

# **Environmental Compliance Under the New RUS Environmental Policies and Procedures**

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## **EXECUTIVE SUMMARY**

On December 11, 1998, the Rural Utilities Service (RUS) published as a final rule its "Environmental Policies and Procedures" (7 CFR Part 1794). This new environmental regulation replaces the previous version was published as a final rule on March 13, 1984. Three bulletins were issued with the regulation. They are Bulletin 1794A-600, "Guide for Preparing the Environmental Report for Categorical Excluded Projects", Bulletin 1794A-601, "Guide for Preparing the Environmental Report for Electric Projects Requiring an Environmental Assessment", and Bulletin 1794A-602, "Guide for Preparing the Environmental Report for Water and Waste Projects." Five additional bulletins will guide applicants through the RUS scoping process and in the preparation of the documents required for major generation and transmission projects. The new regulation and bulletins can be accessed on the Internet through the Engineering and Environmental Staff web site at: [www.usda.gov/rus/regs.shtml](http://www.usda.gov/rus/regs.shtml).

The most significant change from the previous regulation is that it now addresses the actions associated with the loans and grants administered by the Water and Waste Program. This program had been administered by the Farmers Home Administration.

A substantial number of procedural changes affect the Electric Program and its applicants. Only those actions subject to the direct approval of financing assistance are subject to environmental review. More actions are classified as categorical exclusions. Acreage and capacity thresholds have been increased in all categories. Authority for RUS to use consultant prepared documents has been expanded to include projects requiring an Environmental Assessment with Scoping or an Environmental Impact Statement.

# **ENVIRONMENTAL COMPLIANCE UNDER THE NEW RUS ENVIRONMENTAL POLICIES AND PROCEDURES**

## **INTRODUCTION**

Effective December 11, 1998, the Rural Utilities Service (RUS) revised its environmental compliance regulation 7 CFR Part 1794, Environmental Policies and Procedures. This regulation is necessary to ensure RUS compliance with the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA) of 1969. The regulation not only ensures that certain actions taken by the Electric, Telecommunications, and Water and Waste Programs are in compliance with NEPA, but that they are also in compliance with certain related Federal environmental laws, statutes, regulations, and Executive Orders.

## **BACKGROUND**

Bulletin 20-21:320-21, Environmental Policies and Procedures, was the first environmental regulation/guideline issued by the Rural Electrification Administration (REA) on June 17, 1971. REA is the predecessor of RUS. This bulletin was subsequently revised in 1974, 1980, and 1984. Under the 1984 revision, the agency's environmental regulations were included in the Code of Federal Regulations (CFR) as 7 Part 1794 and the bulletin was rescinded. These regulations only addressed the environmental implications of actions taken by the electric and telecommunications programs. The Federal Crop Insurance and Department of Agriculture Reorganization Act of 1994, (Public Law 103-354) has had a significant impact on the agency. In addition to a name change, the Water and Waste Program that formerly was administered by the Farmers Home Administration (FmHA) was transferred to RUS.

The reorganization of the Department of Agriculture provided an opportunity to review and rewrite the environmental regulations. The environmental regulations governing the REA and FmHA programs that now comprise RUS had not been revised for more than a decade. Based on new congressional mandates, changes in the electric industry, RUS experience and review of its existing procedures, RUS determined that several changes were necessary for its environmental review process to operate in a smooth, efficient, and effective manner.

RUS environmental staff formally solicited comments from headquarters program staff and two task forces representing electric and water and waste program field staffs. The aim of the task forces was to make the regulation easier to understand by staff and applicants and eliminate unnecessary requirements while continuing to ensure that the environmental implications of applicant proposals in the three program areas were adequately considered before agency approval of financing assistance is provided.

## **FINAL RULE**

The final rule is divided into eight subparts: A through H. Subpart A contains general policies, identifies responsible officials, defines terminology, and identifies applicant guidance bulletins. Subpart B explains the agency's implementation of NEPA as defined in the CEQ Regulations. Subpart C contains a classification system of four categories into which all applicant proposals that are eligible for financing assistance are separated. Subparts D through G identify the requirements that must be followed for proposals in each of the categories of Subpart C. Subpart H contains the requirements for the adoption of environmental documents.

This final rule contains a variety of substantive and procedural changes from the provisions of the previous rule. Some of these revisions are minor (*i.e.* §1794.4, Trivial Violations was deleted) or are merely intended to clarify existing RUS policies and procedures (*i.e.* §1794.6, Definitions, was added). Other revisions reflect changes in RUS implementation of the CEQ Regulations as discussed in the following pages.

The relationship between REA and its electric and telecommunications applicants has changed substantially since RUS issued the March 1984 revision of 7 CFR Part 1794. Historically, REA provided substantially all of its applicants' capital needs and established a lending relationship reflecting strict oversight of borrower activities. However, because of limited annual loan authorization levels, RUS no longer serves in this role. Moreover, in a 1993 amendment to section 306E of the Rural Electrification Act of 1936 (RE Act), as amended (7 U.S.C. 936E), Congress required RUS to abandon its close hands-on control of its applicants and instead follow the practices of private market lenders. RUS has done so through the development of new forms of loan agreements and security instruments and the publication of 7 CFR Part 1717, subpart M, Operational Controls, which reduce or eliminate much of the oversight and control historically exercised by RUS over its electric and telecommunications applicants.

The most significant revision included in the new regulation reflects these changes and reforms. Environmental review will continue to be required in connection with the approval of financial assistance for applicants. However, no environmental review will be required in connection with approvals provided by RUS pursuant to its loan contracts and security instruments with applicants such as approvals of lien accommodations or the use of general funds by applicants. RUS has determined that these approvals are not major Federal actions significantly affecting the quality of the human environment.

A complete listing of the changes by section within the revised 7 CFR Part 1794 is provided in the following pages, beginning with Subpart A. Note that the numbering sequence used for affected sections (*e.g.* §1794.3) mirrors the sequence used in the regulation.

## **Subpart A - General**

### **§1794.3 Actions requiring environmental review**

Only applicant actions that require the approval of financing assistance are subject to environmental review. Specifically excluded are approvals pursuant to loan contracts and security instruments (*e.g.*, approval of the use of general funds where no RUS reimbursement will be requested) and approvals of lien accommodations.

### **§1794.4 Metric units**

Environmental documents prepared by or for an applicant should use non-metric equivalents (British system) followed by metric units in parentheses or a metric conversion table as an appendix. Note that all numerical designations used in this regulation have been rounded to the nearest whole number. This is a reversal of previous policy.

### **§1794.6 Definitions**

This is a new section that defines some of the terminology used in the regulation. Note that the environmental document submitted by electric applicants for projects that are normally categorically excluded or require an environmental assessment without scoping is now called an Environmental Report (ER). In the previous rule the document was called a Borrowers Environmental Report (BER).

### **§1794.7 Guidance**

The two environmental guide bulletins that had previously been issued in November 1993 and April 1995 respectively have been revised and updated. A third bulletin was developed to address water and waste projects. These bulletins can be downloaded from the RUS web site under Regulations, Bulletins and General Information. The three available bulletins are now titled:

RUS Bulletin 1794A-600 – Guide for Preparing an Environmental Report for Categorically Excluded Projects;

RUS Bulletin 1794A-601 – Guide for Preparing the Environmental Report for Electric Projects Requiring an Environmental Assessment; and

RUS Bulletin 1794A-602 – Guide for Preparing an Environmental Report for Water and Waste Projects.

Five additional guide bulletins are in preparation and should be issued later this year. They are:

RUS Bulletin 1794A-603 – The Applicants Guide to Project Scoping;

RUS Bulletin 1794A-604 - Preparing the Alternatives Analysis and Site Selection Study;

RUS Bulletin 1794A-605 - Preparing the Alternatives Analysis and Macro-Corridor Study;

RUS Bulletin 1794A-606 - Preparing the Environmental Analysis for Electric Generation Projects; and

RUS Bulletin 1794A-607 - Preparing the Environmental Analysis for Electric Transmission Projects.

### **Subpart B – Implementation of the National Environmental Policy Act**

No substantive changes were made to Subpart B. However, the CEQ Regulations impose certain stipulations by on use of contractor prepared documents by Federal agencies. Therefore, early consultation between the applicant and RUS for major projects is mandatory.

#### **§1794.11 Apply NEPA early in the planning process.**

Where a proposed action normally requires the preparation of an Environmental Impact Statement (EIS), it is imperative that the applicant consults with RUS prior to obtaining the services of an environmental consultant. The CEQ Regulations in §1506.5(c) stipulate when an EIS is to be prepared by a contractor, that contractor be chosen solely by the lead agency, with the cooperation of the cooperating agencies, or by a cooperating agency to avoid any conflict of interest.

It is also imperative that applicant's notify and consult with the appropriate branch within the Power Supply Division (PSD) of RUS on all EA with Scoping and EIS projects. The Engineering and Environmental Staff needs authorization from PSD before staff can proceed with the environmental review for proposals in these two categories.

### **Subpart C – Classification of Proposals**

Within subpart C of this rule, a classification system defines the level of environmental review required for RUS and applicant proposed actions. Sections 1794.21 through 1794.25 of this subpart are further subdivided when appropriate to differentiate between actions being proposed by RUS and actions proposed by Electric, Telecommunications, and Water and Waste program applicants.

A number of classification changes have been made within Section 1794.21. These reclassifications involve minor actions proposed by applicants that rarely result in significant environmental impact or public interest. RUS believes that adequate safeguards have been included to identify any unusual circumstances that may require additional agency scrutiny. The reclassifications and new categories have been listed below.

**§1794.21 Categorically excluded proposals without an ER.**

(b) Electric and Telecommunications Programs

The following three actions were deleted in the new regulation and are no longer considered actions subject to environmental review.

- Routine approvals made pursuant to loan security documents (e.g., contracts for bulk commodities, goods and services, capital credit retirements, and technical design or specifications).
- Agreements for transmission, wheeling, interconnection with, power purchases from, or sale to other utilities where no associated applicant construction or financing of construction is involved.
- Fuel or mineral contracts where the applicant does not have effective control over or responsibility to alter the development of the specific fuel or mineral source (e.g., mine).

The following five actions that previously required a BER, **normally** do not require an ER under the new regulation.

(14) Rebuilding of power lines or telecommunications cables where road or highway reconstruction requires the applicant to relocate the lines either within or immediately adjacent to the new road or highway easement or right-of-way.

(15) Phase or voltage conversions, reconductoring or upgrading of existing electric distribution lines, or telecommunication facilities.

(17) Participation by an applicant(s) in any proposed action where total applicant financial participation will be five percent or less.

(19) Additional bulk commodity storage (e.g., coal, fuel oil, limestone) within existing generating station boundaries. A certification attesting to the current state of compliance of the existing facilities and a description of the facilities to be added shall be provided to RUS.

(20) Proposals designed to reduce the amount of pollutants released into the environment (e.g., precipitators, baghouse or scrubber installations, and coal washing equipment) which will have no other environmental impact outside the existing facility site.

The following six new actions have been added to this category.

(16) Construction of new power lines, substations, or telecommunications facilities on industrial or commercial sites, where the applicant has no control over the location of the new facilities. Related off-site facilities would be treated in their normal category.

(18) Construction of a battery energy storage system at an existing generating station or substation site.

(21) Construction of standby diesel electric generators (one megawatt or less total capacity) and associated facilities, for the primary purpose of

providing emergency power, at an existing applicant headquarters or district office, telecommunications switching or multiplexing site, or at an industrial, commercial or agricultural facility served by the applicant.

(22) Construction of onsite facilities designed for the transfer of ash, scrubber wastes, and other byproducts from coal-fired electric generating stations for recycling or storage at an existing coal mine (surface or underground).

(23) Changes or additions to an existing water well system, including new water supply wells and associated pipelines within the boundaries of an existing well field or generating station site.

(24) Repowering or uprating of an existing unit(s) at a fossil-fueled generating station in order to improve the efficiency or the energy output of the facility. Repowering or uprating that results in increased fuel consumption or the substitution of one fuel combustion technology with another is excluded from this classification.

Note that a description of the facilities to be constructed shall be provided to RUS for Items (14), (15), (16), (18), (20), (21), (22), and (23).

RUS has modified the thresholds for acreage (facility sites), and capacity (generation facilities) within §1794.22(a). Capacity thresholds have been eliminated for the hydroelectric proposals listed in §§1794.22 and 1794.23. RUS will normally adopt the NEPA document prepared by the Federal Energy Regulatory Commission, the licensing agency of hydroelectric projects, for projects which RUS applicants propose to build or participate in.

**§1794.22 Categorically excluded proposals requiring an ER.**

(a) Electric and Telecommunications Programs

The following action that previously required an (EA) requires an ER under the final rule.

(7) Construction of substations, switching stations, or telecommunications switching or multiplexing centers requiring no more than five acres (2 hectares) of new physically disturbed land or fenced property.

The following new actions have been added to this category.

(5) Changes to existing transmission lines that involve less than 20 percent pole replacement, or the complete rebuilding of existing distribution lines within the same ROW. Changes to existing transmission lines that require 20 percent or greater pole replacement will be considered the same as new construction

(8) Construction of diesel electric generating facilities of five megawatts (MW) (nameplate rating) or less either at an existing generation or

substation sites. This category also applies to a diesel electric generating facility of five MW or less that is located at or adjacent to an existing landfill site and supplied with refuse derived fuel. All new associated facilities and related electric power lines shall be covered in the ER.

(10) Construction of new water supply wells and associated pipelines not located within the boundaries of an existing well field or generating station site.

The acreage threshold for new headquarters (item 4) has been increased from 5 acres to 10 acres. The capacity thresholds for diesel generation facilities (item 8) have been modified and the capacity thresholds for hydroelectric proposals (item 9) have been eliminated.

In addition to modifying the thresholds for acreage and capacity within §1794.23(c), RUS has imposed different thresholds for construction of electric generating capacity at new sites versus existing sites.

#### **§1794.23 Proposals normally requiring an EA.**

(c) Electric Program

The following new action has been added to this category.

(4) Repowering or uprating of an existing unit(s) at a fossil-fueled generating station where the existing fuel combustion technology of the affected unit(s) is substituted for another (*e.g.* coal or oil-fired boiler is converted to a fluidized bed boiler or replaced with a combustion turbine unit).

The capacity thresholds for combustion turbine or diesel generation (items 1 & 2) have been modified to differentiate between new sites (50 MW or less) and existing sites (100 MW or less). Capacity thresholds for hydroelectric proposals (item 5) have been eliminated. The acreage threshold for new headquarters (item 7) has been increased to greater than 10 acres.

Acreage and capacity threshold changes within §1794.24, and a capacity threshold change within §1794.25 reflect changes that have been made in §§1794.22(a), and 1794.23(c). No changes were made to the existing thresholds for transmission line length.

### **PROCEDURAL CHANGES**

RUS has modified its procedures in Subparts D through G. Those changes are identified for each subpart below.

#### **Subpart D - Procedure for Categorical Exclusions**

Each project must be sufficiently described to ensure its proper environmental classification. Sufficient information for this purpose is normally provided in the project

description included in the construction work plan. There are 13 actions in §1794.21(b) that require additional information. The purpose is to ensure that construction and operation of the facilities covered by these actions will not impact important resources.

#### **Subpart E – Procedure for Environmental Assessments**

The EA will be the subject document of the notice of availability requirements in §1794.42, where previously, the applicant's BER or the Environmental Analysis (EVAL) was the subject document. With this change, the notice requirements for all three programs will be consistent for both EA proposals and EA with scoping proposals. This change will encourage more public involvement by allowing public review of EA proposals prior to the issuance of a Finding of No Significant Impact (FONSI).

Normally, there will be no comment period following the issuance of the FONSI. However, when substantive comments are received on the EA, RUS may provide an additional period (15 days) for public review following the publication of its FONSI determination (refer to §1794.44).

#### **Subpart F – Procedure for Environmental Assessments with Scoping**

The notice requirements for Electric program projects that require scoping have been changed. The timing of RUS *Federal Register* notice for public scoping meetings in §1794.52(b) has been reduced from 30 days to 14 days prior to the meeting. No appreciable benefit resulted from the earlier notice requirement.

Scoping documents must be made available to the public at least 10 days in advance of the meeting. The meeting format can be either the traditional (formal presentation) style or the open house style

The previous rule allowed RUS to accept the applicant's BER as its EA but required RUS to prepare its own EA from the applicant's EVAL where a proposed action requires scoping. This requirement has been changed to allow RUS accept the EVAL as its EA (see §1794.53).

The mandatory (30-day) comment period that under the previous regulation followed the issuance of the FONSI has been rescinded. Procedures listed in §1794.44 now apply to EA with scoping projects.

#### **Subpart G – Procedure for Environmental Impact Statements**

The policy regarding the use of contractor prepared EISs has been modified. Under the previous rule, RUS was required to use agency funds if an independent contractor was chosen by RUS to prepare the EIS. In accordance with the provisions of 7 CFR Part 1789, "Use of Consultants Funded by Applicants" and Section 759A of the Federal Agriculture Improvement and Reform Act of 1996, preparation of a draft or final EIS by an independent contractor can be funded by the applicant, provided the consultant is selected by RUS.

A new requirement, publication of a notice of availability by RUS and the applicant for a Record of Decision (ROD) is established in §1794.63. There is no comment period following the issuance of an ROD.

## **GUIDANCE**

The Federal Register version of 7 CFR Part 1794 can be downloaded from the RUS web site at: [www.usda.gov/rus/regs.shtml](http://www.usda.gov/rus/regs.shtml) under Electric Program Regulations and Bulletins. The final rule exclusive of the preamble and responses to comments can be downloaded from the same web site.

To assist electric applicants and their consultants in complying with the new RUS environmental policies and procedures additional forms of guidance are available. Information on the available guidance is provided in the five-page appendix that is attached to this paper.

The current address, telephone and fax numbers for the Engineering and Environmental Staff (EES) have been listed on page 1. The three staff specialists responsible for the review of electric applicant projects and the states each is responsible for have been listed on pages 1 and 2. The two current and five future environmental guidance bulletins have been listed on page 3. RUS Bulletins 1794A-600 and 601 can be found on the same web site as the final rule. New bulletins will be posted on the same web site as soon as they are available.

Each Rural Development (RD) State Office is required to maintain a Natural Resource Management Guide for that state. Included in the guide is general natural resource information for that state and a listing of agency contacts. An abbreviated version of that guide has also been developed as a supplement to RUS Bulletin 1794A-602. For information on how to obtain a copy of either guide, contact the appropriate RD State office. Addresses are available on the EES web site.

RUS has also developed a series of computer based training CDs for RD State office staff. A listing of the seven CDs that are available and the three CDs that are in preparation is contained on page 5. A copy of these CDs is available on request from EES.

**BIOGRAPHICAL SKETCH**

**LAWRENCE R. (LARRY) WOLFE**

*Larry received a Bachelor of Science Degree in Resource Management in 1972 and a Master of Science Degree in Natural Resources in 1975 from the University of Wisconsin – Stevens Point.*

*He was employed by Sargent and Lundy Engineers in Chicago as an Environmental Project Manager from 1974 to 1978. Since joining the U.S. Department of Agriculture (USDA) in 1978, he has held the following positions within the Rural Electrification Administration: Environmental Protection Specialist (1978-1991); Environmental Policy Specialist (1991-1992); and Chief of the Environmental Compliance Branch (1992-1995). Following the 1995 reorganization within USDA, he has held the position of Senior Environmental Protection Specialist (1995 to present) in the Engineering and Environmental Staff (EES) of the Rural Utilities Service. The EES provides oversight and support on environmental and engineering issues to the Rural Development state offices for water and wastewater projects in addition to being responsible for the environmental of all electric and telecommunications projects.*

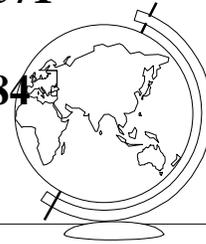
*Larry resides with his wife Eileen in Springfield, Virginia. Eileen is Head of the Employee Development Staff for the USDA Agricultural Research Service.*

**Environmental Responsibilities  
POINT OF CONTACT**

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**&**

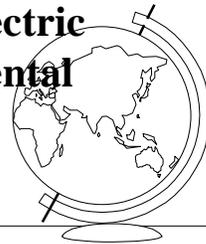
**DE, KY, MD, OH, VA, & WV**



# **ENVIRONMENTAL GUIDANCE**

**Bulletin 1794A-600 - Guide for Preparing  
the Environmental Report for  
Categorically Excluded Projects**

**Bulletin 1794A-601 - Guide for Preparing  
the Environmental Report for Electric  
Projects Requiring an Environmental  
Assessment**



# **ENVIRONMENTAL GUIDANCE New Bulletins**

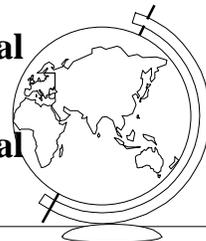
**1794A-603 - Applicants Guide to Scoping**

**1794A-604 - Preparing the Alternatives Analysis  
and Site Selection Study**

**1794A-605 - Preparing the Alternatives Analysis  
and Macro -Corridor Study**

**1794A-606 - Preparing the Environmental  
Analysis for Generation Projects**

**1794A-607 - Preparing the Environmental  
Analysis for Transmission Projects**



# **ENVIRONMENTAL GUIDANCE**

**1999 Edition of  
“Items of Engineering Interest”**

**Article discusses changes resulting from the  
new “Environmental Policies and  
Procedures” that affect Electric  
Borrowers.**



# **ENVIRONMENTAL GUIDANCE**

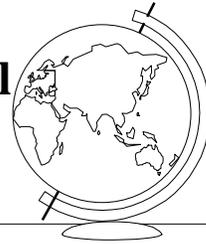
- ◆ **Natural Resource Management  
Guide or**
- ◆ **Supplement to Bulletin 1794A-602**

**(Available for review from the Rural  
Development State Office)**



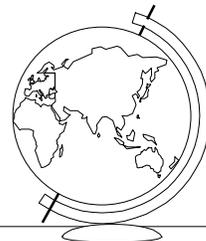
## **COMPUTER BASED TRAINING CDs**

- ❖ **NEPA Course**
- ❖ **Water Issues**
- ❖ **Land Use Issues**
- ❖ **Coastal Use Issues**
- ❖ **Historic Preservation Issues**
- ❖ **Socioeconomic/Environmental  
Justice Issues (March)**



## **COMPUTER BASED TRAINING CDs**

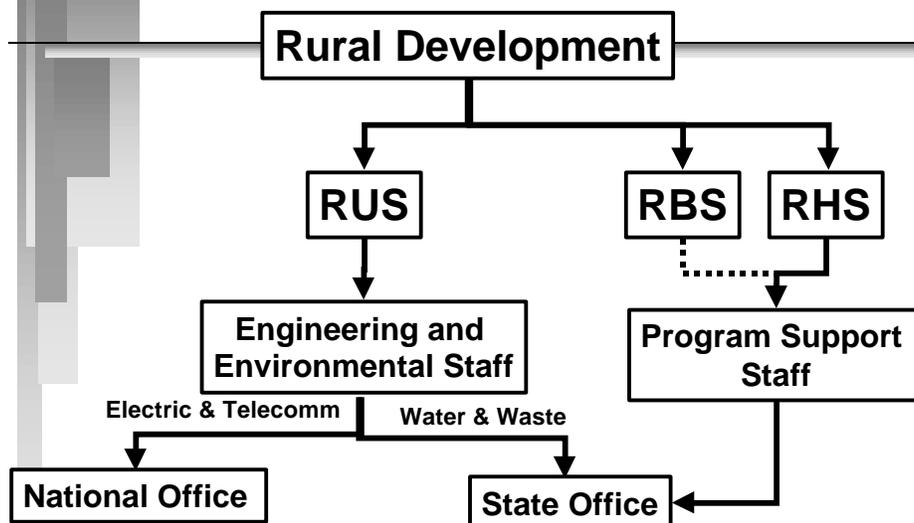
- ❖ **Transaction Screen Process (TSP)**
- ❖ **First Responder (OSHA)**
- ❖ **Lender Liability**
- ❖ **CERCLA (June)**
- ❖ **RCRA (July)**



# Environmental Policies and Procedures

Rural Utilities Service  
Electric Engineering  
Conference  
March 14 & 15, 2000

## Environmental Responsibilities

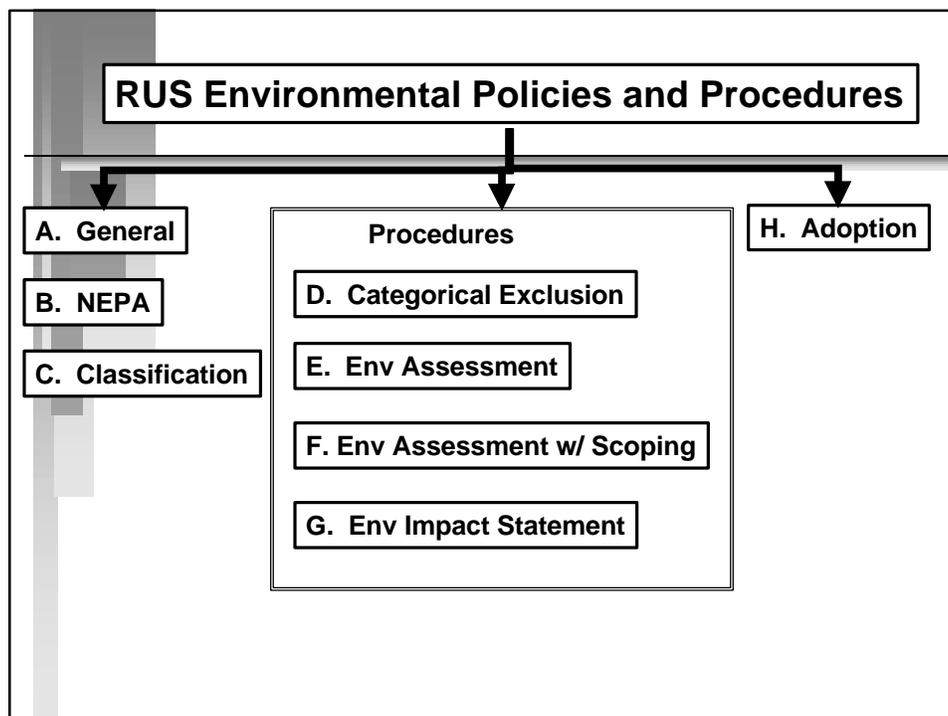


# 7 CFR Part 1794

## ENVIRONMENTAL POLICIES AND AND

## PROCEDURES

(December 11, 1998)



7 CFR 1794 - RUS ENVIRONMENTAL  
POLICIES AND PROCEDURES

***New Regulation  
now includes the  
Electric  
Telecommunications and  
Water & Environmental  
Programs***

7 CFR 1794 - RUS ENVIRONMENTAL  
POLICIES AND PROCEDURES

**Subpart A: General**

§1794.3: Actions Requiring  
Environmental Review

- Approval of Financing Assistance (**YES**)
- Approval of non-reimbursable General Funds  
or Lien Accommodations (**NO**)

§1794.7: Guidance

Identifies Guidance Bulletins  
(1794A-600, 1794A-601, & 1794A-602)

## 7 CFR 1794 - RUS ENVIRONMENTAL POLICIES AND PROCEDURES

### Subpart C: Classification

#### §1794.21(b) CE Projects w/o an ER

##### Downgraded Actions

(Used to require a BER)

- + Rebuilding of power lines due to road move.
- + Phase or voltage conversions, reconductoring or upgrading of existing distribution lines.
- + Participation of 5% or less in a new facility.

## 7 CFR 1794 - RUS ENVIRONMENTAL POLICIES AND PROCEDURES

#### §1794.21(b) CE Projects w/o an ER

##### New actions

- + New power line or substation construction on industrial or commercial sites.
- + Standby diesel generators (1 mw or less) for emergency power.
- + Repowering or uprating of existing fossil-fueled units to improve efficiency or energy output. Does not include increased fuel consumption or fuel substitution.

## 7 CFR 1794 - RUS ENVIRONMENTAL POLICIES AND PROCEDURES

### §1794.22(a) CE Projects requiring an ER New actions

- + Changes to transmission lines involving 20% or less pole replacement within the same ROW or the complete rebuild of distribution lines.
- + Construction of diesel generation of 5mw or less at existing generation, substation or landfill sites.

## 7 CFR 1794 - RUS ENVIRONMENTAL POLICIES AND PROCEDURES

### §1794.22(a) CE Projects requiring an ER Changes to previous actions

- + New headquarters/warehouse acreage threshold increased from 5 acres to 10 acres.
- + No maximum acreage threshold for multiple substations on a transmission line project.

## 7 CFR 1794 - RUS ENVIRONMENTAL POLICIES AND PROCEDURES

### §1794.23(c) Projects requiring an EA

#### Changes to previous actions

- + New headquarters/warehouse acreage threshold increased to greater than 10 acres.
- + Capacity thresholds for combustion turbines & diesels were modified to differentiate between new sites (50 mw or less) and existing sites (100 mw or less).

## 7 CFR 1794 - RUS ENVIRONMENTAL POLICIES AND PROCEDURES

### Procedures

#### Subpart D: Categorical Exclusions

##### For §1794.21(b) CE Projects

- + Provide brief description for each of the 24 listed actions.
- + Provide sufficient additional information on 13 actions (To ensure that important resources will not be impacted).

## 7 CFR 1794 - RUS ENVIRONMENTAL POLICIES AND PROCEDURES

### Procedures

#### Subpart E: Environmental Assessments

- + Draft EA is document subject to public notice and comment.
- + Normally no comment period following issuance of the FONSI.
- + 15 day comment period on FONSI if substantive comments received.

## 7 CFR 1794 - RUS ENVIRONMENTAL POLICIES AND PROCEDURES

### Procedures

#### Subpart F: EA with Scoping

- + RUS scoping notice in Federal Register 14 days prior to meeting.
- + Public availability of scoping documents at least 10 days prior to meeting.
- + Meeting format (formal or open house).
- + Borrowers EVAL can serve as RUS EA.

## 7 CFR 1794 - RUS ENVIRONMENTAL POLICIES AND PROCEDURES

### Procedures

#### Subpart G: Environmental Impact Statements

- + Borrowers can volunteer to fund the preparation of an EIS by an independent contractor.

**Contractor must be selected by RUS.**

- + RUS and applicant notices of availability required for a Record of Decision.

# **GUIDANCE**



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# **ENVIRONMENTAL GUIDANCE**

## **1999 Edition of “Items of Engineering Interest”**

**Article discusses changes resulting from the  
new “Environmental Policies and  
Procedures” that affect Electric  
Borrowers.**

## **COMPUTER BASED TRAINING CDs**

- + NEPA Course**
- + Water Issues**
- + Land Use Issues**
- + Coastal Use Issues**
- + Historic Preservation Issues**
- + Socioeconomic/Environmental  
Justice Issues (May)**

## **COMPUTER BASED TRAINING CDs**

- + Transaction Screen Process (TSP)**
- + First Responder (OSHA)**
- + Lender Liability**
- + CERCLA (June)**
- + RCRA (July)**

***A Friendly Reminder From the  
Engineering & Environmental Staff***



***To Assist the GFR & EES***

- **Provide Good Project Descriptions**
- **Contact EES When Borrower/Consultant Has Questions or Encounters Problems**
- **Environmental Report Should be Submitted Through GFR**
- **Don't Submit the Environmental Report Without CWP**

## ***Answer These Questions***

- **Do the Project Lists in the Environmental Report & CWP Agree?**
  - **If Not, Explain**
- **Are All 200, 400, 800, & 900 Code Projects Plotted on Maps?**
- **Have All 200, 400, 800, & 900 Code Projects Been Submitted for Agency Review?**

## ***Answer These Questions***

- **Did All Contacted Agencies Respond?**
  - **If Not, What Follow-up Was There?**
- **Are All Agency Concerns Addressed in the Environmental Report?**
- **Did the Manager Sign the Environmental Report?**

# EMERGENCY SITUATIONS



## EMERGENCIES

**An Emergency situation is defined as a natural disaster or system failure that may involve an immediate threat to public health, safety, or the human environment.**

# **EMERGENCIES**

**Borrowers need not contact RUS  
environmental staff and do not have to  
prepare any environmental  
documentation prior to making repairs  
because of an emergency situation**

# **EMERGENCIES**

**If permanent reconstruction at a later  
date is required to maintain system  
integrity, the proposed projects will be  
subject to their normal level of  
environmental review.**

# Internet



RUS Electric Engineering Seminar

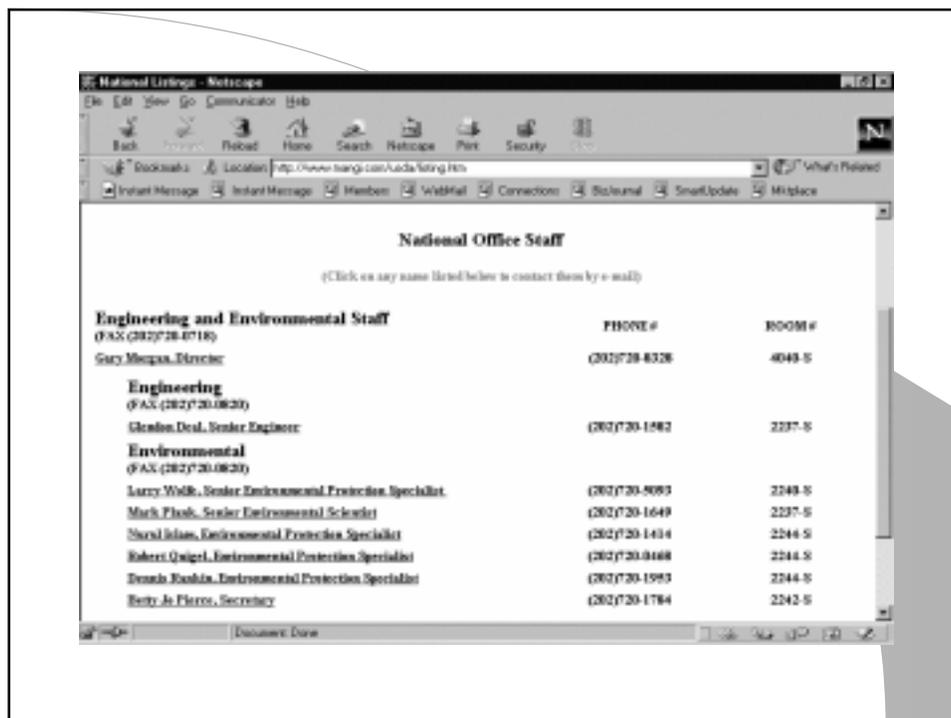
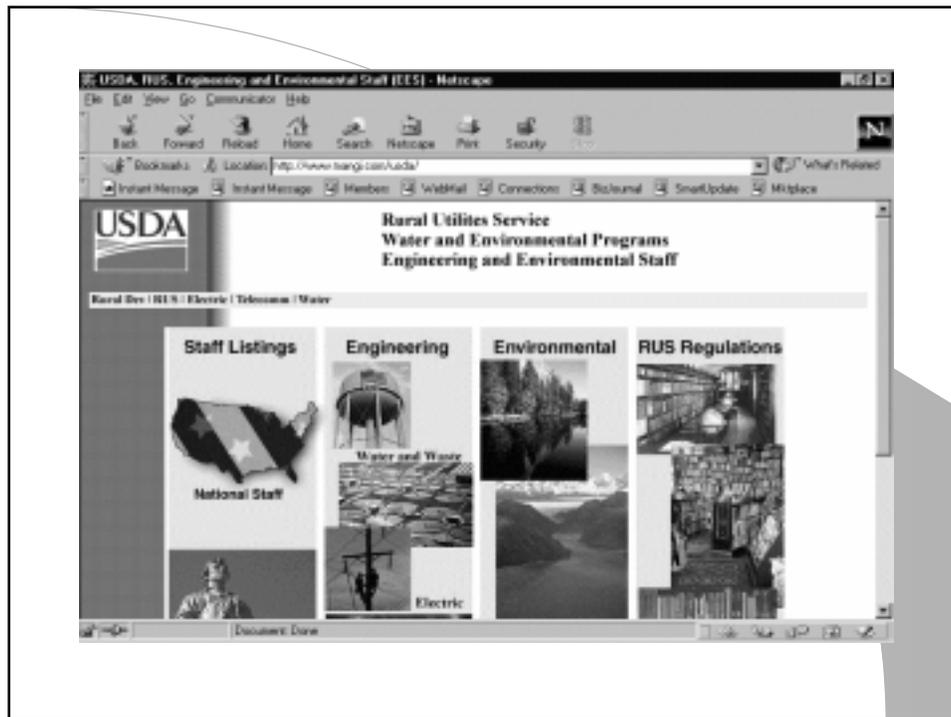
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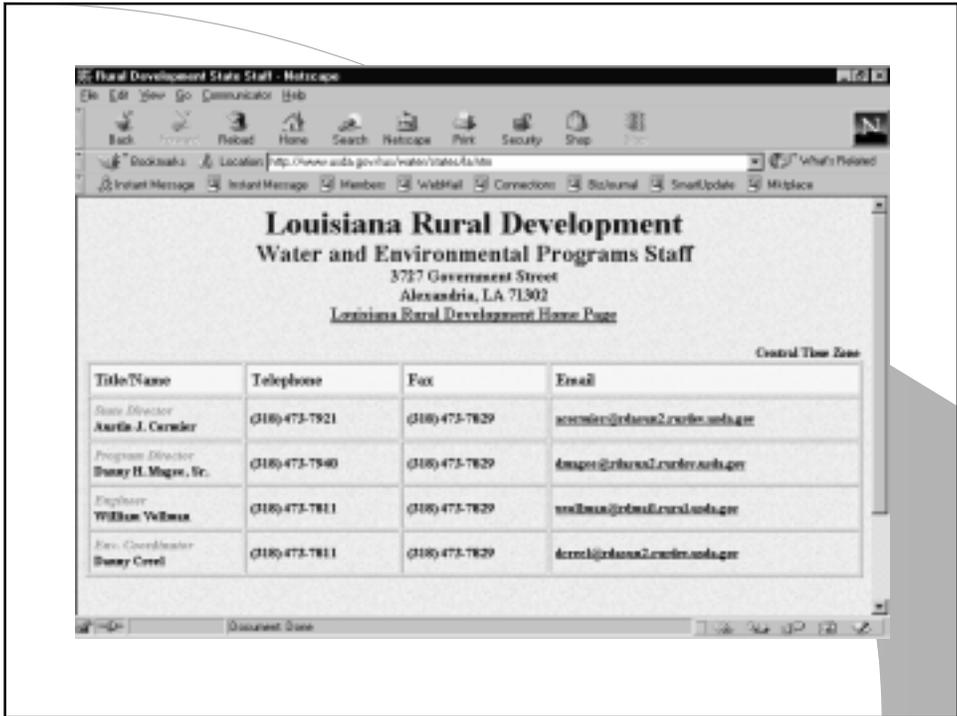
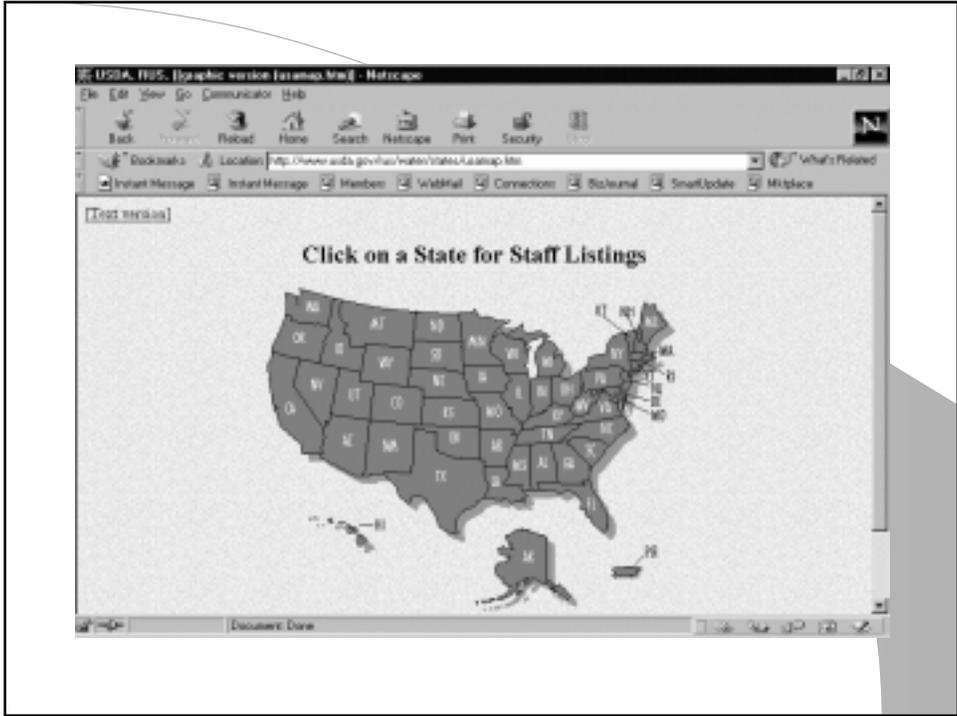


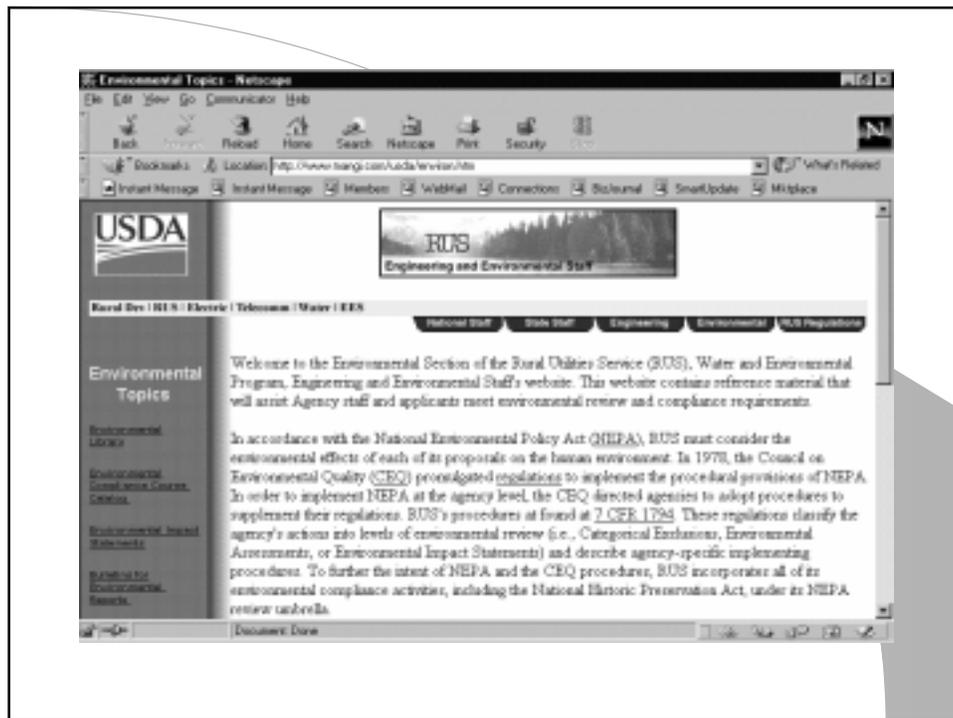
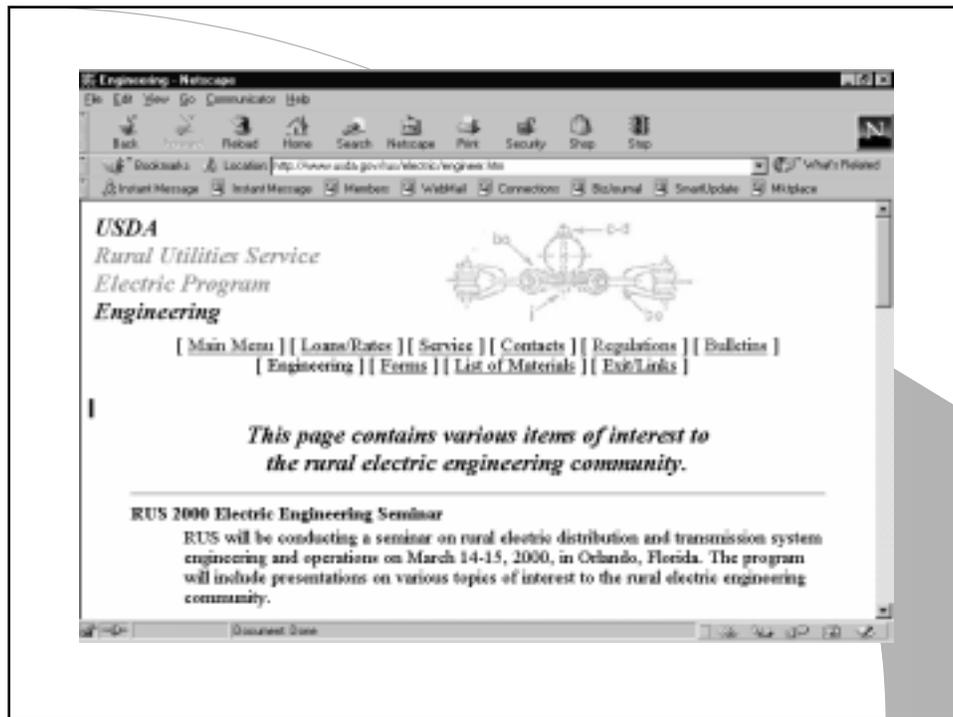
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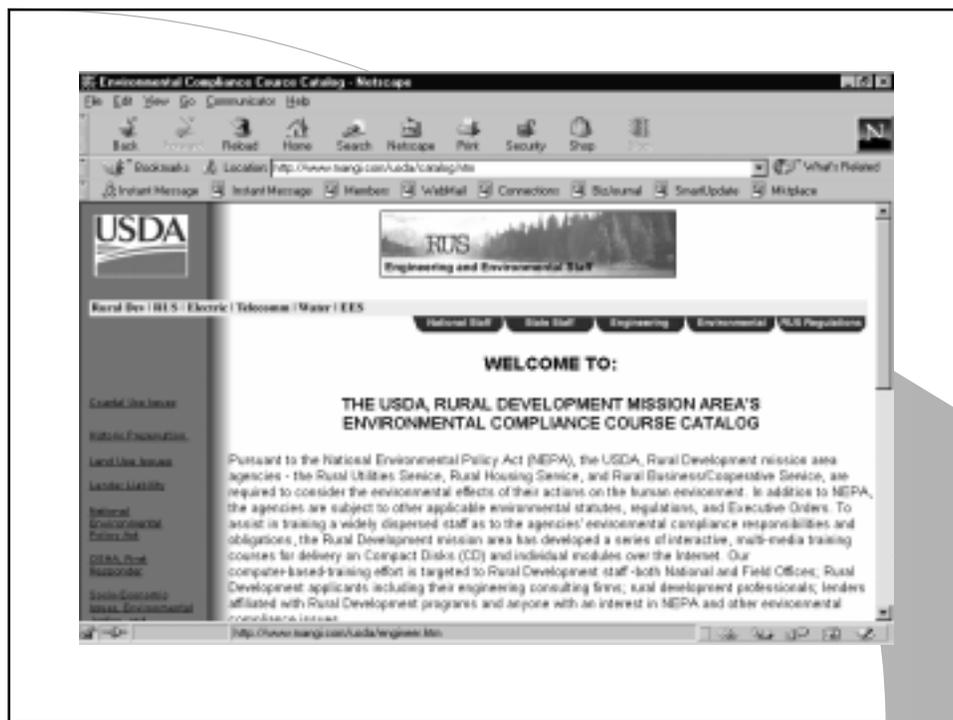
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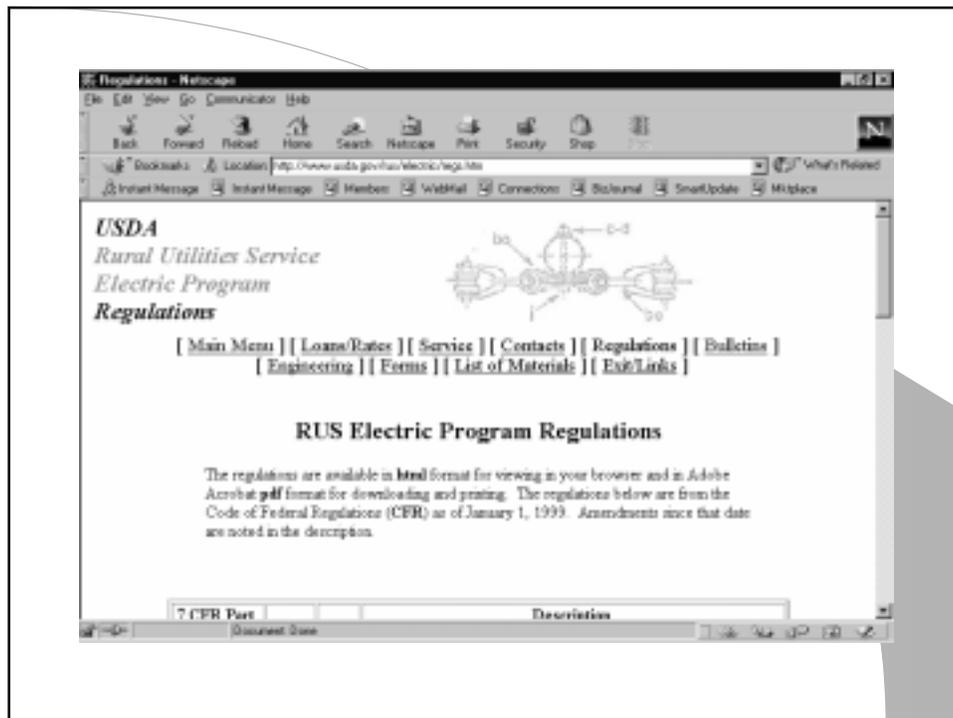
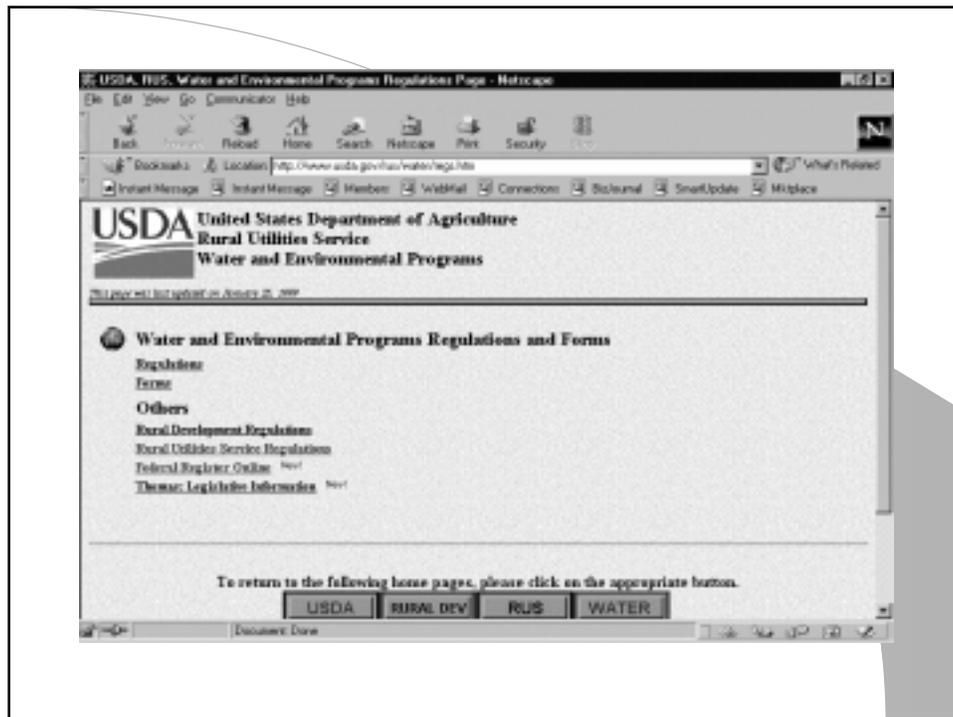
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**pdf** format for downloading and printing, as well as Microsoft Word.

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