

## SECTION 3-2: ENVIRONMENTAL IMPACT ANALYSIS PROCEDURES

3-2-00	Policy
10	Procedures
20	Guidance and Information
30	(Reserved)
X3-2-A	Sample Environmental Assessment Criteria Check List (NIH)
X3-2-B	Sample Categorical Exclusion Criteria Checklist (NIH)
X3-2-C	Sample NEPA Flow Chart (NIH)

### 3-2-00 POLICY

The National Environmental Policy Act (NEPA) of 1969 (42 USC 4321 et. seq.), as amended, establishes policy and requirements governing all Federal Departments and agencies with respect to protecting the environment. In addition, HHS General Administration Manual, [GAM, Part 30 - Environmental Protection - February 2000](#) supplements specific requirements established by NEPA and by the associated implementing regulations promulgated by the Council on Environmental Quality (CEQ) (40 CFR 1500-1508). NEPA requires all Federal Departments and agencies to take into account all potential environmental consequences of their activities prior to initiation of these activities. Specifically, Section 102(2)(c) of NEPA requires all agencies of the Federal Government to include an environmental impact statement "in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment."

### 3-2-10 PROCEDURES

All projects must have an Environmental Review when pursuing a major Federal action, unless they qualify for a categorical exclusion from this requirement. 'Categorical exclusion' refers to a category of actions, which do not individually or cumulatively have a significant effect on the human environment and therefore, are excluded from the requirement for an environmental assessment or an environmental impact statement. See HHS GAM [30-20-40](#). Note, each OPDIV is responsible for developing its own procedures to meet the NEPA requirements in accordance with GAM 30-20-50. All construction is included in the environmental review process. CEQ regulations require each Department to establish criteria for determining categorical exclusions from such reviews. Each HHS OPDIV must determine those actions that qualify as categorical exclusions. The OPDIV categorical exclusion should be followed for the environmental review of construction actions. Generally, the agencies should prepare an Environmental Assessment (EA), in accordance with the sample checklist provided as Exhibit X3-2-A, for each proposed action not categorically excluded. As a result of the EA, prepare either a Finding of No Significant Impact (FONSI) or an Environmental Impact Statement (EIS). An example Categorical Exclusion Criteria Checklist (developed for NIH) is provided as X3-2-B.

#### A. ENVIRONMENTAL REVIEW PROCEDURES

An OPDIV/STAFFDIV must conduct environmental reviews with respect to all proposed actions that are subject to an environmental statute or Executive Order, which do not fall under categorical exclusion type 1, 2, or 3. See HHS GAM [30-20-50](#).

3-2-20 GUIDANCE AND INFORMATION

A. ENVIRONMENTAL LAWS AND EXECUTIVE ORDERS

Listed below are some of the major environmental laws that deal with potential environmental effects from the HHS facilities construction program. A more complete list of applicable laws and executive orders is contained in HHS, GAM Chapter 30-00-20.

1. The National Environmental Policy Act of 1969 (NEPA) (42 USC 4321 et. seq.). A sample NEPA flowchart is provided as Exhibit X3-2-C.
  - a. establishes a comprehensive policy for protection and enhancement of the environment by the Federal government,
  - b. creates the CEQ, and
  - c. directs Federal agencies to carry out the policies and procedures of the Act.
2. The Safe Drinking Water Act (42 USC 300f et seq.) authorizes Environmental Protection Agency (EPA) to determine if an action which will have an environmental effect on a sole or principal drinking water source would also constitute a significant hazard to a human population and, if so, to prohibit such an action.
3. The Clean Air Act (42 U.S.C. 7401 et seq) requires EPA to review and comment on a Federal agency action which would create a significant environmental impact.
4. The Endangered Species Act (16 USC 1536) directs Federal agencies to conserve endangered and threatened species and their critical habitats.
5. The National Historic Preservation Act of 1966 as amended (16 USC 470 et seq.) directs heads of Federal agencies to preserve cultural heritage, particularly with respect to sites on/or eligible for listing on the National Register of Historic Places.
6. The Archeological and Historic Preservation Act (16 USC 469 a-1 et seq.) directs Federal agencies to preserve significant scientific, prehistorical, historical and archeological data.
7. The Coastal Zone Management Act (16 USC 1456 et seq.), directs Federal agencies to conduct activities consistent with an approved State coastal zone management program.
8. The Wild and Scenic Rivers Act (16 USC 1278) directs Federal agencies to consider and preserve the values of wild and scenic areas in the use and development of water and land resources.
9. Toxic Substance Control Act (15 USC 2601, et. seq.) requires agencies to develop plans to insure ultimate safe disposal of toxic substances.
10. Solid Waste Disposal Act (42 USC 6901, et seq.) sets responsibilities with the originator for proper handling and disposal of solid wastes.
11. Executive Order 11990 May 24, 1977, directs heads of Federal agencies to avoid
  - a. The long- and short-term adverse impacts associated with the destruction or modification of wetlands and
  - b. Direct or indirect support of new construction in wetlands whenever there is a practical alternative.

12. Executive Order 11988 May 24, 1977, directs Federal agencies to take action to avoid the occupancy or modification of floodplains and to avoid direct or indirect support of development in floodplain areas whenever there is a practical alternative.
13. Executive Order 12088 October 13, 1978, directs Federal agencies to comply with local state and Federal pollution control standards for facilities operation. This means that HHS facilities and sites may potentially be subject to numerous State and other environmental laws.

## B. ENVIRONMENTAL DOCUMENTATION

General - In order to identify the extent of required documentation, an Environmental Review must be conducted. For environmental issues that are not categorically excluded, then an Environmental Assessment (EA) shall be done to determine the need for either a FONSI or EIS. In preparing the assessment, it is necessary to identify clearly the environmental effects and the changes that would occur if the action were taken. Construction actions on occasion may require different approaches for developing environmental information. It is not unusual to have a construction action underway, e.g., in the early budgeting and planning stages, and not have site selection finalized. Therefore, on construction projects the EA may be prepared at different stages by sources such as a Planning Consultant, Architect/Engineer or non-government agency. (See sample Environmental Assessment Criteria Checklist, Exhibit X3-2-A).

1. Finding of No Significant Impact (FONSI) - For the purposes of NEPA, a FONSI documents an agency judgment that a proposed construction action not categorically excluded from NEPA requirements will not significantly affect the quality of the human environment. A FONSI must meet the criteria described in HHS GAM Section 30-50-45 and, in addition:
  - a. Include a list of agencies and persons to whom distributed;
  - b. Briefly present why the proposed action will not significantly affect the human environment, including the EA or a summary thereof; and
  - c. Be made available to the public and other interested parties including, when appropriate, publication in the Federal Register of a notice announcing its availability, consistent with 40 CFR 1506.6(b) and 1501.4 (3) (2).
2. Environmental Impact Statement (EIS)
  - a. General - The agency head or his/her designee responsible for carrying out a specific action is responsible for preparation of the EIS associated with the construction action.
  - b. Public Interface Requirements - The HHS OPDIV should be aware of the extensive Public Notice and other requirements associated with EIS preparation under 40 C.F.R. 6.400. See HHS GAM Section 30-50-70 for detailed procedures and requirements.
  - c. EIS Format/Contents - The format and content of the EIS shall conform with 40 C.F.R. 6.200 and the requirements of 40 CFR 1502. If a proposed action will also affect a cultural or natural asset (as defined in the related acts), the statement shall incorporate the material required by the applicable related acts. Specific details and related information for the prescribed format and contents of an EIS is contained in HHS GAM Section 30-50-65, and applicable HHS/OPDIV Environmental Regulations.
3. Record of Decision - When an OPDIV/STAFFDIV reaches a decision on a proposed action after preparing an EIS, the responsible official shall prepare a concise public record of decision which includes:
  - a. The decision;

- b. All alternatives considered, specifying the alternative or alternatives, which were considered to be environmentally preferable;
- c. A discussion of factors, which were involved in the decision, including any essential considerations of national policy, which were balanced by the organization in making its decision and a statement of how those considerations entered into its decision;
- d. A statement of whether all practicable means to avoid or minimize potential environmental harm from the alternative selected have been adopted, and if not, why they were not;
- e. A description of mitigation measures that will be undertaken to make the selected alternative environmentally acceptable;
- f. A discussion of the extent to which pollution prevention is included in the decision and how pollution prevention measures will be implemented; and
- g. A summary of any monitoring and enforcement program adopted for any mitigation measures.

Proposal to ... (brief description of the proposed action)  
**ENVIRONMENTAL ASSESSMENT CRITERIA** (Updated January 18, 2001)

I.	USE OF NATURAL RESOURCES			
	This set of criteria is concerned with the accessibility of nonrenewable natural resources such as land, mineral, and fuels, which are constantly renewed but in which short-term or local shortages might occur.			
	CRITERIA Does the project:	IMPACT		DESCRIPTION OF ENVIRONMENTAL IMPACT
		YES	NO	
(1)	change traditional use of the land parcel (by rezoning, etc.)?			
(2)	alter use of other land by related development of stores, roads, or site changes?			
(a)	generate new stores?			
(b)	cause new roads?			
(c)	cause new parking?			
(3)	use land for purposes unsuitable to its physical characteristics?			
(4)	include the use of wetlands (swamps, marshes, etc.)?			
(5)	include construction in a floodplain?			
(6)	include the use of significant agricultural lands?			
(7)	block access to known mineral deposits?			
(8)	increase fuel and mineral consumption in state by more than 1% annually?			
(9)	decrease the volume of water in a lake, river, water table, reservoir, etc.?			
(10)	change traditional use of a body of water?			
(11)	divert from local and state land use planning?			

II.	POLLUTION			
	<p>This set of criteria is concerned with the processes which generate pollution. These include the introduction of pollutants into the environment, changes in the flow of energy through the environment, and changes in the composition of environments through the augmentation or deletion of substances which are naturally present. The criteria are also directly concerned with the production and one-time use of materials and the proper disposal of wastes.</p>			
	CRITERIA	IMPACT		DESCRIPTION OF ENVIRONMENTAL IMPACT
	Does the project:	YES	NO	
(1)	increase identifiable air pollution levels from a new emission source or from existing sources?			
(2)	increase identifiable ambient air pollution levels through a major increase in the number of or use of automobiles, trucks, etc.?			
(3)	exceed city or state health standards for exhausts from fume hoods?			
(4)	involve:			
(a)	dredging or swamp drainage?			
(b)	construction of a waste treatment plant?			
(c)	discharge of untreated human waste directly into a lake, river, etc.?			
(5)	overload existing waste treatment plants due to new loads (volume, chemicals, toxicity, etc.)?			
(6)	cause soil erosion (after completion of construction phase) or leaching of foreign substances (such as salt) into the soil?			
(7)	allow seepage of contaminants into the water table?			
(8)	increase the stress placed upon an identified earthquake fault?			

II. POLLUTION - (Continued)				
	CRITERIA Does the project:	IMPACT		DESCRIPTION OF ENVIRONMENTAL IMPACT
		YES	NO	
(9)	create an identifiable change in aquatic life by discharge of hot water?			
(10)	decrease the percolation on over one acre of land?			NIH will adhere to the Erosion and Sediment Control Guidelines and Stormwater Management Guidelines issued by the Maryland Department of the Environment.
(11)	cause storm water runoff onto the land owned by others?			
(12)	produce noises considered offensive to a human population, i.e., over 55 decibels (dB) A-weighted $L_{dn}$ - day/night average sound levels with a 10-dB penalty applied to nighttime (10 p.m. to 7 a.m.) activities at the property boundary? produce cumulative adverse noise effects in conjunction with existing noise sources?			
(13)	create sounds which result in changes in behavior patterns of animals and/or humans (high/low noise frequencies)?			
(14)	introduce new sources of hazardous/toxic wastes			
(15)	introduce new sources of radiation?			
(16)	cause shock waves and/or vibration (after construction phase)?			
(17)	change the direction and wind velocity as to affect the local population (i.e., high-rise building)?			
(18)	cause a new, large volume of production of non-recycled items?			

II. POLLUTION - (Continued)				
	CRITERIA	IMPACT		DESCRIPTION OF ENVIRONMENTAL IMPACT
	Does the project:	YES	NO	
(19)	result in the non-recycling of recyclable items such as laboratory glassware, animal cages and office paper?			
(20)	generate solid wastes which cannot be properly disposed of by existing facilities?			
(21)	dispose of solid wastes in polluting landfills, wells, caves, etc.?			
(22)	require storage of wastes pending technology for safe disposal?			
(23)	fail to comply with Federal, State and local requirements for waste handling, transportation or disposal methods?			

III.	<b>POPULATIONS</b>  This section of the criteria addresses changes in human, animal, and plant populations.	<b>NOTE:</b> In this part of the criteria, the affected area is defined as being greater than 160 acres in size.		
	<b>CRITERIA</b>	<b>IMPACT</b>		<b>DESCRIPTION OF ENVIRONMENTAL IMPACT</b>
	Will the action cause:	<b>YES</b>	<b>NO</b>	
(1)	a 5% change in the density of the local population?			
(2)	health, education and/or welfare services to be altered?			
(3)	social service needs to change by altering populations's age pattern (new schools, etc.)?			
(4)	a change in the transient population by 5%?			
(5)	a scientific alteration (genetic engineering) of the structure of genetic material in a living organism directed at human or other populations?			
(6)	local, state or federal standards pertaining to population densities or conservation of plants and animals to be violated?			

IV.	<p><b>HUMAN SERVICES</b></p> <p>As society has evolved, traditional self-sufficient human communities have given way to dense populations which are dependent upon the development and application of technology. Man's highly complex, technological environments are maintained by a variety of services, ranging from the provision of the basic necessities of food and water to a complex system of economic exchange. These services are largely interdependent and their complexities must be considered.</p>	<p><b>NOTE:</b> In this part of the criteria, the affected area is defined as being less than 160 acres in size.</p>		
	<p style="text-align: center;"><b>CRITERIA</b></p> <p>Could the action disrupt:</p>	<p style="text-align: center;"><b>IMPACT</b></p> <p style="text-align: center;">YES    NO</p>		<p style="text-align: center;"><b>DESCRIPTION OF ENVIRONMENTAL IMPACT</b></p>
(1)	food supplies for 48 hours?			
(2)	water supplies for over 48 hours?			
(3)	electrical power for 48 hours?			
(4)	heating supplies (natural gas, heating oil) for over 48 hours?			
(5)	or deprive population of housing for over 48 hours?			
(6)	removal of sewage for more than 12 hours?			
(7)	removal of solid waste (trash) for more than seven (7) days?			
(8)	existing health service response in case of a disaster?			
(9)	mail, radio, telegraph, telephone, or television service for over two (2) weeks?			
(10)	transit service for more than two (2) weeks?			

IV. HUMAN SERVICES - (Continued)				
	CRITERIA	IMPACT		DESCRIPTION OF ENVIRONMENTAL IMPACT
	Does the action use more than 5% of:	YES	NO	
(1)	remaining electrical capacity?			
(2)	remaining water?			
(3)	available capacity of the sewage treatment system (branch lines, mains, plants)?			
(4)	available capacity of trash disposal system (collection, incinerator plant, landfill)?			
(5)	available heating fuel (gas, coal, or heating oil)?			
	Does action decrease:			
(1)	food delivery system by removal of retail food stores, etc., by 5%?			
(2)	area's domestic housing by demolition, closing, etc., by 5%?			
(3)	use of existing transit systems (bus, train, etc.) by more than 5%?			
(4)	accessibility to routine health services by altering point of service delivery?			
	Will action:			
(1)	increase the patient load of the area's routine health care services by more than 5%?			
(2)	change the availability of social services by opening or closing facilities?			

IV. HUMAN SERVICES - (Continued)				
	CRITERIA	IMPACT		DESCRIPTION OF ENVIRONMENTAL IMPACT
	Will the action:	YES	NO	
(3)	increase or decrease the number of social services recipients by more than 5% (by unemployment)?			
(4)	increase the annual volume of telephone, telegraph, or mail by more than 5%?			
(5)	eliminate employment sources for 10% of the population?			
(6)	change school enrollment by more than 5%?			

V. HUMAN VALUES				
The fifth set of criteria is directed toward human values concerning the quality of the environment which are generally agreed upon to the extent that they are stated in statutes or regulations.				
	CRITERIA	IMPACT		DESCRIPTION OF ENVIRONMENTAL IMPACT
	Will the action:	YES	NO	
(1)	encroach upon any historical, architectural, or archaeological cultural property?			
(2)	affect any endangered species?			
(3)	violate local, state, or federal standards on aesthetics, odor, or noise?			

Proposal to ... (brief description of the proposed action)  
NIH Environmental Assessment Criteria (Updated January 18, 2001)

V. HUMAN VALUES - (Continued)				
CRITERIA		IMPACT		DESCRIPTION OF ENVIRONMENTAL IMPACT
Will the action:		YES	NO	
(4)	use criteria, methods, or practices that would discriminate on the basis of race, color, religion, gender, national origin, age, disability, or sexual orientation?			
(5)	effect the environmental, human health, economic and/or social status of minority and/or low-income communities?			
(6)	exclude the opportunity for the public, including minority communities and low-income communities, to have adequate access to public information relating to human health or environmental planning, regulations, and enforcement pursuant to the Freedom of Information Act, the Sunshine Act, and the Emergency Planning and Community Right-to-Know Act?			
(7)	preclude the affected communities access to meetings, crucial documents and notices and opportunities for input during the planning process to identify potential effects and mitigation measures?			

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Proposal to ... (brief description of the proposed action)

CATEGORICAL EXCLUSION CRITERIA CHECKLIST

I.	<b>CATEGORY #1 -- General Exclusions</b>  Subject to a review for extraordinary circumstances, NIH will not perform an environmental review of actions excluded by regulation from NEPA review. NIH will also not perform an environmental review of actions categorically excluded from NEPA review in DHHS GAM Chapter 30.	NOTE: If the answer to any of the questions in Category #1 is "YES", the action <u>may</u> be categorically excluded from further NEPA review.		
	CRITERIA	YES	NO	EXPLANATION
(1)	Does a law or statute grant an exception, unless precluded by an OPDIV/STAFFDIV regulation?			
(2)	Have the courts found that the action does not require environmental review?			
(3)	Does the action implement actions outside the territorial jurisdiction of the United States and are such actions excluded from review by Executive Order 12114?			

II.	<b>CATEGORY #2 -- Functional Exclusions</b>  The following actions are normally excluded from NEPA review, subject to a review for extraordinary circumstances.	NOTE: If the answer to any of the questions in Category #2 is "YES", the action <u>may</u> be categorically excluded from further NEPA review.		
	<b>CRITERIA</b>  Does the proposed action fall under any of the following categories:	YES	NO	EXPLANATION
(1)	Routine administrative and management support, including legal counsel, public affairs, program evaluation, monitoring, and individual personnel actions?			
(2)	Information technology management			
(3)	Education and training grants and contracts except projects involving construction, renovation and/or changes in land use?			
(4)	Grants for administrative overhead support?			
(5)	Grants for social services except projects involving construction, renovation, and changes in land use?			
(6)	Liaison functions?			
(7)	Maintenance, except for properties on or eligible for listing on the National Register of Historic Places?			
(8)	Statistics and information collection and dissemination?			

II.	CATEGORY #2 (continued) Functional Exclusions	NOTE: If the answer to any of the questions in Category #2 is "YES", the action <u>may</u> be categorically excluded from further NEPA review.		
	CRITERIA Does the proposed action fall under any of the following categories:	YES	NO	EXPLANATION
(9)	Adoptions of regulations and guidelines pertaining to the above activities?			
(10)	Routine administrative and management support, including budget and finance, planning, procurement of supplies and services, management and oversight of grants and other funding instruments, legal counsel, public affairs, program evaluation, travel, and human resources management.			
(11)	Maintenance, including repairs necessary to ensure the operation of existing facilities, grounds maintenance, and the decontamination of laboratory or other space and equipment.			
(12)	Acquisition of space by lease and modifications of leases, when the use of the space will comply with all applicable Federal, State, and local laws, including all environmental protection and zoning laws, and lease extensions and terminations.			
(13)	Relocation of employees into existing Government-owned or Government-leased space.			
(14)	Facility planning and design.			

II.	CATEGORY #2 (continued) Functional Exclusions	NOTE: If the answer to any of the questions in Category #2 is "YES", the action <u>may</u> be categorically excluded from further NEPA review.		
	CRITERIA Does the proposed action fall under any of the following categories:	YES	NO	EXPLANATION
(15)	Construction, or construction pursuant to a lease, of 12,000 square feet or less of occupiable space.			
(16)	Interior construction and renovation of NIH facilities.			
(17)	The acquisition, sale, release, disposal, abandonment, closure, or transfer of real or personal property, provided that the action does not violate applicable Federal, State, or local laws, including historical preservation laws.			
(18)	Acquisition of equipment and the repair or replacement of NIH-owned equipment.			
(19)	Acquisition, installation, maintenance, and operation of utility and communications systems, data processing cables, and similar electronic equipment.			
(20)	Packaging, storage, and disposal of hazardous substances, including low-level radioactive, medical, and chemical waste materials generated by intramural research activities, provided that the waste is packed, stored, and disposed of in compliance with all applicable Federal, State, and local laws.			

II.	CATEGORY #2 (continued) Functional Exclusions	NOTE: If the answer to any of the questions in Category #2 is "YES", the action <u>may</u> be categorically excluded from further NEPA review.		
	CRITERIA Does the proposed action fall under any of the following categories:	YES	NO	EXPLANATION
(21)	The identification, collection, testing, and distribution of chemicals, drugs, biologicals, plants or plant derivatives, microorganisms, and/or cell cultures for use in the research, diagnosis, and/or treatment of human diseases.			
(22)	Research and training activities that are conducted in NIH facilities: By or under the supervision of NIH employees; under the Stevenson-Wydler Technology Innovation Act of 1980, as amended, 15 U.S.C. 3701 et seq.; or in accordance with 45 CFR part 9.			
(23)	The issuance of revocable licenses, use permits, and easements allowing outside parties to use NIH facilities.			
(24)	Filing for, obtaining, licensing, enforcing, and protecting intellectual property rights arising from NIH-conducted or NIH-supported research or other activities.			
(25)	Actions taken to comply with requirements of applicable legislation or regulations (e.g., meet emissions requirements established pursuant to Clean Air Act).			

II.	CATEGORY #2 (continued)  Functional Exclusions	NOTE: If the answer to any of the questions in Category #2 is "YES", the action <u>may</u> be categorically excluded from further NEPA review.		
	CRITERIA	YES	NO	EXPLANATION
(26)	The preparation and submission of proposals for legislation, or major recommendations or reports to Congress on proposals for legislation, that, based on reasonable judgment, will not establish or modify programs that will have a significant effect on the quality of the human environment.			
(27)	The awarding, renewal, suspension, termination, or discontinuance of: Collaborative research agreements, including Cooperative Research and Development Agreements (CRADA) established under the Stevenson-Wydler Technology Innovation Act of 1980, as amended, 15 U.S.C. 3701 et seq.; contracts; cooperative agreements; grants; and interagency agreements entered into by the NIH pursuant to the Economy Act, 31 U.S.C. 1535. For those contracts, cooperative agreements, grants, and interagency agreements that involve construction of more than 12,000 square feet of occupiable space, recipients of NIH funds must certify that they are in compliance with all Federal, State, and local environmental laws and must, as prescribed by NIH, perform all environmental reviews required by NEPA, including preparing environmental assessments and, if necessary, environmental impact statements, and submit these documents to the NIH for review, approval and adoption.			

II.	CATEGORY #2 (continued) Functional Exclusions	NOTE: If the answer to any of the questions in Category #2 is "YES", the action <u>may</u> be categorically excluded from further NEPA review.		
	CRITERIA	YES	NO	EXPLANATION
(28)	All actions undertaken in preparing for and conducting litigation.			
(29)	The collection, processing, retention, evaluation and dissemination, including publication, of data and other information, including the acquisition and management of resources necessary to carry out those functions.			
(30)	Proposing and adopting guidelines.			
(31)	Traffic management measures, including the installation and operation of traffic control and safety devices and actions designed to control or reduce the number of motor vehicles coming onto the NIH Bethesda campus.			
(32)	Actions taken to respond to public health emergencies.			

III.	<p><b>CATEGORY #3 -- Program Exclusions</b></p> <p>The DHHS procedures on environmental review of agency actions authorize the establishment of a categorical exclusion for programs within an agency that will not have a significant effect on the human environment. Actions taken by the following NIH organizations and their components normally are excluded from NEPA review, subject to a review for extraordinary circumstances. Actions taken by any successor organizations to those listed will also be categorically excluded. Actions taken by organizations of NIH not listed in this category may be included in other categories of excluded actions.</p>	<p>NOTE: If the answer to any of the questions in Category #3 is "YES", the action <u>may</u> be categorically excluded from further NEPA review.</p>		
	CRITERIA	YES	NO	EXPLANATION
(1)	Center for Information Technology			
(2)	Center for Scientific Review			
(3)	Fogarty International Center			
(4)	Office of Administration			
(5)	Office of Communications			
(6)	Office of Equal Opportunity			
(7)	Office of Education			
(8)	Office of Community Liaison			
(9)	Office of Loan Repayment and Scholarship			
(10)	Office of Human Resources Management			
(11)	Office of Financial Management			
(12)	Office of Technology Transfer			
(13)	Office of Program Coordination			
(14)	National Library of Medicine			

IV.	<b>CATEGORY #4 -- Extraordinary Circumstances</b>  Consistent with CEQ's regulations, environmental review is required for all NIH actions involving extraordinary circumstances. Following are examples of extraordinary circumstances that may apply to specific NIH actions.	<b>NOTE: If the answer to any of the questions in Category #4 is "NO", the action may be partially excluded from further NEPA review.</b>		
	CRITERIA	YES	NO	EXPLANATION
(1)	Greater scope or size than other actions included within a category.			
(2)	A threatened violation of a Federal, State, or local law established for protection of the environment or for public health and safety.			
(3)	Potential effects of the action are unique or highly uncertain.			
(4)	Potential effect on a protected or ecologically sensitive area of land, like a wetland or floodplain.			
(5)	Possible impact on property that is listed or eligible for listing on the National Register of Historic Places or that is otherwise of scientific, cultural, or historic importance or interest.			
(6)	Possible impact on endangered or threatened species.			
(7)	Use of especially hazardous substances or processes for which adequate and accepted controls and safeguards are unknown or not available.			
(8)	Substantial and reasonable controversy exists about the environmental effects of the action.			

V.	Summary	NOTE: If the answer to any of the questions the Summary is "YES", the action <u>may</u> be <u>partially</u> excluded from further NEPA review.		
	CRITERIA	YES	NO	EXPLANATION
(1)	Does the proposed action produce environmental effects with respect to only a few, but not all, of the environmental acts?			
(2)	Is a previously conducted environmental assessment (EA) or environmental impact statement (EIS) broad enough to satisfy the NEPA requirements for the current proposed action?			
(3)	Is the proposed action a response that must be implemented within thirty (30) days to an emergency health situation?			
(4)	Does the law require the proposed action to be taken within thirty (30) days?			
	After substantive review (by first completing the attached NIH Environmental Assessment Criteria checklist) can it be determined that the program or proposed action normally:			
(5)	Will NOT significantly affect the human environment (as defined by NEPA)?			
(6)	Will NOT affect an asset (as defined in the applicable environmental statute or Executive Order) regardless of location or magnitude of the action?			

### National Environmental Policy Act (NEPA)

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