

40 C.F.R. § 6.207

Environmental impact statements.

(a) The Responsible Official will prepare an environmental impact statement (EIS) (see 40 CFR 1508.11) for major federal actions significantly affecting the quality of the human environment, including actions for which the EA analysis demonstrates that significant impacts will occur that will not be reduced or eliminated by changes to or mitigation of the proposed action.

(1) EISs are normally prepared for the following actions:

- (i) New regional wastewater treatment facilities or water supply systems for a community with a population greater than 100,000.
- (ii) Expansions of existing wastewater treatment facilities that will increase existing discharge to an impaired water by greater than 10 million gallons per day (mgd).
- (iii) Issuance of new source NPDES permit for a new major industrial discharge.
- (iv) Issuance of a new source NPDES permit for a new oil/gas development and production operation on the outer continental shelf.
- (v) Issuance of a new source NPDES permit for a deepwater port with a projected discharge in excess of 10 mgd.

(2) The Responsible Official, or other interested party, may request changes to the list of actions that normally require the preparation of an EIS (i.e., the addition, amendment, or deletion of a type of action).

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