



Photo 2. View from proposed site on WCS property looking southwest towards red soil pile (see Photo Point 1 on **Figure 5**).



Photo 3. View looking east towards the proposed site from Photo Point 2 (see **Figure 5**). Note the URENCO facility barely visible on the horizon.



Photo 4. View looking east from Photo Point 3 (see **Figure 5**).




Photo 5. View looking east from Photo Point 4 (see **Figure 5**).



May 5, 2015

~~Sarah Birtchet~~  
Texas Historical Commission  
History Division  
P.O. Box 12276  
Austin, TX 78711

NO HISTORIC  
PROPERTIES AFFECTED  
PROJECT MAY PROCEED

by   
for Mark Wolfe  
State Historic Preservation Officer  
Date 6/1/15

MAY 06 2015

Re: Project Review under Section 106 for a Proposed Consolidated Interim Spent Fuel Storage Facility  
in Andrews County, Texas

~~Dear Ms. Birtchet:~~  
FORBES

Waste Control Specialists LLC (WCS) intends to file an application for a license for the independent storage of spent nuclear fuel and reactor-related, greater-than-Class C wastes at a site in western Andrews County, Texas (see **Figure 1**, attached). These activities are regulated by the U.S. Nuclear Regulatory Commission (NRC); the project is therefore subject to Section 106 of the National Historic Preservation Act. This letter addresses historic resources; archeological resources are being coordinated under separate cover. The site is in the northwestern-most corner of Andrews County and is immediately adjacent to the Texas/New Mexico state line; this project is also being shared with the New Mexico State Historic Preservation Office (SHPO).

A previous license for disposal of low-level radioactive waste on the WCS complex was coordinated with the Texas Historical Commission (THC) and the New Mexico SHPO in 2006. The THC and New Mexico SHPO concurred that there would be no historic properties affected on July 20, 2006, and July 21, 2006 respectively.

**Project Description**

WCS is requesting authorization from the NRC to construct and operate a Consolidated Interim Spent Fuel (CISF) storage facility for spent nuclear fuel on approximately 100 acres of land within the approximately 14,000-acre complex owned by WCS (see **Figure 2**). The project is located in a remote area approximately five miles east of Eunice, New Mexico and north of Highway 176 (also named Highway 87). The area is surrounded by a high density of oil wells to the west and some oil wells to the north; there is little development to the south and east, excluding portions of the existing WCS facility. Operations at the WCS facility began in 1994; none of the development is historic-age.

The proposed facility would house a dry cask storage system. WCS is exploring several different options for the system. One option would be an above-ground system utilizing several low-rise buildings (see **Figure 3**), while another option would store the casks underground. Both the above-ground and below-ground design options are assumed to require the presence of a crane approximately 60 feet in height during the operating license timeframe.

**Historic Resources Area of Potential Effect**

The Area of Potential Effect (APE) for direct impacts is proposed as the project footprint (see **Figure 4**). Taking into consideration the height of the crane that would be required, the height of the potential above-ground facility, and the relatively flat surrounding terrain, the APE for indirect/visual impacts is



proposed as a one-mile radius from the proposed project footprint (see **Figure 4**). WCS anticipates that the NRC will issue a Final Environmental Impact Statement and License by April 1, 2019. Therefore, a historic-age date of 1974 (45 years prior to 2019) is proposed.

According to a search of the digital Sites Atlas maintained by the THC, no known historic cemeteries, Official State Historical Markers (OSHM), State Antiquities Landmarks (SALs), or properties or districts listed on the National Register of Historic Places (NRHP) are located within the APE for direct or indirect impacts. The nearest previously identified resource is the OSHM for Andrews County, located approximately 17 miles southeast of the project area.

Adjacent to the WCS facility to the west is a large uranium enrichment plant called the National Enrichment Facility, operated by Urenco. This facility was developed within the past 15 years. The proposed project area is located in a very remote area of Texas with little development aside from the non-historic age WCS and Urenco facilities. The proposed project would not result in a direct effect to any historic resources. There do not appear to be any historic resources 45 years or older (dating to 1974 or earlier) within the one-mile indirect effects APE.

The nearest developed area is Eunice, New Mexico, which is located approximately five miles west of the proposed site. There are two large visual obstructions between viewers in Eunice and the proposed crane at the site: red soil mounds approximately 100 feet in height on WCS property, and the Urenco facility (see **Figure 5**). Based on information from WCS, the soil mounds will be in place indefinitely or potentially utilized as fill. As illustrated in **Photos 3-5** in the attached photo sheets, the red soil mounds and the Urenco facility are visible from the outskirts of Eunice but tend to dissolve visually into the horizon. Excluding the crane, the CISF storage facility would be approximately 30 feet above the surface and less visible from Eunice than existing features and structures.

#### **Request for Concurrence**

It is the professional opinion of CMEC cultural resources personnel that further historic resources investigations are not warranted prior to construction. We ask for your concurrence with this finding.

Should you have any questions, please contact me at EmilyR@coxmcclain.com or 512-338-2223.

Sincerely,

Emily Reed, Architectural Historian  
Cox|McLain Environmental Consulting, Inc.

#### **Attachments**

- Figure 1: General Project Location Map
- Figure 2: Detail Facility Map
- Figure 3: Potential CISF Storage Facility Site Design Renderings
- Figure 4: Proposed APE for Historic Resources
- Figure 5: Viewshed Analysis
- Contextual Photographs

# ANTIQUITIES PERMIT APPLICATION FORM ARCHEOLOGY

## GENERAL INFORMATION

### I. PROPERTY TYPE AND LOCATION

Project Name (and/or Site Trinomial) Waste Control Specialists (WCS) Spent Fuel Storage Facility  
 County (ies) Andrews  
 USGS Quadrangle Name and Number Eunice NE (3203-144)  
 UTM Coordinates (approximate) Zone 13 S E 683128-681989 N 3592495-3592059  
 Location WCS Storage Facility  
 Federal Involvement  Yes  No  
 Name of Federal Agency Nuclear Regulatory Commission (NRC)  
 Agency Representatives \_\_\_\_\_

### II. OWNER (OR CONTROLLING AGENCY)

Owner Andrews County  
 Representative Richard H. Dolgener, County Judge  
 Address 201 N. Main, Rm 104  
 City/State/Zip Andrews, TX 79714  
 Telephone (include area code) 432-524-1401 Email Address rdolgener@co.andrews.tx.us

### III. PROJECT SPONSOR (IF DIFFERENT FROM OWNER)

Sponsor \_\_\_\_\_  
 Representative \_\_\_\_\_  
 Address \_\_\_\_\_  
 City/State/Zip \_\_\_\_\_  
 Telephone (include area code) \_\_\_\_\_ Email Address \_\_\_\_\_

## PROJECT INFORMATION

### I. PRINCIPAL INVESTIGATOR (ARCHEOLOGIST)

Name Chris Dayton  
 Affiliation Cox|McLain Environmental Consulting, Inc.  
 Address 6010 Balcones Dr. Ste. 210  
 City/State/Zip Austin, TX 78731  
 Telephone (include area code) 512-338-2223 Email Address chris@coxmcclain.com

(OVER)

ANTIQUITIES PERMIT APPLICATION FORM (CONTINUED)

II. PROJECT DESCRIPTION

Proposed Starting Date of Fieldwork May 18, 2015
Requested Permit Duration 3 Years Months (1 year minimum)
Scope of Work (Provided an Outline of Proposed Work) pedestrian survey, judgmental shovel testing

III. CURATION & REPORT

Temporary Curatorial or Laboratory Facility Cox|McLain Environmental Consulting, Austin, TX
Permanent Curatorial Facility Texas State Center for Archaeological Studies (CAS)

IV. OWNER'S CERTIFICATION

I, Richard H. Dolgener, as legal representative of the Owner, Andrews County, do certify that I have reviewed the plans and research design, and that no investigations will be performed prior to the issuance of a permit by the Texas Historical Commission. Furthermore, I understand that the Owner, Sponsor, and Principal Investigator are responsible for completing the terms of the permit.

Signature [Signature] Date 5-7-2015

V. SPONSOR'S CERTIFICATION

I, as legal representative of the Sponsor, do certify that I have review the plans and research design, and that no investigations will be performed prior to the issuance of a permit by the Texas Historical Commission. Furthermore, I understand that the Sponsor, Owner, and Principal Investigator are responsible for completing the terms of this permit.

Signature Date

VI. INVESTIGATOR'S CERTIFICATION

I, Chris Dayton, as Principal Investigator employed by Cox|McLain Environmental Consulting, Inc. (Investigative Firm), do certify that I will execute this project according to the submitted plans and research design, and will not conduct any work prior to the issuance of a permit by the Texas Historical Commission. Furthermore, I understand that the Principal Investigator (and the Investigative Firm), as well as the Owner and Sponsor, are responsible for completing the terms of this permit.

Signature [Signature] Date April 29, 2015

Principal Investigator must attach a research design, a copy of the USGS quadrangle showing project boundaries, and any additional pertinent information. Curriculum vitae must be on file with the Division of Antiquities Protection.

FOR OFFICIAL USE ONLY

Reviewer Date Permit Issues
Permit Number Permit Expiration Date
Type of Permit Date Received for Data Entry

Texas Historical Commission
Archeology Division
P.O. Box 12276, Austin, TX 78711-2276
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TEXAS HISTORICAL COMMISSION

The State Agency for Historic Preservation