes are within the previously analyzed scope and effect envelope and there are no significant new circumstances or information relevant to environmental concerns and bearing on the proposed action, no further NEPA documentation is required. Examples of SAs include the Low Emittance Injector Tunnel (LEI) project and the LCLS-II High Energy (LCLS-II-HE) Project. Completed SAs are posted on the [SLAC NEPA Website](#).

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<sup>2</sup> <https://www-esh.slac.stanford.edu/files/nepa/GenericCX.pdf>

### 3.4. Environmental Impact Statement (EIS)

An EIS is a detailed document that must be prepared for major federal actions that significantly affect the quality of the environment. An EIS includes a comprehensive evaluation and discussion of the effects from the proposed action and alternatives and involves an intensive public scoping and participation process. Preparation of an EIS is highly complex and, as it is reasonable to assume that actions requiring an EIS would fall outside the scope of SLAC's ongoing operations and development, it is not discussed further in this document. Since the development of the NEPA regulation, an EIS has not been completed for any project that has taken place at SLAC.

## 4. IMPLEMENTATION AT SLAC

SLAC's Environment, Safety, and Health (ES&H) Directorate supports the DOE SSO in the administration of NEPA at SLAC through the assessment and documentation of proposed projects and activities. Because all SLAC activities are funded by the DOE and/or take place on DOE-leased land, a NEPA review is required for all SLAC proposals, unless it has been covered under a previous NEPA determination. This includes but is not limited to research projects and experiments; building repairs, modifications, or demolitions; new construction; and operational maintenance and support services.

SLAC's NEPA process is integrated with the NHPA Section 106 process. Impacts to historic and cultural resources must be considered during the NEPA analysis; therefore, any requirement to evaluate an activity's potential impact to historic resources under Section 106 of the NHPA would be triggered during the NEPA review. In cases where a proposal is being evaluated under both NEPA and NHPA Section 106, the Section 106 process must be concluded prior to the issuance of the NEPA determination<sup>3</sup>.

### 4.1. Initiation of NEPA

NEPA reviews should begin as soon as possible after a new action is proposed and should be integrated with other planning at the earliest possible time to ensure that planning and decisions reflect environmental values, to avoid delays later in the process, and to head off potential conflicts<sup>4</sup>.

For CX actions, the NEPA review process is typically initiated when a department, group, or individual submits an Environmental Compliance Checklist (ECC)<sup>5</sup> to the NEPA Program Manager (PM) within the ES&H Environmental Protection (EP) Department. The ECC is a SLAC document used by the NEPA PM to evaluate and/or document potential environmental effects and mitigations for CXs (see Section 4.3 for further details). In addition to reviewing ECCs, the NEPA PM evaluates all projects that are submitted through SLAC's Building Inspection Office (BIO) Plan Review System. Each ECC is assigned a unique NEPA Action Number by the NEPA PM. SLAC's Financial Analysts require that projects provide the NEPA Action Number prior to releasing funds from certain account types<sup>6</sup>. Additionally, there may be

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<sup>3</sup> 36 CFR § 800.8

<sup>4</sup> 2.0 Planning and Decision Making, *DOE NEPA Implementing Procedures*, June 30, 2025

<sup>5</sup> The ECC can be accessed at: <https://www-esh.slac.stanford.edu/files/nepa/NEPAenvcompliancechecklist.docx>

<sup>6</sup> Applicable account types include, but are not limited to: Capital Equipment Projects (CEP), Accelerator Improvement Projects (AIP), Interagency Agreement (IAA), General Plant Projects (GPP), Line-Item Construction

other types of projects and agreements, such as Strategic Partnership Projects (SPP), that require a NEPA Action Number and/or the appropriate NEPA review. Certain proposals may not require a NEPA review if the NEPA PM determines that a previous review for the same action has been completed and is valid.

For larger actions (i.e., new construction), the NEPA review process should be initiated by the project during the Critical Decision-0 (CD-0) phase (Approve Mission Need) in coordination with the SSO NEPA Coordinator and the NEPA PM. CD-0 officially establishes a project and signifies that there is an inherent need for that specific project. The NEPA determination (e.g., EA) must be issued prior to CD-1 approval<sup>7</sup>.

## **4.2. Determination of Required Documentation**

As the lead federal agency representative, the SSO NEPA Coordinator is responsible for determining what level of analysis and documentation is required for a proposed action under NEPA, though the NEPA PM may support or act on behalf of the SSO NEPA Coordinator in making these determinations.

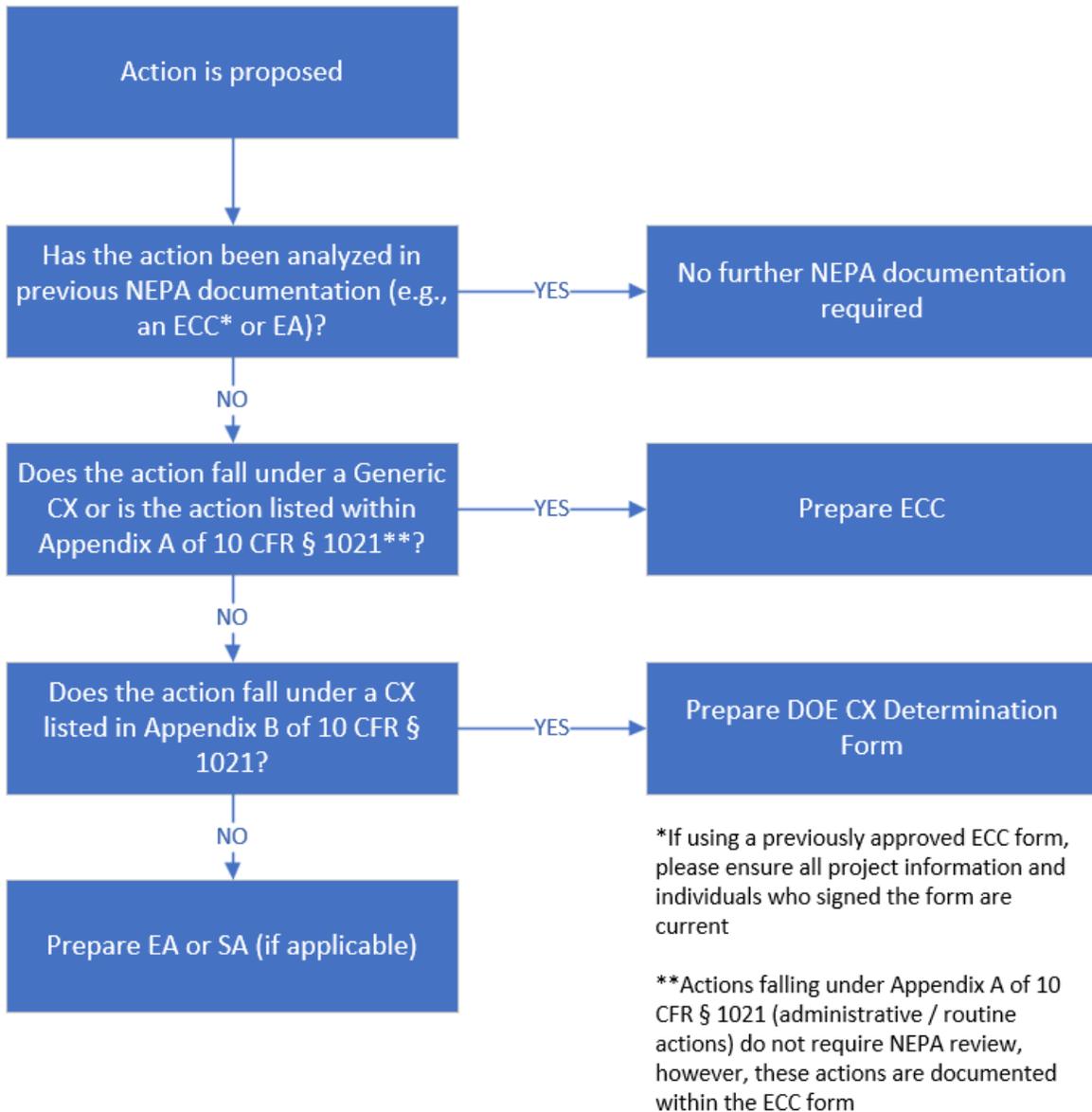
The NEPA documentation required for a proposal is determined based on whether it is an activity exempt from NEPA (listed in Appendix A of 10 CFR § 1021), qualifies as a Generic CX, a CX listed in Appendix B of 10 CFR § 1021, and/or whether it may have a significant environmental effect (i.e., requires an EA) (Figure 1). The vast majority of SLAC's proposed actions are exempt (do not meet the definition of a [major Federal action](#)) or covered under a Generic CX or a CX. As previously stated, actions that are determined, via the EA process, that will significantly affect the environment require an EIS; as actions of this scale have not and are not expected to occur at SLAC, EISs are not discussed further in this document.

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(LIC), Cooperative Research and Development Agreement (CRADA) and Lab Directed Research and Development (LDRD)

<sup>7</sup> DOE O 413.3B Chg7 (LtdChg)

**Figure 1. SLAC NEPA Documentation Determination Process**



### 4.3. Reviewing and Approving ECCs

The ECC is an internal SLAC document and serves as SLAC’s primary NEPA form for documenting actions falling under Appendix A of 10 CFR § 1021 (i.e., administrative / routine actions) and NEPA reviews of Generic CXs. The ECC provides information on the project scope, location, applicable environmental aspects, and mitigations and controls to be implemented, if any. It covers environmental aspects consistent with those identified under SLAC’s Environmental Management System (EMS) to ensure that overall facility-wide potential effects are captured during the NEPA process<sup>8</sup>. The majority of

<sup>8</sup> <https://esh.slac.stanford.edu/ems>

the ECC is completed by the project, who is responsible for sending the ECC to the NEPA PM for review.

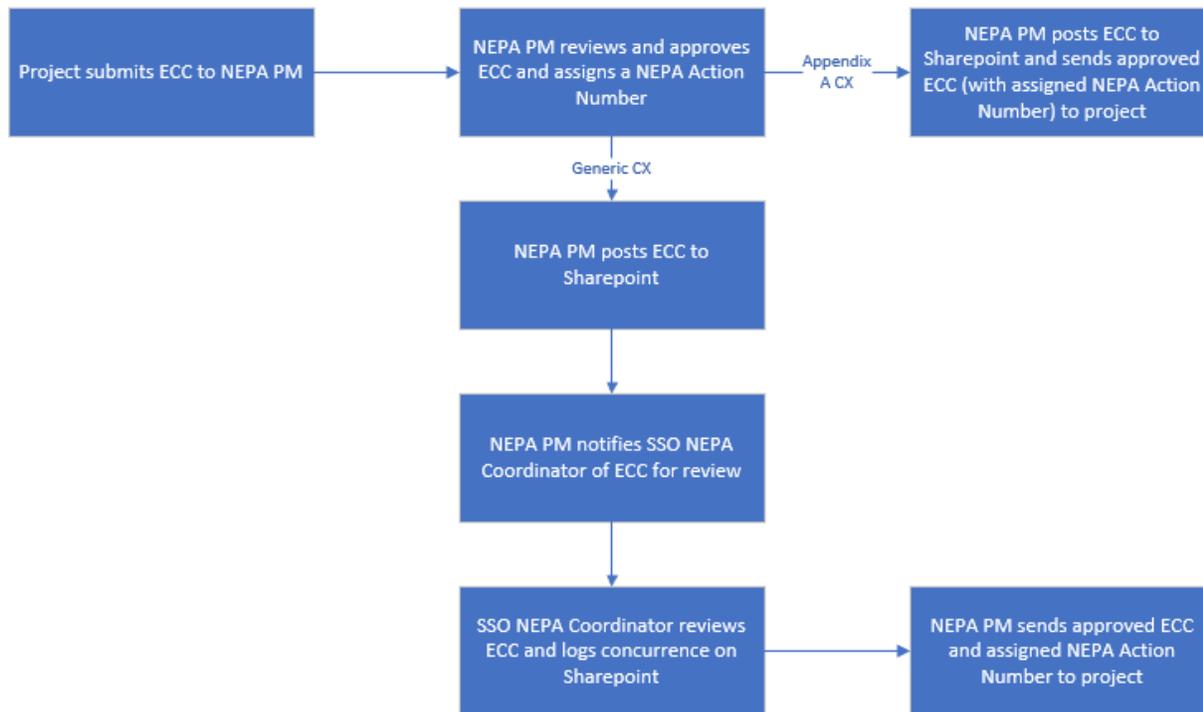
The NEPA PM:

- assigns the ECC a unique NEPA Action Number,
- documents the NEPA determination (i.e., which Generic CX category or categories that the action fits under) on the last page,
- ensures that all required information has been completed
- reviews completed ECC and makes necessary changes to the document,
- uploads the ECC to the NEPA Sharepoint, and
- notifies the SSO NEPA Coordinator that the ECC is ready for their review and concurrence.

The SSO NEPA Coordinator records their concurrence with the ECC and associated NEPA Determination on the Sharepoint entry by indicating the date of concurrence; the NEPA PM is automatically notified via email when this occurs. Following the SSO NEPA Coordinator's concurrence, the NEPA PM sends the approved ECC and the assigned NEPA Action Number to the project.

If prior ECC submissions are used for current projects, the NEPA PM will reevaluate the ECC form to determine if the project scope remains the same as described within the previously approved ECC form and to confirm that the ECC signatories are still the parties responsible. Additionally, the NEPA PM will review ECC scope changes against any new NEPA regulatory requirements. Note that activities covered by Appendix A of 10 CFR § 1021 do not need to be reviewed nor approved by the SSO NEPA Coordinator, and may be approved directly by the NEPA PM. This process is summarized in Figure 2 below.

**Figure 2. ECC Process**

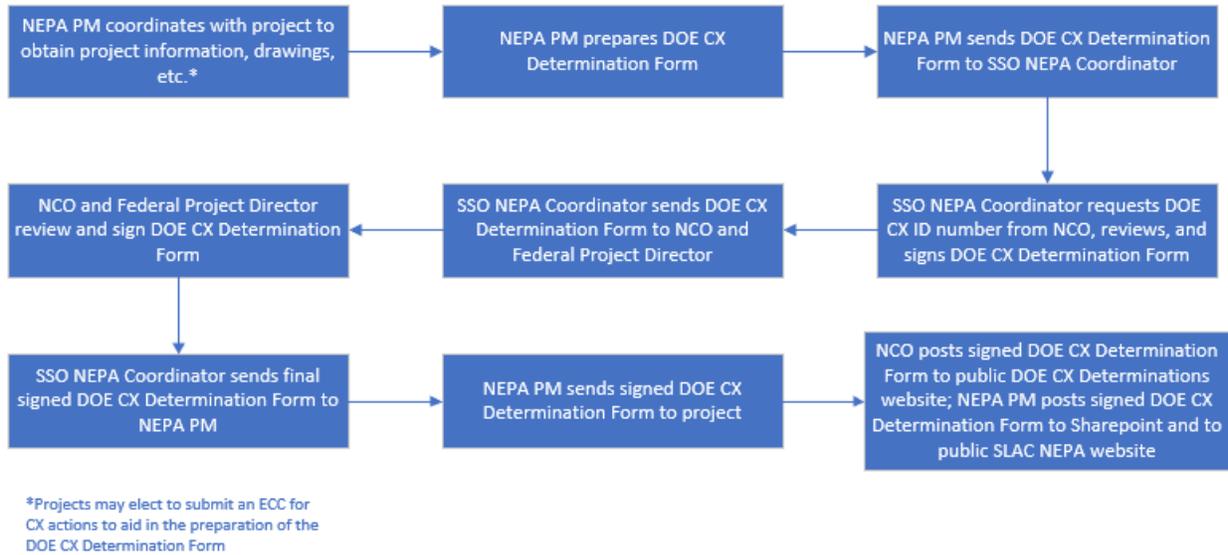


The average time for review and final approval of a Generic CX or action falling under Appendix A of 10 CFR § 1021 is approximately 1 week. More time may be needed if the NEPA PM or SSO NEPA Coordinator requires additional information from the project.

#### **4.4. Reviewing and Approving DOE CX Determination Forms**

If an action does not fall under a Generic CX or Appendix A of 10 CFR § 1021, the next step in the NEPA process is to confirm if one or more CXs can be applied to the proposed action. The DOE CX Determination Form is used to document NEPA determinations for CX actions (i.e., those listed in Appendix B of 10 CFR § 1021). The DOE CX Determination Form summarizes the proposed action, describes any environmental mitigation measures that will be implemented, and documents which class(es) of CX action(s) under Appendix B of 10 CFR § 1021 apply. Typically, the NEPA PM prepares the form based on information provided by the project, then sends the form to the SSO NEPA Coordinator for review and signature. The SSO NEPA Coordinator is also responsible for coordinating with the NCO and the appropriate Federal Project Director to obtain their reviews and signatures on the DOE CX Determination Form. After the form has been signed and approved by all three parties, the SSO NEPA Coordinator sends the final form back to the NEPA PM for recordkeeping. As noted within [Section 5.4\(3\)\(e\) of the 2025 DOE NEPA Implementing Procedures](#), “Categorical exclusion determinations for actions listed in appendix B shall be documented and made available to the public by posting online, generally within two weeks of the determination”. Projects may prepare ECCs for CX actions to aid in the preparation of the DOE CX Determination Form, but ECCs are not required nor need to be posted publicly with the DOE CX Determination Form. The steps for reviewing and approving CXs are shown in Figure 3 below.

**Figure 3. DOE CX Determination Form Process**

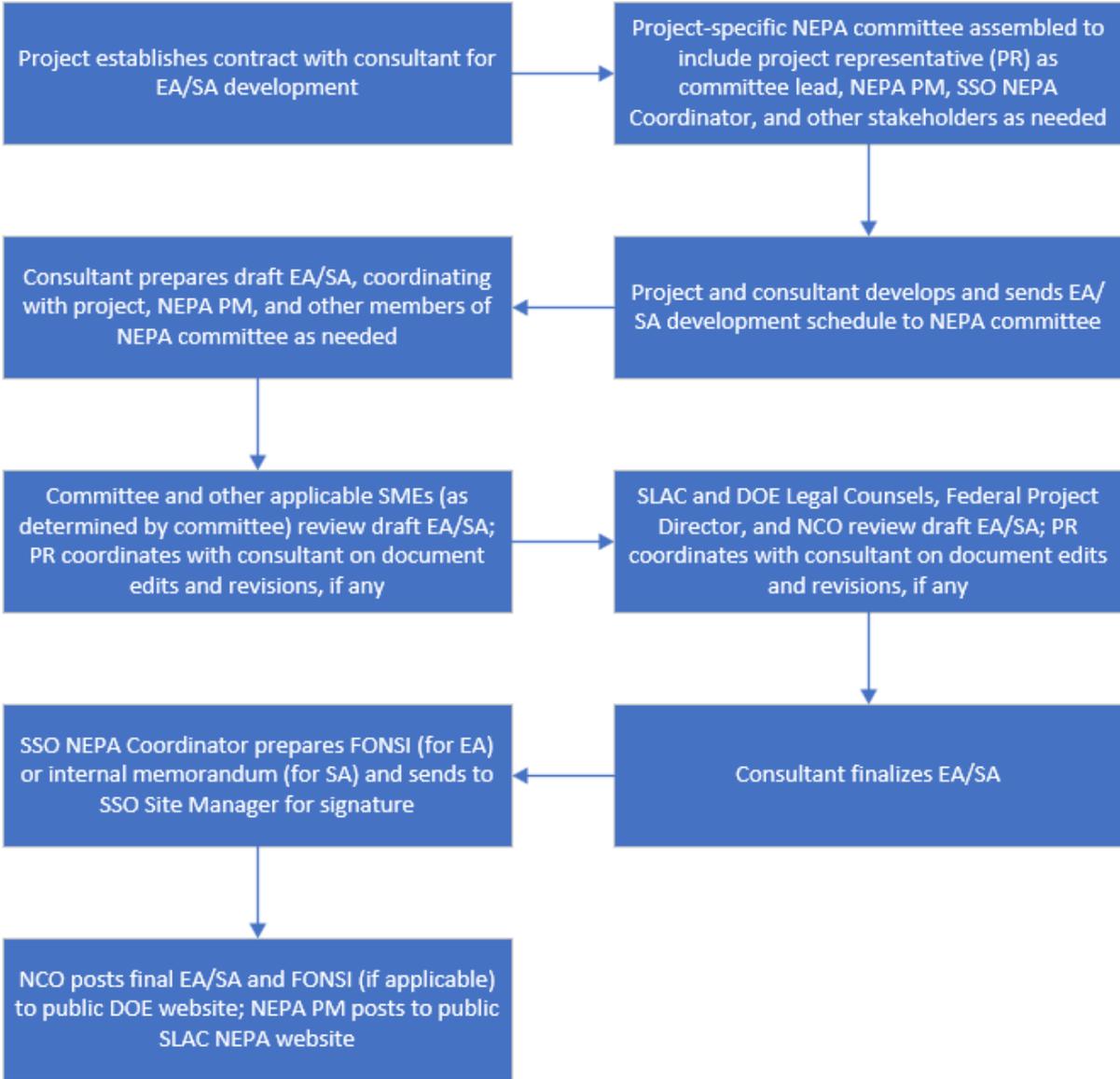


The average time for review and final approval of a CX is approximately 2 to 4 weeks. More time may be needed if the NEPA PM or SSO NEPA Coordinator requires additional information from the project.

## 4.5. Reviewing and Approving EAs and SAs

EAs and SAs are detailed, technical analyses that are typically prepared by a consultant who is managed and funded by the project. Review and approval of EAs and SAs are coordinated by a project-specific committee that may include the NEPA PM, SSO NEPA Coordinator, project manager, SLAC and DOE legal counsels, and/or the NCO. Following review, the SSO NEPA Coordinator, with support from the NEPA PM, prepares the FONSI (for an EA) or memorandum determining that the proposed action is within the previously analyzed scope and effect envelope (for an SA) for the SSO Site Manager’s signature. As noted within [Section 6.1 of the 2025 DOE NEPA Implementation Procedures](#), “DOE may publish a notice of intent to prepare an environmental assessment or other public notice to request scoping comments on the environmental assessment”. Per [Section 6.5\(b\) of the 2025 NEPA DOE Implementation Procedures](#), Final FONSIs must be made available to the public. The steps for conducting reviews of EAs and SAs are outlined in Figure 4 below. Note that DOE requirements for EA/SA preparation, review, and public engagement may change following future updates to DOE’s NEPA Implementing Procedures.

**Figure 4. EA and SA Process**



The average time for review and final approval of an EA or SA is approximately 6 to 12 months. Per [Section 6.4 of the 2025 NEPA DOE Implementation Procedures](#), EA’s must be completed no later than the date, that is one year after: “the date on which DOE determines that NEPA requires the preparation of an environmental assessment with respect to the proposal; the date on which DOE notifies the applicant that the application to establish a right-of-way for the proposal is complete; and the date on which DOE issues a notice of intent to prepare the environmental assessment for the proposal. (42 U.S.C. § 4336a(g)(1)(B))”

## **5. ROLES AND RESPONSIBILITIES**

Functional roles and general responsibilities are listed below.

### **SLAC Project Manager / Management Team**

- Completes and submits ECCs and/or other necessary project information to the NEPA PM, as needed.
- Manages the preparation of an EA or SA, as applicable.
- Notifies the NEPA PM of changes in project scope or design.
- Provides e-signature within Section E after concurring with SLAC NEPA Program Manager about any changes that may or may not have occurred within the ECC or to the overall project.

### **SLAC NEPA Program Manager (PM)**

- Reviews and revises (as needed) ECCs, assigns NEPA Action Numbers, and documents NEPA determinations on the ECC.
- Approves actions that fall under Appendix A of 10 CFR § 1021.
- Prepares DOE CX Determination Forms, based on information provided by projects, for the SSO NEPA Coordinator.
- Posts ECCs to the SLAC NEPA Sharepoint site and requests SSO NEPA Coordinator review and concurrence.
- Provides final approved ECCs (and associated assigned NEPA Action Numbers) and DOE CX Determination Forms to projects.
- Posts final approved DOE CX Determination Forms for activities falling under Appendix B of 10 CFR § 1021 to SLAC's public NEPA website within two weeks of the determination.
- Maintains SLAC's public NEPA website content.

### **SLAC ES&H Coordinator**

- Reviews ECC and provides e-signature within Section E after concurring with SLAC NEPA Program Manager about any changes that may or may not have occurred within the ECC or to the overall project.

### **DOE SLAC Site Office (SSO) NEPA Coordinator**

- Reviews ECCs posted to the SLAC NEPA Sharepoint site and records date of concurrence on Sharepoint entry, or makes recommendations for revisions, as needed.
- Reviews and approves DOE CX Determination Forms, and coordinates NCO and Federal Project Director reviews, as needed.
- Prepares FONSI (for EAs) or memorandums determining that the proposed action is within the previously analyzed scope and effect envelope (for SAs) for the SSO Site Manager.

### **DOE Office of Science NEPA Compliance Officer (NCO)**

- Reviews and approves DOE CX Determination Forms.

- Provides recommendations on NEPA processes and finalization of documentation and determinations (e.g., Generic CX, CX, EA, or SA) to the SSO NEPA Coordinator.
- Posts final approved DOE CX Determination Forms for activities falling under Appendix B of 10 CFR § 1021 to DOE's Office of NEPA Policy and Compliance website.
- Lead or assist a designated NEPA Document Manager with document preparation and associated NEPA processes, including scoping and public participation.
  - Advise SSO management on the adequacy of NEPA documents.
  - Post draft and final EISs online. Post draft EAs when public review is planned and all final EAs.
  - Facilitate NEPA Compliance decision making.
- When required in conjunction with NEPA compliance, ensure necessary consultations with the Advisory Council on Historic Preservation, U.S. Fish and Wildlife Service, and the U.S. Army Corps of Engineers occur, likewise consultations with associated State and local agencies.

### **DOE SSO Site Manager**

- Assures that a proper level of NEPA review is performed for all proposed actions under their cognizance.
- Appoints a NEPA Compliance Officer (NCO).
- Provides adequate resources to implement the NEPA review process.
- Reviews and accepts or rejects recommendations from the NCO regarding the approval of EAs or SAs, as applicable.
- Reviews and signs FONSI (for EAs) or memorandums determining that the proposed action is within the previously analyzed scope and effect envelope (for SAs)