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NMED Public Participation Policy
Policy 07-13

Public Involvement Plan for
Solid Waste Facility Permit Application

Estancia Valley Solid Waste Authority
P.O. Box 736
Estancia, New Mexico 87016

Approved: DocuSigned by: Shirlene Sitton 8/25/2026
8FDBC835242A4EB...
Shirlene Sitton
Chief, Resource Recovery Bureau

Resource Recovery Bureau
August 2026

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1. Public Involvement Plan (PIP) Overview

The New Mexico Environment Department (Department), Resource Recovery Bureau (Bureau) developed this Public Involvement Plan (PIP) for the Solid Waste Facility Permit Renewal Application for the Estancia Valley Solid Waste Authority's Estancia Valley Regional Landfill (EVRLF) located within the NW¼ of the SW¼ of Section 23 & SE 1/16 of the SE¼ of Section 22, Township 9 North, Range 10 East, Torrance County, New Mexico.

The Bureau encourages the public to learn about and get involved in regulatory decision-making opportunities for EVRLF. The purpose of this PIP is to provide public participation opportunities and information that may be needed to participate in the permitting process related to this site.

This PIP integrates information about the community and identifies resources needed by the Bureau to successfully incorporate community participation activities into the decision-making process for the permitting process. The PIP identifies the Department staff and resources needed to accomplish these activities.

The permitting process may require public participation throughout different stages. The Bureau will meet the public participation requirements for the permitting process by following this PIP, which includes all applicable policy, regulatory and statutory public notice and participation requirements.

In developing this PIP, community participation needs at the site were assessed to ensure appropriate promotion of public outreach by identifying whether there is a combination of environmental and demographic factors (i.e., low-income community, minority community, limited English proficiency individuals, Linguistically Isolated Households, etc.) that may impact public participation (refer to Element 4 of this PIP). This assessment identifies community outreach needs and provides for public access opportunities above and beyond statutorily mandated requirements and underscores the provision of adequate public access to information about the permitting process.

As much as possible, public participation and informational activities related to the permitting process will be held within the timelines outlined in the table below. This timeline is tentative and subject to change; activities subject to statutory or regulatory deadlines are noted.

In the timeline for this permitting process, public comments may be submitted to the Bureau prior to the Bureau's determination that the Application is administratively complete. Upon a determination that the Application is administratively complete, the Department must hold a public hearing prior to a decision on the Application. In accordance with the Solid Waste Act (NMSA 1978, Section 74-9-23(B)), the Department must provide notice of the mandatory public hearing on a Solid Waste Facility Permit Application within 60 days of deeming an application administratively complete. Public hearings afford the public the opportunity to participate in the permitting process by providing sworn testimony and/or public comments (both written and verbal) before a hearing officer, who will then prepare a hearing report and recommendation to the NMED Secretary regarding the fate of the Permit Application. The site for EVRLF is in a part of the state with a relatively large community of Spanish speakers, and the Bureau will provide pertinent information in both English and Spanish in public hearing notices and related announcements.

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The hearing will be held in-person and remotely using internet video conferencing technology.

As deemed necessary based on knowledge of the surrounding community, arrangements may be made for interpretation services during the hearing, and arrangements may be requested for obtaining services for persons with disabilities. At any time during the permitting process, the Application and relevant documents may be reviewed at the repository identified in Element 5 of this document.

More detailed information about planned Bureau outreach is available in this PIP.

Activity	**Dates**
Public notice of filing of Application with Resource Recovery Bureau (notice performed by Applicant)	February 21, 2025
Distribute PIP (website and repository)	June 16, 2025
Notice of Completeness Determination	July 7, 2026
Notice of Docketing and Appointment of Hearing Officer	July 20, 2026
Notice of Public Hearing on Permit Application (in English and Spanish) –	August 13, 2026
Public Hearing Location: Torrance County Administrative Building, 205 S. Ninth Street, Estancia, New Mexico 87016	September 16, 2026 (5:00 pm)

The Chief of the Resource Recovery Bureau provides final approval of the PIP and amendments. This PIP is a "living" document that may be amended after considering public comments and feedback.

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2. Contacts

If you have questions about the permitting process, site, or this PIP, please contact:

Daniele Berardelli
Permit Section Manager
NMED Resource Recovery Bureau
P.O. Box 5469
Santa Fe, New Mexico 87502
Telephone: 505-670-2018
E-mail: daniele.berardelli@env.nm.gov

Non-English Language Speaker Assistance and Accommodations

Non-English speakers may call the Bureau contact listed in this PIP and request language assistance services, such as an interpreter, so they can learn more about the permitting process. Services may be arranged for translation of documents for public hearings, for interpreters during public hearings, and for obtaining services for persons with disabilities. A phone-based interpretation service may be available for languages other than English.

If any person requires non-English Language Speaker Assistance, assistance for an interpreter or auxiliary aid (e.g., accommodations for persons who are disabled) to participate in public hearings related to the permitting process, should be directed to contact the Bureau, allowing at least 14 days prior to the hearing date:

Daniele Berardelli
Permit Section Manager
NMED Resource Recovery Bureau
P.O. Box 5469
Santa Fe, New Mexico 87502
Telephone: 505-670-2018
E-mail: daniele.berardelli@env.nm.gov

TDD or TTY users please access the number via the New Mexico Relay Network, 1-800-659- 1779 (voice); TTY users: 1-800-659-8331).

Department Websites

New Mexico Environment Department - https://www.env.nm.gov/

Resource Recovery Bureau - https://www.env.nm.gov/solid-waste

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3. Regulatory Framework for Public Participation

Both federal and state laws govern the management of solid waste. The United States Congress enacted the Resource Conservation and Recovery Act (RCRA), an amendment to the Solid Waste Disposal Act, in 1976 to ensure safe management and disposal of municipal and industrial waste generated nationwide. Responsibility for management of solid waste has been delegated from the federal government to the states. The State of New Mexico enacted the New Mexico Solid Waste Act in 1990 (NMSA 1978, §§ 74-9-1 to -43). The Solid Waste Act promotes several objectives, including establishment of a comprehensive solid waste management program in New Mexico, adoption of regulations pertaining to the management of solid waste, issuance of permits for construction and operation of solid waste facilities, and protection of public health, safety, and welfare. Solid waste management regulations have been promulgated and revised on several occasions by the Environmental Improvement Board; the current regulations are contained in the New Mexico Administrative Code (NMAC) at 20.9.2 through 20.9.10 NMAC and are referred to as the Solid Waste Rules (Rules). The most recent comprehensive revisions to the Solid Waste Rules were adopted in 2007.

The Resource Recovery Bureau of NMED is responsible for oversight of the solid waste management program in New Mexico, including permitting of solid waste facilities, registration of small facilities and commercial waste haulers, enforcement, and training of certified solid waste facility operators. The Resource Recovery Bureau reviews solid waste facility Permit Applications to assess compliance with the requirements of the Solid Waste Act and Rules. As part of the Permit Application process, Applicants are required to submit Vulnerable Area Assessments (VAA) for initial Permit Applications for landfills or transformation facilities, or for modifications of existing landfill permits that result in vertical or lateral expansion of the facility. VAAs examine the area within a four-mile radius of the geographic center of a facility and consider the economic status of households, population, and the number of regulated facilities. If the area surrounding a facility is deemed a "vulnerable area," then additional community involvement actions must be taken in accordance with 20.9.3.8.D NMAC. Additional actions include a public meeting regarding the solid waste facility permitting action and preparation of a Community Impact Assessment if the NMED Secretary determines that there is significant community opposition to the proposed facility or existing facility expansion.

Once the Bureau has completed its review of the Permit Application, the Application is deemed administratively complete, and the Application is moved into the hearing phase of the permitting process. As required by the Solid Waste Act, the Department holds public hearings on all Permit Applications for solid waste facilities. Deeming an Application "administratively complete" does not mean that the Permit Application will be approved or a Permit will be issued without conditions. Rather, it simply means that it is the appropriate time for the NMED Secretary to determine whether the Permit Application should be issued, issued with conditions, or denied after considering all testimony and comments provided by the Bureau, Applicant, and any other interested parties or persons at a formal public hearing.

The Department provides notice of public hearings in accordance with all applicable statutory and regulatory requirements. In accordance with the Solid Waste Act, notice is provided by the following methods: written notice is provided to adjacent property owners, nearby governmental entities (municipalities, counties, tribes, and pueblos), and persons who make requests for public

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notice regarding specific Permit Applications; notice is published in a local newspaper as a legal advertisement and at another place in the newspaper designed to provide effective notice; and notice is posted at multiple locations in the vicinity of the facility. In accordance with the Publication of Notice Act (NMSA 1978, § 14-11-10.2), the Department posts hearing notices on NMED's website.

It is common practice to provide notice of Permit Application hearings in both English and Spanish. Spanish versions of the notice are translated from English into Spanish by a certified translator. When appropriate, notice is provided in additional languages pertinent to the population in the vicinity of a solid waste facility. As an example, the Bureau used a Navajo- language certified court interpreter to translate public service announcements from English into the Navajo language and record the announcements on CD for distribution to Navajo chapters and Navajo-language radio stations in the vicinity of McKinley County Transfer Station.

Facility Background

EVRLF is an existing solid waste facility that was originally permitted in 1997 and is operating pursuant to its current NMED Solid Waste Facility Permits, SWM 013003 & SWM 013003(SP), issued by NMED on July 26, 2010. EVRLF is publicly owned and operated by the Estancia Valley Solid Waste Authority. EVRLF meets the definition of "landfill" under the New Mexico Solid Waste Rules. The Permit Renewal and Modification Application was received by the Bureau on February 21, 2025.

The Estancia Valley Solid Waste Authority is seeking a Permit Renewal and Modification under 20.9.3.25 and 20.9.3.22 NMAC for EVRLF. The application proposes to modify the vertical and lateral permitted waste boundaries. If approved, the modification will result in a 28-foot ± (maximum) vertical expansion over the current highest permitted elevation in Cell 4 and an additional 6-foot ± (maximum) vertical expansion in C&D Cell 1. This vertical expansion will yield approximately 130,000 cubic yards of additional airspace in Cells 2 – 4 and approximately 9,600 cubic yards of additional airspace in C&D Cell 1. The proposed lateral expansion encompasses the engineered development of MSW Cells 5-8 and C&D Cell 2. While these cells were designated as future disposal areas in the facility's existing Permit, they were not previously permitted for waste disposal. The lateral expansion will result in approximately 4,175,000 cubic yards of additional airspace in Cells 5-8 and approximately 135,000 cubic yards of additional airspace in C&D Cell 2. The design of the future Cells will allow for continued operation at the landfill and will not result in any change to the current operational processes. Additionally, the renewal includes a proposal to continue acceptance of municipal solid waste ("MSW"), including construction and demolition debris ("C&D"), and four special wastes, defined in 20.9.2.7.S(13) NMAC, specifically: petroleum-contaminated soils ("PCS"), sludge, industrial solid waste, and spill of a chemical substance or commercial product. The modification will remove ash and packing house and killing plant offal from the facility's list of acceptable wastes. The facility currently operates from 7:30 a.m. to 3:00 p.m. Monday through Friday. The facility is closed on Saturdays, Sundays, and holidays. EVRLF anticipates the receipt of approximately 110-130 tons of solid waste per day.

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4. Affected Communities and Stakeholders

To provide for adequate public participation opportunities and meaningful involvement of persons in the permitting process, and to address potential or existing environmental justice areas, the affected communities must first be identified, informed about proposed environmental actions affecting the community, and invited to share their comments and concerns. The NMED has developed the Archive Environmental Justice Screening and Mapping Tool (Version 2.3) (Archive EJScreen) which helps identify communities that are low income and minority populations that may benefit from a variety of approaches for notification and outreach communication. This information is used to help encourage the community's involvement in the public process for environmental activities or actions. In this case, the activity is the consideration of permit issuance for a solid waste facility.

An "EJScreen Community Report" was generated using Archive EJScreen for the area within a 4-mile radius of the current Estancia Valley Regional Landfill. The following information was obtained from the Report:

- Total population: 147
- Per capita income, Torrance County (obtained from U.S. Census Bureau QuickFacts: $24,922
- Per capita income, USA (obtained from U.S. Census Bureau QuickFacts): $43,289
- Proportion people of color: 54 percent
  - Proportion Hispanic/Latino population: 52 percent
  - Proportion Black/African American population: 0 percent
  - Proportion Asian population: 0 percent
  - Proportion American Indian/Alaska Native population: 0 percent
  - Proportion of Native Hawaiian/Other Pacific Islander population: 0 percent
  - Other race (non-Hispanic, single race): 0 percent
  - Two or more races (non-Hispanic): 1 percent

Information from the Archive EJScreen Community Report (see Attachment 1) was used to conduct an assessment of the need for services targeted to individuals of limited English proficiency (LEP). The percentage of limited English-speaking households is reported as 10 percent. The limited English-speaking population in New Mexico is 6 percent; the linguistically isolated population in the United States is 5 percent.

It is important for the Bureau to consider the linguistic and communication needs of the affected community when providing notice of public hearings on solid waste facility permit applications. Based on the Archive EJScreen results and the LEP assessment (see Attachment 2), the Bureau will provide information in Spanish and English when providing public announcements, such as for the notice of the public hearing on the Permit Application.

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5. Detailed Public Participation and Outreach Activities for Solid Waste Facility Permit Application, Estancia Valley Regional Landfill

The Bureau welcomes questions or comments on solid waste facility permit applications at any time during the permitting process. The Bureau evaluates all public comments, places the comments in the administrative record for the permitting action, and incorporates public input into the Bureau's comments on Permit Applications as appropriate.

Decisions regarding issuance, issuance with conditions, or denial of solid waste facility Permit Applications are not made by the Resource Recovery Bureau. Rather, such decisions are made by the NMED Secretary following a public hearing. The public is encouraged to participate in public hearings as formal parties providing technical testimony, through written or verbal public comments, or as observers. All testimony and comments provided at a public hearing are evaluated by a Hearing Officer, who prepares a written report and recommendation regarding Permit Application approval, approval with conditions, or denial for the Secretary's consideration.

The plans for facilitating public participation in the permitting action for the EVRLF are detailed below.

Public Notice Requirements per Applicable Laws

The Solid Waste Act (NMSA 1978, § 74-9-22) and the Solid Waste Rules (20.9.3.8.G NMAC) address notice to be provided by the Applicant to the public regarding the submittal of a solid waste facility Permit Application. This notice is provided at the start of the permitting process and informs the public that the Bureau's review of a Permit Application has begun. It is common practice for Applicants to provide notice of the submittal of a Permit Application in English and Spanish. The Applicant provided notice in the following manner:

1. Notice is provided by certified mail to the owners of record, as shown by the most recent property tax schedule, and tax-exempt entities of record, of all properties:
    a. within 100 feet of the property on which the facility is located or proposed to be located if the facility is or will be in a Class A or Class H county or a municipality with a population of more than 2,500 persons.
    b. within one-half mile of the property on which the facility is located or proposed to be located if the facility is or will be in a Class B county or a municipality with a population of 2,500 or less.
2. Notice is provided by certified mail to all municipalities and counties in which the facility is or will be located and to the governing body of any county, municipality, Indian tribe or pueblo when the boundary of the territory of the county, municipality, Indian tribe or pueblo is within 10 miles of the property on which the facility is proposed to be constructed, operated or closed.
3. Notice is provided to all parties and interested participants of record for a permit modification or renewal.
4. Notice is published once in a newspaper of general circulation in the county where the facility is proposed to be constructed, operated or closed; this notice appeared in either the classified or legal advertisements section of the newspaper and at one other place in the

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newspaper calculated to give the general public the most effective notice; notice was also provided to residents of each community that is or will be affected significantly by the existing or proposed solid waste facility at least once in one or more other media in a manner that effectively reaches a substantial number of members of each community, and where printed shall be printed in both English and Spanish.

5. Notice is posted in at least eight publicly accessible and conspicuous places, including the proposed or existing entrance to the property on which the facility is or is proposed to be located.

Note: The notice performed by the Applicant occurs before the Bureau receives a Permit Application and before the Bureau has an opportunity to determine if additional services are necessary to communicate with individuals of limited English proficiency (LEP).

After the determination that the Permit Application is administratively complete, the Department provides notice of public hearing. The Solid Waste Act (NMSA 1978, § 74-9-23(B)) addresses notice for solid waste facility Permit Application hearings. NMSA 1978, § 74-9-23(B) requires the performance of notice for a permit application hearing in the same manner as required in NMSA 1978, Section 74-9-22. Section 74-9-22 identifies the following actions for the performance of notice:

1. Notice must be provided by certified mail to the owners of record, as shown on the most recent property tax schedule, of all properties:
   a. within 100 feet of the property on which the facility is located (or proposed to be located) if the facility is (or will be) in a Class A or H county or a municipality with a population of more than 2,500 persons.
   b. within one-half mile of the property on which the facility is located or proposed to be located if the facility is or will be in a Class B county or a municipality with a population of 2,500 or less.
2. Notice must be provided by certified mail to all municipalities and counties in which the facility is (or will be) located and to the governing body of any county, municipality, Indian tribe, or pueblo when the boundary of the territory of the county, municipality, Indian tribe, or pueblo is within a 10-mile radius of the property on which the facility is (or is proposed to be) constructed, operated or closed.
3. Notice must be published once in a newspaper of general circulation in each county in which the property on which the facility is (or is proposed to be) constructed, operated or closed is located. This notice must appear in either the classified or legal advertisements section of the newspaper and at one other place in the newspaper calculated to give the general public the most effective notice and, when appropriate, must be printed in both English and Spanish.
4. Notice must be posted in at least four publicly accessible and conspicuous places, including the proposed or existing facility entrance on the property on which the facility is (or is proposed to be) located.

NMSA 1978, § 74-9-23(B) requires additional actions associated with notice of hearing:

1. Notice must be provided to any person who makes a written request to the NMED for notice regarding a specific application.
2. Notice must be made within 60 days of the determination that an application is complete.

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The Notice of Publication Act (NMSA 1978, § 14-11-2) further requires that legal notices be published in daily, tri-weekly, semi-weekly, or weekly newspapers of general circulation that can be obtained by single copy in the county in which the notice is required to be published. Such newspapers, if published daily, must have been published in the county continuously and without interruption during the six-month period prior to the publication of notice; if published tri-weekly, semi-weekly, or weekly, the newspapers must have been published in the county continuously and without interruption for 26 consecutive weeks prior to the publication of notice. NMSA 1978, § 14-11-10.2 requires state agencies to post their notices on agency websites.

Hearing notices will be provided in both English and Spanish. Spanish-language notices are translated from English into Spanish by a certified translator. Notice will be provided at least 30 days prior to a hearing.

Proposed Public Participation & Outreach Activities for the Estancia Valley Regional Landfill

The Applicant completed the required public notice for the Application in February 2025. The Department will perform the following public participation and outreach activities during the review phase of the permitting process for the EVRLF Permit Renewal Application:

> **Information Repository**: A copy of the draft Permit Application is available for public review at the New Mexico Environment Department Santa Fe and Rio Rancho Offices, 1190 St. Francis Dr., Santa Fe, NM 87502 and 4359 Jager Dr., Suite B, Rio Rancho, NM 87144. An electronic copy of the Permit Application will be posted for public review through the NMED website at: Permitting and Registration (nm.gov). Scroll to the bottom and look for the "Public Involvement Plans" heading and select the application link for the Estancia Valley Regional Landfill.

The following public participation and outreach activities were performed during the hearing phase (i.e., after the Permit Renewal Application is deemed administratively complete) of the permitting process for the EVRLF.

1. **Mailing of Hearing Notice:**
   a. The Department provided notice by certified mail to property owners of record within one-half mile of the facility. As required by 20.9.3.17.C NMAC, the Applicant will obtain property ownership information from the Torrance County Assessor and will submit this information to the Bureau.
   b. The Department provided notice by certified mail to the municipality and county in which the facility is located, and to all municipalities, counties, tribes, and pueblos located within 10 miles of the facility. The following governmental entities will be notified:
      - Torrance County
      - Santa Fe County
      - San Miguel County
      - City of Moriarty
      - Town of Mountainair
      - Town of Estancia
      - Town of Vaughn
      - Village of Willard

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- Village of Encino
- Bureau of Land Management
- New Mexico State Land Office

c. The Department provided notice by first class mail or e-mail to other potentially interested persons (e.g., federal or state government agencies, persons who attended the most recent hearing regarding an application for a solid waste facility based on available Bureau records, etc.).
d. The Department provided notice by first class mail or e-mail to all persons who inform the Bureau that they have an interest in the pending Permit Application for the facility. Persons who inform the Bureau of their interest in a Permit Application will be added to an "interested persons mailing list" for the public hearing.
e. Mailed notices were provided in English and Spanish.

2. **Publication of Hearing Notice:** The notice was published once in a newspaper of general circulation in the county in which the facility is proposed to be located. The Albuquerque Journal was used for notice publication. The notice was published in the classified or legal advertisements section of the newspaper and as a display advertisement at another location in the newspaper. The notice was published in English and Spanish.
3. **Physical Posting of Hearing Notice in Vicinity of Facility:** The Department posted hearing notices at a minimum of four (4) publicly accessible and conspicuous places, including the facility entrance. Provided permission is obtained for notice posting, the Department posted notice at libraries, county administrative buildings, civic centers, government offices, and/or post offices. Physically-posted notices were provided in English and Spanish.
4. **Electronic Posting of Hearing Notice:** The Department will post the hearing notice on the NMED website. Electronically-posted notices will be provided in English and Spanish.

In accordance with the Solid Waste Act requirement, all required notice actions were performed within 60 days of the date the Application is deemed administratively complete. Further, the Department provided notice of the Permit Application hearing at least 30 days prior to the hearing.

Hearing Location and Scheduling

The public hearing for the Estancia Valley Regional Landfill will begin at 5:00 pm on September 16, 2026, and will be conducted both virtually via Webex (see the link posted online in the Department's Calendar at www.env.nm.gov/events-calendar/) and in person at the following physical location in the Town of Estancia in Torrance County, New Mexico: Torrance County Administrative Building, 205 S. Ninth Street, Estancia, New Mexico 87016. An Information Technology specialist and a Department staff member will be available to assist the public to appear and participate in the public hearing virtually and in person. In the event the Hearing Officer determines that a hearing will require more than one day to complete, the hearing will continue on subsequent days, and the hearing start times on the initial day and subsequent days may be adjusted accordingly.

Contingency Plan for Unexpected Events

Should unexpected events prevent the public hearing from being held as scheduled after issuance of the hearing notice, the Department will use a variety of methods to inform the public of the postponement of the hearing, including postal mailings, e-mails, PSAs, and website postings.

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Attachment 1: Preliminary Screening (Archive EJSCREEN)

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EJSCREEN Community Report

This report summarizes environmental and residential population information for user-defined areas, and combines that data into indexes.

Summary of Analysis

Residents within 4 miles of this specified point (Site 1, ejam_uniq_id 1) centered at 34.988678, -105.856052 Area in Square Miles: 50.27
Population: 147

Environmental and Residential Population Indicators

	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA	RATIO TO US AVG	RATIO TO STATE AVG
POLLUTION AND SOURCES							
Particulate Matter (PM 2.5 in ug/m3)	5.12	6.11	22	8.45	1	0.6	0.8
Ozone (ppb)	64.8	65.3	38	61.8	70	1.0	1.0
Nitrogen Dioxide (NO2)	3.8	8.1	15	7.8	12	0.5	0.5
Diesel Particulate Matter (ug/m3)	0.056	0.187	28	0.191	10	0.3	0.3
Toxic Releases to Air	2	29	45	4,600	5	0.0	0.1
Traffic Proximity and Volume (daily traffic count/distance to road)	60,000	730,000	30	1,700,000	13	0.0	0.1
Lead Paint Indicator (% pre-1960s housing)	13%	19%	56	30%	40	0.4	0.7
Superfund Proximity (site count/km distance)	0.00	0.34	0	0.39	0	0.0	0.0
RMP Proximity (facility count/km distance)	0.31	0.20	74	0.57	52	0.5	1.5
Hazardous Waste Proximity (facility count/km distance)	0.0	1.2	0	3.5	0	0.0	0.0
Underground Storage Tanks (UST) indicator	0.1	2.8	38	3.6	34	0.0	0.0
Wastewater Discharge Indicator (toxicity-weighted concentration/distance)	0	990,000	0	700,000	0	0.0	0.0
Drinking Water Non-Compliance	20.0	5.58	89	2.2	97	8.8	3.5
RESIDENTIAL POPULATION INDICATORS							
Demographic Index USA	2.39	2.16	65	1.34	86	1.8	1.2
Supplemental Demographic Index USA	2.39	1.62	76	1.64	86	1.5	1.3
% Low Income	66%	39%	86	30%	92	2.2	1.7
% in limited English-speaking Households	10%	6%	78	5%	84	2.0	1.7
% Unemployed (among civilian labor force)	13%	6%	84	6%	89	2.3	2.0
% with Less Than High School Education	23%	14%	79	11%	85	2.0	1.7
% under Age 5	19%	5%	98	5%	98	3.6	3.8
% over Age 64	14%	20%	35	18%	40	0.8	0.7
% People of Color	54%	62%	35	40%	68	1.4	0.9

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EJ Indexes

The summary and supplemental EJ indexes are a combination of environmental and residential population information.

For each of the environmental indicators, there is an EJ Index and a Supplemental EJ Index.

The indexes for a selected area are compared to those for all other locations in the state or nation.

	PERCENTILE IN STATE	PERCENTILE IN USA
EJ INDEXES		
Particulate Matter Summary Index	33	5
Ozone Summary Index	54	89
Nitrogen Dioxide (NO2) Summary Index	22	37
Diesel Particulate Matter Summary Index	39	31
Toxic Releases to Air Summary Index	62	16
Traffic Proximity and Volume Summary Index	41	35
Lead Paint Summary Index	65	73
Superfund Proximity Summary Index	0	0
RMP Proximity Summary Index	83	78
Hazardous Waste Proximity Summary Index	0	0
Underground Storage Tanks Summary Index	30	42
Wastewater Discharge Summary Index	0	0
Drinking Water Non-Compliance Summary Index	80	92
SUPPLEMENTAL EJ INDEXES		
Particulate Matter Supplemental Summary Index	34	2
Ozone Supplemental Summary Index	60	90
Nitrogen Dioxide (NO2) Supplemental Summary Index	20	19
Diesel Particulate Matter Supplemental Summary Index	41	15
Toxic Releases to Air Supplemental Summary Index	66	9
Traffic Proximity and Volume Supplemental Summary Index	41	18
Lead Paint Supplemental Summary Index	71	63
Superfund Proximity Supplemental Summary Index	0	0
RMP Proximity Supplemental Summary Index	87	72
Hazardous Waste Proximity Supplemental Summary Index	0	0
Underground Storage Tanks Supplemental Summary Index	28	27
Wastewater Discharge Supplemental Summary Index	0	0
Drinking Water Non-Compliance Supplemental Summary Index	88	93

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ADDITIONAL INFORMATION	VALUE	RATIO TO US AVG	RATIO TO STATE AVG
BREAKDOWN BY POPULATION GROUP			
% Hispanic or Latino	52%	2.9	1.1
% Black or African American (non-Hispanic, single race)	0%	0	0
% Asian (non-Hispanic, single race)	0%	0	0
% American Indian and Alaska Native (non-Hispanic, single race)	0%	0	0
% Native Hawaiian and Other Pacific Islander (non-Hispanic, single race)	0%	0	0
% Other race (non-Hispanic, single race)	0%	0.4	0.5
% Two or more races (non-Hispanic)	1%	0.4	0.6
% White (non-Hispanic, single race)	46%	0.8	1.3
LANGUAGE SPOKEN AT HOME			
% speaking non-English languages at home	26%	1.2	0.8
% speaking Other Indo-European at home	3%	0.8	2.8
% speaking Asian and Pacific Island languages at home	2%	0.5	1.6
% speaking Arabic, Other, and unspecified languages at home	0%	0	0
% speaking English at home	74%	0.9	1.1
% speaking Spanish at home	21%	1.6	0.8
% speaking French at home	0%	0	0
% speaking Russian, Polish or Other Slavic at home	0%	0	0
% speaking Chinese (including Mandarin, Cantonese) at home	1%	0.7	4
% speaking Korean at home	0%	0	0
% speaking Other Indo-European languages at home	0%	0	0
% speaking Vietnamese at home	0%	0	0
% speaking Other Asian and Pacific Island languages at home	0%	0.1	0.5
% speaking Arabic at home	0%	0	0
% speaking German or other West Germanic languages at home	3%	6.3	10
% speaking Tagalog (including Filipino)	1%	1.6	2.9

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at home			
% speaking Other and unspecified languages at home	0%	0	0

ADDITIONAL INFORMATION	VALUE	RATIO TO US AVG	RATIO TO STATE AVG
LANGUAGE IN LIMITED ENGLISH SPEAKING HOUSEHOLDS			
% speaking Spanish (as % of limited English households)	100%	4.5	2.3
% speaking Other Indo-European languages (as % of limited English households)	0%	0	0
% speaking Asian-Pacific Island languages (as % of limited English households)	0%	0	0
% speaking Other languages (as % of limited English households)	0%	0	0
BREAKDOWN BY SEX			
% Males	55%	1.1	1.1
% Females	45%	0.9	0.9
HEALTH			
% with Disabilities	22%	1.6	1.3
% with Low Life Expectancy	16%	0.8	0.8
% with Heart Diseases	8%	1.3	1.3
% of Adults with Asthma	11%	1.1	1
% of Adults with Cancer (excluding skin cancer)	6%	1	1.1
AGE			
% under Age 5	19%	3.6	3.8
% under age 18	30%	1.5	1.5
% over Age 64	14%	0.8	0.7
COMMUNITY			
Occupied Housing Units	46	N/A	N/A
Per Capita Income	16,385	N/A	N/A
% Owner-occupied housing units	82%	1.3	1.2
POVERTY			
% Households below Poverty Level	18%	1.4	1
CLIMATE			
Estimated Fire Risk in 30 Years	1%	0.1	1.4
Estimated Flood Risk in 30 Years	0%	0	0.9

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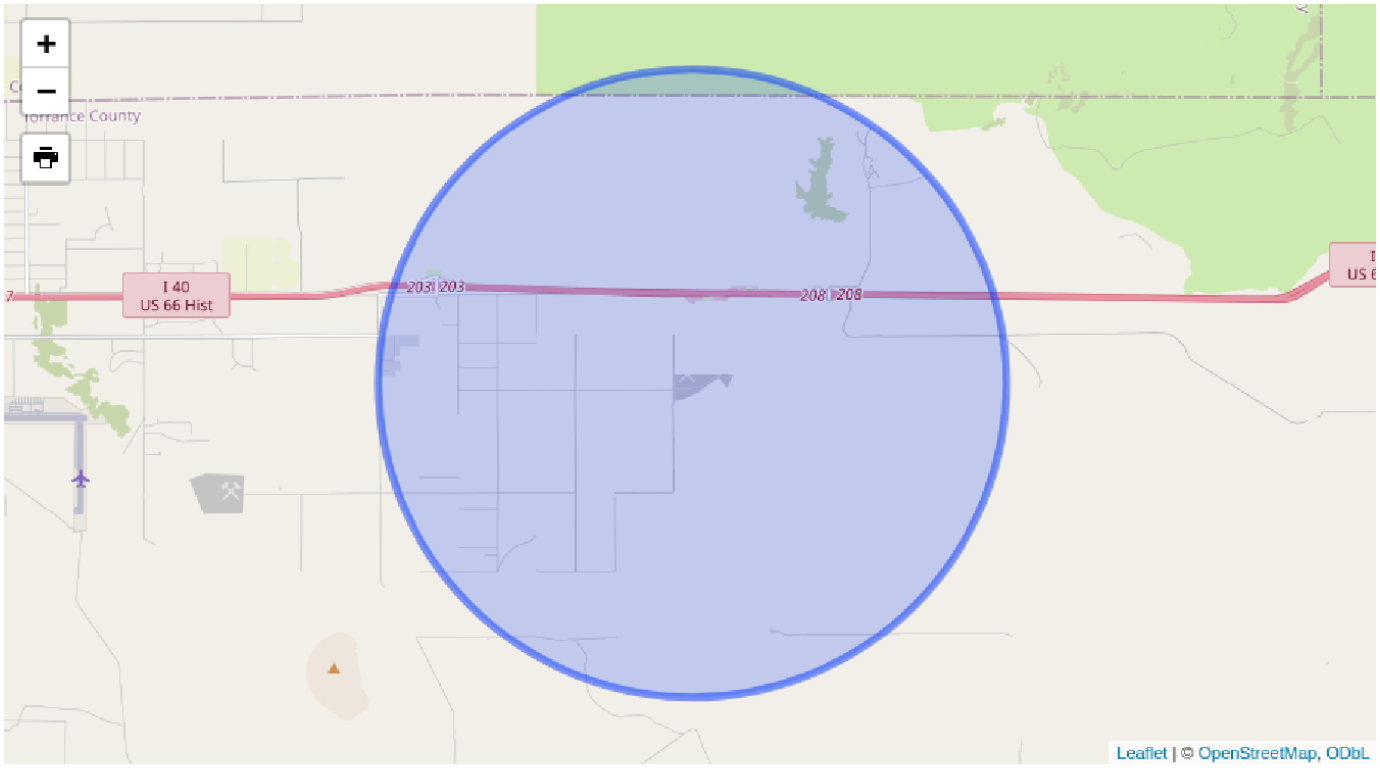
ADDITIONAL INFORMATION	VALUE	RATIO TO US AVG	RATIO TO STATE AVG
% OF THESE RESIDENTS WHO HAVE THIS FEATURE OR AREA TYPE IN (OR OVERLAPPING) THEIR BLOCKGROUP			
Any schools	37%	1.2	0.9
Any places of worship	37%	1	1.6
Any hospitals	0%	0	0
Overlapping with Tribes	0%	0	0
Overlapping with Impaired Waters	0%	0	0
Overlapping with Non-Attainment Areas	0%	0	0
Overlapping with CEJST Disadvantaged Communities	100%	3.1	1.9
Overlapping with EPA IRA Disadvantaged Communities	100%	2.3	1.6
Overlapping with Housing Burden Communities	0%	0	0
Overlapping with Food Desert Areas	100%	4	2.1
Overlapping with Transportation Disadvantaged Communities	100%	1.4	1.6
COUNTS OF FEATURES AND OVERLAP WITH AREA TYPES			
Number of Schools	0	N/A	N/A
Number of Worship Places	0	N/A	N/A
Number of Hospitals	0	N/A	N/A
Flag for Overlapping with Tribes	No	N/A	N/A
Flag for Overlapping with Impaired Waters	No	N/A	N/A
Flag for Overlapping with Non-Attainment Areas	No	N/A	N/A
Flag for Overlapping with CEJST Disadvantaged Communities	Yes	N/A	N/A
Flag for Overlapping with EPA IRA Disadvantaged Communities	Yes	N/A	N/A
CRITICAL SERVICES			
Flag for Overlapping with Housing Burden Communities	No	N/A	N/A
Flag for Overlapping with Food Desert Areas	Yes	N/A	N/A
Flag for Overlapping with Transportation Disadvantaged Communities	Yes	N/A	N/A
% Households without Broadband Internet	54%	4.3	2.7
% People without Health Insurance	10%	1.1	1

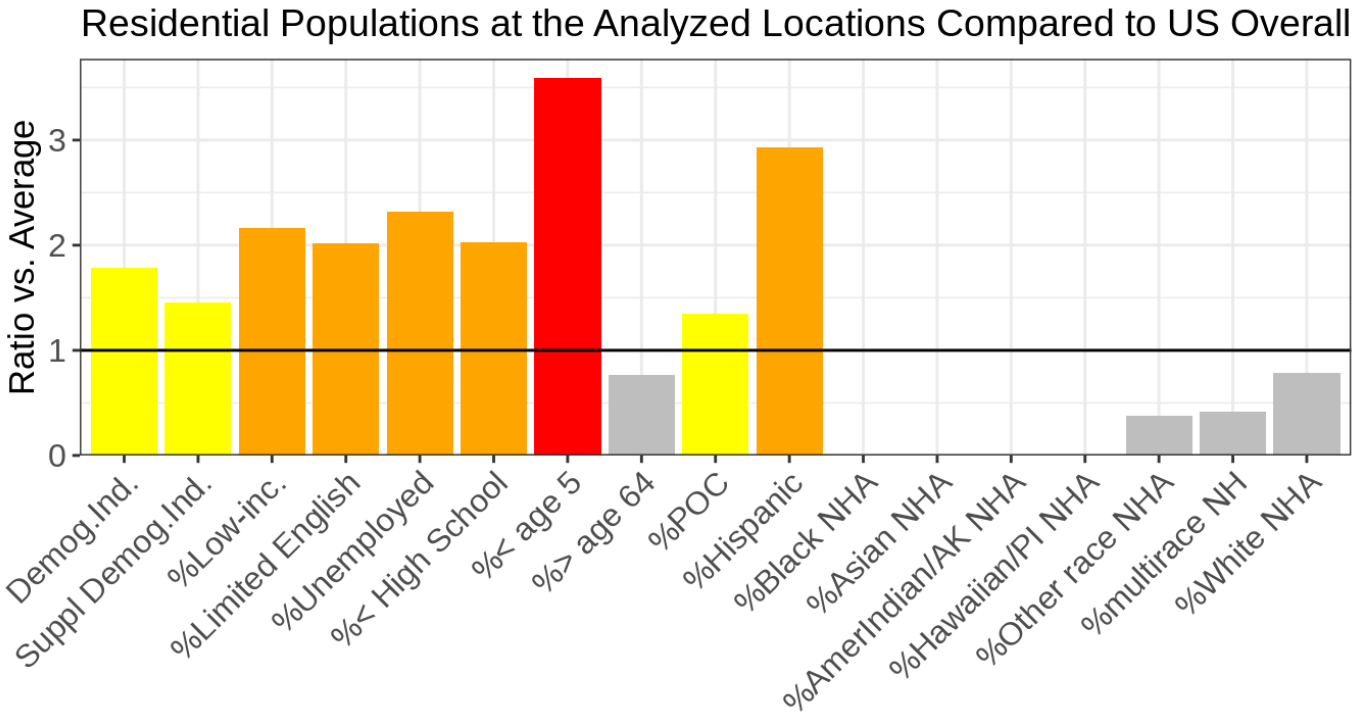
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ADDITIONAL INFORMATION	VALUE	RATIO TO US AVG	RATIO TO STATE AVG
FACILITY COUNTS			
Number of National Priority List Superfund sites	0	N/A	N/A
Number of Treatment Storage Disposal Facilities (TSDF)	0	N/A	N/A
Number of Air Pollution Facilities	0	N/A	N/A
Number of Toxic Release Facilities	0	N/A	N/A
Number of Water Discharge Facilities	1	N/A	N/A
Number of Brownfields	0	N/A	N/A
ANALYZED SITES			
Distance to Closest Site for Avg Person	3.1	N/A	N/A
Distance to Closest Site	0.5	N/A	N/A
Number of Sites Nearby (total unique)	1	N/A	N/A
Number of Sites Nearby (avg)	1.0	N/A	N/A
Number of Sites Nearby (max)	1	N/A	N/A
OTHER TOTALS			
Total Population	147	N/A	N/A
Count of Residents Who Are Not People of Color	68	N/A	N/A
Count of Population Age 25 up	87	N/A	N/A
Count of Households	46	N/A	N/A
Population 16 years and over	103	N/A	N/A
Civilian labor force	59	N/A	N/A
Count of Housing Units Built Pre 1960	9	N/A	N/A
Built housing units count (denominator for % pre 1960)	70	N/A	N/A
Count of Population for whom Poverty Status is Determined	147	N/A	N/A
Count of Households in Internet Subscription Universe	46	N/A	N/A

Note: Feature counts shown (such as the count of schools) are estimated totals -- They use the count of features in each blockgroup and adjust that based on what share of the blockgroup's residents are inside the analyzed area. They estimate the total in the area rather than using exact coordinates of each feature to count inside each mapped area. If present, rows showing what % of these residents have a feature or area type in their block group show what percent of the residents analyzed live in a block group that contains at least one of that type of feature or that overlaps that type of area, and the ratio columns compare that percent to the equivalent percent of all US residents or of all residents of the state(s) analyzed. Where an analysis covers sites in more than one state, the State average here means the average among all the residents at these sites, using the statewide value in each resident's state.

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Attachment 2: Limited English Proficiency Assessment

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Attachment 2:
Limited-English Proficiency (LEP) Assessment

Facility: Estancia Valley Regional Landfill (EVRLF)
Location: 34°59'19.87"N, 105°51'23.48"W (NW¼ of the SW¼ of Section 23 & SE 1/16 of the SE¼ of Section 22, Township 9 North, Range 10 East, Torrance County, New Mexico)
Buffer: 4 miles
Date: August 24, 2026

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

(*See* Attachment 1 "Archive EJScreen Community Report").
1. The percentage of limited English-speaking households in the affected community is 10%.
2. The percentage of limited English-speaking households in New Mexico is 6%.
3. Spanish is the only non-English language spoken by LEP persons in the affected community.
4. Historical participation: A hearing on the renewal and modification of the solid waste facility permit took place on June 10, 2010. At that time, public comment was invited but none was offered. One written comment had been received objecting to the burial of toxic chemicals, but was not contemplated because EVRLF does not accept these types of materials as special waste. No individuals were listed as interested parties. No additional interested parties were identified during hearing for the 2020 midterm review.

Factor 2: Frequency with which LEP Individuals Come in Contact with the Program

Frequency Assessment ("frequent" / "occasional" / "not frequent") – not frequent

This determination is based on the performance of 36 permit application hearings from September 2011 to the present. In two cases, the Bureau determined that language interpretation services might be required at the hearing to service LEP persons and provided such services. Interpretation services were used in one instance (Southwest Landfill, LLC), but the interpreter at the other hearing (Northwestern New Mexico Regional Landfill) was dismissed after one day as hearing attendees were not utilizing the service. Historically, interpretation services have been needed for one other facility (Camino Real Landfill).

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

All solid waste facilities are required by the Solid Waste Act to obtain a permit prior to construction and operation. Permit applications are reviewed by the Resource Recovery Bureau to assess compliance with regulatory and statutory requirements. Once the application is deemed "administratively complete," a mandatory hearing is held to gather testimony and comment from all interested persons and entities. The record created at the hearing is then forwarded to the Secretary of NMED for consideration and determination regarding permit issuance.

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The permitting activity is deemed by the Resource Recovery Bureau to be "important" to NMED, the impacted community, and the State of New Mexico. The permitting activity is important to NMED because the permit established site-specific requirements that must be met to ensure protection of public health, welfare, and the environment. The permitting activity is important to the impacted community because poorly-operated solid waste facilities have the potential to pose a public nuisance and adversely affect the quality of life of people living in the vicinity of the facility. The permitting activity is important to the State of New Mexico because establishment of effective permits ensures that solid waste facilities will not impact the State's limited groundwater resources and waste disposal is conducted in a consistent manner throughout the State.

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

In accordance with statutory requirements, public notice for permit hearings is conducted in both English and Spanish, and the services of a certified translator are used for creation of Spanish-language notices. This translation cost is included in the Bureau's annual budget requests. As the need for additional translation/interpretation services has typically been limited, the Bureau has been able to provide these additional services within budgetary constraints.

LEP Services Plan:

Notice of the permit application hearing has been provided in both English and Spanish, which is consistent with statutory requirements and past practice and is appropriate given the demographic characteristics of the area surrounding the proposed facility. Although the program's contact with LEP individuals has not been frequent, the proportion of LEP individuals within 4 miles of the facility is significant. The Bureau is not planning to provide further LEP services at this time, however, if the Bureau receives requests for additional LEP services from members of the community, the Bureau will reconsider providing additional LEP services.