



**NEW MEXICO ENVIRONMENT DEPARTMENT
GROUND WATER QUALITY BUREAU**



**PUBLIC INVOLVEMENT PLAN
(PIP)**

Facility Name: Santa Fe Pacific Pipeline Spill, Anthony, NM

Facility Location: Three Saints Road, Anthony, NM 88021
Latitude: 32 degrees, 3 minutes, 41.8 seconds North
Longitude: 106 degrees, 38 minutes, 58 seconds West

County: Doña Ana County

Responsible Party: Kinder Morgan
1001 Louisiana Street, Suite 1000
Houston, Texas 77002

Agency: Ground Water Quality Bureau
Remediation Oversight Section

GWQB Action: Abatement

Bureau Contact: Noel Hernandez
State Cleanup Program Project Manager
(505) 660-8497
noel.hernandez@env.nm.gov or ros.general@env.nm.gov

Main bureau telephone number:
(505) 827-2900

EFFECTIVE DATE: September 2019

REVISION DATE: April 2025

George Schuman Digitally signed by George Schuman
Date: 2025.04.11 09:14:47 -06'00'

George Schuman
Program Manager, Ground Water Quality Bureau, Remediation Oversight Section

Element 1 – Public Involvement Plan (PIP) Overview

The New Mexico Environment Department (NMED or Department), Ground Water Quality Bureau (Bureau) has developed a Public Involvement Plan (PIP) for the Santa Fe Pacific Pipeline (SFPP) Pipeline Spill - Anthony, NM site (Site), which is owned by Kinder Morgan. The Site is advancing through the Abatement process pursuant to Subsection 4106.E of the New Mexico Ground and Surface Water Protection Regulations, 20.6.2 New Mexico Administrative Code (NMAC), through implementation of Arcadis U.S., Inc. (Arcadis) approved Stage 2 Abatement Plan (S2AP) dated June 17, 2024.

The purpose of this PIP is to plan for providing public participation opportunities and information that may be needed for the community to participate in the Abatement process for this facility. This PIP identifies information about the community and resources needed by the Bureau to incorporate community participation activities into the decision-making process. This PIP is developed in accordance with the Department’s *Public Participation Policy* (Policy 07-13 or Policy), and incorporates the requirements of the Policy, as well as applicable regulatory and statutory public participation requirements.

This PIP implements the “elements” set forth in the Policy which include:

1. An overview of the PIP for the community affected by the activity.
2. Bureau contact names and contact information, specifically for Limited English Proficiency (LEP) language assistance services (e.g., translation, interpreters) or for disability accommodations.
3. A summary of the regulatory public participation framework associated with Abatement plans.
4. A description of community/stakeholder groups based on results of a preliminary Environmental Justice (EJ) screening; and
5. Details about planned public outreach activities.

In developing this PIP, community participation needs were assessed to ensure appropriate public outreach. This was accomplished by identifying whether there is a combination of environmental and demographic factors that may impact public participation (e.g., low-income community, minority community, LEP individuals, linguistically isolated households). Because the community located near the Site includes a significant percentage of Spanish speakers, the Bureau will provide appropriate information in both English and Spanish.

Public involvement associated with the Abatement process occurs at different stages and in different forms. Public involvement activities required by statute or regulation are mandated and subject to statutory or regulatory deadlines. Mandatory public involvement activities and associated time requirements relevant to this PIP are noted in the *Table of Mandated Public Involvement Activities* at the end of this PIP.

The Bureau plans to conduct public involvement activities related to the Abatement process as outlined in the *Table of Public Involvement Activities* below. The activity timeline and dates are tentative and subject to change.

Table of Public Involvement Activities

Activity	Date
News Release	August 9, 2024 ^a
Placement of a hardcopy of the PIP in the local NMED office: District III Office 2301 Entrada Del Sol Las Cruces, NM 88001	April 2025
Public Meeting Notice	Not Applicable ^b
Public Hearing	Not Applicable ^c

^a Public participation opportunities and information to facilitate the public’s participation in the Abatement process were conducted in accordance with 20.6.2.4108.B NMAC.

^b In accordance with 20.6.2.4108.F NMAC, notice will occur at least 30 days prior to the meeting or hearing. This requirement only applies to Stage 2 Abatement Plans.

^c In accordance with 20.6.24108.F NMAC, a public meeting or hearing may be held if the Secretary of the Department determines there is significant public interest. This requirement only applies to Stage 2 Abatement Plans.

In the case of a Stage 2 Abatement Plan, all notices for upcoming meetings or hearings will include a statement that any person who requires assistance, an interpreter, or an auxiliary aid to participate in the process may contact a specifically identified Department person to request those services. Requested interpretation services during the meeting and accommodations or services for persons with disabilities will be arranged to the extent possible.

This PIP is a “living” document that may be amended for numerous reasons, including the consideration of public comments and feedback.

Element 2 – Bureau Contact Information

PIP-Specific Contacts

The Bureau contact for this Abatement process is:

Noel Hernandez, State Cleanup Program Project Manager
 NMED Ground Water Quality Bureau
 Harold Runnels Building, Room N2263
 1190 Saint Francis Drive
 Santa Fe, NM 87505
 505-660-8497 / noel.hernandez@env.nm.gov or ros.general@env.nm.gov

Non-English Language Speaker Assistance

All public notices and news releases will contain a statement that non-English speakers may call the Bureau contact listed above and request language assistance in order to learn more about this Abatement process. Arrangements may be made for document translation or interpretation related to the Abatement process as necessary and as resources allow.

Individuals with Disabilities Assistance

All public notices will contain a statement that individuals with disabilities may call the Bureau contact listed above and request assistance needed to participate in activities associated with the Abatement process.

The following information will be provided in public notices so that individuals who are deaf, hard of hearing, or have difficulty speaking on the phone can contact the Bureau and ask questions about the activity or proceeding: Telephone conversation assistance is available through Relay New Mexico at no charge for people who are deaf, hard of hearing, or have difficulty speaking on the phone, by calling 1-800-659-1779 (English); 1-800-327-1857 (Spanish); TTY users: 1-800-659-8331.

Websites

Outreach materials and notices will include links to the following website, where the Bureau's public notices and PIP information are posted:

Ground Water Quality Bureau – <https://www.env.nm.gov/public-notice/>

Element 3 – Regulatory Framework for Public Participation Related to the Abatement Process

The public participation regulatory framework associated with the Abatement process is identified in the *Table of Mandated Public Involvement Activities* at the end of this PIP. The Table identifies activities subject to statutory or regulatory deadlines, the associated regulatory requirements, and the associated dates or time periods.

Element 4 – Description of Community/Stakeholder Groups Based on the EJSCREEN

EJSCREEN Summary

To provide for adequate public participation opportunities and meaningful involvement of persons in the Abatement process, the affected communities must first be identified, informed about proposed environmental actions affecting the community, and invited to share their comments and concerns. The EJSCREEN tool developed by the U.S. Environmental Protection

Agency (EPA) helps identify communities that are low income, have minority populations, and with limited English proficiency (LEP) that may benefit from a variety of approaches for notification and outreach communication. This information is used to help plan for the community’s involvement in the public process for environmental activities or actions. In addition to the EJSCREEN results, the Bureau may consider additional information such as the U.S. Census Bureau website or NMED’s EJ Mapping Tool.

The Bureau considers the affected community to be those persons living within a 4-mile radius of the Site as depicted on the attached EJSCREEN document. The results of the EJSCREEN Community Report (run on September 27, 2024 and attached to this PIP) are summarized in the table below.

EJSCREEN Results for the Affected Community

Total population	9,117
Total number of households	2,908
Percentage People of Color population	95%
Percentage Hispanic population	94%
Percentage of the population by race	Population reporting one race: White:5% Black:0% American Indian:0% Asian:0% Pacific Islander:0% Some Other Race:0%
Percentage of Total Non-English Languages Spoken at Home	84%
Percentage of Limited English households	33%
Languages by percentage in linguistically isolated households	Spanish: 100% Other Indo-European languages:0% Asian-Pacific Island languages: 0% Other languages: 0%
Percent linguistically isolated population, New Mexico*	5.1%
Per capita income	\$18,276
Per capita income, USA**	\$41,261

* U.S. Census Bureau. 2022 American Community Survey 5-Year Estimates, Table S1602. Limited English-Speaking Households.

<https://data.census.gov/table/ACSST5Y2022.S1602?q=S1602:%20LIMITED%20ENGLISH%20SPEAKING%20HOUSEHOLDS&g=040XX00US35>. (date of access: 10/25/2024).

** U.S. Census Bureau. 2022 American Community Survey 5-Year Estimates, Table B19301. Per Capita Income in the Past 12 Months (In 2022 Inflation-Adjusted Dollars).

<https://data.census.gov/table/ACSDT5Y2022.B19301?q=per%20capita%20income>. (Date of access: 10/25/2024).

The EJSCREEN results indicate that for the affected community, the proportion of the population with LEP is significant, and that the predominant non-English language is Spanish. The Bureau has therefore performed a LEP assessment for the community, presented as Attachment 1 to this PIP.

Because the affected community has a significant percentage of persons with difficulties communicating in English, the Bureau will consider the language and communication needs of this community when conducting public outreach and participation activities. To accomplish this the Bureau, to the extent its budget and time limitations allow, will provide the same information in Spanish as in English in news releases, public comment notices, public meeting notices, and other announcements (e.g., radio broadcasts, brochures, signs, postcards) and will strive to make public participation efforts as inclusive as possible. See Element 5 for more specifics on the public outreach and participation activities.

Element 5 – Detailed Actions and Outreach Activities with the Affected Public

Public involvement activities required by statute or regulation for this action are listed in the *Table of Mandated Public Involvement Activities* at the end of this document.

Public Participation – Outreach Activities

The Bureau will conduct the following outreach activities during the abatement process:

- Placement of this PIP on the Bureau website and in nearby NMED field office
- Postal mailing and email notices
- Newspaper notices
- Notice posted on NMED website
- Public meetings (if the Secretary determines there is significant public interest)
- Radio announcements

Newspapers utilized in the notification process include:

- Newspaper of general circulation in the state and county where the abatement will occur (English and Spanish): *Las Cruces Sun News* – Doña Ana County, New Mexico

Radio stations utilized in the public involvement process include:

- News Talk (92.7 FM)
- KOBE (1450 AM)

Local, state, and federal government agencies, tribal entities, land grant officials and colonias will be notified about Abatement at the Site. A list of the agencies and officials notified can be provided upon request.

Indian Tribes, Pueblos and Nations will be notified about the Abatement at the site through the contacts maintained by the Indian Affairs Department at the following URLs:

<https://www.iad.state.nm.us/pueblo-tribes-and-nations/pueblos/>

<https://www.iad.state.nm.us/pueblo-tribes-and-nations/navajo/>
<https://www.iad.state.nm.us/pueblo-tribes-and-nations/apaches/>

Timelines and methods for submitting public comments are specified in the *Table of Mandated Public Involvement Activities*. Final documents will be available from the Bureau's contact identified in Element 2 of this PIP.

Postal Mailing or E-Mailing of Notices to Persons on the Facility-Specific Mailing List

The Bureau solicits the names and contact information of interested parties with all public notices. The Bureau maintains those names on a Facility-Specific Mailing List and provides the individuals with information about regulatory activities for the facility. Individuals, organizations, and other interested parties are added to the mailing list as requested. All news releases and public notices will contain a statement directing interested individuals to contact the Bureau contact for this Site if they want to be added to the facility specific mailing list.

Document Repository

Hard copies of documents relevant to the Abatement process and information about how to submit comments and/or participate in any public meetings or hearings that may be held will be made available at the following location:

NMED District III Office
2301 Entrada Del Sol
Las Cruces, NM 88001

Other means of outreach such as fliers announcing public comment periods and/or public meetings or hearings may be posted in locations throughout the community (e.g., local businesses, schools, libraries) and on the Department's website, at the Bureau's discretion after consideration of public interest and input.

PIP Contingency Plan

During a public health emergency or other unforeseen event outside the control of the Department, the Department will make every effort to ensure the public remains involved in and informed of the decision making and permit processes. The purpose of this PIP Contingency Plan is in part to address circumstances when public spaces are closed because of potential human exposure risks. The Department will attempt to identify and utilize alternate methods of document delivery to the public and public viewing when conventional methods and locations are unavailable. When it is unsafe to utilize the physical PIP and document repositories, the Department will consider utilizing electronic delivery methods deemed appropriate. While operating under the PIP Contingency Plan, "instead of placing a copy of the PIP for this action in a public location, NMED will make the PIP available to the community by sending the PIP by email or US mail to any community member requesting a copy. An individual may request a copy of the PIP utilizing the Bureau contact information in this public notice. When making such a

request, please specify how you would like the document to be delivered. If you request a copy of a PIP, you will receive a revised PIP should the PIP be updated in the future.” During the times of potential human exposure risks and the resultant implementation of this PIP Contingency Plan, public meetings and hearings will only be held when or through means by which the Department can ensure the public’s health and safety and this PIP can be fully adhered to.

Attachments

- Attachment 1 - LEP Assessment
- Attachment 2 - EJSCREEN Community Report

ATTACHMENT 1
Limited English Proficiency (LEP) Assessment

Facility: Kinder Morgan, Santa Fe Pacific Pipeline (SFPP) Spill, Anthony, NM

Factor 1: The Number and Proportion of LEP Individuals Eligible to be Served or Likely to be Encountered in Community of Concern

See Public Involvement Plan (PIP), *Table EJSCREEN Results for the Affected Community*.

Conclusions:

1. The percentage of total non-English languages spoken at home is 84%.
2. The percentage of limited English households is 33%, which is greater than the statewide average of 5%.
3. The percentage of linguistically isolated households is 18%, which is higher than the statewide average.
4. Spanish is the predominant non-English language spoken by LEP persons.
5. Historical participation: A review of the administrative record for this Site indicates negligible public interest/participation overall. The portion of that public interest attributable to the LEP community cannot be determined from the record.

Factor 2: Frequency with which LEP Individuals Might Come in Contact with the Ground Water Quality Bureau State Cleanup Program

Contact with the State Cleanup Program (SCP) would occur when the project is undergoing the public notification process and issuing news releases. The Ground Water Quality Bureau (GWQB) or the Responsible Person provides notice to the public during the Abatement process; public participation is encouraged. Individuals may participate by requesting information, submitting comments, requesting a public meeting, and taking part in public meetings. Some SCP sites could generate considerable public interest, but participation is low for most SCP sites. Historical participation in SCP activities for this facility is summarized under Factor 1.

Conclusion:

Although LEP participation has been limited, given the demographics of the area and the considerable overall public interest at this Site, the Bureau considers the potential for LEP contact throughout the Abatement process to be "occasional."

Factor 3: Nature and Importance of the Activity or Service Provided by the Program

The SCP activity is deemed by the GWQB to be "important" to NMED, the impacted community, and the State of New Mexico. The SCP activity is important to NMED because the SCP establishes site-specific requirements that must be met to ensure protection of public health and groundwater quality and provides a means to enforce those requirements. SCP activities are important to the impacted community because abandoned, blighted, and potentially contaminated property can pose environmental risks to the surrounding community. SCP activity

ATTACHMENT 1
Limited English Proficiency (LEP) Assessment

is important to the State of New Mexico because state-oversight of voluntary assessment/cleanup of contaminated sites ensures that the State's limited groundwater resources are not impacted.

Conclusion:

The GWQB considers the SCP activity "important" to NMED, to the state as a whole, and to the impacted community.

Factor 4: Resources Available to NMED for LEP Services and Associated Costs

For outreach to LEP communities associated with this SCP action, NMED employs an in-house Spanish translator/interpreter and utilizes a phone interpretation service to assist during direct communication between LEP individuals and NMED staff. The costs of translation services for news releases in Spanish and interpretive services for a public meeting or hearing are being incorporated into the GWQB's budget, to the extent possible.

Conclusion:

The Bureau can accommodate the costs of the LEP services identified in this plan. If additional services are requested, the budgetary implications will be reviewed.

LEP Services Plan:

To accommodate the needs of the LEP individuals who may be interested in this Abatement process, the Bureau plans to:

1. Translate the News Release and all subsequent public notices into Spanish.
2. Require the Responsible Party to provide interpretive services at any public meeting or public hearing, if requested.
3. Interact with members of the LEP community using certified interpreters, when needed and feasible.

The Bureau will consider requests from members of the affected community for additional LEP services.

ATTACHMENT 2
EJSCREEN ACS Summary Report



EJScreen Community Report

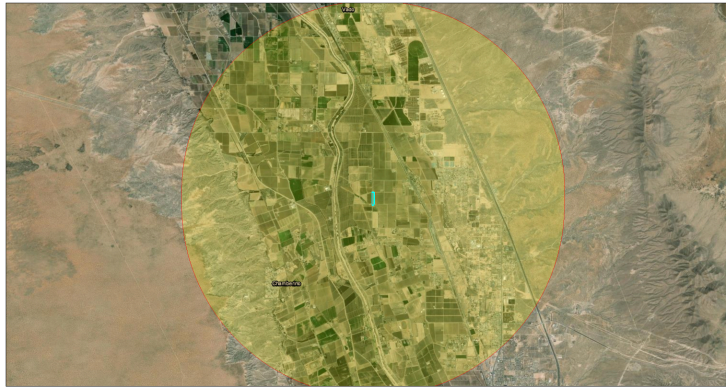
This report provides environmental and socioeconomic information for user-defined areas, and combines that data into environmental justice and supplemental indexes.

Santa Fe Pacific Pipeline Spill

4 miles Ring around the Area

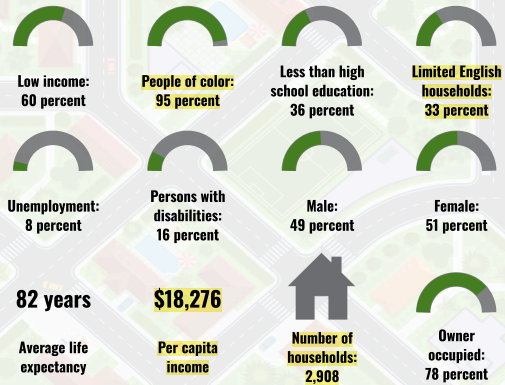
Population: 9,117

Area in square miles: 52.80

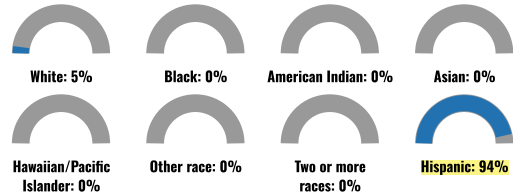


September 27, 2024
 Santa Fe Pacific Pipeline Spill
 0 0.75 1.5 3 mi
 0 1.25 2.5 5 km
 Esri | HERE | DeLorme | Garmin | Earthstar Geographics

COMMUNITY INFORMATION



BREAKDOWN BY RACE



BREAKDOWN BY AGE



LIMITED ENGLISH SPEAKING BREAKDOWN



Notes: Numbers may not sum to totals due to rounding. Hispanic population can be of any race. Source: U.S. Census Bureau, American Community Survey (ACS) 2018-2022. Life expectancy data comes from the Centers for Disease Control.

LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	16%
Spanish	83%
Total Non-English	84%

Report for 4 miles Ring around the Area

Report produced September 27, 2024 using EJScreen Version 2.3

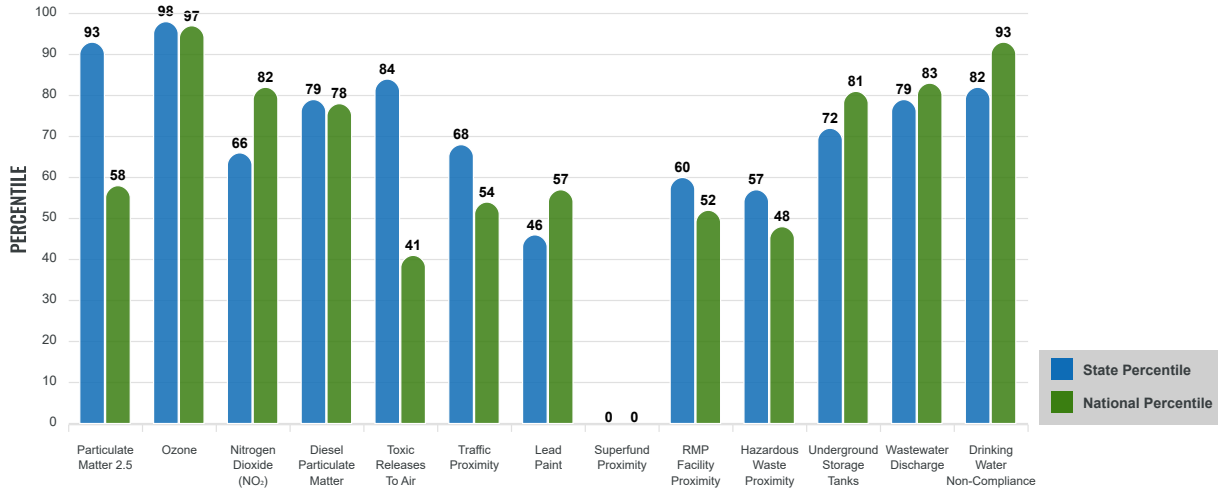
Environmental Justice & Supplemental Indexes

The environmental justice and supplemental indexes are a combination of environmental and socioeconomic information. There are thirteen EJ indexes and supplemental indexes in EJScreen reflecting the 13 environmental indicators. The indexes for a selected area are compared to those for all other locations in the state or nation. For more information and calculation details on the EJ and supplemental indexes, please visit the [EJScreen website](#).

EJ INDEXES

The EJ indexes help users screen for potential EJ concerns. To do this, the EJ index combines data on low income and people of color populations with a single environmental indicator.

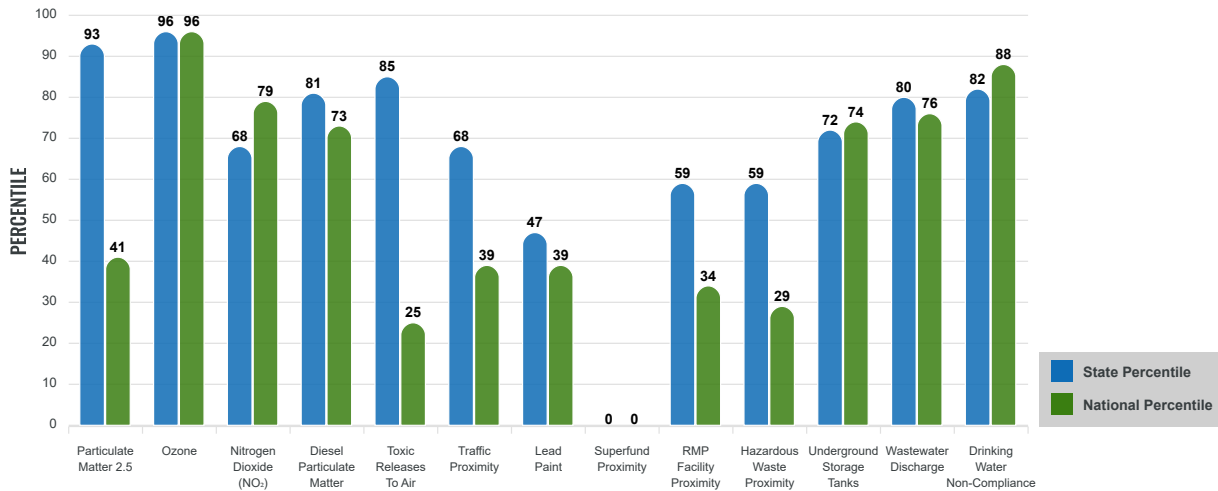
EJ INDEXES FOR THE SELECTED LOCATION



SUPPLEMENTAL INDEXES

The supplemental indexes offer a different perspective on community-level vulnerability. They combine data on percent low income, percent persons with disabilities, percent less than high school education, percent limited English speaking, and percent low life expectancy with a single environmental indicator.

SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION



Report for 4 miles Ring around the Area

Report produced September 27, 2024 using EJScreen Version 2.3

EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
ENVIRONMENTAL BURDEN INDICATORS					
Particulate Matter 2.5 (µg/m ³)	7.14	6.11	76	8.45	21
Ozone (ppb)	68.2	65.3	86	61.8	81
Nitrogen Dioxide (NO ₂) (ppbv)	7.2	8.1	36	7.8	46
Diesel Particulate Matter (µg/m ³)	0.134	0.187	55	0.191	41
Toxic Releases to Air (toxicity-weighted concentration)	23	29	58	4,600	12
Traffic Proximity (daily traffic count/distance to road)	120,000	730,000	41	1,700,000	19
Lead Paint (% Pre-1960 Housing)	0.055	0.19	38	0.3	27
Superfund Proximity (site count/km distance)	0	0.34	0	0.39	0
RMP Facility Proximity (facility count/km distance)	0.053	0.2	53	0.57	28
Hazardous Waste Proximity (facility count/km distance)	0.093	1.2	38	3.5	17
Underground Storage Tanks (count/km ²)	0.67	2.8	49	3.6	47
Wastewater Discharge (toxicity-weighted concentration/m distance)	50	990000	51	700000	49
Drinking Water Non-Compliance (points)	0.29	5.6	72	2.2	75
SOCIOECONOMIC INDICATORS					
Demographic Index USA	2.92	N/A	N/A	1.34	94
Supplemental Demographic Index USA	2.67	N/A	N/A	1.64	92
Demographic Index State	3.31	2.16	89	N/A	N/A
Supplemental Demographic Index State	2.44	1.62	87	N/A	N/A
People of Color	95%	62%	90	40%	92
Low Income	60%	39%	80	30%	89
Unemployment Rate	8%	6%	71	6%	77
Limited English Speaking Households	33%	6%	97	5%	97
Less Than High School Education	36%	14%	92	11%	95
Under Age 5	6%	5%	68	5%	64
Over Age 64	17%	20%	47	18%	52

*Diesel particulate matter index is from the EPA's Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. More information on the Air Toxics Data Update can be found at: <https://www.epa.gov/raqs/air-toxics-data-update>.

Sites reporting to EPA within defined area:

Superfund	0
Hazardous Waste, Treatment, Storage, and Disposal Facilities	0
Water Dischargers	81
Air Pollution	6
Brownfields	2
Toxic Release Inventory	0

Other community features within defined area:

Schools	5
Hospitals	0
Places of Worship	5

Other environmental data:

Air Non-attainment	No
Impaired Waters	Yes

Selected location contains American Indian Reservation Lands*	No
Selected location contains a "Justice40 (CEJST)" disadvantaged community	Yes
Selected location contains an EPA IRA disadvantaged community	Yes

Report for 4 miles Ring around the Area
 Report produced September 27, 2024 using EJScreen Version 2.3

EJScreen Environmental and Socioeconomic Indicators Data

HEALTH INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	14%	19%	7	20%	8
Heart Disease	6.5	5.9	69	5.8	68
Asthma	11.9	11.2	81	10.3	88
Cancer	4.4	6.1	12	6.4	12
Persons with Disabilities	15.7%	17.1%	47	13.7%	68

CLIMATE INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Flood Risk	12%	9%	75	12%	72
Wildfire Risk	1%	58%	28	14%	78

CRITICAL SERVICE GAPS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	21%	20%	61	13%	80
Lack of Health Insurance	16%	10%	83	9%	85
Housing Burden	No	N/A	N/A	N/A	N/A
Transportation Access Burden	Yes	N/A	N/A	N/A	N/A
Food Desert	Yes	N/A	N/A	N/A	N/A

Report for 4 miles Ring around the Area

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