NMED Public Participation Policy
Policy 07-13

Public Involvement Plan for Notice of a Remediation Plan

CONOCO SVC STA
3837 US HIGHWAY 64
CHAMA, NEW MEXICO 87520

Approved: Lorena Goerger Digitally signed by Lorena Goerger Date: 2022.03.15 16:43:04 -06'00' Date: 03/15/2022

Lorena Goerger
Acting Bureau Chief, Petroleum Storage Tank Bureau

Petroleum Storage Tank Bureau
March 15, 2022

1. Public Involvement Plan (PIP) Overview

The New Mexico Environment Department ("NMED" or "Department"), Petroleum Storage Tank Bureau ("PSTB" or "Bureau") developed this Public Involvement Plan ("PIP") for the Remediation Plan review for the Conoco Svc Sta site located at 3837 US Highway 64, Chama, New Mexico 87520.

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 Remediation Plan. 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 Final Remediation Plan (FRP) is acceptable. Upon a determination that the FRP is acceptable, the PSTB will implement the FRP.

The Conoco Service Station site is in Chama, New Mexico in an area that has a relatively large community of Spanish speakers. Therefore, the PSTB will provide information in both English and Spanish.

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.

Activity	Dates
Posting of PIP (PSTB website and office)	March 16, 2022
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 Final Remediation Plan, including availability of language assistance services. Includes legal notice in local newspaper	TBD (up to 7 days before, but not later than, Draft Remediation Plan submission)
Submittal of Draft Final Remediation Plan	TBD
Posting of Draft Final Remediation Plan (PSTB website and office)	TBD
Second Public Notice of Submission of Draft Final Remediation Plan (legal notice in local newspaper and posting of a notice at the site), Public Comment Period Begins	TBD (Submittal date + up to 7 days)
Mailing public notice to adjacent property owners by certified mail	TBD (Submittal date + up to 7 days)
Post signs at the facility and public notice flyer off-site, mail a public notice flyer to site owner and property owners within 1/3 mile, and place a display ad in local newspaper	TBD (Within 30 days of receiving administrative completeness determination letter from Ground Water Quality Bureau)
Public Comment Period for Draft Final Remediation Plan ends	21 days following Second Public Notice of Submission of Draft Remediation Plan
Incorporation of Comments and Preparation of Final Remediation Plan	TBD

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

2. Contacts

Bureau contact for this PIP and the Remediation Plan is:

Corey Jarrett
Project Manager
NMED Petroleum Storage Tank Bureau
121 Tijeras NE, Suite 1000
Albuquerque, NM 87102
Tel (505) 372-8335
E-mail: corey.jarrett@state.nm.us

Non-English Language Speaker Assistance and Accommodations

The Bureau will include information about how 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 will be directed to the PSTB contact listed above, and if possible, allow at least 14 days prior to the end of the comment review period.

The New Mexico Relay Network numbers will also be provided in public notices for the hearing or speech impaired: 1-800-659-1779 (voice) and 1-800-659-8331 (TTY users).

Department Websites

New Mexico Environment Department - https://www.env.nm.gov/
Petroleum Storage Tank Bureau - 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 and discharges to groundwater. 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 ("SPA") (40 CFR Part 281). 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 (responsible parties) of petroleum storage tanks where a release has occurred which requires a final remediation plan shall develop a final remediation plan including a public notice satisfying the requirements of paragraph (10) of subsection D of 20.5.119.1923 NMAC and subsection B of 20.5.119.1928 NMAC. For state-lead sites, the NMED's contractor will develop and implement the Final Remediation Plan. For this site, the PSTB will carry out the public notice requirements for the Final Remediation Plan.

The Department may provide for public participation in the review process in addition to what is required by law as the Department deems appropriate or when there is significant public interest as provided for in subsection D of 20.5.119.1924 NMAC. If 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.

A groundwater discharge permit is required for the remediation of this site. (PSTB)(the NMED contractor) will carry out the public notice requirements for that permit in accordance with 20.6.2.3108 NMAC of the New Mexico Ground and Surface Water Protection Regulations promulgated pursuant to the Water Quality Act, NMSA 1978, Sections 74-6-1 through 74-6-17.

Facility Background

The Conoco Svc Sta site is a former gas station located at 3837 US Highway 64 in Chama, New Mexico 87520. All the USTs were removed from the site in 2006. The only remedial activity at the site to date is the excavation of 1,060 cubic yards of contaminated soil when the USTs were removed in 2006. The State of New Mexico has designated the site a state-lead site because the responsible party (the owner/operator of the site at the time of the release of petroleum products) was unable to take corrective action as required by the Petroleum Storage Tank Regulations.

Depth to water at the site ranges from four to seven feet below the ground surface. Groundwater flow has been consistently to the southwest at a gradient of 0.021 ft/ft.

Groundwater monitoring has been on-going since 2005. The last monitoring event at the site was performed in May 2021, when groundwater samples were collected from five of the six groundwater monitor wells at the site. A strong sheen was observed in the groundwater sampled from Monitoring Well 7 (MW-7). Exceedances of groundwater standards have occurred in MW-7 consistently. No petroleum hydrocarbons were detected in the samples from the other wells.

The planned remediation consists of the injection of a mixture of activated carbon to adsorb (trap) the petroleum constituents in the groundwater and nutrients and organisms to enhance the bioremediation (treatment to augment removal) of the petroleum constituents.

4. Affected Communities, Stakeholders, and Governments

To provide for adequate public participation opportunities and meaningful involvement of persons in the planning 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 1,051 households within a 10-mile radius of the site (i.e., affected community). Seventy-six percent of the affected community are people of color, with Hispanic people accounting for 70%. Non-Hispanic people of color make up 6% of the affected community, including 4% American Indian people, 1% Asian people, and 1% people reporting "other race alone". Fifty-six percent of people within the 10-mile radius communicate in a language other than English (non-English) at home. The percent of linguistically isolated households is 2%. These results indicate that for the affected community, the percentage of Spanish language communication (56 percent) is considerable (i.e., greater than the state or national percentage). Additionally, the EJ Screen report indicates that of the linguistically isolated households in the affected area, 100% speak Spanish.

It is important for the PSTB to consider the linguistic and communication needs of the affected community when providing notice of submission of Final Remediation Plans. Based on the EJSCREEN results and the Limited English Proficiency ("LEP") analysis (see Attachment 2), the PSTB will provide the same information in Spanish and English when conducting public outreach and participation activities, and when providing public notices and other announcements (brochures, signs, mailings, etc.) for the Conoco Svc Sta site. The PSTB will 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 will be posted at the site that describe public information repositories and groundwater discharge. A public notice flyer with information related to the groundwater discharge will also be posted off-site at a location conspicuous to the public and approved by the Ground Water Quality Bureau (GWQB). The public notice will be sent via electronic mail to contacts for the Jicarilla Apache Nation, the Tierra Amarilla Land Grant, and the Environmental Protection Agency Region 6. There are no colonias near the site.

5. Detailed Public Participation and Outreach Activities for Remediation Plan, Conoco Svc Sta

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 Conoco Svc Sta 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 PSTB to the public regarding the submission of a draft Final Remediation Plan for public comment. This notice is provided prior to or on the day of the submission of the draft Final Remediation Plan and informs the public that the PSTB will be reviewing the Plan. The owner or operator (for this state-lead site, the PSTB) will provide notice of the submission of a draft Final Remediation Plan in English and Spanish, to include availability of language assistance services. 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.

For this state lead site, the PSTB is required to provide notice in the following manner:

(a) 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 **[Legal Section of the Classified Ads of the Rio Grande 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 **[3837 US Highway 64, Chama, New Mexico, 87520]***;*

(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 2 office located at 145 Roy Road, Suite B, Taos, New Mexico 87571]***; 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 **[Corey Jarrett]** *at the petroleum storage tank bureau, New Mexico environment department, or a district office* **[District 1 office 121 Tijeras Avenue, 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;*

20.6.2.3108 NMAC of the New Mexico Ground and Surface Water Protection Regulations requires that:

Within 30 days of the date when the US Postal Service first makes notice to PSTB of its possession of this letter, PSTB must provide public notice as follows:

1. Post sign(s) at the facility.

PSTB must provide and post a sign 2 x 3 feet in size (or multiple signs if required) **at or near the facility for 30 days** in a conspicuous location approved by NMED. The text for the poster and the approved sign posting location will be included in the letter from the Ground Water Quality Bureau (GWQB) notifying PSTB that the ground water discharge permit application is administratively complete.

2. Post a public notice flyer off-site.

PSTB must post the public notice flyer **off-site** at a location conspicuous to the public and approved by GWQB. The public notice flyer in English and Spanish and the location GWQB approves for its posting will be included in the GWQB administrative completeness letter.

3. Mail a public notice flyer to property owners within 1/3 mile.

PSTB must send a copy of the public notice flyer by 1st class mail to the owners of record of all properties within 1/3 mile from the boundary of the property where the discharge site is located. If

there are no properties within 1/3 mile other than properties owned by the applicant, then the flyer must be mailed to the owners of record of the nearest adjacent properties. The names and addresses of property owners can be obtained from the county tax assessor's office. The list of property owners' names and addresses must be submitted to GWQB.

4. Mail a public notice flyer to the owner of the discharge site.

PSTB must send a copy of the public notice flyer via certified mail, return receipt requested, to the owner(s) of the discharge site(s). The list of owners' names and addresses and the certified mail receipts must be submitted to GWQB.

5. Place a display ad in the newspaper.

PSTB must publish a display ad 3 x 4 inches for one day in a newspaper of general circulation in the location of the proposed discharge. The ad may **not** be placed in the classified or legal section. The text for the ad and the newspaper GWQB approves for publishing the ad will be included in the GWQB administrative completeness letter.

PROOF OF NOTICE. Within 15 days of completing the above requirements, PSTB must submit the following items as proof of notice to GWQB:

✓ Affidavit regarding the sign posting and mailing (form will be enclosed in administrative completeness letter).

✓ List of names and addresses to whom the public notice flyer was mailed.

✓ List of names and addresses of owners of discharge sites.

✓ Certified mail receipts for mailing to discharge site owner(s), if required.

✓ Copy of newspaper ad.

Proposed Public Participation and Outreach Activities for Former Y Station Site

The PSTB will also perform the following public participation and outreach activities during the review phase of the planning process for the Conoco Svc Sta 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, Suite 100, 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=2617&k=7b33b2b61b.

2. **Electronic Posting of Public Notice:** The PSTB will request that NMED post the public notice and the PIP on the public notices page of NMED's website (https://www.env.nm.gov/public-notices/). 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:	Conoco Svc Sta
	3837 US Highway 64, Chama NM
Location:	87520
Buffer:	10-miles
Date:	June 17, 2021

Total population within 10-mile radius*:		2,595
Total population age 5+ years within 10-mile radius*:		2,519
Number of households within 10-mile radius*:		1,051
Per capita income within 10-mile radius*:		No data
Per capita income, USA:		$32,621
Percent people of color population within 10-mile radius*:		76%
Percent people of color population by race within 10-mile radius*:		
	Hispanic:	70%
	Black Alone:	0%
	American Indian Alone:	4%
	Non-Hispanic Asian Alone:	1%
	Pacific Islander Alone:	0%
	Other Race Alone:	1%
	Two or More Races Alone:	0%
	Sum:	*76%*
Percent linguistically isolated households within 10-mile radius**:		2%
Percent linguistically isolated households by language within 10-mile radius:		
	Spanish:	100%
	Other Indo-European languages:	0%
	Other Asian-Pacific Island languages:	0%
	Other languages:	0%
	Sum:	*100%*
Population age 5+ yrs. speaking English "less than very well" within 10-mile radius*:		2%

*: From EJSCREEN ACS Summary Report
**: 17 linguistically isolated households /1,051 total households X 100 = % linguistically isolated households.

EJSCREEN ACS Summary Report

Location: User-specified point center at 36.880985, -106.584809
Ring (buffer): 10-miles radius
Description: Conoco Svc Sta

Summary of ACS Estimates	2014 - 2018
Population	2,595
Population Density (per sq. mile)	4
People of Color Population	1,970
% People of Color Population	76%
Households	1,051
Housing Units	2,362
Housing Units Built Before 1950	210
Per Capita Income	0
Land Area (sq. miles) (Source: SF1)	644.72
% Land Area	99%
Water Area (sq. miles) (Source: SF1)	6.64
% Water Area	1%

	2014 - 2018 ACS Estimates	Percent	MOE (±)
Population by Race			
Total	2,595	100%	618
Population Reporting One Race	2,578	99%	1,237
White	1,302	50%	464
Black	30	1%	62
American Indian	164	6%	163
Asian	37	1%	67
Pacific Islander	0	0%	12
Some Other Race	1,045	40%	469
Population Reporting Two or More Races	17	1%	25
Total Hispanic Population	1,815	70%	605
Total Non-Hispanic Population	780		
White Alone	625	24%	199
Black Alone	2	0%	5
American Indian Alone	101	4%	110
Non-Hispanic Asian Alone	37	1%	67
Pacific Islander Alone	0	0%	12
Other Race Alone	13	1%	24
Two or More Races Alone	2	0%	7
Population by Sex			
Male	1,451	56%	361
Female	1,144	44%	393
Population by Age			
Age 0-4	77	3%	132
Age 0-17	381	15%	199
Age 18+	2,215	85%	417
Age 65+	667	26%	192

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) 2014 - 2018 .

EJSCREEN ACS Summary Report

Location: User-specified point center at 36.880985, -106.584809
Ring (buffer): 10-miles radius
Description: Conoco Svc Sta

	2014 - 2018 ACS Estimates	Percent	MOE (±)
Population 25+ by Educational Attainment			
Total	1,999	100%	477
Less than 9th Grade	33	2%	38
9th - 12th Grade, No Diploma	123	6%	79
High School Graduate	816	41%	220
Some College, No Degree	628	31%	263
Associate Degree	97	5%	74
Bachelor's Degree or more	398	20%	161
Population Age 5+ Years by Ability to Speak English			
Total	2,519	100%	602
Speak only English	1,116	44%	345
Non-English at Home[1+2+3+4]	1,403	56%	451
[1]Speak English "very well"	1,356	54%	451
[2]Speak English "well"	28	1%	29
[3]Speak English "not well"	13	1%	27
[4]Speak English "not at all"	6	0%	18
[3+4]Speak English "less than well"	19	1%	30
[2+3+4]Speak English "less than very well"	47	2%	40
Linguistically Isolated Households*			
Total	17	100%	26
Speak Spanish	17	100%	23
Speak Other Indo-European Languages	0	0%	12
Speak Asian-Pacific Island Languages	0	0%	12
Speak Other Languages	0	0%	12
Households by Household Income			
Household Income Base	1,051	100%	206
< $15,000	0	0%	0
$15,000 - $25,000	0	0%	0
$25,000 - $50,000	0	0%	0
$50,000 - $75,000	0	0%	0
$75,000 +	0	0%	0
Occupied Housing Units by Tenure			
Total	1,051	100%	206
Owner Occupied	901	86%	210
Renter Occupied	151	14%	85
Employed Population Age 16+ Years			
Total	0	0%	0
In Labor Force	0	0%	0
Civilian Unemployed in Labor Force	0	0%	0
Not In Labor Force	0	0%	0

Data Note: Datail 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)
*Households in which no one 14 and over speaks English "very well" or speaks English only.

EJSCREEN ACS Summary Report

Location: User-specified point center at 36.880985, -106.584809
Ring (buffer): 10-miles radius
Description: Conoco Svc Sta

	2014 - 2018 ACS Estimates	Percent	MOE (±)
Population by Language Spoken at Home*			
Total (persons age 5 and above)	2,519	100%	602
English	1,116	44%	355
Spanish	1,300	52%	470
French	0	0%	12
French Creole	N/A	N/A	N/A
Italian	N/A	N/A	N/A
Portuguese	N/A	N/A	N/A
German	13	1%	23
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	0	0%	12
Chinese	0	0%	12
Japanese	N/A	N/A	N/A
Korean	0	0%	12
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	6	0%	16
Other Asian	0	0%	12
Tagalog	37	1%	67
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	0	0%	12
Hebrew	N/A	N/A	N/A
African	N/A	N/A	N/A
Other and non-specified	46	2%	84
Total Non-English	1,403	56%	699

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) 2014 - 2018.
*Population by Language Spoken at Home is available at the census tract summary level and up.

EJSCREEN Report (Version 2020)

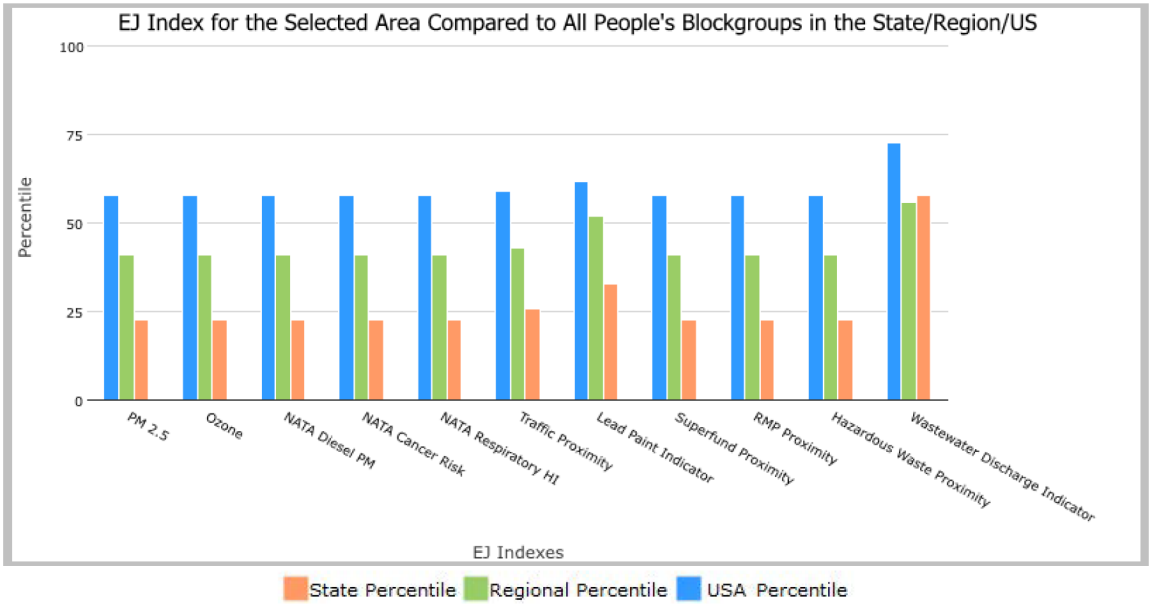
10 miles Ring Centered at 36.880985,-106.584809, NEW MEXICO, EPA Region 6

Approximate Population: 1,448

Input Area (sq. miles): 314.03

Conoco Svc Sta

Selected Variables	State Percentile	EPA Region Percentile	USA Percentile
EJ Indexes			
EJ Index for PM2.5	23	41	58
EJ Index for Ozone	23	41	58
EJ Index for NATA* Diesel PM	23	41	58
EJ Index for NATA* Air Toxics Cancer Risk	23	41	58
EJ Index for NATA* Respiratory Hazard Index	23	41	58
EJ Index for Traffic Proximity and Volume	26	43	59
EJ Index for Lead Paint Indicator	33	52	62
EJ Index for Superfund Proximity	23	41	58
EJ Index for RMP Proximity	23	41	58
EJ Index for Hazardous Waste Proximity	23	41	58
EJ Index for Wastewater Discharge Indicator	58	56	73



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.

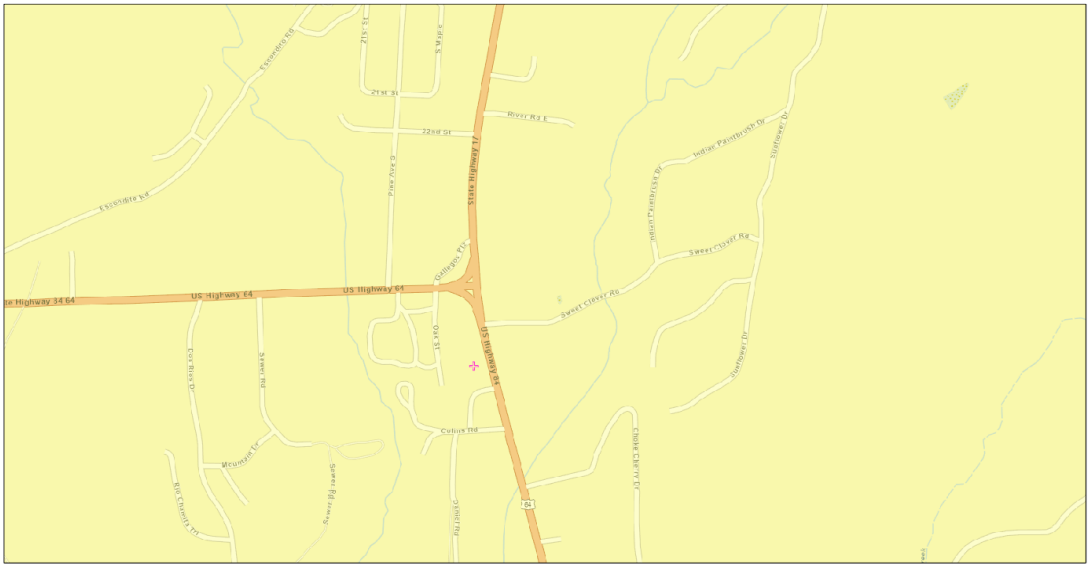
EJSCREEN Report (Version 2020)

10 miles Ring Centered at 36.880985,-106.584809, NEW MEXICO, EPA Region 6

Approximate Population: 1,448

Input Area (sq. miles): 314.03

Conoco Svc Sta



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

EJSCREEN Report (Version 2020)

10 miles Ring Centered at 36.880985,-106.584809, NEW MEXICO, EPA Region 6

Approximate Population: 1,448

Input Area (sq. miles): 314.03

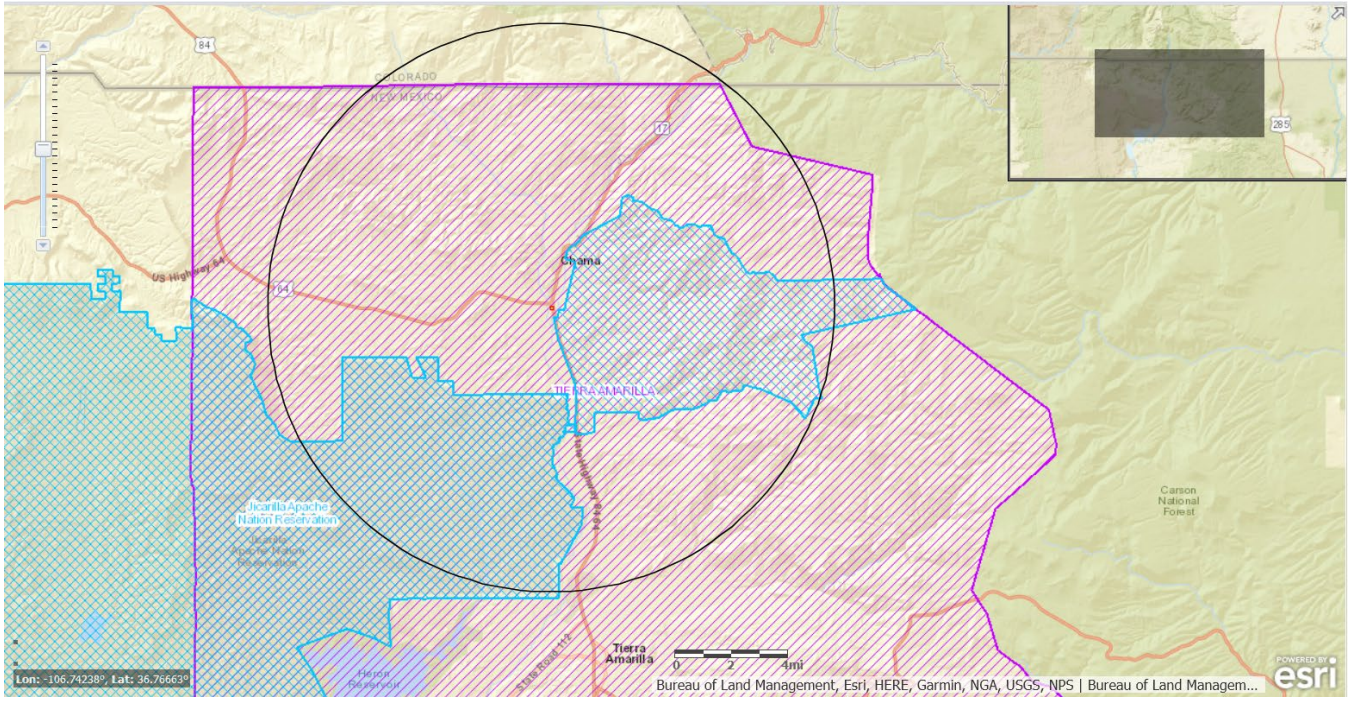
Conoco Svc Sta

Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
Environmental Indicators							
Particulate Matter (PM 2.5 in µg/m^3)	4.82	6.17	2	8.95	0	8.55	0
Ozone (ppb)	52	52.2	34	41.8	96	42.9	90
NATA* Diesel PM (µg/m^3)	0.0216	0.281	1	0.401	<50th	0.478	<50th
NATA* Cancer Risk (lifetime risk per million)	13	25	0	36	<50th	32	<50th
NATA* Respiratory Hazard Index	0.15	0.32	1	0.45	<50th	0.44	<50th
Traffic Proximity and Volume (daily traffic count/distance to road)	0.021	360	4	400	4	750	4
Lead Paint Indicator (% Pre-1960 Housing)	0.14	0.18	59	0.17	65	0.28	45
Superfund Proximity (site count/km distance)	0.016	0.13	18	0.081	19	0.13	13
RMP Proximity (facility count/km distance)	0.012	0.24	3	0.82	0	0.74	0
Hazardous Waste Proximity (facility count/km distance)	0.011	0.78	1	0.99	0	5	0
Wastewater Discharge Indicator (toxicity-weighted concentration/m distance)	1.3E-06	150	52	9.5	27	9.4	39
Demographic Indicators							
Demographic Index	0%	52%	null	44%	0	36%	0
People of Color Population	84%	62%	78	52%	79	39%	86
Low Income Population	0%	42%	2	37%	0	33%	0
Linguistically Isolated Population	1%	5%	31	6%	39	4%	48
Population With Less Than High School Education	9%	15%	39	16%	38	13%	49
Population Under 5 years of age	6%	6%	55	7%	47	6%	56
Population over 64 years of age	18%	16%	66	13%	78	15%	71

* 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

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.


84
COLORADO
NEW MEXICO
17
285
US Highway 84
64
Chama
TIERRA AMARILLA
Jicarilla Apache
Nation Reservation
Carson
National
Forest
Tierra
Amarilla
0 2 4mi
Heron
Reservoir
Lon: -106.74238°, Lat: 36.76663°
Bureau of Land Management, Esri, HERE, Garmin, NGA, USGS, NPS | Bureau of Land Managem...
POWERED BY
esri

Attachment 2: Limited English Proficiency Assessment

Limited English Proficiency ("LEP") Assessment

Facility: Conoco Svc Sta
Location: 3837 US Highway 64, Chama NM 87520
Buffer: 10 miles
Date: June 17, 2021

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 10-mile radius*:	2%
Percent linguistically isolated households by language within 10-mile radius*:	
Spanish:	100%
Other languages:	0%
Sum:	100%
Percent linguistically isolated population, New Mexico**:	5%
Percent linguistically isolated population, USA**:	4%
Population age 5+ yrs speaking English "less than very well" within 10-mile radius*:	2%

*: From "EJSCREEN ACS Report"
**: From "EJSCREEN Report (version 2020)"

Conclusions:
1) Proportion of LEP persons (i.e., speaking English "less than very well") within ten miles 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 Final Remediation Plan notice).

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

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

Past public participation has been infrequent in response to notices of submission of remediation plans.

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

All Final Remediation Plans (FRPs) 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 FRPs are reviewed by the PSTB to assess compliance with regulatory requirements and to evaluate their technical adequacy. FRPs are approved after the PSTB's review is complete, any inadequacies are addressed, and the public comments are evaluated and addressed as appropriate.

FRP review is deemed by the PSTB to be "important" to NMED, the affected community, and the State of New Mexico. FRP review is important to NMED because it establishes site-specific requirements that must be met to ensure protection of public health, welfare, and the environment. FRP 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. FRP review is important to the State of New Mexico because implementation of effective remedial actions ensures that leaking petroleum tank sites will have a limited effect on the State's vital 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 is able to provide these additional services within budgetary constraints.

LEP Services Plan

The PSTB plans to provide Notices of Submission of Remediation Plan in both English and Spanish, which is consistent with statutory requirements and program practice and is appropriate based on the LEP analysis, as the majority of the LEP population speaks Spanish. The PSTB will provide further LEP services as requested.