

## 6.0 Regulatory Framework

This section describes the regulatory framework affecting the alternatives, including the permit requirements associated with the alternatives. The U.S. Department of Energy (DOE) has procedures implementing the National Environmental Policy Act (NEPA) (42 USC 4321 et seq.) in the Code of Federal Regulations (CFR) (10 CFR 1021). Section 1021.103 of the procedures adopts the Council on Environmental Quality (CEQ) regulations at 40 CFR 1500–1508 for implementing NEPA. This draft Hanford Solid (Radioactive and Hazardous) Waste Program Environmental Impact Statement (HSW EIS) was prepared in accordance with the DOE and CEQ NEPA implementing procedures.

### 6.1 Potentially Applicable Statutes

Significant statutes with potential applicability to the subject matter of the HSW-EIS are listed below.

- **American Antiquities Preservation Act (16 USC 431 et seq.)**

The American Antiquities Preservation Act protects historic and prehistoric ruins, monuments, and antiquities, including paleontological resources, on federally controlled lands.

- **American Indian Religious Freedom Act (42 USC 1996)**

The American Indian Religious Freedom Act states that it will be the policy of the United States to protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise the traditional religions of the American Indian, Eskimo, Aleut, and Native Hawaiians, including, but not limited to, access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rites.

- **Archaeological and Historic Preservation Act (16 USC 469 et seq.)**

The purpose of the Archaeological and Historic Preservation Act is to provide for the preservation of historical and archeological data (including relics and specimens) that might otherwise be irreparably lost or destroyed as the result of federal actions.

- **Archaeological Resources Protection Act (16 USC 470aa et seq.)**

The Archaeological Resources Protection Act requires a permit for any excavation or removal of archaeological resources from federal or Indian lands. Excavations must be undertaken for the purpose of furthering archaeological knowledge in the public interest, and resources removed are to remain the property of the United States. Consent must be obtained from the Indian Tribe or the federal agency having authority over the land on which a resource is located before issuance of a permit. The permit must contain terms and conditions requested by the Tribe or federal agency.

- **Atomic Energy Act (42 USC 2011 et seq.)**

The Atomic Energy Act (AEA) provides the fundamental jurisdictional authority to DOE and the Nuclear Regulatory Commission (NRC) over governmental and commercial use of nuclear materials. The AEA authorizes DOE to establish standards to protect health or minimize dangers to life or