



FINDING OF NO SIGNIFICANT IMPACT

JEFFERSON LABS CAMPUS DEVELOPMENT PROJECT, JEFFERSON LABORATORIES JEFFERSON, ARKANSAS

AGENCY: Food and Drug Administration

ACTION: Finding of No Significant Impact (FONSI)

SUMMARY: The Food and Drug Administration (FDA) has completed a National Environmental Policy Act (NEPA) *Environmental Assessment for Jefferson Labs Campus Development Project in Jefferson, Arkansas* that analyzed the potential environmental impacts of the Proposed Action to construct several new buildings, upgrade existing infrastructure and to demolish aging structures within the Jefferson Labs Campus.

In addition to the Proposed Action, a No Action Alternative was analyzed, as required by NEPA regulations. In the Environmental Assessment (EA), the FDA considered mitigation measures to avoid, minimize, or rectify potential adverse environmental effects associated with the Proposed Action. Based on the analysis presented in the EA, FDA has determined that the Proposed Action will not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of NEPA. Therefore, preparation of an Environmental Impact Statement is not required, and the FDA is issuing this Finding of No Significant Impact (FONSI).

PUBLIC AVAILABILITY: The Final EA and FONSI will be posted on FDA's project website at <https://www.fda.gov/about-fda/nctr-location-facilities-services/environmental-assessment-jefferson-labs-campus-development-project>.

PURPOSE AND NEED: The purpose and need of the Jefferson Labs Campus Development Project is to replace aging infrastructure and upgrade laboratories at the campus, as well as to provide sufficient data recovery for the campus and national FDA research activities.

ALTERNATIVES CONSIDERED: The FDA explored and objectively evaluated reasonable alternatives that were considered practical and feasible in meeting the purpose and need. Three campus plan options were initially considered. A detailed explanation of each campus plan option is provided in the EA and will not be repeated herein. Campus Plan Option 3 was considered the preferred alternative and is detailed in the Proposed Action section below. In addition to the Proposed Action, FDA evaluated the "No Action Alternative." Under the No Action Alternative, FDA would not approve the Campus development project and the facilities would remain in their current condition, limiting the future operation of the campus.

PROPOSED ACTION: The immediate objective of the Proposed Action is construction of a Scientific Computation Facility (SCF) Data Center. The SCF is a single-story, 9,500-square foot building proposed for the north-central portion of the campus. The SCF will provide data recovery for the Jefferson Labs Campus, as well as for national HHS and FDA research activities. Additional elements of the Proposed Action that are dependent upon funding involve removing two empty 1,000,000-gallon aboveground storage tanks (ASTs); constructing a new West Energy Chiller Plant, new labs, an SCF Office Building, an Emerging Technology Center, and a Campus Facility Support Building; repairing existing roads, parking, drainage, and utilities; installing a new east sanitary sewer; and replacing the food service facility. The long-range plan (over 10 years) may include demolition of several buildings that are in poor condition including B06, B13, B20, B31, B37, B46, B51, B52, B60, and portions of B85.



ENVIRONMENTAL IMPACTS: The EA considered the potential environmental impacts to geology and soils; land use and zoning; floodplains; transportation; public health and safety from hazardous materials; socioeconomics, environmental justice, and children’s health and safety issues; air quality; noise; visual quality; public services and utilities; water quality; wetlands and waters of the U.S.; wildlife and vegetation; cultural, historical and archaeological resources; and cumulative effects. Coastal zones, farmlands, wild and scenic rivers, and seismic zones were excluded from this assessment.

In the EA, FDA considered mitigation measures to avoid, minimize, or rectify potential adverse environmental effects associated with the Proposed Action. The significance of FDA’s Proposed Action was considered based on both “context and intensity” as defined by NEPA Council on Environmental Quality regulations (40 CFR 1508.27). The following discussion provides a summary of the potential environmental impacts and the reasoning for why impacts will not be significant. The full analysis of potential environmental impacts can be found in the EA.

Geology and Soils

The project would not affect geology. Approximately 10 acres of soil would be temporarily disturbed during the construction of new buildings. Soils would also be disturbed in order to improve/replace utilities and drainage features, streets, pedestrian walkways and landscaped areas. It is unlikely that excavation, filling and grading the existing soils would substantially alter existing soil conditions. The Campus was previously disturbed as a result of prior development and likely no longer includes the naturally occurring surface soils. The removal and replacement of structures would not increase the overall footprint of the Campus.

The Proposed Action would not generate significant impacts to soils and mitigation measures would not be required. However, prior to construction activities, the contractor would obtain an Arkansas Department of Environmental Quality (ADEQ) General Stormwater Permit, which would detail Best Management Practices (BMPs) including erosion and sedimentation control (e.g. soil stockpiles, silt fences, straw wattles, vegetative buffers and moisture application to exposed soils) to minimize impacts during the construction phase of the project.

Land Use and Zoning

The project area is located within an unincorporated area of Jefferson County with no zoning restrictions. As such, the Proposed Action would not affect the zoning of the property.

The improvements would be constructed on the existing Campus and would not affect the land use of the surrounding properties. The proposed improvements would be compatible with the existing structures and would not result in changes to the current land use.

Floodplains

The project area is not within the 100-year floodplain; therefore, the Proposed Action would not impact floodplains.

Transportation

There are two access roads leading to the Jefferson Labs Campus. Rainey Road (NCTR Property Road) is the main access for employees, deliveries, emergency vehicles, etc. to the Jefferson Labs Campus. Rainey Road connects to NCTR Road approximately one mile north of the Campus. The alternate access point for employees is Roemer Road, which extends westward from the Campus toward Highway 365 through the Pine Bluff Arsenal. A badge is required to enter the Arsenal. The impact to traffic along Rainey Road and NCTR Road would be short term during the time of active site preparation and construction activities of the improvements. There would also likely be increased traffic along Roemer Road, as additional employees would travel this route to avoid construction-related traffic. There would be impacts to roadways within the Campus during construction of buildings, utilities,



pedestrian walkways, etc. The overall census of the Campus after all improvements are complete is estimated to be a net zero; therefore, there would be no transportation impact by increased census.

The proposed project would not generate significant transportation impacts and mitigation measures would not be required. However, the contractor would be required to submit a proposed sequence of construction to minimize disturbance to the business traffic associated with the Jefferson Labs facility and employees.

Public Health and Safety from Hazardous Materials

Jefferson Labs currently handles, stores and uses petroleum products in the form of gasoline, diesel fuel, No. 2 fuel oil and motor oil. The facility currently operates five aboveground storage tanks (ASTs), and formerly operated two 1,000,000-gallon ASTs and seven underground storage tanks (USTs). Over 800 chemicals are utilized at Jefferson Labs for laboratory research purposes. Additional chemicals include chlorine and other water treatment process chemicals located at the facility's potable water treatment plant. The facility is a small quantity generator and handler of hazardous waste including ignitable waste, corrosive waste, spent halogenated and nonhalogenated solvents, tetrachloroethylene, and RCRA metals.

The Department of Defense utilized PCB-containing paint during the initial construction of the facility. Additionally, PCB oil was formerly incinerated onsite in B55 (current location of B26). During renovations activities in the mid-1980s and mid-1990s, PCBs, as well as smaller amounts of dioxins/furans were identified and removed from several structures. Asbestos and lead-based paint is found in several of the older structures onsite. The Environmental Protection Agency (EPA) formerly operated an Incineration Research Facility (IRF) in the present-day B45 from 1981 through 1995. The facility researched the treatment/destruction of hazardous wastes by incineration. Closure activities including decontamination and removal of equipment and storage areas was conducted, and the facility achieved clean closure from the Arkansas Department of Environmental Quality (then known as the Arkansas Department of Pollution Control and Ecology) on October 1, 1996.

Construction activities of the Proposed Action may include the use of fuel, oil, lubricants, paints, coatings, solvents, and fertilizers. The contractor would be required to implement BMPs to minimize release of the substances.

Future operations in the proposed improvements (laboratories, offices, data center) would be consistent with current operations. Activities should not require additional hazardous materials/petroleum products or significant increases in quantities of materials currently utilized on Campus.

The SCF Data Center would be constructed in an undeveloped area where no current or former hazardous materials use/storage was identified.

The new West Energy Plant would be in the location of the two empty 1,000,000-gallon ASTs and oil/water separator. The chilled water loop would extend eastward toward B26 and along the northern Campus perimeter road. Construction of the new plant and infrastructure would require removal of the 1,000,000-gallon ASTs and excavation of soils for building foundations and utility trenches.

Several buildings would be removed from the northeastern portion of the Campus and the proposed sewer line main will extend along the northeastern portion of the property southward toward the wastewater equalization basin on the southeastern portion of the property. A permanent building would also be constructed on the southeastern portion of the property in place of the modular building (B45T).

Due to previous and current petroleum products/hazardous materials storage and handling operations, there is a potential for encountering contaminated soils and groundwater during construction activities in the vicinity of the



fuel storage areas and B45. Subsurface investigations conducted in the fuel storage area on the western portion of the property and on the southeastern portion of the property associated with the former EPA incineration facility did not identify constituents above ADEQ action levels/cleanup criteria. However, there is a potential for soil contamination in areas that were not sampled during the investigations.

Additionally, several underground storage tanks (USTs) that were closed-in-place are located throughout the facility. Some or all of the closed-in-place USTs may need to be removed during redevelopment of the Campus. There is a potential for contaminated soils beneath the USTs.

Proposed demolition of original/non-renovated structures presents the risk of causing PCB- and lead-containing paint, dioxins/furans, and/or asbestos to be emitted to the air.

Minimization and Mitigation Measures for Hazardous Materials Impacts

Encountering a release of petroleum product or hazardous waste during construction poses a risk to human health and safety for construction workers and potentially Jefferson Labs employees.

Removal of the 1,000,000-gallon ASTs would require dismantling the steel tanks, removal of the foundations, sampling the soils below the tanks for Total Petroleum Hydrocarbons (TPH), laboratory analysis and a closure report. If petroleum-contaminated soils are encountered, the impacted soils would have to be removed and disposed of offsite at a licensed disposal facility. Confirmation soil samples would be collected upon completion of the project to confirm petroleum-impacted soils have been removed. Mitigation/removal of the 1,000,000-gallon ASTs can be accomplished prior to facility construction improvements or as part of the building general construction.

Mitigation of the previously closed-in-place USTs should be accomplished by removal of the tanks prior to building construction. Removal of the USTs would require notice to ADEQ, excavation, removal of the USTs, excavation of any petroleum-impacted soils, verification sampling and final closure reporting.

If contaminated groundwater is encountered, mitigation would involve excavation, removal and disposal of contaminated groundwater.

The impacts to public health and safety can be mitigated by removal of PCB and lead-containing paint, dioxins/furans, and asbestos-containing materials prior to demolition or remodeling. Mitigation would require assessment of the potential PCBs, dioxin/furans, lead and asbestos-containing materials and preparation of a mitigation/removal plan prior to construction activities. It is the Campus' practice that PCBs, lead-containing paint and asbestos-containing materials are removed before being disturbed by renovation activities according to EPA regulations by licensed abatement contractors.

Socioeconomics, Environmental Justice, and Children's Health and Safety Issues

There would not be any significant changes to the socioeconomic environment in the rural communities within the vicinity because of the Proposed Action. Construction activities may have a temporary positive impact due to construction employment and expenditures in local communities. Jefferson Labs does not anticipate a change in the overall census of the Campus after all improvements are complete.

There would not be a disproportionate effect to children or minority or low-income populations by the Proposed Action.

Air Quality

The proposed project site is located in an attainment area. The construction phase of the Proposed Action may



produce a temporary increase in air pollution through the emissions from construction vehicles (carbon monoxide) and dust resulting from earth moving. Federal and state air attainment levels would not be exceeded. Earthwork disturbances of the Proposed Action would not generate significant air quality impacts and mitigation measures would not be required. However, Best Management Practices (BMPs) would be developed and implemented to apply moisture to minimize dust in exposed soil areas, as necessary, and properly maintain and minimize operation hours for fuel-burning equipment.

The Proposed Action could generate PCB and lead-containing dust, as well as disturb asbestos-containing materials, during demolition or remodeling of the buildings. This could cause contaminants to be emitted to the air that may impact construction workers and Campus personnel. The air quality impacts can be mitigated by removal of PCB and lead-containing paint and asbestos-containing materials prior to demolition or remodeling. Mitigation will require assessment of the potential PCB, lead and asbestos-containing materials and preparation of a mitigation/removal plan prior to construction activities. It is the Campus' practice that PCBs, lead-containing paint and asbestos-containing materials are removed before being disturbed by renovation activities according to EPA regulations by licensed abatement contractors.

Noise

Construction noise impacts for the Proposed Action would be short-term and limited to the duration of the construction activities during the hours of 8 am and 5 pm. The Proposed Action would not generate significant noise impacts and mitigation measures would not be required. Construction activities would meet all local, state and federal noise regulations.

Visual Quality

The proposed buildings are mostly three-story structures. They would be comparable in size to B26 and significantly shorter than B50, which is eight stories. The outdated architecture of the existing buildings would be refreshed with new architecture. The overall aesthetics of the Campus would be improved by additional landscaped areas and pedestrian walkways.

The Proposed Action would improve the architectural layout and overall visual quality of the Jefferson Labs Campus and would appeal to Campus personnel.

Public Services and Utilities

A scheduled short-term shut down of utilities would likely be scheduled during active site preparation and construction activities. Normal construction permits and BMPs would be undertaken to minimize disruption to utilities in the area.

The Proposed Action would replace some of the onsite utilities, so there would be some upgrade of existing utilities. The installation or replacement of stormwater pipes may require a Section 404 Permit; otherwise, there should not be significant impacts or mitigation for utilities as part of the Proposed Action.

Water Quality

Groundwater in the area is typically 10-20 feet bgs; however, groundwater may be encountered during construction activities. The contractor should utilize BMPs to minimize impacts to the shallow subsurface groundwater. There is a minor risk of a contractor encountering the shallow contaminated groundwater in the fuel storage area. If contaminated groundwater is encountered, the contractor should not pump the groundwater out of an excavation, but should sample, remove and dispose the contaminated groundwater.

The onsite and adjacent groundwater wells used as a drinking water sources are over 900 feet bgs, which is at a



depth that will not be impacted by construction activities. The Proposed Action should not impact the drinking water sources and mitigation measures would not be required.

There are no mapped waterways within the project area. Construction and demolition activities of the Proposed Action may result in temporary increases in erosion and sedimentation of the internal Campus drainage system. The new infrastructure/drainage improvements will improve internal Campus drainage and should not impact offsite drainage.

No major impacts to surface water drainage during construction are anticipated. However, prior to construction activities, the contractor would obtain an ADEQ General Stormwater Permit, which would detail BMPs including erosion and sediment controls. The contractors would be required to follow all applicable regulations.

The Proposed Action should not increase the Campus stormwater runoff volume; however, if the overall stormwater volume increases, Jefferson Labs should consider onsite detention of stormwater.

Wetlands

A detailed site survey was conducted to document the presence of wetlands and streams located on the Jefferson Labs Campus. The delineation documented the presence of linear drainage ditches, two (2) ephemeral streams, and one (1) small wetland.

In accordance with Executive Order 11990, direct and indirect impact to wetlands and streams would be avoided and minimized as much as possible. Jefferson Labs would develop and implement an ADEQ General Stormwater Permit for Construction, which would detail BMPs including erosion and sediment controls (e.g. silt fences and rock check dams along drainage areas and moisture application to exposed soils) to minimize impacts during the construction phase of the Proposed Action.

The immediate plan to construct the SCF Data Center would require the installation of approximately 135 linear feet of culvert into the linear drainage ditches for roadways leading to the new building. The U.S. Army Corps of Engineers (USACE) confirmed that the linear drainage ditches in this area do not meet the definitions of wetlands and waters of the U.S. and a Section 404 Permit is not required.

The long-range plan to install new chiller and sewer lines may temporarily impact linear drainage ditches. Construction of roads, pedestrian walkways, buildings and landscaped areas, as well as demolition of existing structures, may also impact drainage areas. Once detailed construction plans for the future improvements are completed, the plans would need to be evaluated to determine the need for a USACE Section 404 Permit. Prior to the construction of future phases of the Proposed Action, an approved jurisdictional determination (AJD) should be requested from the USACE. With appropriate permitting and potential mitigation of impacts, the impacts to wetlands/Waters of the U.S. from the Proposed Action should not be significant.

Wildlife and Vegetation

No significant impacts to wildlife and vegetation are anticipated, as construction activities would be conducted in areas with low to no ecological valued habitat. The Proposed Action includes expanding landscaped areas, which would have a beneficial aesthetic impact.

The U.S. Fish and Wildlife Service (USFWS) lists one (1) federally protected species for the project area: the Piping Plover (*Charadrius melodus*). There are no critical habitats within the project area. The Piping Plover is a shore bird; therefore, there is not suitable habitat in the project area and the Proposed Action will not affect this species.



Cultural Resources, Historic Properties, and Archaeological Resources

A Cultural Resources Survey was conducted of the Jefferson Labs Campus in April 2019 to determine if archaeological or historical resources are present within the project area. The archaeological survey, including the excavation of 68 shovel tests, produced negative findings; no artifacts or cultural deposits were identified. Building 5A-D, Building 37 and Building 52/85A-C were determined to be potentially eligible for the NRHP for their association with the U.S. Army's Cold War biological weapons program.

The Proposed Action should not impact Building 5A-D; however, Building 37 and Building 52/85A-C may be demolished in the future. The Arkansas Historic Preservation Program (AHPP) required the completion of Architectural Resources Survey Forms for the three potentially eligible buildings. Architectural Resources Survey Forms were completed and approved by the AHPP on July 31, 2019. The immediate plan to construct the SCF Data Center should not impact these buildings.

Based on correspondence with the AHPP, no mitigation is required at this time. Prior to the demolition of Buildings 37 and 52/85A-C, the AHPP recommends that FDA consult with the State Historic Preservation Officer (SHPO) to develop a memorandum of agreement (MOA) that defines the means for resolving adverse effects.

DETERMINATION: Based on the analysis presented in the Environmental Assessment and considering the public comments received, I have determined that the Proposed Action to construct several new buildings, upgrade existing infrastructure and to demolish aging structures within the Jefferson Labs Campus will not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of NEPA. Therefore, the preparation of an Environmental Impact Statement is not required, and the FDA is issuing this Finding of No Significant Impact.

Issued in Jefferson, Arkansas, this 11th day of March, 2020.

Jim Sigg
Chief Operating Officer
Office of Operations
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