

Attachment 19A

Explanatory Note for U.S. Environmental Protection Agency (EPA) Report November 2, 2009

Below is the Environmental Protection Agency's (EPA) report on the status of NEPA compliance for ARRA projects and activities. This includes all ARRA funded projects and activities through September 30, 2009 that are reported to OMB.

Since the last report, the number of ARRA funded projects for EPA activities have increased from 222 projects to 632 projects. NEPA actions for all 632 projects have been completed.

As requested, below is a description of the information reflected in the spreadsheet:

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The information in columns B (Treasury Appropriations Fund Symbol); D (Total ARRA Appropriations) and L (Total Obligations) were obtained from the Office of the Chief Financial Officer (OCFO) and approved by the associated program offices.

The total ARRA Appropriations column D does not include funds held for associated administrative costs. It is the funding that will be used for ARRA associated projects and activities only (mostly in the form of grants). However, EPA's weekly financial and activities report submitted to OMB on October 6, 2009, which covers activities through September 30, 2009 includes administrative costs.

EPA and Department of Energy (DOE) have entered into an inter-agency agreement that will provide EPA with \$35 million in DOE Recovery Act funds to conduct Superfund cleanup activities on DOE's Santa Susana Field Laboratory. While this is not an EPA NEPA action and therefore not included on the attached report, it is included on EPA's weekly financial and activity report submitted to OMB.

In some instances, the number of NEPA actions (columns G-J) and the number of ARRA funded projects and activities (column E) for a program are not the same because one NEPA action may cover multiple projects and activities under that program. For example, the environmental assessment completed for the Diesel Emissions Reduction Act (DERA) Grants Program covers 159 state and national grants issued under that program. Note that the DERA Grants Program was identified as the "National Clean Diesel Campaign Program Grants" in the May 18 report.

Column E and F for the Clean Water and Drinking Water State Revolving Fund Program rows each include inter-agency agreements with the Indian Health Service. These inter-agency agreements represent one EPA action under NEPA; however, they will fund 95 wastewater and 64 drinking water priority projects, respectively.

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The Finding of No Significant Impact/Environmental Assessment (FONSI/EA) on the DERA Grants Program is now reported as “done” because EPA received no comments during the 30-day comment period, which closed on 4/22/09. Accordingly, per the language in the preliminary FONSI, and 40 CFR 6.203(b), the FONSI is now final and the NEPA process for the DERA Grants Program is complete. Additionally, all federal environmental reviews and documents for the DERA Grants Program are completed as well; a "yes" has been entered in column J.

Categorical exclusions for Brownfields Assessment grants are grouped together and reported on one line when grants with a similar type of NEPA action are awarded on the same date. The number of grants and their associated grant numbers awarded on the same date are reported in columns D and C. The NEPA status is reported “done” and the date NEPA is done is reported as the date the grants were awarded in column I.

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