

DEPARTMENT OF ENERGY
DELEGATION ORDER NO. 0204-106
ASSISTANT SECRETARY FOR ENVIRONMENTAL PROTECTION, SAFETY,
AND EMERGENCY PREPAREDNESS

Pursuant to the authority vested in me as Secretary of Energy (“Secretary”) and by Section 642 of the Department of Energy Organization Act (P.L. 95-91), there is delegated the authority to make findings with regard to Floodplains/Wetlands pursuant to Executive Orders 11988 and 11990, and 10 CFR 1022, as follows:

1. For proposed Departmental actions located within a floodplain or a wetland and requiring the preparation of an environmental assessment or an environmental impact statement for compliance with the National Environmental Policy Act, the authority is delegated to the Assistant Secretary for Environmental Protection, Safety, and Emergency Preparedness (ASEP). Prior to making a finding, the ASEP shall obtain the concurrence of the involved program Assistant Secretary, or designee, regarding cost, timing, and other programmatic factors and shall consult with the Office of the General Counsel. Irreconcilable differences between any of the parties will be referred to the Under Secretary for resolution;
2. For proposed Departmental actions located within a floodplain or a wetland but not requiring the preparation of an environmental assessment or an environmental impact statement for compliance with the National Environmental Policy Act, the authority is delegated to the Program Assistant Secretaries, or designees.

In exercising the authority delegated by this Order, the delegate(s) shall be governed by the rules and regulations of the Department of Energy and the policies and procedures prescribed by the Secretary or his delegate.

All actions pursuant to any authority delegated prior to this Order/or pursuant to any authority delegated by this Order taken prior to and in effect on the date of this Order and hereby confirmed and ratified, shall remain in full force and effect as if taken under this Order, unless or until rescinded, amended, or superseded.

This Order is effective November 5, 1982.

_____/s/
James B. Edwards
Secretary of Energy

DEPARTMENT OF ENERGY
AMENDMENT NO. 1
DELEGATION ORDER NO. 0204-106

Item number 1 of Delegation Order No. 0204-106 (copy attached) is amended to substitute the Assistant Secretary for Policy, Safety and Environment for the Assistant Secretary for Environmental Protection, Safety and Emergency Preparedness.

This action is effective January 23, 1984.

/s/
Donald Paul Hodel
Secretary of Energy