

State, regional, and metropolitan clearinghouses. When available NRC copies have been exhausted, the requester will be advised that the NRC will provide copies at the charges specified in §9.35 of this chapter.

(c) *Charges.* Charges for the reproduction of environmental documents by the NRC at locations other than the NRC Public Document Room located in Washington, DC vary according to location.

[50 FR 21037, May 22, 1985, as amended at 52 FR 31612, Aug. 21, 1987; 53 FR 43421, Oct. 27, 1988; 61 FR 9902, Mar. 12, 1996; 64 FR 48952, Sept. 9, 1999; 68 FR 58812, Oct. 10, 2003]

COMMENTING

§51.124 **Commission duty to comment.**

It is the policy of the Commission to comment on draft environmental impact statements prepared by other Federal agencies, consistent with the provisions of 40 CFR 1503.2 and 1503.3.

RESPONSIBLE OFFICIAL

§51.125 **Responsible official.**

The Executive Director for Operations shall be responsible for overall review of NRC NEPA compliance, except for matters under the jurisdiction of a presiding officer, administrative judge, administrative law judge, Atomic Safety and Licensing Board, Atomic Safety and Licensing Appeal Board, or the Commission acting as a collegial body.

APPENDIX A TO SUBPART A OF PART 51—
FORMAT FOR PRESENTATION OF MATERIAL IN ENVIRONMENTAL IMPACT STATEMENTS

1. General
2. Cover sheet
3. Summary
4. Purpose of and need for action
5. Alternatives including the proposed action
6. Affected environment
7. Environmental consequences and mitigating actions
8. List of preparers
9. Appendices

1. *General.*

(a) The Commission will use a format for environmental impact statements which will encourage good analysis and clear presentation of the alternatives including the proposed action. The following standard format

for environmental impact statements should be followed unless there is a compelling reason to do otherwise:

- (1) Cover sheet*
- (2) Summary*
- (3) Table of Contents
- (4) Purpose of and Need for Action*
- (5) Alternatives including the proposed action*
- (6) Affected Environment*
- (7) Environmental Consequences and Mitigating Actions*
- (8) List of Preparers*
- (9) List of Agencies, Organizations and Persons to Whom Copies of the Statement are Sent
- (10) Substantive Comments Received and NRC Staff Responses
- (11) Index
- (12) Appendices (if any)*

If a different format is used, it shall include paragraphs (1), (2), (3), (8), (9), (10), and (11) of this section and shall include the substance of paragraphs (4), (5), (6), (7), and (12) of this section, in any appropriate format.

Additional guidance on the presentation of material under the format headings identified by an asterisk is set out in sections 2–9. of this appendix.

(b) The techniques of tiering and incorporation by reference described respectively in 40 CFR 1502.20 and 1508.28 and 40 CFR 1502.21¹ of CEQ's NEPA regulations may be used as appropriate to aid in the presentation of issues, eliminate repetition or reduce the size of an environmental impact statement. In appropriate circumstances, draft or final environmental impact statements prepared by other Federal agencies may be adopted in whole or in part in accordance with the procedures outlined in 40 CFR 1506.3² of CEQ's NEPA regulations. In final environmental impact statements, material under the following format headings will normally be presented in less than 150 pages: Purpose of and Need for Action, Alternatives Including the Proposed Action, Affected Environment, and Environmental Consequences and Mitigating Actions. For proposals of unusual scope or complexity, the material presented under these format headings may extend to 300 pages.

2. *Cover sheet.*

The cover sheet will not exceed one page. It will include:

- (a) The name of the NRC office responsible for preparing the statement and a list of any cooperating agencies.
- (b) The title of the proposed action that is the subject of the statement with a list of the states, counties or municipalities where

¹ *Tiering*—40 CFR 1502.20, 40 CFR 1508.28; *Incorporation by reference*—40 CFR 1502.21.

² *Adoption*—40 CFR 1506.3.