

LIFE

CYCLE

ASSET

MANAGEMENT

Good Practice Guide
GPG-FM-024

Site-Selection Process

March 1996

Department of Energy
Office of Field Management
Office of Project and Fixed Asset Management

This page intentionally left blank.

1. INTRODUCTION 1

 1.1 Purpose 1

 1.2 Site Selection, NEPA, and Comprehensive Land-Use Planning 2

2. PRINCIPLES AND PROCESSES 5

 2.1 Formal (Program Directed or Competed) Site Selection 5

 2.1.1 The Site-Selection Official 5

 2.1.2 Site-Selection Team 5

 2.1.3 Determining Task Scope 8

 2.1.4 Criteria 10

 2.1.5 Documents and Plans 12

 2.1.6 Stakeholder Interactions 14

 2.1.7 The RFPs 14

 2.1.8 Evaluation of Reasonable Alternatives (Proposals) 16

 2.1.9 Briefing the Site-Selection Official and The Team Final Report 17

 2.1.10 Selection Decision 18

 2.1.11 Notification of Unsuccessful Offerors 19

 2.2 Other Site-Selection Processes 19

3. MEASURING FOR RESULTS 21

4. REGULATIONS, LAWS, EXECUTIVE ORDERS,
AND DEPARTMENTAL DIRECTIVES 23

 4.1 Public Laws 23

 4.2 Executive Orders 25

 4.3 Office of Management and Budget 26

 4.4 Federal Regulations 26

 4.5 Departmental Policy 28

5. DEFINITIONS 29

6. ASSISTANCE 31

7. RELATED TRAINING 33

8. EXAMPLES 35

This page intentionally left blank.

1. INTRODUCTION

1.1 Purpose

The purpose of this Guide is to identify key elements in a formal site-selection process, which is conducted in support of project planning. The site-selection process is conducted to identify possible sites for a proposed project and to compare their relative merits based on environmental protection, technical, safety and health protection, and life-cycle cost requirements. The outcome of the process is the documentation necessary to compare site alternatives, confirm site suitability, make recommendations, and ensure that the site selected meets requirements.

Site-selection processes range from formal, processes for major projects like the Superconducting Super Collider, to semi-formal processes at smaller support facilities. This Guide is based on the Department of Energy's (DOE's) experience in selecting sites for major tasks and reflects some of the difficulties and successes encountered during those efforts.

The site-selection process generally consists of:

- determining that a potential action requires a site selection,
- appointing a selecting official (or site board),
- chartering a team (staff) to support the selecting official,
- identifying site requirements,
- conducting a formal site search,
- evaluating proposed sites against the requirements,
- developing recommendations for the selecting official, and
- selecting the site.

The processes discussed in this Guide represent model and rationalized procedures from which good practices can be derived for lesser efforts.

When DOE projects involve proposed actions at existing DOE sites, which is the case for most DOE projects, the site-selection process relies more on National Environmental Policy Act (NEPA) and Comprehensive Land-Use Planning (or Site Development Planning) processes. This Guide includes examples of such current local site-selection processes.

Although the guidance contained in this Guide is not mandatory, it describes several steps that are critical to ensure compliance with existing regulations. A well-planned, well-documented site-selection process saves time and money by reducing delays associated with legal/procedural challenges while identifying the site that best meets the needs of the project.

1.2 Site Selection, NEPA, and Comprehensive Land-Use Planning

The key process step in the site-selection process is to initiate an assessment of technical and environmental issues early, in that way facilitating compliance with associated regulations and preventing or at least identifying site-selection problems before they occur. Such an assessment includes NEPA requirements, which include an evaluation of the environmental impacts of all reasonable alternatives and the full consideration of land uses at Departmental sites, selected through comprehensive land-use planning process. Like the NEPA process, the site-selection process must begin early in a project, when the proposed action has been identified and supported programmatically.

NEPA. DOE site-selection decisions must be supported by the NEPA process. NEPA documentation is to be used during the decision-making process, and not to rationalize or justify decisions already made [40 Code of Federal Regulations (CFR) 1502.5]. Throughout the selection process, environmental, safety, and health requirements and processes must be fully integrated. The DOE environmental review process is required under NEPA as implemented by the Council on Environmental Quality (CEQ) Regulations (40 CFR Parts 1500 - 1508), DOE NEPA Regulations (10 CFR Part 1021), and DOE O 451.1, NATIONAL ENVIRONMENTAL POLICY ACT COMPLIANCE PROGRAM.

By requiring that environmental information be made available to the decision maker and the public, the NEPA process is intended to help public officials make decisions based on an understanding of potential environmental consequences and to take actions that protect, restore, and enhance the environment.

Because the NEPA process and the site-selection process are interconnected, they involve concurrent and overlapping activities that must be integrated on the same time line.

Table 1 shows which processes occur concurrently.¹ Readers should consult the DOE NEPA guidance manual and 10 CFR 1021 for information on the appropriate level of NEPA documentation for each action; for example, a categorical exclusion (CX), environmental assessment (EA), or environmental impact statement (EIS).

Although the processes may differ for individual projects, interrelated milestones must always occur in the sequence shown, and the site-selection process and the NEPA process must always be integrated, as indicated below.

- The NEPA process must begin early in the site-selection process, as soon as the proposed action can be meaningfully evaluated.
- The site-selection official must consider the environmental information presented in the NEPA document.
- The range of alternatives evaluated in the NEPA document must include all candidate sites under evaluation in the site-selection process. Likewise, the site-selection process must consider all alternatives evaluated in the NEPA document.
- Public involvement activities should be conducted to serve the requirements of both processes.
- The decision on the site must not be made in advance of the NEPA process.
- Detailed design cannot begin until the NEPA process is complete.

Regardless of project size, the site-selection process and the NEPA process function interdependently and must have coordinated actions, milestones, and schedules, as indicated in Table 1. The site-selection official, site-selection team leader, DOE program representative, and site/program NEPA compliance officer should meet throughout the site-selection process to clarify the scope of their respective responsibilities, determine the most effective way to conduct both processes, and coordinate procedures and schedules.

Comprehensive Land-Use Planning Process. Site-selection processes that involve Departmental sites should use, and be in agreement with, land uses selected under the comprehensive land-use planning process. (See *Comprehensive Land-Use Planning Process*, GPG-FM-033.) The public has been involved in the process to develop these

¹ Both the time line and the comparison table show generalized processes. For example, the NEPA process outlined is not specific for the preparation of either an environmental assessment (EA) or an environmental impact statement (EIS). Actual processes may differ, depending on the type and scope of the proposal.

land uses to support Departmental missions and sustain the area’s environment. These selected uses may have already been validated through sitewide or project-specific NEPA processes.

Table 1. Comparison of the DOE NEPA Process and the Formal Site-Selection Process

NEPA PROCESS	FORMAL SITE-SELECTION PROCESS
Identify action.	Identify action.
Determination: Determine level of NEPA review (10 CFR Part 1021 Subpart D).	Appoint site selection official. Organize a team, appoint a team leader, and define task/schedule.
Announce intent to conduct the NEPA process and prepare an environmental document on the proposal.	Announce a pre-solicitation conference (if competed) and invite public comments.
Conduct scoping.	Develop facility and technical requirements.
Hold Public scoping meeting.	Hold pre-solicitation (if competed) conference.
If NEPA document is an EIS, prepare Implementation Plan (10 CFR & 1021.312).	Develop evaluation criteria and plan.
Prepare and issue draft environmental document.	Prepare solicitation (if competed).
File draft EIS with EPA. Issue notice that draft document is available.	Brief site-selection official and provided with draft NEPA Document.
Open public comment period (no less than 45 days for an EIS 40 CFR & 1506.10 and 10 CFR & 1021.313(a)).	Contact stakeholders, environmental agencies, public. Consider environmental and other information.
Hold public meeting on draft document (10 CFR & 1021.313(b)).	Issue solicitation (if competed).
Close public comment period.	Hold a pre-proposal conference (if competed).
Prepare final NEPA document.	Evaluate proposed reasonable alternatives. Visit sites/prepare reports.
Respond to comments. Finalize mitigation commitments, if EA, prepare Mitigation Action Plan.	Prepare a site-selection recommendation report for the site selection official.
Issue notice that final of document is available.	Provide site-selection official with report and final NEPA document.
If NEPA document is an EIS, file final EIS with EPA.	Select the site. Candidate sites considered by the site-selection official must be addressed in the NEPA document; likewise, the decision maker must consider the reasonable alternatives analyzed in the NEPA document (40 CFR & 1505.1). Debrief unsuccessful offerors (competed or not).
Make a decision on proposed action.	
ROD/FONSI: If EIS, issue Record of Decision; if EA, issue Finding of No Significant Impact (or make determination to prepare an EIS).	
If EIS, prepare Mitigation Action Plan (10 CFR & 1021.331).	
Implement decision.	Start detailed design of selected facility.

2. PRINCIPLES AND PROCESSES

Site-selection processes can be differentiated according to the size of the project. The formal or program-directed site-selection process is usually reserved for large or significant projects. This process can be either a competitive process open to any public or private site or a process restricted to DOE-controlled sites. Other site-selection processes deal with the siting of smaller facilities on DOE-controlled sites.

2.1 Formal (Program Directed or Competed) Site Selection

2.1.1 The Site-Selection Official

For many program-directed site selections, a site-selection official (at the appropriate level within the Department) is appointed by the Secretary or an Assistant Secretary to select the site that best meets the purposes and needs of the proposed action. The site-selection official is to review and approve site-selection criteria and evaluation procedures to ensure that they are appropriate. When site-selection official authority has been conferred, it should not be re-delegated without written approval of the appointing official.

An important qualification for the site-selection official is a good understanding of programmatic issues and the technical complexity of the proposed project. Other factors to be considered include, but are not limited to, a good comprehension of the proposed project's potential environmental impacts and the level of authority commensurate with the visibility/importance of the site-selection task.

The site-selection official does not participate in the evaluation of potential sites, but reviews the selection team's recommendations and selects the appropriate site. The site-selection official may also review the site parameters document, the site evaluation plan, the Request for Proposals (RFP), and/or proposals developed by the team or identified by the NEPA process.

2.1.2 Site-Selection Team

Team Leader. To lead the team that will recommend the appropriate site, the site-selection official appoints a site-selection team leader. The team leader will assemble a site-selection team to evaluate potential sites. The site-selection official approves the composition and charter of the team. The team leader needs to have a good understanding of programmatic issues involved, excellent people skills, and experience in leading and facilitating teams.

Team Mission Definition. The site-selection team's purpose is to identify and collect the technical, economic, and environmental protection criteria necessary to formulate site-selection requirements, develop an evaluation plan, evaluate proposed sites, identify alternatives that, at a minimum, meet the purpose and need for the proposed action, and make recommendations to the site-selection official. For significant projects, the team will be chartered by the site-selection official to do some or all of the following.

- Develop site-selection and team processes tailored for the proposed action.
- Identify technical, economic, and environmental protection criteria.
- Coordinate milestones, schedules, and information with the NEPA process.
- Develop site proposal evaluation criteria for the proposed action.
- Prepare an RFP based on identified criteria (for a formal competitive process).
- Conduct site visits.
- Prepare site visit reports.
- Evaluate the proposals.
- Make selection recommendation(s) to the site-selection official.
- Other actions needed for the site-selection task.

Team Members. The key to successful site selection is to involve appropriate experts throughout the selection process. To minimize the number of people needed for the team while maximizing involvement of the proper personnel, membership should be one of two types: core (long-term) and advisory (non-voting).

- Core members are picked for their general expertise in siting or for specific expertise in the sponsoring program, technical area, facility type, or other aspects of the site-selection task. They will be part of the process from the creation of the team to completion of the final report briefing to the site-selection official.
- Advisory (non-voting) members augment the core members to provide advice or support considered necessary or desirable for the success of the siting process. They can provide input to the final report, but they do not develop the final report recommendations. Advisory members may serve on a regular or consulting basis as directed by the team leader.

To facilitate decision making, the team should have as part of its charter a voting procedure that emphasizes consensus decision making throughout the site-selection process.

Team Composition. Team size and composition should reflect the size and complexity of the site-selection task. Because all site selections involve multiple criteria, it is important

that the (core or advisory) members' expertise be appropriate to the task. Experts in the following areas are often included, but other specialties may be involved depending on the type of proposed project and scope of the selection process.

- Program and project management (to advocate for the proposed action).
- Environment, safety and health (to aid in identifying requirements/criteria).
- NEPA² (for a strong relationship with the NEPA process).
- Facility or technical expertise (for knowledge of issues that may affect the siting).
- Comprehensive Land-Use Planning (for knowledge of DOE site land uses and developmental goals created with stakeholder involvement).
- Facility management/maintenance (to address related DOE practices and life-cycle costs).
- Utilities (to identify issues relating to utility supply and contractual issues).
- Real estate (when acquisition of real property interests is needed)
- Procurement (if any solicitation is needed).
- Geotechnical (for addressing seismic and soils criteria).
- Legal (to ensure compliance with any applicable legal and regulatory requirement).
- Equal opportunity (to address environmental justice issues).
- Communications/public involvement (for proposed actions that will need extensive public hearings and involvement).
- Government affairs (when State, local or Tribal governments are anticipated to become involved).

Team Process Schedule. A workable schedule is critical to the success of the site-selection process. Because the schedule is a critical factor of the selection process, the

DOE O 451.1, NATIONAL ENVIRONMENTAL POLICY ACT COMPLIANCE PROGRAM, Section 4e, requires designation of a DOE NEPA Document Manager for each Environmental Impact Statement and Environmental Assessment. Other key NEPA roles responsibilities are also designated in DOE O 451.1.

team must agree on a schedule for completing the site-selection process. The site-selection official approves the schedule. The site-selection process schedule must be coordinated with the NEPA process schedule.

Team Resources. The team may need funds to perform its task. When needed, the team should document the assumptions on which budget estimates are based. It should address the following.

- Travel funds. The number of participants, the number of meetings they will attend, the length of the stay, the cost of accommodations, and related travel costs.
- A place to work. Facilities to house files and documentation and provide private meeting space, including appropriate security.
- Tools. Equipment that may be needed, including, but not limited to, computers, copiers, facsimile machines, graphics printers, cameras for site pictures, and map storage containers.
- Support staff. Help may be needed for administrative service to the team.

2.1.3 Determining Task Scope

The first step in the site-selection process is to determine the scope of the site-selection team's task. Addressing the task scope should begin before a team is formed and a selection official is chosen. The sponsoring program must answer the following questions.

- Is the scope of the proposed action clear and its mission justified?
- What basic selection process is to be used; for example, if a competitive process is used, will it be open to other parties or will only DOE sites be considered?
- How will the process be coordinated with the proposed action's NEPA?
- When are the selection team's recommendations needed?

If these and other task scope determining questions have not been answered, the site-selection official and team must address and resolve them. The site-selection official should have the lead in resolving issues relating to the scope of the team's task.

To effectively integrate the NEPA process with the site-selection process, the team should begin to establish the timing/scope of the site-selection process milestones and how they correspond with the NEPA process milestones listed in Table 1 (e.g., how scoping for the EIS relates to defining site parameters and how the timing of issuance of the Notice of Intent in the Federal Register relates to issuance of an RFP).

The site-selection team should be briefed by functional experts in all aspects of the proposed action. Experts may be team members or DOE program/project officials. The team needs to identify what information and criteria are available and estimate what is still needed. Familiarity with documentation justifying the proposed action's need is important. The aspects addressed should include facility design and its relationship to environmental impacts, infrastructure needs, geology/topography/seismicity, regional resources, workforce composition, transportation systems, etc.

Preparation of NEPA documentation “shall” commence as close as possible to the time the agency is developing or is presented with a proposal (at feasibility analysis go-no go stage) so that preparation can be completed in time for the final statement to be included in any recommendation or report on the proposal; NEPA documentation is to serve as an important contribution to the decision making process and will not be used to rationalize or justify decisions already made (40 CFR 1502.5).

In addition to the DOE functional experts, the following sources can contribute information needed to establish task scope and criteria.

- DOE funding program users and facility operators.
- Designers of similar facilities.
- Builders of similar facilities.
- The affected or concerned public (stakeholders).

Team subgroups may be formed to address particular aspects of the criteria scope. Team members should review all subgroup information and accept or modify that information as a group. The team should also define and arrange the criteria in a way that makes clear and meaningful distinctions in preparation for evaluating the different proposals.

Ideally the team should find extensive information on most criteria in the facility's conceptual design report. The design report should provide a clear understanding of the facility's physical and operational aspects, which is necessary to establish selection criteria. The design report helps team members determine if meeting a criterion is negotiable or mandatory and provides them with a common site reference.

Other documents that may help in determining new data collection scope are DOE Site Comprehensive Land-Use Plans, DOE Site Development Plans, and Local Government Site Comprehensive Plans. These plans have or have access to extensive amounts of information related to acceptable future land uses, environmental and economic conditions/trends, regional data, cultural assets, demographics, utilities, and developmental constraints.

2.1.4 Criteria

All criteria should be categorized as either qualification criteria or evaluation criteria. These criteria will in nearly all cases be publicly distributed through the evaluation and selection processes.

Qualification Criteria are the mandatory or required site characteristics. The proposal either does or does not meet Qualification Criteria. For example, the criteria might require that a minimum of 2,500 acres be provided for site security and as a safety buffer or to meet applicable Public Laws.

The team needs to be aware that some qualification criteria may preclude the further consideration of many design alternatives. The project's design, usually at the preliminary stages, may change enough to allow for another site to be considered. Team members need to have a good understanding of the basis and the possible/potential variability of qualification criteria to design assumptions. Good documentation is critical and external peer review should be considered to enhance process credibility.

Evaluation Criteria are more flexible. Proposals may, under this set of criteria, contain a range of responses, but information should always be as complete as possible.

Qualification and evaluation criteria can be grouped into three broad but interrelated types: technical factors, economic/cost factors, and environmental factors.

- **Technical Factors** are used to evaluate the offeror's ability to accommodate the facility design and purpose. Technical factors include regional geology, transportation infrastructure, utilities, real estate, environmental conditions, seismicity, specific resources, and climate. For example, for a facility with high transportation, communication, utility, and skilled workforce support requirements, the team needs to be able to quantify the level of physical and human infrastructure needed to accommodate the facility.
- **Economic (Cost) Factors** are used to evaluate the cost of site selection to the Government, including the life-cycle cost. Economic factors include the proposed cost estimate, risks, feasibility, direct and indirect return on investment, efficiency, and reasonableness. Although not rated, life-cycle cost for all phases of a proposed action must be considered in every site selection and becomes part of the trade-off analysis made at the time of selection.
- **Environmental Factors** are usually a significant part of the criteria, which include but are not limited to the following.
 - **Impact on Surrounding Community.** Under Executive Order 12898, "Environmental Justice," the proposed project's level of impact on a community and specific demographic groups has to be examined and quantified.
 - **Regulatory requirements.** See section 4 and <http://www.eh.doe.gov/oepa/index.htm/>
 - **Associated Safety Hazards.** For any facility, especially one with potentially radioactive or other hazardous substances, the team will need to assess the hazard associated with the proposed project. Buffer zone requirements and other control and mitigation criteria have to be quantified.
 - **Land Uses.** The current and planned future land use of potential alternatives, and surrounding uses, affect the selection process. Alternatives should use, and be in agreement with, the land-uses of the adopted local government's land-use plan or the use selected under the DOE site's comprehensive land-use planning process.
 - **Environmental Impacts.** NEPA process will identify and assess the reasonable alternatives to proposed actions that will avoid or minimize

adverse effects of these actions upon the quality of the human environment. Close coordination is necessary to ensure that site-selection criteria benefit from the NEPA process. The team and the site-selection official need to use the same evaluation criteria as those used during the NEPA process to determine reasonable alternatives.

NEPA requires that relevant environmental documents, comments, and responses accompany the proposal through existing agency review procedures so that agency officials use the statement in making decisions (40 CFR 1501.1(d)). The range of alternatives evaluated in the NEPA document must include all candidate sites under evaluation in the site-selection process. Likewise, the site-selection process must consider all alternatives evaluated in the NEPA document. The site-selection official must consider the environmental information presented in the NEPA document. In addition to NEPA analyses, environmental factors should include estimated life-cycle mitigation costs. Finally, any major action resulting in a significant impact assessment must be coordinated with specific State, Tribal, and Federal Agencies.

- State Historic Preservation Office for historical and archeological resource assessments.
- State/Federal EPA for permit requirements related to planned air emissions (through Federal Facilities Coordinator).
- Soil Conservation Service for evaluation of prime farmland.
- The U.S. Army Corps of Engineers for floodplain and wetlands evaluation
- U.S. Fish & Wildlife Service for information concerning endangered species and habitats and mitigation strategies.

Flow-down impacts from all factors also need to be considered; for example, impacts to regional populations from radioactive emissions may be reduced by having a remote site, but transportation and utility related impacts will rise.

2.1.5 Documents and Plans

The Site Parameters Document. Before detailed evaluation criteria for assessing site candidates are determined, the site-selection team should consider both the physical and operational aspects (including safeguards and security and safety requirements) of the

proposed facility to determine needed site requirements. A site parameters document is often prepared for the team so they can clearly understand these requirements before they develop the qualification and evaluation criteria. The site parameters document should also help potential offerors understand the reasons for establishing criteria and for making certain considerations more important than others in the site-selection process.

The Site Evaluation Plan. After defining the scope of their site-selection task, the team should define their process for evaluating proposals for the site. This process should include developing the project impact/requirement categories that will be assessed, defining the scope of the assessment, establishing analytical approaches to be used, and identifying the list of data needed. In addition, the evaluation plan addresses the balance between life cycle costs, technical requirements, environmental impacts, and local economic impacts.

While not criteria per se, the evaluation plan should be used to focus on the identification and collection of "cradle to grave" life-cycle costs for the project, operation of facilities, and mitigation efforts for environmental impacts. The economic considerations of a site should play an important part in the selection.

Depending on the stakes of the site selection (e.g., competition among states), external parties may need to review the assessment categories and evaluation/selection methodology to achieve "buy-in." It is usually beneficial for external and impartial groups to be called upon to review issues raised by the proposals. The evaluation plan must address the scope of their participation long in advance.

The evaluation process is fraught with concern over the quality and validity of data received from offerors. In the past, DOE has expended considerable effort to validate offeror inputs; consequently, the traditional approach of starting with a NEPA analysis may be more effective. This plan can be the basis for both the NEPA assessment document and the site selection. In fact, this approach, used for the Superconducting Super Collider supplemental EIS, is a good model.

In competitive site selections, the evaluation plan is a basis for preparing a clear and fair RFP and is a common reference for the uniform assessment of proposals by team members. The site-selection team should assume that new information requirements will arise during the evaluation process. Although the selection criteria should not change, the team should consider information that may affect the outcome. For practical reasons, and to ensure fair treatment of all participants, a procedure for consideration of new information, which includes a deadline for submittals, should be established (and coordinated with NEPA). All offerors must be given similar opportunities to submit new

information. Minimizing the number of subjective criteria imposed on objective criteria may help to head off complaints from unsuccessful offerors. On Departmental sites, any weighing factors should reflect the values and sustainability goals identified in the site's comprehensive land-use planning process. (See GPG-GM-033.) The evaluation plan should defer to the NEPA evaluation analysis and address only those criteria outside the NEPA process scope.

2.1.6 Stakeholder Interactions

Interaction with stakeholders, which is required under the Public Involvement Policy, is especially important. Involving the public in the decision-making process gives the process more credibility, allows the Department to acquaint the public with facility plans and objectives, and helps DOE understand and address public concerns. Public participation can be achieved by opening team meetings to the public, holding public hearings, or conducting regional or national surveys. (See *Public Participation*, GPG-FM-022.)

The site-selection team should thoroughly assess potential sites and consider contacting any group with environmental concerns about a potential site. Regulating authorities, such as the Environmental Protection Agency or the State equivalent, may be a useful source of additional information or may help verify information on a particular proposal.

2.1.7 The RFPs

The RFP process usually applies if the site selection is competitive and/or includes sites outside DOE control. This type of site-selection process is atypical of the DOE site-selection process. DOE rarely issues a formal solicitation for selecting sites.

Involvement of Offerors and Stakeholders. The RFP tells potential offerors what is required in a proposal and how to submit one. Site-selection teams have found it helpful to obtain input from potential offerors and stakeholders before the RFP is prepared and/or issued. A pre-solicitation conference may be held for that purpose and to facilitate the following.

- Identification of interested parties.
- Review and discussion of the site parameters document and evaluation plan to help clarify the site-selection process or any unresolved issues.
- Identification of the need to have an early statement of interest from candidate sites for inclusion of these alternatives in the NEPA process.

An important fact to remember before issuing an RFP for sites is that considering only the sites offered by proponents conflicts with Council on Environmental Quality guidance: “In determining the scope of alternatives to be considered, the emphasis is on what is “reasonable” rather than on whether the proponent or applicant likes or is itself capable of carrying out a particular alternative” (*Forty Most Asked Questions Concerning CEQ’s National Environmental Policy Act Regulations*, Question 2a, 46 FR 18026).

A NEPA document for site selection must address alternatives beyond those offered by proposers, including DOE and other federally controlled sites. The RFP or evaluation plan needs to provide a procedure for ensuring that proposals submitted by candidate sites will be addressed in the NEPA process. The candidate sites must be identified early enough in the site-selection process to be included as viable alternatives in the NEPA document.

- Development of a quality solicitation document that will provide an effective and efficient way of preparing and submitting proposals. If desired, a draft RFP may be presented for comment and revision.

All pre-solicitation conferences should be reviewed and approved by the site-selection official and announced publicly so that all interested parties may attend. The announcement should advise participants to submit questions in writing in advance of the conference and provide a submission deadline and address. It is important to note that offerors must be provided adequate time for the data collection. To preclude problems during the evaluation phase, the team should identify the minimum amount of data required for a thorough evaluation of the proposals.

Preparation of the RFPs. The team should address the following issues in all RFPs.

- Detailed instructions for the required proposal format.
- Clear communication of how offerors are expected to demonstrate fulfillment of the qualification and evaluation criteria.
- A one-to-one correlation between the criteria and instructions for response preparation.
- Directions to use existing information and resources to the maximum extent possible to minimize proposal preparation cost.

Review and Release of the RFPs. When the site-selection team is satisfied with the request, they should present it to the site-selection official for review and approval. After it is approved and issued, a solicitation briefing should be held with potential offerors to answer questions, emphasize critical information, and identify and revise any information that remains ambiguous or inaccurate. Participants should be instructed to submit questions in writing before the briefing, and team members should provide written answers. Everyone who has received an RFP should receive a copy of all questions and answers.

2.1.8 Evaluation of Reasonable Alternatives (Proposals)

The evaluation of reasonable alternatives (proposals) can make or break the selection process. The protocols and methods established in the evaluation plan must be executed in an open and professional manner. The evaluation process is not the time to determine how to evaluate the reasonable alternatives. Conditions, evaluation procedures, and systems to deal with new information should have already been determined through the development of the evaluation plan (section 2.1.5).

Evaluation Process Conditions. The site-selection team must be allowed to evaluate proposals without interference. Team members must remain objective and adhere to the conditions of the site evaluation plan (section 2.1.5) and the RFP (section 2.1.7). Isolation of the team from inappropriate influences or distractions may be needed to ensure a fair and accurate evaluation.

Evaluation Process. The team leader will coordinate and manage the evaluation process. Although individual team members should carefully analyze proposal data that fall within their areas of expertise, all members will review the entire proposal. Information should be reviewed for consistency.

Each proposal should be evaluated to determine how well it conforms to the requirements in the RFP—not how it compares to other proposals. Team members should avoid direct comparisons of proposals.

It is usually beneficial for external and impartial groups to review issues raised by the proposals. (The evaluation plan must address the scope of such participation long in advance.) Although these groups may not replace the work of the team, their independent assessment may increase team credibility with stakeholders. When deciding to use outside groups, the team should exercise caution to avoid real or perceived conflicts of interest. It should be made clear that external groups cannot render final decisions in the evaluation or selection process.

New Information. The site-selection team should consider new information that arises during the evaluation process according to protocols established in the evaluation plan (section 2.1.5). Although the selection criteria should not change, the team should consider information that may affect the outcome. For practical reasons, and to ensure fair treatment of all participants, a deadline for consideration of new information should be set. All offerors must be given similar opportunities to submit new information.

Altering Criteria. If, during the evaluation, the team discovers a justifiable reason for altering the criteria, they should advise the offerors and seek additional information from those affected by the change. If, in response to the new criteria, offerors do not provide the necessary additional information, they should be formally advised that their proposals can no longer be considered.

Site Visits. Site visits are critical to the evaluation process. The most important information for the team final report will come from these visits. Team members can discuss important issues with their colleagues and validate portions of the proposal. To ensure that data collected on a site visit is accurate and is not lost, the team should prepare a site visit report.

Fly-overs and walking the proposed site are useful for any siting. Aspects of the topography, relationships to surrounding structures, and other site characteristics not immediately evident from the proposal may be much clearer from the window of an aircraft. Walking the site provides a sense of scale.

At the end of the site visit, team members should exchange information and assess their findings. The team may also meet with the offerors to exchange information or hear concerns.

Site Visit Reports. All reports should be completed, at least in draft form, during the site visit. The report should address all selection criteria. The analysis of each criterion, and any ranking or ratings if applicable, should be reviewed and discussed by the entire team, to reach consensus if possible.

2.1.9 Briefing the Site-Selection Official and The Team Final Report

The team final report, prepared for briefing the site-selection official, should summarize the site-selection process, including all team recommendations, decision criteria, and related findings. Other documentation prepared during the process, such as the site parameters document and site visit reports, should be included. If possible, all team members should attend the briefing to ensure the site-selection official's questions are

answered adequately. In addition, by hearing the concerns and perspectives of the site-selection official, the team will be better prepared to undertake any additional work that the site-selection official may require.

During the briefing, the team should describe the processes used to prepare the RFP and to receive and evaluate the proposals. Each description should address the relationship of that process to the NEPA process. The team should not modify or alter information on the processes or criteria for the briefing. Information presented to the site-selection official will have the same rating system used in the site-selection process, whether adjectival, numeric, or a combination.

The site-selection official may ask that data be presented in formats other than those used during the evaluation of proposals. In responding, the team should ensure the integrity of their evaluation.

Requirements for Additional Information. After the briefing, the site-selection official may request additional information regarding some or all viable proposals to readdress items whose circumstances may have changed during the site-selection process. Such items or circumstances may arise during the briefing even if the team has remained in contact with the site-selection official throughout the process. The evaluation process should not be overridden at the eleventh hour. At some point, site-selection official requests for new information constitute new evaluation criteria and a potentially fatal change in the selection process.

The team should try to provide any additional information requested from existing proposals or NEPA documents, without involving the offerors. Required contact with offerors should be restricted to the site-selection official's specific concern. If that concern affects or involves all offerors equally, all offerors should be consulted.

2.1.10 Selection Decision

The site-selection official will select the site after considering the recommendations and findings of the site-selection team and the NEPA document. The site-selection official is to use prudent judgment in making the selection. The decision criteria that the decision maker has used for selection (e.g., cost, technical feasibility, environmental impacts, public acceptance) should be announced to the public.

If the NEPA process results in an EIS, the site-selection decision should be announced in the Record of Decision. The successful offeror should also be formally notified by the site-selection official.

2.1.11 Notification of Unsuccessful Offerors

Unsuccessful offerors should be notified by the site-selection official and given the option of a debriefing. The site-selection team is responsible for conducting the debriefing so that all factors involved in the decision can be explained. The team should never assume that debriefings will be simple or straightforward and should be prepared to respond to all concerns.

2.2 Other Site-Selection Processes

Other site-selection processes are used at DOE installations for the siting of minor facilities, utility systems modifications, adaptive reuse, and other actions Categorically Excluded under NEPA. Many sites use a standing land-use board, other decisional bodies, or site planners to: identify technical, economic, and environmental protection criteria for the use/facility being sited, identify reasonable alternatives, and select, based on decisional criteria, an appropriate site.

Examples of these processes are needed for section 8 and should be submitted to the Good Practice Guides Manager, Mr. Randy Wolff at fax number (202) 586-4500.

This page intentionally left blank.

3. MEASURING FOR RESULTS

The site-selection process is often a unique situation and its crosscutting nature may not lend itself to contract performance measurements.

This page intentionally left blank.

4. REGULATIONS, LAWS, EXECUTIVE ORDERS, AND DEPARTMENTAL DIRECTIVES

Site-selection processes often deal with issues of compliance with regulations, laws, Executive Orders, and Departmental Directives. Many the following references deal with specific issues and do not apply to every site-selection process. Implementing direction in other Departmental Guides should be consulted as appropriate.

4.1 Public Laws

- (ADA) Americans with Disabilities Act 42 U.S.C. 12101 et seq.
- (AIRFA) American Indian Religious Freedom Act, 42 U.S.C. 1996, et seq.
- (ARPA) Archaeological Resources Protection Act of 1979, 16 CFR 470 et seq.
- (BGEPA) Bald and Golden Eagle Protection Act, 16 U.S.C. 668, et seq.
- (CAA) Clean Air Act, 42 U.S.C. 7401 et seq.
- (CBRA) Coastal Barrier Resources Act, 16 U.S.C. 3501, et seq.
- (CERCLA) Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9601 et seq.
- (CWA) Clean Water Act 33 U.S.C. 1251 et seq.
- (CZMA) Coastal Zone Management Act, 16 U.S.C. 1451, et seq.; 15 CFR 921 et seq.
- (EHRA) Earthquake Hazards Reduction Act of 1977, 43 U.S.C. 7701 et seq.
- (EPA) Energy Policy Act, 3 U.S.C. 301
- (EPCA) Energy Policy and Conservation Act 42 U.S.C. 6201, et seq.
- (EPCRA) Emergency Planning and Community Right-to-Know Act, as amended, 42 U.S.C. 11001, et seq.

- (ESA) Endangered Species Act, 16 U.S.C. 1536, 7 CFR 136.
- (FIFRA) Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136 et seq.
- (FLPMA) Federal Land Policy and Management Act, 43 U.S.C. 1701, et seq
- (FPA) Farmland Protection Act, 7 U.S.C. 4201, et seq.
- (FPASA) Federal Property and Administrative Services Act, 40 U.S.C. 471, et seq.
- (FUA) Power Plant and Industrial Fuels Use Act, 42 U.S.C. 8301 et seq.
- (FULUA) Federal Urban Land-Use Act, 40 U.S.C. 531, et seq.
- (FWCA) Fish and Wildlife Coordination Act, as amended, 16 U.S.C. 661.
- (FWPCA) Federal Water Pollution Control Act, 33 U.S.C. 1157 et seq.
- (LLRWPA) Low-Level Radioactive Waste Policy Amendments Act, 42 U.S.C. 2021 et seq.
- (HMTA) Hazardous Materials Transportation Act, 49 U.S.C. 1802 et seq.
- (HSBAA) Historic Sites, Buildings and Antiquities Act, 16 U.S.C. 462
- (MBTA) Migratory Bird Treaty Act, 16 U.S.C. 703, et seq.
- (MPRS) Marine Protection, Research and Sanctuaries Act, as amended, 33 U.S.C. 1401, et seq.
- (NAGPRA) Native American Grave Protection and Repatriation Act, 25 U.S.C. 3001-3013.
- (NCA) Noise Control Act, as amended, 42 U.S.C. 4901, et seq.
- (NEPA) National Environmental Policy Act, 42 U.S.C. 4321 et seq.
- (NHPA) National Historic Preservation Act, 16 U.S.C. 470 et seq.

- (OSHA) Occupational Safety and Health Act, 29 U.S.C. 671.
- (PPA) Pollution Prevention Act, 42 U.S.C. 13101
- (PURPA) Public Utility Regulatory Policy Act, 16 U.S.C. 823a et seq.
- (RCRA) Resource Conservation and Recovery Act, 42 U.S.C. 6901 et seq.
- (SDWA) Safe Drinking Water Act, 42 U.S.C. 300h-3, 300h-6.
- (TSCA) Toxic Substances Control Act, 15 U.S.C. 2601 et seq.
- (UMTRCA) Uranium Mill Tailings Radiation Control Act, 42 U.S.C. 7922.
- (WSRA) Wild and Scenic Rivers Act, 16 U.S.C. 1271-1287c.

4.2 Executive Orders

- Executive Order 12898, Environmental Justice
- Executive Order 12906, Coordinating Geographic Data Acquisition and Access: The National Spatial Data Infrastructure
- Executive Order 11593, Protection and Enhancement of the Cultural Environment
- Executive Order 11988, Floodplain Management
- Executive Order 11990, Protection of Wetlands
- Executive Order 12088, Federal Compliance with Pollution Control Standards
- Executive Order 12356, National Security Information
- Executive Order 12580, Superfund Implementation
- Executive Order 12699, Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction
- Executive Order 12902, Energy Efficiency and Water Conservation at Federal Facilities

4.3 Office of Management and Budget

- OMB A-16, Coordination of Surveying and Mapping Activities
- OMB A-130, Management of Federal Information Resources
- OMB A-106, Reporting Requirements in Connection with Prevention, Control, and Abatement of Environmental Pollution of Existing Federal Facilities

4.4 Federal Regulations

- 10 CFR 435, Energy Conservation Voluntary Performance Standards for New Buildings; Mandatory for Federal Buildings
- 10 CFR 436, Federal Energy Management and Planning Programs
- 10 CFR 1021, National Environmental Protection Act Implementing Procedures
- 10 CFR 1022, Compliance with Flood plains/Wetlands Environmental Review Requirements
- 36 CFR 800, Protection of Historic Properties
- 40 CFR 52, Approval and Promulgation of Implementation Plans
- 40 CFR 61, National Emission Standards for Hazardous Air Pollutants
- 40 CFR 82, Protection of Stratospheric Ozone
- 41 CFR 101, Federal Property Management Regulations
- 41 CFR 101-17, Extension of Temporary Regulation D-76
- 40 CFR 110, Discharge of Oil
- 40 CFR 112, Oil Pollution Prevention
- 40 CFR 122, EPA Administered Permit Programs: The National Pollutant Discharge Elimination System

- 40 CFR 125, Criteria and Standards for the National Pollutant Discharge Elimination System
- 40 CFR 141, National Primary Drinking Water Regulations
- 40 CFR 142, National Primary Drinking Water Regulations Implementation
- 40 CFR 191, Environmental Radiation Protection Standards for Nuclear Power Operations
- 40 CFR 230.3, Definition of Wetlands
- 40 CFR 241, Guidelines for the Land Disposal of Solid Wastes
- 40 CFR 256, Guidelines for Development and Implementation of State Solid Waste Management Plans
- 40 CFR 260, Hazardous Waste Management System: General
- 40 CFR 264, Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities
- 40 CFR 265, Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
- 40 CFR 267, Interim Standards for Owners and Operators of New Hazardous Waste Land Disposal Facilities
- 40 CFR 268, Land Disposal Restrictions
- 40 CFR 270, EPA Administered Permit Programs: The Hazardous Waste Permit Program
- 40 CFR 271, Requirements for Authorization of State Hazardous Waste Programs
- 40 CFR 280, Technical Standards and Corrective Action Requirements for Owners and Operators of Underground Storage Tanks (UST)
- 40 CFR 300, National Oil and Hazardous Substances Pollution Contingency Plan

- 40 CFR 423, Steam Electric Power Generating Point Source Category
- 40 CFR 1500-1508, Council on Environmental Quality Regulations

4.5 Departmental Policy

- *DOE Public Participation Policy and Guidelines on Implementation of the Department's Public Participation Policy*, of July 29, 1994.
- National Environmental Policy Act Policy Statement of June 13, 1994.
- DOE, American Indian Policy of May 18, 1994.
- DOE Strategic Plan of April 1994.

5. DEFINITIONS

Site Requirements. Those physical attributes made necessary by the operational needs of the proposed facility (e.g., acreage, proximity to population center, availability of water sources).

Decision Criteria. Those factors that a decision maker should take into account (e.g., public acceptance, cost, technical feasibility, environmental impacts).

This page intentionally left blank.

6. ASSISTANCE

Other LCAM Guides referred to in this Guide are available on the Office of Field Management's home page <<http://doe.ipsg.com/fm-50/lcam/index.htm>> and will be hot-linked in the future.

The Office of Project and Fixed Asset Management is responsible for developing and maintaining this Guide. For assistance please send a message by electronic mail to <fm.land.ideas@hq.doe.gov> or call (202) 586-1191.

Answers to NEPA process questions are found on <<http://nattie.eh.doe.gov/>>

This page intentionally left blank.

7. RELATED TRAINING

(To be developed when needed.)

This page intentionally left blank.

8. EXAMPLES

At the Idaho National Engineering Laboratory, facility planners for each major facility at the site (i.e., the Test Reactor Area, the Radioactive Waste Management Complex, the Idaho Chemical Processing Plant, the Idaho Falls area, etc.) are responsible for identifying potential development zones within the specific area, for administrative, operations or industrial, and storage facilities. For major projects site selection, these zones can be used as the initial reasonable alternative. The effort is not yet complete for all areas. However, the completed zones are identified in the Comprehensive Facility and Land Use Plan (CFLUP) and will be updated annually with stakeholder participation.

Other examples of site-selection processes are needed and should be submitted to the Good Practice Guides Manager, Mr. Randy Wolff, at fax number (202) 586-4500.