NMED Public Participation Policy
Policy 07-13

Public Involvement Plan for Notice of a Remediation Plan

Atex 213
3501 Isleta Boulevard SW
Albuquerque, New Mexico

Approved: Lorena Goerger Digitally signed by Lorena Goerger Date: 2022.03.15 16:45:27 -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 Atex 213 site located at 3501 Isleta Boulevard SW, Albuquerque, 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 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 Atex 213 site is in Albuquerque, 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
Geoscientist
NMED Petroleum Storage Tank Bureau
121 Tijeras Ave, 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 Atex 213 site is located at 3501 Isleta Boulevard SW, Albuquerque, New Mexico. Multiple petroleum releases were identified at the site between 1981 and 1990. Four underground storage tanks (USTs) were present when the site was an operating fueling station. The buildings were razed in 2005 to allow for contaminated soils at the site to be removed. The surrounding area is a mix of commercial and residential use. Two drainage ditches are located within 500 ft of the site: the Parajito Drain and the Atrisco Drain, which are part of the Middle Rio Grande Conservancy District's drainage system.

The geology at the site is dominated by sediments of the Rio Grande floodplain. Beneath fills from construction, the lithology is primarily fluvial silt, sands and clays. Twenty-three wells have been installed on and around the Atex 213 site since investigation began, and nine wells are still present at the site that have not been plugged and abandoned. Depth to groundwater at the site averages between 8 and 12 feet below ground surface. The potentiometric groundwater surface dips shallowly to the southeast towards the Rio Grande at 0.0015 ft/ft. As of the most recent monitoring event in July of 2021, the extent of the dissolved groundwater plume is confined to the Atex 213 site.

The current dissolved contaminant of concern at the site are Benzene and Naphthalenes. Benzene was detected above the New Mexico Water Quality Control Commission (NMWQCC) standard of 5 ug/L in two wells: NMW-1 and RNW-2. Naphthalene was detected above the NMWQCC standard of 30 ug/L in MW-1R. Historically, Benzene, Xylenes, MTBE and Naphthalene have been contaminants of concern at the site.

Remediation activities at the site in the past have included a pump and treat system with air stripper that operated from 1988 to 1989 and the demolition of onsite structures and excavation of contaminated soils in 2005. 3,680 cubic yards of contaminated soils were removed and disposed of at a licensed facility, and the excavation back filled with clean soil.

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 2,292 households within a 1-mile radius of the site (i.e., affected community). Eighty-nine percent of the affected community are people of color, with Hispanic people accounting for 82%. Non-Hispanic people of color make up 8% of the affected community, including 1% Black people, 5% American Indian people, 1% Asian people, and 1% people reporting two or more races. Fifty three percent of people within the 1-mile radius communicate in a language other than English (non-English) at home. The percent of linguistically isolated households is 9%. The per capita income for the affected community is $21,153 as compared to the national per capita income of $32,621. These results indicate that for the affected community, the percentage of Spanish language communication (54percent) 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 Atex 213 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). Since the site is within the borders of the Town of Atrisco land grant a, public notice will also be sent to the contact person for the Town of Atrisco land grant.

Since the site is adjacent to two Middle Rio Grande Conservancy District (MRGCD) drainage ditches, a public notice will be sent to a contact person for the MRGCD. Maps have been checked, and the site is not within or near any tribes or colonias.

5. Detailed Public Participation and Outreach Activities for Remediation Plan, Atex 213

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 Atex 213 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 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. For this state-lead site, the PSTB or its contractor 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 Albuquerque Journal]** *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 **[3501 Isleta Boulevard SW]***;*

(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 Ave NE, Albuquerque, NM 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 **[Corey Jarrett]** *at the petroleum storage tank bureau, New Mexico environment department, or a district office* **[District 1 Albuquerque office located at 121 Tijeras Ave NE, Albuquerque, NM 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, the PSTB shall also mail by certified mail a copy of the legal notice **[in English and Spanish]** *to adjacent property owners; and*

(d) 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 Atex 213

The PSTB will also perform the following public participation and outreach activities during the review phase of the planning process for the Atex 213 site 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 **District 1 Albuquerque office located at 121 Tijeras Ave NE, Albuquerque, NM 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=2447&k=e3c9b2ab2f.

2. **Electronic Posting of Public Notice:** The PSTB will 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:	Atex 213
	3501 Isleta Boulevard SW, Albuquerque, NM
Location:	87105
Buffer:	1-mile
Date:	December 1, 2021

Total population within 1-mile radius*:		6,881
Total population age 5+ years within 1-mile radius*:		6,507
Number of households within 1-mile radius*:		2,292
Per capita income within 1-mile radius*:		$21,153
Per capita income, USA:		$32,621
Percent people of color population within 1-mile radius*:		89%
Percent people of color population by race within 1-mile radius*:		
	Hispanic:	82%
	Black Alone:	1%
	American Indian Alone:	5%
	Non-Hispanic Asian Alone:	1%
	Pacific Islander Alone:	0%
	Other Race Alone:	0%
	Two or More Races Alone:	1%
	Sum:	*90%*
Percent linguistically isolated households within 1-mile radius**:		9%
Percent linguistically isolated households by language within 1-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 1-mile radius*:		17%

*: From EJSCREEN ACS Summary Report. Detail may not sum to total due to rounding.
**: 204 linguistically isolated households /2,292 total households X 100 = % linguistically isolated households. Detail may not sum to total due to rounding.

EJSCREEN ACS Summary Report

Location: User-specified polygonal location
Ring (buffer): 1-miles radius
Description: Atex 213

Summary of ACS Estimates	2014 - 2018
Population	6,881
Population Density (per sq. mile)	2,317
People of Color Population	6,101
% People of Color Population	89%
Households	2,292
Housing Units	2,493
Housing Units Built Before 1950	426
Per Capita Income	21,153
Land Area (sq. miles) (Source: SF1)	2.97
% Land Area	94%
Water Area (sq. miles) (Source: SF1)	0.18
% Water Area	6%

	2014 - 2018 ACS Estimates	Percent	MOE (±)
Population by Race			
Total	6,881	100%	542
Population Reporting One Race	6,719	98%	1,658
White	4,755	69%	570
Black	109	2%	107
American Indian	472	7%	347
Asian	40	1%	123
Pacific Islander	0	0%	51
Some Other Race	1,342	19%	460
Population Reporting Two or More Races	163	2%	87
Total Hispanic Population	5,646	82%	554
Total Non-Hispanic Population	1,236		
White Alone	780	11%	226
Black Alone	60	1%	62
American Indian Alone	322	5%	347
Non-Hispanic Asian Alone	36	1%	123
Pacific Islander Alone	0	0%	51
Other Race Alone	0	0%	12
Two or More Races Alone	36	1%	58
Population by Sex			
Male	3,265	47%	321
Female	3,617	53%	333
Population by Age			
Age 0-4	375	5%	117
Age 0-17	1,539	22%	189
Age 18+	5,343	78%	322
Age 65+	1,045	15%	128

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 .

December 01, 2021

EJSCREEN ACS Summary Report

Location: User-specified polygonal location
Ring (buffer): 1-miles radius
Description: Atex 213

	2014 - 2018 ACS Estimates	Percent	MOE (±)
Population 25+ by Educational Attainment			
Total	4,530	100%	330
Less than 9th Grade	503	11%	135
9th - 12th Grade, No Diploma	617	14%	124
High School Graduate	1,662	37%	190
Some College, No Degree	1,210	27%	165
Associate Degree	325	7%	117
Bachelor's Degree or more	538	12%	114
Population Age 5+ Years by Ability to Speak English			
Total	6,507	100%	542
Speak only English	3,057	47%	402
Non-English at Home[1+2+3+4]	3,450	53%	388
[1]Speak English "very well"	2,319	36%	325
[2]Speak English "well"	542	8%	147
[3]Speak English "not well"	418	6%	167
[4]Speak English "not at all"	171	3%	113
[3+4]Speak English "less than well"	589	9%	175
[2+3+4]Speak English "less than very well"	1,132	17%	228
Linguistically Isolated Households*			
Total	204	100%	71
Speak Spanish	204	100%	70
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	2,292	100%	131
< $15,000	419	18%	107
$15,000 - $25,000	328	14%	94
$25,000 - $50,000	584	25%	115
$50,000 - $75,000	438	19%	90
$75,000 +	523	23%	116
Occupied Housing Units by Tenure			
Total	2,292	100%	131
Owner Occupied	1,746	76%	129
Renter Occupied	546	24%	123
Employed Population Age 16+ Years			
Total	5,545	100%	409
In Labor Force	3,401	61%	380
Civilian Unemployed in Labor Force	215	4%	79
Not In Labor Force	2,144	39%	201

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 polygonal location
Ring (buffer): 1-miles radius
Description: Atex 213

	2014 - 2018 ACS Estimates	Percent	MOE (±)
Population by Language Spoken at Home*			
Total (persons age 5 and above)	8,088	100%	587
English	3,653	45%	473
Spanish	4,330	54%	497
French	2	0%	17
French Creole	N/A	N/A	N/A
Italian	N/A	N/A	N/A
Portuguese	N/A	N/A	N/A
German	8	0%	17
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	6	0%	25
Chinese	0	0%	17
Japanese	N/A	N/A	N/A
Korean	0	0%	17
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	0	0%	17
Other Asian	30	0%	67
Tagalog	0	0%	17
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%	17
Hebrew	N/A	N/A	N/A
African	N/A	N/A	N/A
Other and non-specified	45	1%	57
Total Non-English	4,435	55%	685

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)

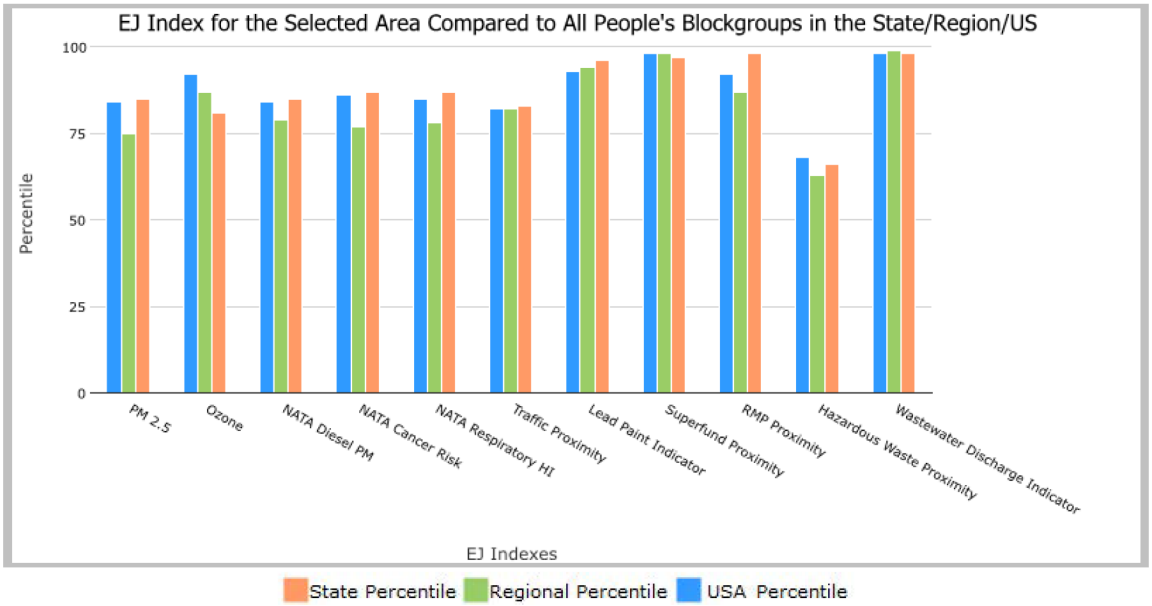
1 mile Ring around the Area, NEW MEXICO, EPA Region 6

Approximate Population: 6,881

Input Area (sq. miles): 3.30

Atex 213

Selected Variables	State Percentile	EPA Region Percentile	USA Percentile
EJ Indexes			
EJ Index for PM2.5	85	75	84
EJ Index for Ozone	81	87	92
EJ Index for NATA* Diesel PM	85	79	84
EJ Index for NATA* Air Toxics Cancer Risk	87	77	86
EJ Index for NATA* Respiratory Hazard Index	87	78	85
EJ Index for Traffic Proximity and Volume	83	82	82
EJ Index for Lead Paint Indicator	96	94	93
EJ Index for Superfund Proximity	97	98	98
EJ Index for RMP Proximity	98	87	92
EJ Index for Hazardous Waste Proximity	66	63	68
EJ Index for Wastewater Discharge Indicator	98	99	98



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.

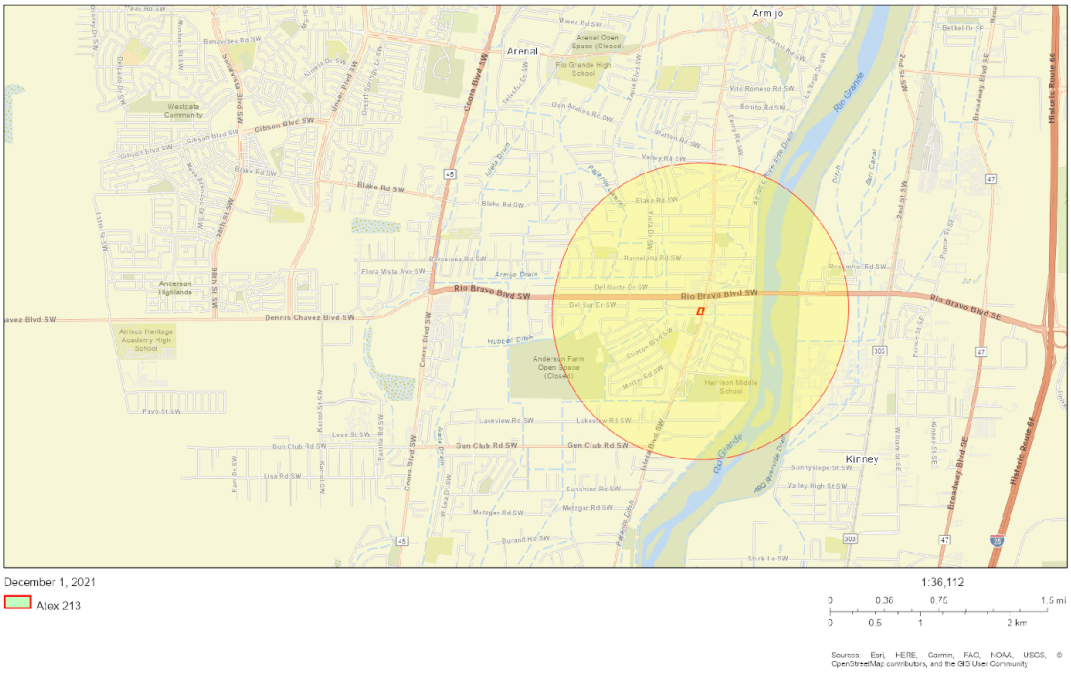
EJSCREEN Report (Version 2020)

1 mile Ring around the Area, NEW MEXICO, EPA Region 6

Approximate Population: 6,881

Input Area (sq. miles): 3.30

Atex 213



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

EJSCREEN Report (Version 2020)

1 mile Ring around the Area, NEW MEXICO, EPA Region 6

Approximate Population: 6,881

Input Area (sq. miles): 3.30

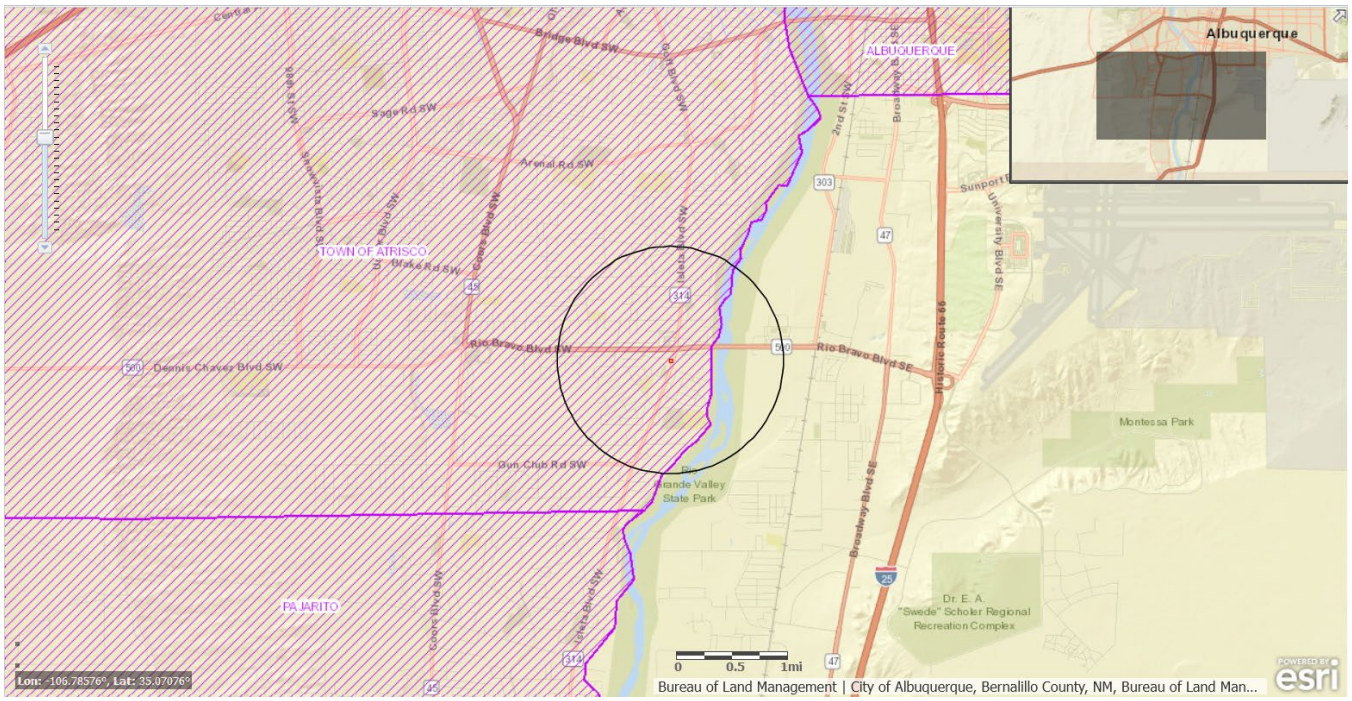
Atex 213

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)	6.84	6.17	83	8.95	5	8.55	11
Ozone (ppb)	53	52.2	57	41.8	97	42.9	91
NATA* Diesel PM (µg/m^3)	0.404	0.281	72	0.401	50-60th	0.478	50-60th
NATA* Cancer Risk (lifetime risk per million)	29	25	80	36	<50th	32	<50th
NATA* Respiratory Hazard Index	0.39	0.32	73	0.45	<50th	0.44	<50th
Traffic Proximity and Volume (daily traffic count/distance to road)	300	360	66	400	68	750	57
Lead Paint Indicator (% Pre-1960 Housing)	0.45	0.18	87	0.17	87	0.28	73
Superfund Proximity (site count/km distance)	0.51	0.13	94	0.081	98	0.13	95
RMP Proximity (facility count/km distance)	1.4	0.24	98	0.82	82	0.74	84
Hazardous Waste Proximity (facility count/km distance)	0.16	0.78	43	0.99	31	5	21
Wastewater Discharge Indicator (toxicity-weighted concentration/m distance)	8.4	150	96	9.5	99	9.4	97
Demographic Indicators							
Demographic Index	69%	52%	76	44%	81	36%	88
People of Color Population	89%	62%	83	52%	83	39%	89
Low Income Population	48%	42%	62	37%	70	33%	78
Linguistically Isolated Population	9%	5%	77	6%	75	4%	82
Population With Less Than High School Education	25%	15%	79	16%	77	13%	85
Population Under 5 years of age	5%	6%	46	7%	38	6%	46
Population over 64 years of age	15%	16%	53	13%	66	15%	56

* 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.


Albuquerque
ALBUQUERQUE
TOWN OF ATRISCO
PAJARITO
Bridge Blvd SW
Sage Rd SW
Arenal Rd SW
Rio Bravo Blvd SW
Rio Bravo Blvd SE
Dennis Chavez Blvd SW
Gun Club Rd SW
Broadway Blvd SE
University Blvd SE
Montessa Park
Rio Grande Valley State Park
Dr. E. A. "Swede" Scholer Regional Recreation Complex
0 0.5 1mi
Lon: -106.78576°, Lat: 35.07076°
Bureau of Land Management | City of Albuquerque, Bernalillo County, NM, Bureau of Land Man...
esri

Attachment 2: Limited English Proficiency Assessment

Limited English Proficiency ("LEP") Assessment

Facility: Atex 213
Location: 3501 Isleta Boulevard SW, Albuquerque, NM
Buffer: 1 mile
Date: December 1, 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 1-mile radius*:	9%
Percent linguistically isolated households by language within 1-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 1-mile radius*:	17%

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

Conclusions:
1) Proportion of LEP persons (i.e., speaking English "less than very well") within one mile is greater 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.