



## Public Involvement Plan

New Mexico Environment Department  
Air Quality Bureau, Planning Section

Project: 2024 Regional SO<sub>2</sub> Emissions and Milestone Report  
Planning Timeframe: December 2025-January 2026  
Project Planner: Shannon Lopez

Approval: DocuSigned by:  
*Cindy Hollenberg*  
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Cindy Hollenberg, Air Quality Bureau Chief

Date: 2/5/2026

## Purpose

The New Mexico Environment Department (“NMED” or “Department”) developed this Public Involvement Plan (“Plan”) to provide public comment opportunities for the 2024 Regional SO<sub>2</sub> Emissions and Milestone Report.

The Western Regional Air Partnership (WRAP) is assisting Section 309 states and one local air agency, namely, Utah, Wyoming, New Mexico, and Albuquerque-Bernalillo County with the implementation and management of the regional emission reduction program. As used in this document, “Section 309 states” means the states and county. The states submitted the first report in 2004 for calendar year 2003. The Air Quality Bureau (“Bureau”) has developed the 2024 Regional SO<sub>2</sub> Emissions and Milestone Report to increase transparency regarding the regional sulfur dioxide (SO<sub>2</sub>) emissions in Utah, Wyoming, New Mexico, and Albuquerque-Bernalillo County.

In developing this Plan, community participation needs were assessed to ensure appropriate promotion of public comment 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. This assessment identifies community comment needs and supports the provision of adequate public access to information about the 2024 Regional SO<sub>2</sub> Emissions and Milestone Report.

The preparation of the 2024 Regional SO<sub>2</sub> Emissions and Milestone Report requires public notice and opportunity to comment. The Bureau will ensure nondiscriminatory access to these public participation opportunities for the 2024 Regional SO<sub>2</sub> Emissions and Milestone Report regulatory action.

## Project Overview

The Bureau prepared the 2024 Regional SO<sub>2</sub> Emissions and Milestone Report as required by 40 CFR § 51.309 to evaluate New Mexico’s progress towards the reasonable progress goal for each Class I area located within the state and in each Class I area located outside the state which may be affected by emissions from within New Mexico.

On December 31, 2003 and June 29, 2011, the State of New Mexico submitted regional haze State Implementation Plans (SIPs) to meet the requirements of 40 CFR § 51.309 (the “Section 309 SIP”) and 51.309(g) (the “Section 309(g) SIP”). The Section 309 SIP addresses the first phase of regional haze requirements, with an emphasis on stationary source sulfur dioxide (SO<sub>2</sub>) emission reductions and a focus on improving visibility on the Colorado Plateau. The Section 309(g) SIP addresses the visibility requirements and improvements in New Mexico’s remaining eight Class I areas. The Regional SO<sub>2</sub> Emissions and Milestone Report does not impose any new regulatory requirements.

## Community Description

To address potential or existing environmental justice areas, Bureau staff completed an initial screening of the potentially affected communities, using the EJSCREEN tool developed by the U.S. Environmental Protection Agency and the US Census Bureau website as support. This tool helps identify communities with demographic factors which may benefit from a variety of approaches for notification and outreach communication. Because the SIPs are applicable statewide, the screening was conducted for the entire State of New Mexico. Statistics are derived from American Community Survey reports (2018 – 2023) via the U.S. Census Bureau Website.

**Table 1: Potentially affected communities and their estimated demographics.**

Potentially Affected Communities	Total number of households	Per capita income	Persons of Color population (%)	Limited English-Speaking Household* (%)	Predominant Language in Linguistically Isolated Households	LEP Individuals† (%)
USA	127,482,865	\$43,289	44.3%	4.2%	Spanish	8.4%
New Mexico	825,021	\$34,823	67.8%	5.2%	Spanish	8.7%

\* Limited English-Speaking Households are those “in which no member 14 years old and over (1) speaks only English at home or (2) speaks a language other than English at home and speaks English ‘Very well’”. US Census Bureau – American Community Survey – 2023 5-year estimate “Limited English-speaking households” [ [https://data.census.gov/table/ACSST5Y2023.S1602?q=s1602&g=010XX00US\\_040XX00US35](https://data.census.gov/table/ACSST5Y2023.S1602?q=s1602&g=010XX00US_040XX00US35) ]

† Limited English Proficient Individuals are those that speak a language other than English at home **and** who speak English “less than very well.” US Census Bureau - American Community Survey - 2023 5-year estimate “Population 5 years and over” [ <https://data.census.gov/table/ACSST5Y2023.S1601?q=new%20mexico&g=010XX00US&d=ACS%205-Year%20Estimates%20Subject%20Tables&moe=false> ]

The results of the American Community Survey Reports indicate that a significantly larger percentage of the population in New Mexico are persons of color (67.8%), compared with the percentage of persons of color in the United States (44.3%). Households in New Mexico are 5.2% Limited English Speaking, which is comparable to the U.S. average (4.2%). Spanish is the predominant language in these households. The per capita income is \$34,823 in New Mexico, which is lower than the average of U.S. per capita income (\$43,289).

Based on this analysis, the Bureau will translate public notices regarding the availability of the Regional SO<sub>2</sub> Emissions and Milestone Report and will publish the notices in both English and Spanish. The following are average costs associated with various portions of the proceedings:

Costs associated with translation: \$1000

The submittal of the Regional SO<sub>2</sub> Emissions and Milestone Report is very important to NMED and the State, as an EPA finding of failure to submit may eventually result in EPA sanctions or the imposition of a federal implementation plan.

**Details of Outreach Activities**

Based on the demographics outlined above, the history of public involvement for related projects, and projected impacts to potentially affected communities, no additional language support, beyond publishing notices in Spanish alongside the English version, is anticipated. Notices will include information on how to request additional materials in another language or how to request other communication assistance through NMED.

The following table offers information about the public comment period.

**Table 2.** Timeline of public involvement opportunities. Dates are approximate and public notices will contain final dates.

Date	Activity	Venue/Location	Time	Language Service
February 16, 2026	Notice of availability of draft Regional SO <sub>2</sub> Emissions and Milestone Report	NMED website; WESTAR website; Albuquerque Journal	Not later than 5:00 pm	English and Spanish
March 18, 2026	End of public comment period	n/a	5:00 pm	
April 1, 2026	Submit Regional SO <sub>2</sub> Emissions and Milestone Report to U.S. EPA	EPA Central Data Exchange	Not later than 5:00 pm	English

The following web sites provide access to the official notices electronically, per the publication outlets described above.

Albuquerque Journal  
<http://legals.abqjournal.com/legals>

Western States Air Resources Council (WESTAR)  
<https://westar.org/regional-haze/>

New Mexico Environment Department  
<https://www.env.nm.gov/public-notices>

**Contacts**

The following are the contacts for this action. These contacts will be included in public notices.

**Project and Public Involvement Plan contacts:**

Shannon Lopez  
 Emissions Inventory Specialist  
 Air Quality Bureau  
 525 Camino de los Marquez  
 Santa Fe, New Mexico 87505  
 (505) 629-6283  
[shannon.lopez@env.nm.gov](mailto:shannon.lopez@env.nm.gov)

**Non-English Language Speaker Assistance and Accommodations:** The Bureau will include information about how persons may request non-English speaker language assistance and accommodations for persons with disabilities. 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 review of documents or public meetings related to this project, please contact the Project Contact. 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.

### Document Repositories

The following is a list of locations where copies of relevant documents will be available to the community. Public notices will inform the public of these locations, as appropriate:

Western States Air Resources Council (WESTAR)

<https://westar.org/regional-haze/>



MICHELLE LUJAN GRISHAM  
GOVERNOR

JAMES C. KENNEY  
CABINET SECRETARY

**Limited English Proficiency (LEP) Services Evaluation**  
**Air Quality Bureau (aqb)**

**Project:** 2024 Regional SO<sub>2</sub> Emissions and Milestone Report

**Regulatory Significance:** Required by 40 CFR § 51.309 2019 Regional Haze Progress Report to evaluate the state’s progress towards the reasonable progress goal for each Class I area located within the state and in each Class I area located outside of the state which may be affected by emissions from within the state. On December 31, 2003 and June 29, 2011, the State of New Mexico submitted regional haze SIPs to meet the requirements of 40 CFR § 51.309 (the “Section 309 SIP”) and 51.309(g) (the “Section 309(g) SIP”). The Section 309 SIP addresses the first phase of regional haze requirements, with an emphasis on stationary source sulfur dioxide (SO<sub>2</sub>) emission reductions and a focus on improving visibility on the Colorado Plateau. The Section 309(g) SIP addresses the visibility requirements and improvements in New Mexico’s remaining eight Class I areas. The 2024 Progress Report does not impose any new regulatory requirements.

**Factor 1 – Number and Proportion of LEP Individuals in the Community**

Table 1 contains demographic indicators related to language obtained from the EJSCREEN ACS Summary Report prepared for the project’s Public Involvement Plan (PIP). The results show a population of 825,021 households within the state. Approximately 5.2% of households in the state are a limited English-speaking household. Spanish is the predominant language spoken in limited English-speaking households in the state. LEP individuals account for approximately 8.7% of the population in New Mexico. These results indicate that the percentage of linguistically isolated households and LEP individuals in the state are similar to national percentages.

**Table 3.** Estimated demographic indicators relating to language in the potentially affected communities.

Potentially Affected Communities	Total number of households	Per capita income	Persons of Color population (%)	Limited English-Speaking Household* (%)	Predominant Language in Linguistically Isolated Households	LEP Individualst (%)
USA	127,482,865	\$43,289	44.3%	4.2%	Spanish	8.4%
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**Factor 2 – Frequency of Program Interaction with LEP Individuals**

There is no record of contact with LEP individuals regarding this yearly SO<sub>2</sub> Milestone Report Emissions and Milestone Report even when materials were translated into Spanish and Spanish translation was offered as an option (by request). Nevertheless, all notices will be translated into Spanish, due to the size of the Spanish-speaking populations. Should a hearing be requested, Spanish interpretation will be available on request.

**Factor 3 – Nature and Importance of the Activity**

Very important. While the Western Regional Air Partnership assists with the preparation of this report, each Section 309 state reviews the information in the report and proposes a draft determination that the regional SO<sub>2</sub> milestone is either met or exceeded for that year. Each state submits the draft determination for public review and comment, in accordance with its SIP, during the first part of 2026, culminating in a final report sent to EPA by April 1, 2026.

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

The AQB has sufficient funds for the translation of material into Spanish and to provide translation services at meetings as requested. The following are the anticipated costs for various portions of the proceedings:

- Costs associated with translation: \$1000

The AQB has reviewed the above four factors and concludes that no additional LEP services beyond Spanish translations of legal notices are required. Because the action is not expected to garner significant interest, further LEP services are not anticipated, although announcements will include information on requesting translation services or other communication assistance through NMED.

The LEP Services Evaluation has been reviewed and approved by the AQB Bureau Chief.

DocuSigned by:  
*Cindy Hollenberg*  
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Cindy Hollenberg  
Bureau Chief  
Air Quality Bureau

2/5/2026  
Date approved