

Pt. 512, App. D

(11) characters, of vehicle identification numbers reported in information on incidents involving death or injury pursuant to the reporting of early warning information requirements of 49 CFR part 579 will constitute a clearly unwarranted invasion of personal privacy within the meaning of 5 U.S.C. 552(b)(6).

[68 FR 44228, July 28, 2003, as amended at 69 FR 21425, Apr. 21, 2004]

**APPENDIX D TO PART 512—OMB
CLEARANCE**

The OMB clearance number for this regulation is 2127-0025.

**PART 520—PROCEDURES FOR
CONSIDERING ENVIRONMENTAL
IMPACTS**

Subpart A—General

- Sec.
- 520.1 Purpose and scope.
- 520.2 Policy.
- 520.3 Definitions.
- 520.4 Applicability.
- 520.5 Guidelines for identifying major actions significantly affecting the environment.

Subpart B—Procedures

- 520.21 Preparation of environmental reviews, negative declarations, and notices of intent.
- 520.22 Maintenance of a list of actions.
- 520.23 Preparation of draft environmental impact statements.
- 520.24 Internal processing of draft environmental impact statements.
- 520.25 External review of draft environmental impact statements.
- 520.26 Public hearings.
- 520.27 Legislative actions.
- 520.28 Preparation of final environmental impact statements.
- 520.29 Internal review of final environmental impact statements.
- 520.30 Availability of final environmental impact statements.
- 520.31 Amendments or supplements.
- 520.32 Emergency action procedures.
- 520.33 Timing of proposed NHTSA actions.
- 520.34 Comments on environmental statements prepared by other agencies.

ATTACHMENT 1 TO PART 520—FORM AND CONTENT OF STATEMENT

ATTACHMENT 2 TO PART 520—AREAS OF ENVIRONMENTAL IMPACT AND FEDERAL AGENCIES AND FEDERAL-STATE AGENCIES WITH JURISDICTION BY LAW OR SPECIAL EXPERTISE TO COMMENT THEREON [NOTE]

ATTACHMENT 3 TO PART 520—OFFICES WITHIN FEDERAL AGENCIES AND FEDERAL-STATE

49 CFR Ch. V (10-1-06 Edition)

AGENCIES FOR INFORMATION REGARDING THE AGENCIES' IMPACT STATEMENTS FOR WHICH COMMENTS ARE REQUESTED [NOTE] ATTACHMENT 4 TO PART 520—STATE AND LOCAL AGENCY REVIEW OF IMPACT STATEMENTS

AUTHORITY: Secs. 102(2)(A), 102(2)(C), Pub. L. 91-190, 83 Stat. 853 (42 U.S.C. 4332); secs. 2(b), 4(f), Pub. L. 89-670, 80 Stat. 931 (49 U.S.C. 1651(b), 1653(f)); E.O. 11514, 35 FR 4247; 40 CFR part 1500; DOT Order 5610.1B, 39 FR 35234; delegations of authority at 49 CFR 1.45, 1.51.

SOURCE: 40 FR 52396, Nov. 10, 1975, unless otherwise noted.

Subpart A—General

§ 520.1 Purpose and scope.

(a) Section 102(2)(C) of the National Environmental Policy Act of 1969 (83 Stat. 853; 42 U.S.C. 4332(2)(C)), as implemented by Executive Order 11514 (3 CFR, 1966-1970 Comp., p. 902) and the Council on Environmental Quality's Guidelines of April 23, 1971 (36 FR 7724), requires that all agencies of the Federal Government prepare detailed environmental statements on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment. The purpose of the Act is to build into the agency decision-making process careful consideration of all environmental aspects of proposed actions.

(b) This part specifies National Highway Traffic Safety Administration (NHTSA) procedures for conducting environmental assessments and reviews, and for the preparation of environmental impact statements on proposals for legislation and other major agency actions significantly affecting the quality of the human environment.

§ 520.2 Policy.

The agency will strive to carry out the full intent and purpose of the National Environmental Policy Act of 1969 and related orders and statutes, and take positive steps to avoid any action which could adversely affect the quality of the human environment.

§ 520.3 Definitions.

(a) *Environmental assessment* is a written analysis describing the environmental impact of a proposed or ongoing agency action, submitted to the agency

either by its grantees or contractors, or by any person outside the agency as part of any program or project proposal within the scope of activities listed in § 520.4(b).

(b) *Environmental review* is a formal evaluation undertaken by the agency, culminating in a brief document (the environmental review report), to determine whether a proposed or ongoing NHTSA action may have a significant impact on the environment. The review document will be included in the proposed or ongoing agency action, and either support a negative declaration or recommend the preparation of a draft environmental impact statement.

(c) *Draft environmental impact statement* (DEIS) means a preliminary statement on the environmental impact of a proposed or ongoing NHTSA action which is circulated for comment and review within and outside NHTSA.

(d) *Final environmental impact statement* (FEIS) means a detailed statement which, pursuant to section 102(2)(C) of the National Environmental Policy Act, identifies and analyzes the anticipated environmental impact of a proposed or ongoing NHTSA action.

(e) *Negative declaration* means a statement prepared subsequent to an environmental review, which states that a proposed or ongoing NHTSA action will have no significant environmental impact and therefore does not require a draft or final environmental impact statement.

§ 520.4 Applicability.

(a) *Scope*. This part applies to all elements of NHTSA, including the Regional Offices.

(b) *Actions covered*. Except as provided in paragraph (e) of this section, this part applies to the following agency actions and such actions and proposals as may be sponsored jointly with another agency:

(1) New and continuing programs and projects; budget proposals; legislative proposals by the agency; requests for appropriations; reports on legislation initiated elsewhere where the agency has primary responsibility for the subject matter involved; and any renewals or reapprovals of the foregoing;

(2) Research, development, and demonstration projects; formal approvals

of work plans; and associated contracts;

(3) Rulemaking and regulatory actions, including Notices of Proposed Rulemaking (NPRM); requests for procurement (RFP); requests for grants (Annual Work Programs); and contracts;

(4) All grants, loans or other financial assistance for use in State and Community projects;

(5) Annual State Highway Safety Work Programs;

(6) Construction; leases; purchases; operation of Federal facilities; and

(7) Any other activity, project, or action likely to have a significant effect on the environment.

(c) *Continuing actions*. This part applies to any action enumerated in paragraph (b) of this section, even though such actions arise from a project or program initiated prior to enactment of the National Environmental Policy Act on January 1, 1970.

(d) *Environmental assessments*. Within the scope of activities listed in § 520.4(b), any person outside the agency submitting a program or project proposal may be requested to prepare an environmental assessment of such proposed action to be included in his submission to the agency.

(e) *Exceptions*. (1) Assistance in the form of general revenue sharing funds, distributed under the State and Local Fiscal Assistance Act of 1972, 31 U.S.C. 1221, with no control by the NHTSA over the subsequent use of such funds;

(2) Personnel actions;

(3) Administrative procurements (e.g., general supplies) and contracts for personal services;

(4) Legislative proposals originating in another agency and relating to matters not within NHTSA's primary areas of responsibility;

(5) Project amendments (e.g., increases in costs) which have no environmental significance; and

(6) Minor agency actions that are determined by the official responsible for the actions to be of such limited scope that they clearly will not have a significant effect on the quality of the human environment.