

NUCLEAR WATCH SOUTH

NATIONAL ENVIRONMENTAL POLICY ACT

It is the pleasure and duty of the public to participate in important decisions as framed and codified by the National Environmental Policy Act of 1969. Nuclear Watch South lists here the pertinent portions of the Act upon which these comments rely. The powerful words of the opening paragraph declare, "The purposes of this chapter are: To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; **to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation;** and to establish a Council on Environmental Quality. (42 U.S.C. 4231) (Pub. L. 91-190, § 2, Jan. 1, 1970, 83 Stat. 852.)

NEPA then says: "(a) The Congress, **recognizing the profound impact of man's activity on the interrelations of all components of the natural environment, particularly the profound influences of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances and recognizing further the critical importance of restoring and maintaining environmental quality to the overall welfare and development of man**, declares that it is the continuing policy of the Federal Government, in cooperation with state and local governments, and other concerned public and private organizations, to **use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.**"

NEPA continues in its statement of standards: "**(1) fulfill the responsibilities of each generation as trustee of the environment for succeeding generations; (2) assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings**" (SUBCHAPTER I—POLICIES AND GOALS [TITLE I] 42 U.S.C. 4331. *Congressional declaration of national environmental policy [Sec. 101]*)

NEPA requires analysis of: "**(i) reasonably foreseeable environmental effects of the proposed agency action;** (ii) any reasonably foreseeable adverse environmental effects which cannot be avoided should the proposal

be implemented; (iii) **a reasonable range of alternatives to the proposed agency action**, including an analysis of any negative environmental impacts of not implementing the proposed agency action in the case of a no action alternative, that are technically and economically feasible, and meet the purpose and need of the proposal; (iv) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity; and (v) any irreversible and irretrievable commitments of Federal resources which would be involved in the proposed agency action should it be implemented." (42 U.S.C. 4332. Sec. 102 paragraph C)

Finally, at **42 U.S.C. 4336: "(b) Levels of review**

(1) Environmental impact statement An agency shall issue an **environmental impact statement** with respect to a proposed agency action requiring an environmental document that has a **reasonably foreseeable significant effect on the quality of the human environment**.

(2) Environmental assessment An agency shall prepare an **environmental assessment with respect to a proposed agency action that does not have a reasonably foreseeable significant effect on the quality of the human environment**, or if the significance of such effect is unknown, unless the agency finds that the proposed agency action is excluded pursuant to one of the agency's categorical exclusions, another agency's categorical exclusions consistent with section 4336c of this title, or another provision of law. **Such environmental assessment shall be a concise public document prepared by a Federal agency to set forth the basis of such agency's finding of no significant impact or determination that an environmental impact statement is necessary.**"