

Department of Energy



DOE/EA-2077

Finding of No Significant Impact North Access Bypass Road Near the Waste Isolation Pilot Plant Eddy County, New Mexico

AGENCY: U.S. Department of Energy

ACTION: Finding of No Significant Impact

SUMMARY: The U.S. Department of Energy (DOE), Carlsbad Field Office, completed a National Environmental Policy Act (NEPA) *Environmental Assessment for the Waste Isolation Pilot Plant North Access Road Bypass* (EA: DOE/EA-2077), which analyzed the potential environmental impacts of the Proposed Action. The DOE Proposed Action is to construct an approximately three mile in length bypass road to divert traffic not related to the Waste Isolation Pilot Plant (WIPP) on the North Access Road (NAR) and South Access Road (SAR) away from the WIPP facility and parking lot entrances. The purpose of the proposed North Access Road Bypass (NARB) project is to improve traffic safety and reduce vehicle congestion on the roadway near the WIPP facility to accommodate WIPP operations and other surface activities.

In addition to the Proposed Action, the EA analyzed a No Action Alternative as required by the DOE NEPA implementing regulations (10 CFR Part 1021). Based on the analysis in the EA, DOE has determined that the Proposed Action will not constitute a major federal action significantly affecting human health and the human environment within the meaning of the NEPA. Therefore, the preparation of an environmental impact statement is not required and DOE is issuing this Finding of No significant Impact (FONSI).

PUBLIC AVAILABILITY AND CONTACT INFORMATION: The FONSI and the Final EA (DOE/EA-2077) are available at:

- <http://wipp.energy.gov/nepa-documents.asp>
- Anthony Stone
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FOR FURTHER INFORMATION ON THE DOE NEPA PROCESS, CONTACT:

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BACKGROUND: On October 30, 1992, Public Law 102-579, *The Waste Isolation Pilot Plant Land Withdrawal Act* (WLWA) became law, later amended by Public Law 104-201. This Act transferred the responsibility for the management of the WLWA area (i.e., 10,240 acres) from the Secretary of the Interior to the Secretary of Energy. The WIPP facility is a deep geologic repository mined within a 2,000-foot-thick bedded-salt formation. The WIPP repository sits in the middle of a 16-square-mile (10,240 acres) area under the jurisdiction of DOE pursuant to the WLWA, in an area known as Los Medaños (“the dunes”), a relatively flat, sparsely inhabited plateau. The underground portion of the disposal facility, where waste is emplaced for disposal, is 2,150 feet beneath the ground surface. DOE currently operates WIPP as a storage and disposal site for defense related TRU waste generated as part of the nuclear defense activities of the federal government. TRU waste contains primarily alpha-emitting radionuclides that are heavier than uranium (that is, their atomic numbers are greater than that of uranium) and that have half-lives longer than 20 years at concentrations greater than 100 nanocuries (13,700 becquerels) per gram of waste. The DOE is responsible for the management and ultimate disposition of defense related TRU waste generated at DOE sites and, as directed by Congress, has constructed WIPP for disposing of TRU waste resulting from defense activities. The Waste Isolation Pilot Plant Disposal Phase Final Supplemental Environmental Impact Statement (DOE/EIS-0026-S-2) (WIPP SEIS-II) describes the potential environmental impacts associated with the disposal of TRU waste at WIPP.

The WIPP facility is located in Eddy County in southeastern New Mexico about 26 miles southeast of Carlsbad, New Mexico. The NAR provides access to the WIPP facility from U.S. Highway 62/180, which is approximately 13 miles to the north of the WIPP Land Withdrawal boundary. The SAR provides access to the WIPP facility from State Highway 128, which is approximately 1.25 miles to the south of the WIPP Land Withdrawal boundary. The proposed NARB project consists of a roadway that would be approximately three miles in length. The proposed NARB project would connect the existing NAR and SAR west of the WIPP facility and relocate non-WIPP traffic approximately 1.5 miles to the west of the current NAR and SAR intersection, thereby separating WIPP facility traffic from non-WIPP facility traffic. The proposed NARB project would allow for a safer, less congested WIPP facility and parking lot area and facilitate WIPP operations and other surface activities.

PROPOSED ACTION: DOE is proposing to construct a bypass road near the WIPP facility to provide a means for non-WIPP traffic, including oil and gas industry traffic, to be diverted from the NAR and SAR. The overall construction area of the proposed NARB project would be approximately three miles in length and within a 150-foot wide easement area. The Proposed Action would reduce traffic congestion in the area that has increased principally because of the increase in oil and gas industry vehicles and semi-trailer size trucks. This would allow for a safer, less congested WIPP roadway to accommodate current WIPP traffic associated with WIPP operations and other surface activities near the WIPP facility (e.g., monitoring, construction).

The portions of the existing NAR and SAR extending to the WIPP facility would remain as local access for WIPP personnel and other associated traffic to the WIPP facility’s existing parking lot area.

ALTERNATIVES CONSIDERED: Under the No Action Alternative, the Proposed Action would not be implemented and all traffic between Highway 62/180 and State Road 128 would continue to travel directly adjacent to the WIPP facility where the WIPP traffic (i.e., workers and WIPP TRU waste shipments) slows in order to turn in to the WIPP facility parking lot. The potential for vehicle-to-vehicle or vehicle-to-pedestrian collisions, and fatalities, would be greater than under the Proposed Action and would be expected to increase with traffic and congestion. Implementation of the No Action Alternative would result in failure to correct the congestion and safety concerns associated with increased non-WIPP road traffic near the WIPP facility and WIPP facility parking lot.

Under the Proposed Action, DOE would construct and maintain an approximately three mile in length bypass road to divert non-WIPP traffic on the NAR and SAR and away from the WIPP facility entrances, thereby separating WIPP facility traffic from non-WIPP facility traffic and facilitating a safer, less congested WIPP roadway near the WIPP facility area. The NARB would relocate non-WIPP associated traffic approximately 1.5 miles west of the current NAR and SAR intersection near the WIPP facility and the WIPP facility parking lot.

ENVIRONMENTAL CONSEQUENCES: In compliance with NEPA regulations (40 CFR § 1502.15), the description of the affected environmental resources focuses only on those resources potentially subject to impacts. For the following resource areas, the environmental consequences were determined to be minimal or within the scope of existing NEPA analysis and were not evaluated in detail: geology; hydrology; noise; waste management; greenhouse gases; socioeconomics; environmental justice; transportation; and climate. Therefore, the evaluation of resource areas (and associated environmental consequences) in the EA focused on air quality; grazing range; soil; biological resources; cultural resources and utilities. Information from the analyses on these resource areas is summarized in the following section.

- **Air quality.** Various aspects of the Proposed Action could result in temporary impacts from dust, exhaust emissions, chemical odors generated from construction activities. The analysis in the EA indicates that these potential impacts to air quality can be reduced to a negligible level by following standard practices for minimizing disturbances during construction, which include, but are not limited to, minimizing additional surface disturbance, reclaiming and quickly establishing vegetation on disturbed areas, and periodic watering of unsurfaced areas during dry periods.
- **Grazing range.** The analysis in the EA indicates that impacts to grazing range would be minimal (less than 0.02 percent of allowable grazing allotment acreage within the WIPP Land Withdrawal Boundary¹). Loss of grazing range would be minimized by following standard practices which include, but are not limited to, the following: utilizing existing surface disturbance, reclaiming the areas not necessary for road use, quickly establishing vegetation on the reclaimed areas, minimizing cut and fill, providing fencing to prevent livestock loss due to traffic collisions and providing three under-road livestock crossings to re-connect grazing areas.
- **Soil.** Potential impacts to the soil would be reduced to a negligible level by following standard practices for construction activities, such as utilizing existing surface disturbance, and quickly re-establishing vegetation on disturbed areas.

¹ The DOE grants (and can amend or revoke) livestock grazing privileges within the 16 square miles of the WIPP Land Withdrawal Area in accordance with pertinent laws, regulations, and existing agreements (e.g., Bureau of Land Management/DOE Memorandum of Understanding) governing livestock use of public lands.

- **Biological resources.** Based on a December 2017 biological resources assessment of the NARB project area the majority (61 of 74) of Federal and State listed species occurring within the proposed area have no potential to be affected by the Proposed Action, because their specific range or baseline habitat requirements do not occur within or adjacent to the NARB project area. The 13 remaining species are characterized as having “low” potential to be affected by the Proposed Action. Potential impacts to biological resources can be further reduced by use of typical industry-standard Best Management Practices including the commonly recommended construction and operation conservation measures from the U.S. Fish and Wildlife Services and Bureau of Land Management Carlsbad Field Office. Therefore, direct and indirect impacts would be negligible.
- **Cultural resources.** A cultural survey was conducted along the proposed NARB construction project area and no new or previously recorded prehistoric or historical sites were identified. Therefore, direct and indirect impacts to cultural resources would be negligible.
- **Utilities.** Potential impact to existing utilities (i.e., gas pipeline) that transects the NARB project area, which is owned by non-DOE entity, would be protected and undisturbed during the term of the NARB construction and operation by incorporating any crossing treatments and/or encasing of existing utilities. The potential impacts to the resource areas would diminish upon completion of the construction phase. Therefore, direct and indirect impacts would be negligible.

Reasonably foreseeable projects considered in the cumulative impact analysis in this EA at the WIPP site include the Above Ground Storage Capability (i.e., Draft DOE/EA-2064) and the Permanent Ventilation System (i.e., DOE/EIS-0026-SA-11; includes both the New Filter Building and New Ventilation Shaft and access drifts). The potential environmental impacts associated with the reasonably foreseeable projects would be negligible. Therefore, the Proposed Action, in conjunction with the reasonably foreseeable projects would not result in significant resource-specific cumulative impacts.

DETERMINATION: Based on the information and analysis in the EA, DOE determines that the proposed action would not constitute a major federal action significantly affecting the quality of human health or the human environment in accordance with DOE's NEPA implementing procedures, 10 CFR Part 1021 and the regulations promulgated by the Council on Environmental Quality for implementing NEPA, 40 CFR Part 1508.27. Therefore, the preparation of an environmental impact statement is not required. The DOE approves DOE/EA-2077 and is issuing this FONSI.

Issued this 3rd day of October 2018.

Signature on File

Todd Shrader

Manager

U.S. Department of Energy, Carlsbad Field Office