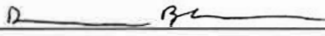




# NMED Public Participation Policy Policy 07-13

## Public Involvement Plan for Notice of a Remediation Plan

Yocums Texaco  
1823 E Tucumcari Boulevard  
Tucumcari, New Mexico

Approved:   
Dana Bahar  
Chief, Petroleum Storage Tank Bureau

Date: 9/6/2018

Petroleum Storage Tank Bureau  
August 17, 2018  
Updated January 31, 2019  
Updated: February 25, 2021



# 1. Public Involvement Plan (PIP) Overview

The New Mexico Environment Department (“NMED” or “Department”), Petroleum Storage Tank Bureau (“PSTB”) developed this Public Involvement Plan (“PIP”) for the Remediation Plan review for the Yocums Texaco site located at 1823 E Tukumcari Boulevard, Tukumcari, New Mexico.

The PSTB has developed this PIP to provide public participation opportunities and information to facilitate the public’s participation in the remediation planning process related to this site.

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

The remediation planning process may require public participation throughout different stages. The PSTB will meet the public participation requirements for the planning 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 is conducted 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 affect 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 remediation planning process.

As much as possible, public participation and informational activities related to the remediation planning 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 remediation planning process, public comments may be submitted to the PSTB prior to the PSTB’s determination that the Remediation Plan is acceptable. Upon a determination that the Remediation Plan is acceptable, the PSTB will implement the Remediation Plan.

The Yocums Texaco site is in Tukumcari, New Mexico, where the minority population is predominantly Hispanic and where the linguistically isolated population speaks Spanish. Therefore, the PSTB will provide information in both English and Spanish notices.

As deemed necessary based on knowledge of the surrounding community, arrangements may be made for translation services. At any time during the planning process, the Remediation Plan and relevant documents may be reviewed at either of the repositories listed.

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

<b>Activity</b>	<b>Dates</b>
Posting of PIP (PSTB website and office)	October 12, 2018
Public Comment Period for PIP	Ongoing
PIP Revision	As necessary
Posting of Revised PIP	Within 21 days of receipt of substantial comment
Public Notice of Planned Submission of Draft Remediation Plan	January 30, 2019
Submittal of Draft Remediation Plan	January 30, 2019
Posting of Draft Remediation Plan (PSTB website and office)	February 1, 2019
Second Public Notice of Submission of Draft Remediation Plan	February 6, 2019
Public Comment Period for Draft Remediation Plan	through February 27, 2019
Incorporation of Comments and Preparation of Final Remediation Plan	March 6, 2019
Remediation Implementation	March 27-30, 2019
Post-injection Monitoring	Ongoing

The Chief of the PSTB provides final approval of the PIP and amendments. This PIP is a “living” document that may be amended after considering public comments and feedback.

## 2. Contacts

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

Allison Urbon  
Project Manager  
NMED Petroleum Storage Tank Bureau  
121 Tijeras NE, Suite 1000  
Albuquerque, NM 87102  
Tel (505) 372-8334  
E-mail: [allison.urbon@state.nm.us](mailto:allison.urbon@state.nm.us)

### ***Non-English Language Speaker Assistance and Accommodations***

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

Persons requiring non-English Language Speaker Assistance, assistance for an interpreter or auxiliary aid (e.g., accommodations for persons who are disabled) to participate in the planning process should be directed to contact the PSTB, allowing at least 14 days prior to the end of the comment review period

Allison Urbon  
Project Manager  
NMED Petroleum Storage Tank Bureau  
121 Tijeras NE, Suite 1000  
Albuquerque, NM 87102  
Tel (505) 372-8334  
E-mail: [allison.urbon@state.nm.us](mailto:allison.urbon@state.nm.us)

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/>  
Petroleum Storage Tank Bureau - [https://www.env.nm.gov/petroleum\\_storage\\_tank/](https://www.env.nm.gov/petroleum_storage_tank/)

### 3. Regulatory Framework for Public Participation

There are existing federal and state laws governing the management of petroleum hydrocarbon releases. 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 household, municipal and industrial waste generated nationwide. 42 U.S.C. § 6901 *et. seq.*, 42 U.S.C. § 6921 *et. seq.*

In 1984, Congress added Subtitle I to the Solid Waste Disposal Act, which required the U.S. Environmental Protection Agency (“EPA”) to develop a comprehensive regulatory program for Underground Storage Tank (“UST”) systems storing petroleum or certain hazardous substances to protect the environment and human health from UST releases. 42 U.S.C. § 6991 *et. seq.* In 1988, the EPA promulgated the UST regulations (40 CFR Part 280) and the regulations for state program approval (40 CFR Part 281). State program approval (SPA) delegates the primary responsibility of implementing the federal UST program to individual states in lieu of the EPA. NMED PSTB currently has SPA from EPA.

New Mexico’s Petroleum Storage Tank regulations, 20.5 NMAC, are promulgated pursuant to the provisions of the Hazardous Waste Act, Sections 74-4-1 through 74-4-14 NMSA 1978; the Ground Water Protection Act, Sections 74-6B-1 through 74-6B-14 NMSA 1978; and the general provisions of the Environmental Improvement Act, Sections 74-1-1 through 74-1-17 NMSA 1978.

Owners and operators of petroleum storage tanks where a release has occurred which requires a final remediation plan shall develop a final remediation plan which includes public notice that meets the requirements of paragraph (10) of subsection D of 20.5.119.1923 NMAC, and paragraph B of 20.5.119.1928 NMAC.

The Department may provide for public participation in the review process as the Department deems appropriate or when there is significant public interest as provided for in subsection D of 20.5.119.1924 NMAC. In the event that an informal public meeting, public hearing or other form of public participation is conducted, the Department may postpone its decision on the final remediation plan until after a public hearing or meeting is held and a determination is made. Any public hearing or meeting that is held due to significant public interest shall be held within 60 days of determining that there is significant public interest.

#### ***Facility Background***

Yocums Texaco is a former Texaco fueling station located at 1832 East Tucumcari Boulevard, in Tucumcari, New Mexico. The site formerly had four gasoline USTs, which were removed in 1995 and at which time holes were discovered in the USTs. A used oil UST was also previously at the site and has also been removed. The site currently has two former dispenser islands and one building that is being used as a mechanic’s shop. No active remediation has been conducted at the site.

Soil at the site generally consists of sandy silt with interbedded silty clay. Groundwater was present at a depth of approximately 11-13 feet across the site in January 2018, though it was

deeper (as deep as 18 feet below ground surface) for several recent years. The groundwater flow direction is typically to the northeast at a gradient of approximately 0.005 feet/foot.

Contaminants of concern at the site consist of benzene, toluene, ethylbenzene, and xylenes (BTEX), methyl-tert-butyl-ether (MTBE), ethylene dichloride (EDC), and naphthalenes. Free product was present in three wells (MW-6, MW-7, and MW-8) as thick as 0.60 feet in 1995 but has not been observed in any wells since 2006. There are no analytical results for dissolved metals for this release site. Of the eight monitoring wells that are currently present at the site, only one well (MW-6) continues to exceed New Mexico groundwater standards. All other wells have been below groundwater standards for at least the past few years; however, residual contamination in the soil can be expected.

The planned remediation consists of injecting a hydrogen peroxide solution into the soil and groundwater to oxidize petroleum compounds and reduce them to non-hazardous by-products.

## 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 EJSCREEN tool developed by the U.S. Environmental Protection Agency (EPA) 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 consideration of a Remediation Plan for a petroleum storage tank site.

Using the results of the EJSCREEN ACS Summary Report (see Attachment 1), there are 2,273 households within a 4-mile radius from the facility (i.e., affected community); the minority percentage for the affected community is 56 percent, with the Hispanic population accounting for 51 percent and the Black, non-Hispanic Asian, and mix of two or more races accounting for 5 percent of the minority population. The percentage of persons that communicate in a language other than English (non-English) at home is 29 percent. The percent linguistically isolated households is 4 percent. The per capita income for the affected community is \$16,778, as compared to the national per capita income of \$28,930. These results indicate that for the affected community, the percentage of Spanish language communication (4 percent) is slightly lower than the state or national percentage.

To help incorporate the language and communication needs of this community when conducting public outreach and participation activities (see Attachment 2), the PSTB will provide the same information in Spanish and English in public comment notices and other announcements (brochures, signs, mailings, etc.) and strive to make public participation efforts as inclusive as possible within PSTB budget and time limitations.

For example, as much as possible, mass communication methods will be used in addition to public notices in appropriate newspapers or mailings, as many residents in the affected community may not have regular access to newspapers or daily postal service and may rely on publicly posted notices. Informational flyers shall be posted at the site (front window of the business located at 1823 E Tucumcari Boulevard) that also describe public information repositories.

It is important for the PSTB to consider the linguistic and communication needs of the affected community when providing notice of submission of Remediation Plans. Based on the EJSCREEN results, the PSTB will provide information in Spanish and English when providing such notices for the Yocums Texaco site.

## 5. Detailed Public Participation and Outreach Activities for Remediation Plan, Yocums Texaco

The PSTB evaluates all public comments, places the comments in the administrative files for the remedial action, and incorporates public input into the PSTB's comments on Remediation Plans as appropriate.

The PSTB's plans for facilitating public participation in the remediation planning action for the Yocums Texaco site are detailed below.

### **Public Notice Requirements per Applicable Laws**

The Petroleum Storage Tank Regulations, 20.5.119.1923.D (10) NMAC, as detailed below, address notices to be provided by the owner or operator (*for this state-lead site, the PSTB*) to the public regarding the submission of a Remediation Plan for public comment. This notice is provided prior to the submission of the Remediation Plan and informs the public that the PSTB will be reviewing the Plan. The PSTB will provide notice of the submission of a Remediation Plan in English and Spanish. Spanish-language notices will be translated from English into Spanish by a translator certified by the American Translators Association for English to Spanish translation.

The **bolded information in brackets** is responsive to the regulatory requirements *in italics* below.

*The owner/operator [for this state-lead site, the PSTB] is required to provide notice in the following manner:*

(a) *owners and operators [the PSTB] shall publish a legal notice of the submission or planned submission of the final remediation plan at least twice in a paper of general circulation [Classified Ads section of the Quay County Sun] in the county in which soil or water has been contaminated by the release; the first notice shall appear within one week of, but not later than, the day of submission of the final remediation plan to the department; the second publication of this notice shall occur no later than seven days after the date the remediation plan is submitted to the department, and owners and operators shall submit two certified affidavits of publication from the newspaper to the department within 21 days after the date the final remediation plan is submitted;*

(b) *the notice shall contain the information specified in this section including the following:*

(i) *a statement that a remediation plan has been submitted to the department proposing actions to remediate a release of petroleum products;*

(ii) *the name and physical address of the site at which the release occurred and the names and physical addresses of properties where any part of the remediation system will be located, using adequate identification of the properties, including street addresses if applicable [1823 E. Tucumcari Boulevard, Tucumcari];*

(iii) a statement that a copy of the remediation plan and all data and modeling related to the remediation plan, if applicable, can be viewed at the department's [PSTB's] main office [located at 2905 Rodeo Park Drive East, Building 1, Santa Fe, New Mexico 87505] and at the department's field office for the area in which the release occurred [District 1 Albuquerque office located at 121 Tijeras, NE, Suite 1000, Albuquerque, New Mexico 87102]; and

(iv) a statement that public comments on the plan must be delivered, within 21 days of the publication of the second notice, to the owner or operator's assigned project manager [Allison Urbon] at the petroleum storage tank bureau, New Mexico environment Department, or a district office [District 1 Albuquerque office located at 121 Tijeras, NE, Suite 1000, Albuquerque, New Mexico 87102] if approved by the Department, and to the secretary of the environment Department;

(c) within seven days of the date a remediation plan is submitted to the department, owners and operators [the PSTB] shall also mail by certified mail a copy of the legal notice [in English and Spanish] to adjacent property owners; and

(d) owners and operators [the PSTB] shall post a notice [in English and Spanish] of the submission of the remediation plan at the release site within seven days of the submission of the remediation plan; the notice shall contain the information specified in this subsection and shall be at least 8.5 inches by 11 inches in size and prominently displayed in a location where it is likely to be seen by members of the public for a continuous period until the remediation plan is approved and implemented; public comments must be received by the department within 21 days of the date of the second publication of the public notice;

### **Proposed Public Participation and Outreach Activities for Yocums Texaco Site**

The PSTB will perform the following public participation and outreach activities during the review phase of the planning process for the Yocums Texaco remediation:

1. **Information Repository:** A copy of the Remediation Plan and the PIP will be made available for public review at the PSTB's main office at **2905 Rodeo Park Drive East, Building 1, Santa Fe, New Mexico 87505** and at the NMED District 1 Albuquerque office located at **121 Tijeras Avenue NE, Suite 1000, Albuquerque, New Mexico 87102**. In addition, the Remediation Plan, the PIP, and all applicable data may be viewed at the following website: <https://cloud.env.nm.gov/waste?c=2553&k=61b2b975d4>
2. **Electronic Posting of Public Notice:** The PSTB will post the notice and the PIP on the PSTB's portion of NMED's website ([https://www.env.nm.gov/petroleum\\_storage\\_tank/reports-and-lists/](https://www.env.nm.gov/petroleum_storage_tank/reports-and-lists/)). Electronically-posted notices will be provided in English and Spanish.
3. **Language Assistance Services:** Non-English speakers or readers will be directed in notices to call the PSTB contact listed in this PIP and request language assistance services, such as an interpreter, so they can learn more about the planning process. Services may be

arranged by the PSTB for translation of documents, for interpreters, and for obtaining services for persons with disabilities. A phone-based interpretation service is available to the PSTB for speakers of languages other than English.

***Attachment 1: Preliminary Screening (EJSCREEN)***

## Public Outreach Preliminary Screen (EJSCREEN)

**Facility:** Yocums Texaco  
 1823 E Tucumcari Boulevard, Tucumcari, NM  
**Location:** 88401  
**Buffer:** 4 miles  
**Date:** July 5, 2018

Total population within 4-mile radius*:	6,008
Total population age 5+ years within 4-mile radius*:	5,619
Number of households within 4-mile radius*:	2,273
Per capita income within 4-mile radius*:	\$16,778
Per capita income, USA:	\$28,930
Percent minority population within 4-mile radius*(population reporting one race):	56%
Percent minority population by race within 4-mile radius*:	
Hispanic:	51%
Black:	3%
American Indian:	0%
Non-Hispanic Asian:	1%
Pacific Islander:	0%
Other race alone:	0%
Two or more races alone:	1%
<i>Sum:</i>	56%
Percent linguistically isolated households within 4-mile radius**:	4%
Percent linguistically isolated households by language within 4-mile radius:	
Spanish***:	4%
Other Indo-European languages:	0%
Other Asian-Pacific Island languages:	0%
Other languages:	0%
<i>Sum:</i>	4%
Population age 5+ yrs speaking English "less than very well" within 4-mile radius*:	6%

\*: From EJSCREEN ACS Summary Report  
 \*\*: 84 households /2,273 total households  
 \*\*\*: 84 households /2,273 total households  
 Detail may not sum to total due to rounding.

Location: User-specified point center at 35.171917, -103.703291  
 Ring (buffer): 4-mile radius  
 Description: Yocums Texaco

Summary of ACS Estimates		2011 - 2015		
Population				6,008
Population Density (per sq. mile)				130
Minority Population				3,380
% Minority				56%
Households				2,273
Housing Units				3,277
Housing Units Built Before 1950				690
Per Capita Income				16,778
Land Area (sq. miles) (Source: SF1)				46.38
% Land Area				99%
Water Area (sq. miles) (Source: SF1)				0.62
% Water Area				1%
		<b>2011 - 2015</b>	<b>Percent</b>	<b>MOE (±)</b>
		<b>ACS Estimates</b>		
<b>Population by Race</b>				
Total		6,008	100%	312
Population Reporting One Race		5,877	98%	602
White		5,305	88%	298
Black		192	3%	86
American Indian		21	0%	18
Asian		55	1%	76
Pacific Islander		0	0%	11
Some Other Race		304	5%	113
Population Reporting Two or More Races		131	2%	66
Total Hispanic Population		3,072	51%	288
Total Non-Hispanic Population		2,936		
White Alone		2,628	44%	228
Black Alone		192	3%	86
American Indian Alone		2	0%	11
Non-Hispanic Asian Alone		55	1%	76
Pacific Islander Alone		0	0%	11
Other Race Alone		0	0%	11
Two or More Races Alone		59	1%	53
<b>Population by Sex</b>				
Male		2,906	48%	207
Female		3,102	52%	205
<b>Population by Age</b>				
Age 0-4		389	6%	91
Age 0-17		1,355	23%	140
Age 18+		4,654	77%	187
Age 65+		1,298	22%	95

**Data Note:** Detail may not sum to totals due to rounding. Hispanic population can be of any race. N/A means not available.

**Source:** U.S. Census Bureau, American Community Survey (ACS) 2011 - 2015.



Location: User-specified point center at 35.171917, -103.703291  
 Ring (buffer): 4-mile radius  
 Description: Yocums Texaco

	2011 - 2015 ACS Estimates	Percent	MOE (±)
<b>Population 25+ by Educational Attainment</b>			
Total	4,085	100%	194
Less than 9th Grade	312	8%	87
9th - 12th Grade, No Diploma	442	11%	71
High School Graduate	1,526	37%	133
Some College, No Degree	1,183	29%	97
Associate Degree	218	5%	56
Bachelor's Degree or more	623	15%	92
<b>Population Age 5+ Years by Ability to Speak English</b>			
Total	5,619	100%	299
Speak only English	4,013	71%	232
Non-English at Home <sup>1+2+3+4</sup>	1,606	29%	167
<sup>1</sup> Speak English "very well"	1,276	23%	140
<sup>2</sup> Speak English "well"	266	5%	66
<sup>3</sup> Speak English "not well"	63	1%	41
<sup>4</sup> Speak English "not at all"	1	0%	11
<sup>3+4</sup> Speak English "less than well"	64	1%	41
<sup>2+3+4</sup> Speak English "less than very well"	330	6%	77
<b>Linguistically Isolated Households*</b>			
Total	84	100%	30
Speak Spanish	84	100%	28
Speak Other Indo-European Languages	0	0%	11
Speak Asian-Pacific Island Languages	0	0%	11
Speak Other Languages	0	0%	11
<b>Households by Household Income</b>			
Household Income Base	2,273	100%	102
< \$15,000	504	22%	77
\$15,000 - \$25,000	575	25%	86
\$25,000 - \$50,000	622	27%	88
\$50,000 - \$75,000	290	13%	44
\$75,000 +	282	12%	52
<b>Occupied Housing Units by Tenure</b>			
Total	2,273	100%	102
Owner Occupied	1,504	66%	92
Renter Occupied	769	34%	85
<b>Employed Population Age 16+ Years</b>			
Total	4,789	100%	237
In Labor Force	1,975	41%	194
Civilian Unemployed in Labor Force	133	3%	65
Not In Labor Force	2,814	59%	164

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of any race. N/A means not available. Source: U.S. Census Bureau, American Community Survey (ACS) 2011 - 2015.

\*Households in which no one 14 and over speaks English "very well" or speaks English only.



Location: User-specified point center at 35.171917, -103.703291  
 Ring (buffer): 4-mile radius  
 Description: Yocums Texaco

	2011 - 2015 ACS Estimates	Percent	MOE (±)
<b>Population by Language Spoken at Home*</b>			
Total (persons age 5 and above)	5,619	100%	299
English	N/A	N/A	N/A
Spanish	N/A	N/A	N/A
French	N/A	N/A	N/A
French Creole	N/A	N/A	N/A
Italian	N/A	N/A	N/A
Portuguese	N/A	N/A	N/A
German	N/A	N/A	N/A
Yiddish	N/A	N/A	N/A
Other West Germanic	N/A	N/A	N/A
Scandinavian	N/A	N/A	N/A
Greek	N/A	N/A	N/A
Russian	N/A	N/A	N/A
Polish	N/A	N/A	N/A
Serbo-Croatian	N/A	N/A	N/A
Other Slavic	N/A	N/A	N/A
Armenian	N/A	N/A	N/A
Persian	N/A	N/A	N/A
Gujarathi	N/A	N/A	N/A
Hindi	N/A	N/A	N/A
Urdu	N/A	N/A	N/A
Other Indic	N/A	N/A	N/A
Other Indo-European	N/A	N/A	N/A
Chinese	N/A	N/A	N/A
Japanese	N/A	N/A	N/A
Korean	N/A	N/A	N/A
Mon-Khmer, Cambodian	N/A	N/A	N/A
Hmong	N/A	N/A	N/A
Thai	N/A	N/A	N/A
Laotian	N/A	N/A	N/A
Vietnamese	N/A	N/A	N/A
Other Asian	N/A	N/A	N/A
Tagalog	N/A	N/A	N/A
Other Pacific Island	N/A	N/A	N/A
Navajo	N/A	N/A	N/A
Other Native American	N/A	N/A	N/A
Hungarian	N/A	N/A	N/A
Arabic	N/A	N/A	N/A
Hebrew	N/A	N/A	N/A
African	N/A	N/A	N/A
Other and non-specified	N/A	N/A	N/A
Total Non-English	N/A	N/A	N/A

**Data Note:** Detail may not sum to totals due to rounding. Hispanic population can be of any race. N/A means not available. **Source:** U.S. Census Bureau, American Community Survey (ACS) 2011 - 2015.

\*Population by Language Spoken at Home is available at the census tract summary level and up.

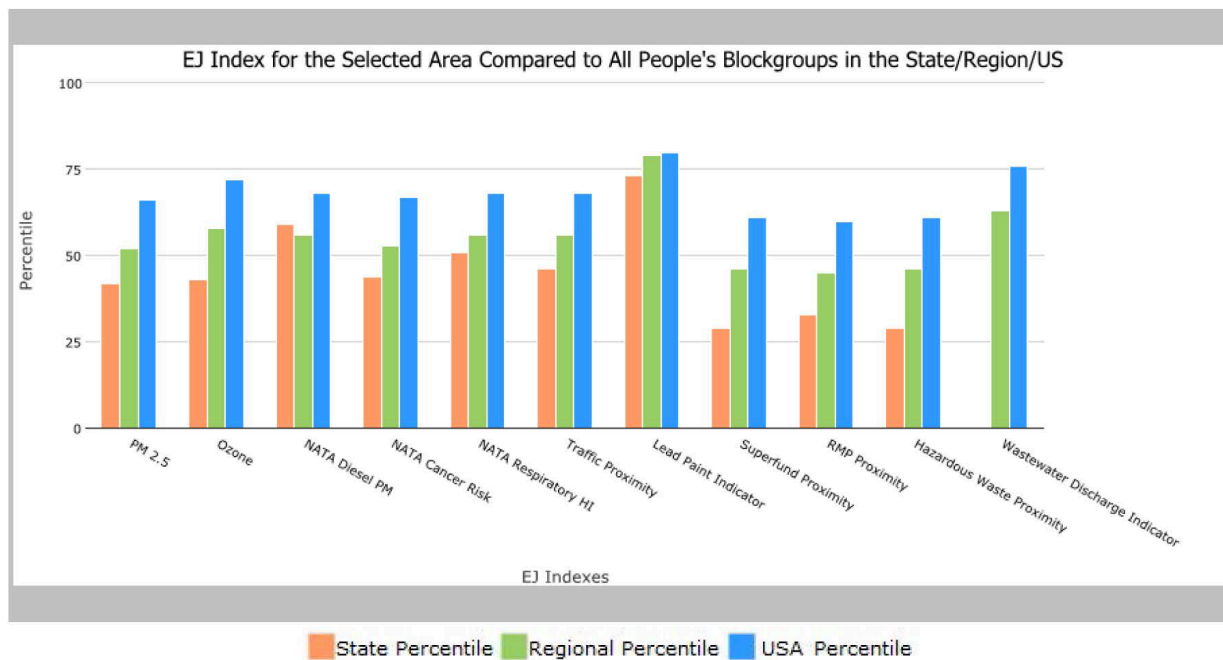
4 mile Ring Centered at 35.171917,-103.703291, NEW MEXICO, EPA Region 6

Approximate Population: 6,008

Input Area (sq. miles): 50.26

Yocums Texaco

Selected Variables	State Percentile	EPA Region Percentile	USA Percentile
<b>EJ Indexes</b>			
EJ Index for PM2.5	42	52	66
EJ Index for Ozone	43	58	72
EJ Index for NATA* Diesel PM	59	56	68
EJ Index for NATA* Air Toxics Cancer Risk	44	53	67
EJ Index for NATA* Respiratory Hazard Index	51	56	68
EJ Index for Traffic Proximity and Volume	46	56	68
EJ Index for Lead Paint Indicator	73	79	80
EJ Index for Superfund Proximity	29	46	61
EJ Index for RMP Proximity	33	45	60
EJ Index for Hazardous Waste Proximity	29	46	61
EJ Index for Wastewater Discharge Indicator	N/A	63	76



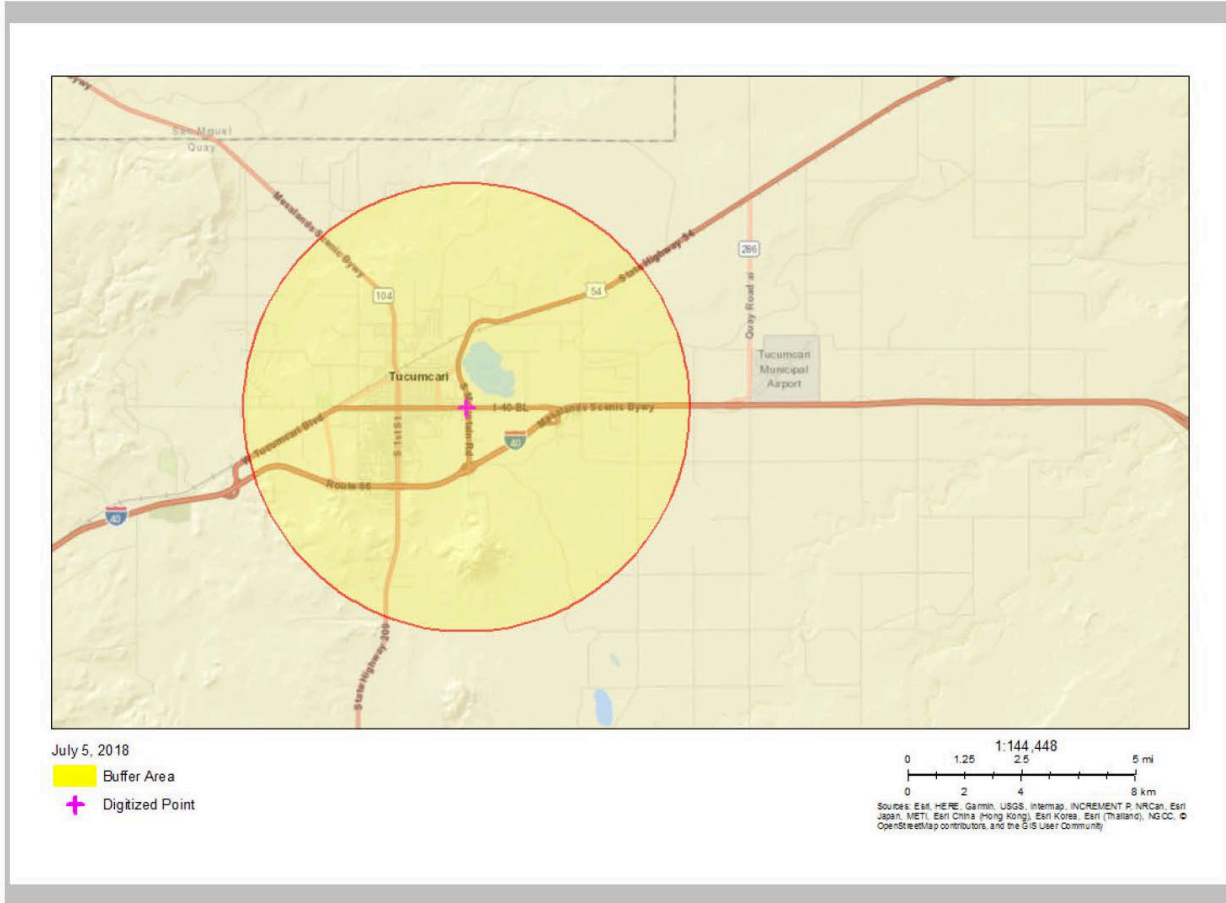
This report shows the values for environmental and demographic indicators and EJSCREEN indexes. It shows environmental and demographic raw data (e.g., the estimated concentration of ozone in the air), and also shows what percentile each raw data value represents. These percentiles provide perspective on how the selected block group or buffer area compares to the entire state, EPA region, or nation. For example, if a given location is at the 95th percentile nationwide, this means that only 5 percent of the US population has a higher block group value than the average person in the location being analyzed. The years for which the data are available, and the methods used, vary across these indicators. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJSCREEN documentation for discussion of these issues before using reports.

4 mile Ring Centered at 35.171917,-103.703291, NEW MEXICO, EPA Region 6

Approximate Population: 6,008

Input Area (sq. miles): 50.26

Yocums Texaco



Sites reporting to EPA	
Superfund NPL	0
Hazardous Waste Treatment, Storage, and Disposal Facilities (TSDF)	0



## EJSCREEN Report (Version 2017)



4 mile Ring Centered at 35.171917,-103.703291, NEW MEXICO, EPA Region 6

**Approximate Population: 6,008**

**Input Area (sq. miles): 50.26**

**Yocums Texaco**

Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
<b>Environmental Indicators</b>							
Particulate Matter (PM 2.5 in $\mu\text{g}/\text{m}^3$ )	5.51	6.35	18	9.15	1	9.14	1
Ozone (ppb)	45.3	47.4	12	40.2	92	38.4	93
NATA* Diesel PM ( $\mu\text{g}/\text{m}^3$ )	0.528	0.473	63	0.721	<50th	0.938	<50th
NATA* Cancer Risk (lifetime risk per million)	31	32	40	42	<50th	40	<50th
NATA* Respiratory Hazard Index	1.5	1.4	64	1.8	<50th	1.8	<50th
Traffic Proximity and Volume (daily traffic count/distance to road)	69	290	44	320	45	590	45
Lead Paint Indicator (% Pre-1960 Housing)	0.43	0.19	85	0.18	86	0.29	71
Superfund Proximity (site count/km distance)	0.0056	0.14	0	0.078	1	0.13	1
RMP Proximity (facility count/km distance)	0.023	0.24	18	0.8	1	0.73	0
Hazardous Waste Proximity (facility count/km distance)	0.0053	0.13	2	0.083	0	0.093	1
Wastewater Discharge Indicator (toxicity-weighted concentration/m distance)	0	2.1	N/A	0.37	36	30	40
<b>Demographic Indicators</b>							
Demographic Index	58%	52%	59	45%	68	36%	79
Minority Population	56%	61%	42	50%	58	38%	71
Low Income Population	59%	43%	74	39%	78	34%	84
Linguistically Isolated Population	4%	5%	52	6%	57	5%	66
Population With Less Than High School Education	18%	16%	62	17%	61	13%	73
Population Under 5 years of age	6%	7%	54	7%	47	6%	56
Population over 64 years of age	22%	15%	80	12%	88	14%	84

\* The National-Scale Air Toxics Assessment (NATA) is EPA's ongoing, comprehensive evaluation of air toxics in the United States. EPA developed the NATA to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that NATA provides broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. More information on the NATA analysis can be found at: <https://www.epa.gov/national-air-toxics-assessment>.

For additional information, see: [www.epa.gov/environmentaljustice](http://www.epa.gov/environmentaljustice)

EJSCREEN is a screening tool for pre-decisional use only. It can help identify areas that may warrant additional consideration, analysis, or outreach. It does not provide a basis for decision-making, but it may help identify potential areas of EJ concern. Users should keep in mind that screening tools are subject to substantial uncertainty in their demographic and environmental data, particularly when looking at small geographic areas. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJSCREEN documentation for discussion of these issues before using reports. This screening tool does not provide data on every environmental impact and demographic factor that may be relevant to a particular location. EJSCREEN outputs should be supplemented with additional information and local knowledge before taking any action to address potential EJ concerns.

***Attachment 2: Limited English Proficiency Assessment***

## Limited English Proficiency ("LEP") Assessment

**Facility:** Yocums Texaco  
**Location:** 1823 E Tucumcari Boulevard, Tucumcari, NM 88401  
**Buffer:** 4 miles  
**Date:** July 5, 2018

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

Percent linguistically isolated households within 4-mile radius*:	4%
Percent linguistically isolated households by language within 4-mile radius*:	
Spanish:	4%
Other languages:	0%
Sum:	4%
Percent linguistically isolated population, New Mexico**:	5%
Percent linguistically isolated population, USA**:	5%
Population age 5+ yrs speaking English "less than very well" within 4-mile radius*:	6%

\*: From "EJSCREEN ACS Report"

\*\*: From "EJSCREEN Report (version 2017)"

#### **Conclusions:**

- 1) Proportion of LEP persons within one mile is slightly less than statewide and national proportions
- 2) Spanish is the primary non-English language spoken by LEP persons.
- 3) Historical participation: Not applicable (new remediation plan notice).

### **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 lack of response to past notices of submission by the public.

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

All Remediation Plans for PSTB sites are required by the NM Petroleum Storage Tank regulations to be made available for review prior to their finalization and implementation. The Remediation Plans are reviewed by the PSTB to assess compliance with regulatory requirements and to evaluate their technical adequacy. The Remediation Plan is approved after the PSTB's review is complete, any inadequacies are addressed, and the public comments are evaluated and addressed as appropriate.

The Remediation Plan review is deemed by the PSTB to be "important" to NMED, the affected community, and the State of New Mexico. Remediation Plan review is important to the NMED because it establishes site-specific requirements that must be met to ensure protection of public health, welfare, and the environment. Remediation Plan review is important to the affected community because poorly implemented or poorly operated remediation activities have the potential to pose a public nuisance and adversely affect the quality of life of people living in the vicinity of the leaking petroleum storage tank site. Remediation Plan review is important to the State of New Mexico because implementation of effective remedial actions ensures that leaking petroleum tank sites will limit their effect on the State's limited groundwater resources.

**Factor 4: Resources Available to NMED and Associated Costs**

In accordance with regulatory requirements, the PSTB posts notices of submission in both English and Spanish and utilizes the services of a certified translator for creation of the 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 PSTB has been able to provide these additional services within budgetary constraints.

**LEP Services Plan**

The PSTB plans to provide notice of submission of Remediation Plans in both English and Spanish, which is consistent with statutory requirements and program practice and is appropriate as the majority of the LEP population speaks Spanish. As the PSTB's contact with LEP individuals has not been frequent and the proportion of LEP individuals within four miles of the facility is less than the statewide data, the PSTB is not planning to provide further LEP services at this time. However, the PSTB will reconsider this decision if members of the affected community contact the Bureau to request additional LEP services.