

§ 10.11

44 CFR Ch. I (10–1–03 Edition)

at any time supplement a draft or final environmental impact statement. The Regional Director shall prepare a supplement to either the draft or final environmental impact statement when required under the criteria set forth in §1502.9(2). The Regional Director will prepare, circulate, and file a supplement to a statement in the same fashion (exclusive of scoping) as a draft or final statement and will introduce the supplement into their formal administrative record.

(d) *Circulation of Environmental Impact Statements.* The Regional Director shall circulate draft and final environmental impact statements as prescribed in §1502.19 of CEQ regulations. Prior to signing off on a draft or final impact statement, the Regional Director shall obtain the approval of the Environmental Officer and OGC.

[45 FR 41142, June 18, 1980, as amended at 47 FR 13149, Mar. 29, 1982]

§ 10.11 Environmental information.

Interested persons may contact the Environmental Officer or the Regional Director for information regarding FEMA's compliance with NEPA.

[45 FR 41142, June 18, 1980, as amended at 47 FR 13149, Mar. 29, 1982]

§ 10.12 Pre-implementation actions.

(a) *Decision-making.* The Regional Director shall ensure that decisions are made in accordance with the policies and procedures of the Act and that the NEPA process is integrated into the decision-making process. Because of the diversity of FEMA, it is not feasible to describe in this part the decision-making process for each of the various FEMA programs. Proposals and actions may be initiated at any level. Similarly, review and approval authority may be exercised at various levels depending on the nature of the action, available funding, and statutory authority. FEMA offices and administrations shall provide further guidance, commensurate with their programs and organization, for integration of environmental considerations into the decision-making process. The Regional Director shall:

(1) Consider all relevant environmental documents in evaluating proposals for Agency action;

(2) Make all relevant environmental documents, comments, and responses part of the record in formal rule-making or adjudicatory proceedings;

(3) Ensure that all relevant environmental documents, comments and responses accompany the proposal through existing Agency review processes;

(4) Consider only those alternatives encompassed by the range of alternatives discussed in the relevant environmental documents when evaluating proposals for Agency action;

(5) Where an EIS has been prepared, consider the specific alternatives analyzed in the EIS when evaluating the proposal which is the subject of the EIS.

(b) *Record of decision.* In those cases requiring environmental impact statements, the Regional Director at the time of his/her decision, or if appropriate, his/her recommendation to Congress, shall prepare a concise public record of that decision. The record of decision is not intended to be an extensive, detailed document for the purpose of justifying the decision. Rather it is a concise document that sets forth the decision and describes the alternatives and relevant factors considered as specified in 40 CFR 1505.2. The record of decision will normally be less than three pages in length.

(c) *Mitigation.* Throughout the NEPA process, the Regional Director shall consider mitigating measures to avoid or minimize environmental harm and, in particular, harm to or within flood plains and wetlands. Mitigation measures or programs will be identified in the environmental impact statement and made available to decision-makers. Mitigation and other conditions established in the environmental impact statement or during its review and committed as part of the decision shall be implemented by the Regional Director.

(d) *Monitoring.* If a Regional Director determines that monitoring is applicable for established mitigation, a monitoring program will be adopted to assure the mitigation measures are accomplished. The Regional Director

shall provide monitoring information, upon request, as specified in 40 CFR 1505.3. This does not, however, include standing or blanket requests for periodic reporting.

§ 10.13 Emergencies.

In the event of an emergency, the Regional Director may be required to take immediate action with significant environmental impact. The Regional Director shall notify the Environmental Officer of the emergency action at the earliest possible time so that the Environmental Officer may consult with the Council on Environmental Quality. In no event shall any Regional Director delay an emergency action necessary to the preservation of human life for the purpose of complying with the provision of this directive or the CEQ regulations.

[45 FR 41142, June 18, 1980, as amended at 47 FR 13149, Mar. 29, 1982]

§ 10.14 Flood plains and wetlands.

For any action taken by FEMA in a flood plain or wetland, the provisions of this part are supplemental to, and not instead of, the provisions of the FEMA regulation implementing Executive Order 11988, Flood Plain Management, and Executive Order 11990, Protection of Wetlands (44 CFR part 9).

PART 11—CLAIMS

Subpart A—General

Sec.

- 11.1 General collection standards.
- 11.2 Delegations of authority.

Subpart B—Administrative Claims Under Federal Tort Claims Act

- 11.10 Scope of regulation.
- 11.11 Administrative claim; when presented; appropriate FEMA office.
- 11.12 Administrative claim; who may file.
- 11.13 Investigations.
- 11.14 Administrative claim; evidence and information to be submitted.
- 11.15 Authority to adjust, determine, compromise and settle.
- 11.16 Limitations on authority.
- 11.17 Referral to Department of Justice.
- 11.18 Final denial of claim.

- 11.19 Action on approved claim.

Subpart C—Collection of Debts by the Government Under the Debt Collection Act of 1982

- 11.30 Scope of regulations.
- 11.31 Adoption of joint standards.
- 11.32 Subdivision and joining of debts.
- 11.33 Authority of offices to attempt collection of debts.
- 11.34 Referral of debts to the Chief Financial Officer, Federal Emergency Management Agency.
- 11.35 Authority of offices to compromise debts or suspend or terminate collection action.
- 11.36 Debt collection files.
- 11.37 [Reserved]
- 11.38 Annual reports to the Director, Office of Management and Budget, and the Secretary of the Treasury.
- 11.40 Records retention.
- 11.41 Suspension or revocation of eligibility.
- 11.42 Demand for payment of debts.
- 11.43 Collection by administrative offset.
- 11.44 [Reserved]
- 11.45 Collection by salary offset.
- 11.46 Liquidation of collateral.
- 11.47 Collection in installments.
- 11.48 Interest, penalties, and administrative charges.
- 11.49 Omission not a defense.
- 11.50 Standards for compromise of debts.
- 11.51 Standards for suspension or termination of collection.
- 11.52 Referral of delinquent debtors to consumer reporting agencies.
- 11.53 Securing debtor addresses from the Department of Treasury.
- 11.54 Contracts with debt collection agencies.
- 11.55 Referral to GAO or Justice Department.
- 11.56 Analysis of costs.
- 11.57 Automation.
- 11.58 Prevention of overpayments, delinquencies, and defaults.
- 11.59 Office of General Counsel.
- 11.60 Sale of debts due the United States arising under programs administered by the Agency.
- 11.61 Referral of delinquent debts to Department of the Treasury for offsets against tax refunds.
- 11.62 Administrative charges incurred in referrals for tax refund offset.
- 11.63 Notice to debtor before tax refund offset.
- 11.64 Review within Federal Emergency Management Agency.
- 11.65 Stay of tax refund offset action.

Subpart D—Personnel Claims Regulations

- 11.70 Scope and purpose.