NEW MEXICO ENVIRONMENT DEPARTMENT
GROUND WATER QUALITY BUREAU

PUBLIC INVOLVEMENT PLAN
(PIP)

Facility Name:	Phillips 66 Albuquerque Product Terminal
Facility Location:	6356 Desert Road Albuquerque, NM Section 19, Township 09N, Range 03E
County:	Bernalillo County
Responsible Party:	The Phillips 66 Company 420 S. Keeler Ave. Bartlesville, OK 74003
Agency:	Ground Water Quality Bureau Remediation Oversight Section
GWQB Action:	Abatement
Bureau Contact:	Paul Chamberlain, Geoscientist (505) 827-9669 paul.chamberlain@state.nm.us Main bureau telephone number: (505) 827-2900
EFFECTIVE DATE:	August 2019
REVISION DATE:	N/A

Michelle Hunter
Chief, Ground Water Quality Bureau

Element 1 – Public Involvement Plan (PIP) Overview

The New Mexico Environment Department (NMED or Department), Ground Water Quality Bureau (Bureau) has developed a PIP for the Phillips 66 Albuquerque Product Terminal which is entering into the Abatement process under Subsections 4000 through 4115 of the Ground and Surface Water Protection regulations, 20.6.2 NMAC, through their submission of a Stage 1 Abatement Plan.

The purpose of this PIP is to provide public participation opportunities and information that may be needed for the community to participate in the Abatement process for this facility. This PIP identifies information about the community and resources needed by the Bureau to incorporate community participation activities into the decision-making process. This PIP is developed in accordance with the Department's *Public Participation Policy* (Policy 07-13 or Policy), and incorporates the requirements of the Policy, as well as applicable regulatory and statutory public participation requirements.

This PIP implements the "elements" set forth in the Policy which include:

1. An overview of the PIP for the community affected by the activity;
2. Bureau contact names and contact information, specifically for Limited English Proficiency (LEP) language assistance services (e.g., translation, interpreters) or for disability accommodations;
3. A summary of the regulatory public participation framework associated with Abatement plans;
4. A description of community/stakeholder groups based on results of a preliminary environmental justice (EJ) screening; and
5. Details about planned public outreach activities.

In developing this PIP, community participation needs were assessed to ensure appropriate public outreach. This was accomplished by using the Environmental Protections Agency's Environmental Justice Screening and Mapping Tool (EJSCREEN) to identify whether there is a combination of environmental and demographic factors that may impact public participation (e.g., low income community, minority community, LEP individuals, linguistically isolated households). Because the community located near the Phillips 66 Product Terminal includes a significant percentage of Spanish speakers, the Bureau will provide appropriate information in both English and Spanish.

Public involvement associated with Abatement process occurs at different stages and in different forms. Public involvement activities required by statute or regulation are mandatory and subject to statutory or regulatory deadlines. Mandatory public involvement activities and associated time requirements relevant to this PIP are noted in the *Table 3 - Mandated Public Involvement Activities* located at the end of this PIP.

The Bureau plans to conduct public involvement activities related to the Abatement process outlined in the *Table 1 - Public Involvement Activities* below. The activity timeline and dates are tentative and subject to change.

Table 1 - Public Involvement Activities

Activity	Date
News Release	August 2019 [a]
Placement of a hardcopy of the PIP in the local NMED office: Albuquerque Field Office (District 1) 121 Tijeras Ave. NE, Suite 1000 Albuquerque, NM 87102 (505) 222-9500	August 2019
Notice of availability of the Stage 1 Abatement Plan and associated PIP	August 2019
Public Meeting Notice	Not Applicable [b]
Public Meeting	Not Applicable [c]
Public Hearing	Not Applicable [c]

[a] In accordance with 20.6.2.4108.A NMAC, a new release will be issued within 30 days of filing the Stage 1 Abatement Plan.

[b] In accordance with 20.6.2.4108.F New Mexico Administrative Code (NMAC), notice will occur at least 30 days prior to the meeting or hearing. This requirement only applies to Stage 2 Abatement Plans.

[c] In accordance with 20.6.24108.F NMAC, a public meeting or hearing may be held if the Secretary of the Department determines there is significant public interest. This requirement only applies to Stage 2 Abatement Plans.

In the case of a Stage 2 Abatement Plan, all notices for upcoming meetings or hearings will include a statement that any person who requires assistance, an interpreter, or an auxiliary aid to participate in the process may contact a specifically-identified Department person to request those services. Requested interpretation services during the meeting and accommodations or services for persons with disabilities will be arranged to the extent possible.

This PIP is a "living" document that may be amended for numerous reasons, including the consideration of public comments and feedback.

Element 2 – Bureau Contact Information

PIP-Specific Contacts

The Bureau contact for this Abatement process is:

Paul Chamberlain, Geoscientist
NMED Ground Water Quality Bureau
P.O. Box 5469
Santa Fe, New Mexico 87502-5469
505-827-9669
paul.chamberlain@state.nm.us

Non-English Language Speaker Assistance

All public notices and news releases will contain a statement that non-English speakers may call the Bureau contact listed above and request language assistance in order to learn more about this Abatement process. Arrangements may be made for document translation or interpretation related to the Abatement process as necessary and as resources allow.

Individuals with Disabilities Assistance

All public notices and news releases will contain a statement that disabled individuals may call the Bureau contact listed above and request assistance needed to participate in activities associated with the Abatement process.

The following information will be provided in public notices and news releases so that hearing-impaired callers can contact the Bureau and ask questions about the activity or process: Toll-free numbers are available for TDD or TTY users to access the New Mexico Relay network (for deaf or hearing-impaired callers), 1-800-659-1779; TTY users: 1-800-659-8331.

Websites

Outreach materials and notices will include links to the following website, where the Bureau's public notices and PIP information are posted:

New Mexico Environment Department – News Releases:
https://www.env.nm.gov/news-releases/

Ground Water Quality Bureau – Public Notices and PIPs:
https://www.env.nm.gov/gwqb/public-notice/

Element 3 – Regulatory Framework for Public Participation Related to the Abatement Process

The public participation regulatory framework associated with the Abatement process is identified in the *Table 2 - Mandated Public Involvement Activities*. The Table identifies activities subject to statutory or regulatory deadlines, the associated regulatory requirements, and the associated dates or time periods.

Table 2 - Mandated Public Involvement Activities

Activity	Dates
Notice of a Proposed Stage 1 Abatement Plan The Bureau's obligations, per 20.6.2.4108.A NMAC: • News release posted on the NMED website	Within 30 days of the Department receiving the Proposal
Notice of a Stage 2 Abatement Plan or a Proposed Modification to an existing Stage 2 Abatement Plan The Responsible Person's obligations, per 20.6.2.4108.E NMAC: • Newspaper ads • Public service announcement on bilingual radio station • Notification of interested parties • Notice to the New Mexico Trustee for Natural Resources and any other local, state, or federal governmental agency affected • Notice to owners and residents located within one mile of the site • Notice to all Indian Tribe, Pueblo, or Nation within the state of New Mexico	Within 30 days of approval of the Stage 2 Abatement Plan public notice proposal
The Bureau's obligations, per 20.6.2.4109.B NMAC • Approval of the Stage 2 Abatement Plan public notice proposal • Placement on the NMED website	Within 30 days of the Department receiving the proposal
Notice of a Public Meeting or Hearing, if the Secretary determines there is substantial public interest • NMED website *https://www.env.nm.gov/qwqb/public-notice/* • Newspapers • Notice to interested parties • Notice to government agencies • Notice to Indian Tribes, Pueblos and Nations	Notice of the meeting or hearing shall occur at least 30 days prior to the event.

Element 4 – Description of Community/Stakeholder Groups Based on the EJSCREEN

EJSCREEN Summary

To provide for adequate public participation opportunities and meaningful involvement of persons in the Abatement process, 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, have minority populations, and have limited English proficiency (LEP) that may benefit from a variety of approaches for notification and outreach communication. This information is used to help plan for the community's involvement in the public process for environmental activities or actions. In addition to the EJSCREEN results, the Bureau may consider additional information such as the U.S. Census Bureau website or NMED's EJ Mapping Tool.

The Bureau considers the affected community to be those persons living within a 4-mile radius of the Abatement site. The results of the EJSCREEN American Community Survey (ACS) Summary Report (Attachment 2 to this PIP) are summarized in the *Table 3 - EJSCREEN Results for the Affected Community* below.

Table 3 - EJSCREEN Results for the Affected Community

Total population	31,201
Total number of households	9,698
Percentage minority population	84%
Percentage Hispanic population	80%
Percentage of the population by race	Population reporting one race: White: ..... 69% Black: ..... 1% American Indian: ..... 3% Asian: ..... 1% Pacific Islander: ..... 0% Some Other Race: 25%
Total number of persons greater than the age of five who speak English "less than very well"	5,445
Percentage of persons greater than the age of five who speak English "less than very well"	18%
Total number of linguistically isolated households	1,127
Percentage of linguistically isolated households	12%

(Total number of linguistically isolated households ÷ total number of households X 100)	
Languages by percentage in linguistically isolated households	Spanish: .....96% Other Indo-European languages:1% Asian-Pacific Island languages: 2% Other languages: 0%
Percent linguistically isolated population, New Mexico[a]	5.4%
Per capita income	$18,193
Per capita income, USA[b]	$29,979

[a] U.S. Census Bureau. 2011-2015 American Community Survey 5-Year Estimates, Table S1602. Limited English-Speaking Households. https://factfinder.census.gov/bkmk/table/1.0/en/ACS/15_5YR/S1602/0400000US35 (date of access: 7/26/2018).
[b] U.S. Census Bureau. 2015 American Community Survey 1-Year Estimates, Table S0201. Selected Population Profile in the United States. https://factfinder.census.gov/bkmk/table/1.0/en/ACS/15_1YR/S0201/0100000US (date of access: 7/26/2018).

The EJSCREEN results indicate that for the affected community, the proportion of the population with LEP is significant. The Bureau has therefore performed a LEP assessment for the community which is Attachment 1 to this PIP.

Because the affected community has a significant percentage of persons with limited English proficiency, the Bureau will consider the language and communication needs of this community when conducting public outreach and participation activities. To accomplish this the Bureau will provide the same information in Spanish as in English in news releases, public comment notices, public meeting notices, and other announcements (e.g., radio broadcasts, brochures, signs, postcards) and will strive to make public participation efforts as inclusive as possible within the Bureau's budget and time limitations. See Element 5 for more specifics on the public outreach and participation activities.

Element 5 – Detailed Actions and Outreach Activities with the Affected Public

Public involvement activities required by statute or regulation associated with the Abatement process are listed in the *Table 2 - Mandated Public Involvement Activities.*

Public Participation – Outreach Activities

The Responsible Party or NMED will conduct the following outreach activities associated with the Abatement process in accordance with 20.6.2.4108 NMAC:

- Placement of this PIP on the Bureau website and in nearby NMED field office (NMED)
- News release posted on NMED website (NMED)
- Postal mailing and email notices (Responsible Party)
- Newspaper notices (Responsible Party)

- Notice posted on NMED website (NMED)

Newspapers utilized in the notification process include:

- Statewide circulation (English and Spanish): *Albuquerque Journal*
- Local circulation (English and Spanish): *Albuquerque Journal* – Bernalillo County

Radio stations utilized in the public involvement process include:

- KANW

Local, state, and federal government agencies, tribal entities, and land grant officials will be notified about Abatement at the site. A list of the agencies and officials notified can be provided upon request.

Indian Tribes, Pueblos and Nations will be notified about the Abatement at the site through the contacts maintained by the Indian Affairs Department at the following URLs:

http://www.iad.state.nm.us/apaches.html
http://www.iad.state.nm.us/navajo.html
http://www.iad.state.nm.us/pueblos.html

In addition, a courtesy email will be sent to the Governor of Isleta Pueblo, Max A. Zuni, and the Department of Natural Resources Division Manager, Mark Dixon. Isleta Pueblo owns land located within and in close proximity to the affected community.

Timelines and methods for submitting public comments are specified in the *Table 2 - Mandated Public Involvement Activities.* Final documents will be available from the Bureau's contact identified in Element 2 of this PIP.

Postal Mailing or E-Mailing of Notices to Persons on the Facility-Specific Mailing List

The Bureau solicits the names and contact information of interested parties with all public notices. The Bureau maintains those names on a Facility-Specific Mailing List and provides the individuals with information about regulatory activities for the facility. Individuals, organizations, and other interested parties are added to the mailing list as requested. All news releases and public notices will contain a statement directing interested individuals to contact the Bureau contact for this site if they want to be added to the facility specific mailing list.

Document Repository

Hard copies of documents relevant to the Abatement process and information about how to submit comments and/or participate in any public meetings or hearings that may be held will be made available at the following location:

Harold Runnels Building
Room N2250
1190 Saint Francis Drive

Santa Fe, NM 87502

A hard copy of this PIP will be made available at the following location:

Albuquerque Field Office (District 1)
121 Tijeras Ave. NE, Suite 1000
Albuquerque, NM 87102-3400

Other means of outreach such as fliers announcing public comment periods and/or public meetings or hearings may be posted in locations throughout the community (e.g., local businesses, schools, libraries) and on the Department's website, at the Bureau's discretion after consideration of public interest and input.

Attachments

- Attachment 1 - LEP Assessment
- Attachment 2 - EJSCREEN ACS Summary Report and a map showing the area evaluated

ATTACHMENT 1
Limited English Proficiency (LEP) Assessment

Facility: Phillips 66 Albuquerque Product Terminal

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

See Public Involvement Plan (PIP), *Table 3 - EJSCREEN Results for the Affected Community*.

Conclusions:

1. The number of LEP individuals (persons over the age of 5 who speak English "less than very well" in the affected community) is 5,445.
2. The percentage of LEP individuals in the affected community is 18%.
3. The percentage of linguistically isolated households is 12%, which is somewhat greater than the statewide average.
4. Spanish is the predominant non-English language spoken by LEP persons.
5. Historical participation: The Bureau maintains a facility-specific mailing list. The current mailing list for the facility includes 11 persons. A review of the administrative record for this facility indicates considerable public interest/participation overall during the past 10 years. The portion of that public interest attributable to the LEP community cannot be determined from the record.

Factor 2: Frequency with which LEP Individuals Might Come in Contact with the Ground Water Quality Bureau State Cleanup Program

Contact with the State Cleanup Program (SCP) would occur when the project is undergoing the public notification process and issuing news releases. The Ground Water Quality Bureau (GWQB) provides notice to the public and encourages participation. Individuals may participate by requesting information, submitting comments, requesting a public meeting, and taking part in public meetings. Some SCP sites could generate considerable public interest, but participation is low for most SCP sites. Historical participation in SCP activities for this facility is summarized under Factor 1.

Conclusion:

Although LEP participation has been limited, given the demographics of the area and the considerable overall public interest in this facility, the Bureau considers the potential for LEP contact throughout the Abatement process to be "occasional".

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

The SCP activity is deemed by the GWQB to be "important" to NMED, the impacted community, and the State of New Mexico. The SCP activity is important to NMED because the SCP process establishes site-specific requirements that must be met to ensure protection of public health and groundwater quality and provides a means to enforce those requirements. The SCP activity is important to the impacted community because abandoned, blighted, and potentially

contaminated property can pose environmental risks to the surrounding community. The SCP activity is important to the State of New Mexico because state-oversight of voluntary assessment/cleanup of contaminated sites ensures that the State's limited groundwater resources are not impacted.

Conclusion:

The GWQB considers the SCP activity "important" to NMED, to the state as a whole, and to the impacted community.

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

For outreach to LEP communities associated with this SCP action, NMED employs an in-house Spanish translator/interpreter and utilizes a phone interpretation service to assist during direct communication between LEP individuals and NMED staff. The costs of translation services for news releases in Spanish and interpretive services for a public meeting or hearing are being incorporated into the GWQB's budget, to the extent possible.

Conclusion:

The Bureau can accommodate the costs of the LEP services identified in this plan. If additional services are requested, the budgetary implications will be reviewed.

LEP Services Plan:

The Bureau plans to:

1. Translate the News Release and any subsequent public notices into Spanish.
2. Require the Responsible Party to provide interpretive services at any public meeting or public hearing, if requested.
3. Interact with members of the LEP community using certified interpreters, when needed.

The Bureau will consider requests from members of the affected community for additional LEP services.

ATTACHMENT 2
EJSCREEN ACS Summary Report and Map

EJSCREEN ACS Summary Report

Location: User-specified point center at 34.992528, -106.659469
Ring (buffer): 4-mile radius
Description: Phillips 66 - Abq Terminal

Summary of ACS Estimates	2012 - 2016
Population	31,201
Population Density (per sq. mile)	594
Minority Population	26,135
% Minority	84%
Households	9,698
Housing Units	10,644
Housing Units Built Before 1950	1,176
Per Capita Income	18,193
Land Area (sq. miles) (Source: SF1)	52.53
% Land Area	97%
Water Area (sq. miles) (Source: SF1)	1.58
% Water Area	3%

	2012 - 2016 ACS Estimates	Percent	MOE (±)
Population by Race			
Total	31,201	100%	602
Population Reporting One Race	30,710	98%	1,823
White	21,488	69%	565
Black	349	1%	227
American Indian	782	3%	274
Asian	190	1%	200
Pacific Islander	0	0%	11
Some Other Race	7,900	25%	546
Population Reporting Two or More Races	491	2%	285
Total Hispanic Population	25,030	80%	580
Total Non-Hispanic Population	6,171		
White Alone	5,066	16%	241
Black Alone	314	1%	219
American Indian Alone	473	2%	274
Non-Hispanic Asian Alone	181	1%	200
Pacific Islander Alone	0	0%	11
Other Race Alone	28	0%	86
Two or More Races Alone	110	0%	106
Population by Sex			
Male	15,479	50%	372
Female	15,722	50%	353
Population by Age			
Age 0-4	1,696	5%	145
Age 0-17	7,827	25%	270
Age 18+	23,373	75%	434
Age 65+	4,254	14%	144

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) 2012 - 2016 .

EJSCREEN ACS Summary Report

Location: User-specified point center at 34.992528, -106.659469
Ring (buffer): 4-mile radius
Description: Phillips 66 - Abq Terminal

	2012 - 2016 ACS Estimates	Percent	MOE (±)
Population 25+ by Educational Attainment			
Total	20,479	100%	362
Less than 9th Grade	3,044	15%	189
9th - 12th Grade, No Diploma	2,557	12%	157
High School Graduate	6,975	34%	211
Some College, No Degree	5,512	27%	183
Associate Degree	1,323	6%	125
Bachelor's Degree or more	2,391	12%	168
Population Age 5+ Years by Ability to Speak English			
Total	29,505	100%	581
Speak only English	14,388	49%	428
Non-English at Home[1+2+3+4]	15,117	51%	426
[1]Speak English "very well"	9,671	33%	317
[2]Speak English "well"	2,071	7%	189
[3]Speak English "not well"	2,004	7%	168
[4]Speak English "not at all"	1,371	5%	243
[3+4]Speak English "less than well"	3,375	11%	295
[2+3+4]Speak English "less than very well"	5,445	18%	305
Linguistically Isolated Households*			
Total	1,127	100%	129
Speak Spanish	1,087	96%	128
Speak Other Indo-European Languages	15	1%	28
Speak Asian-Pacific Island Languages	25	2%	29
Speak Other Languages	0	0%	15
Households by Household Income			
Household Income Base	9,698	100%	149
< $15,000	1,544	16%	129
$15,000 - $25,000	1,560	16%	139
$25,000 - $50,000	2,640	27%	153
$50,000 - $75,000	1,747	18%	94
$75,000 +	2,208	23%	143
Occupied Housing Units by Tenure			
Total	9,698	100%	149
Owner Occupied	7,478	77%	135
Renter Occupied	2,220	23%	150
Employed Population Age 16+ Years			
Total	24,362	100%	458
In Labor Force	14,122	58%	344
Civilian Unemployed in Labor Force	1,473	6%	136
Not In Labor Force	10,240	42%	278

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.

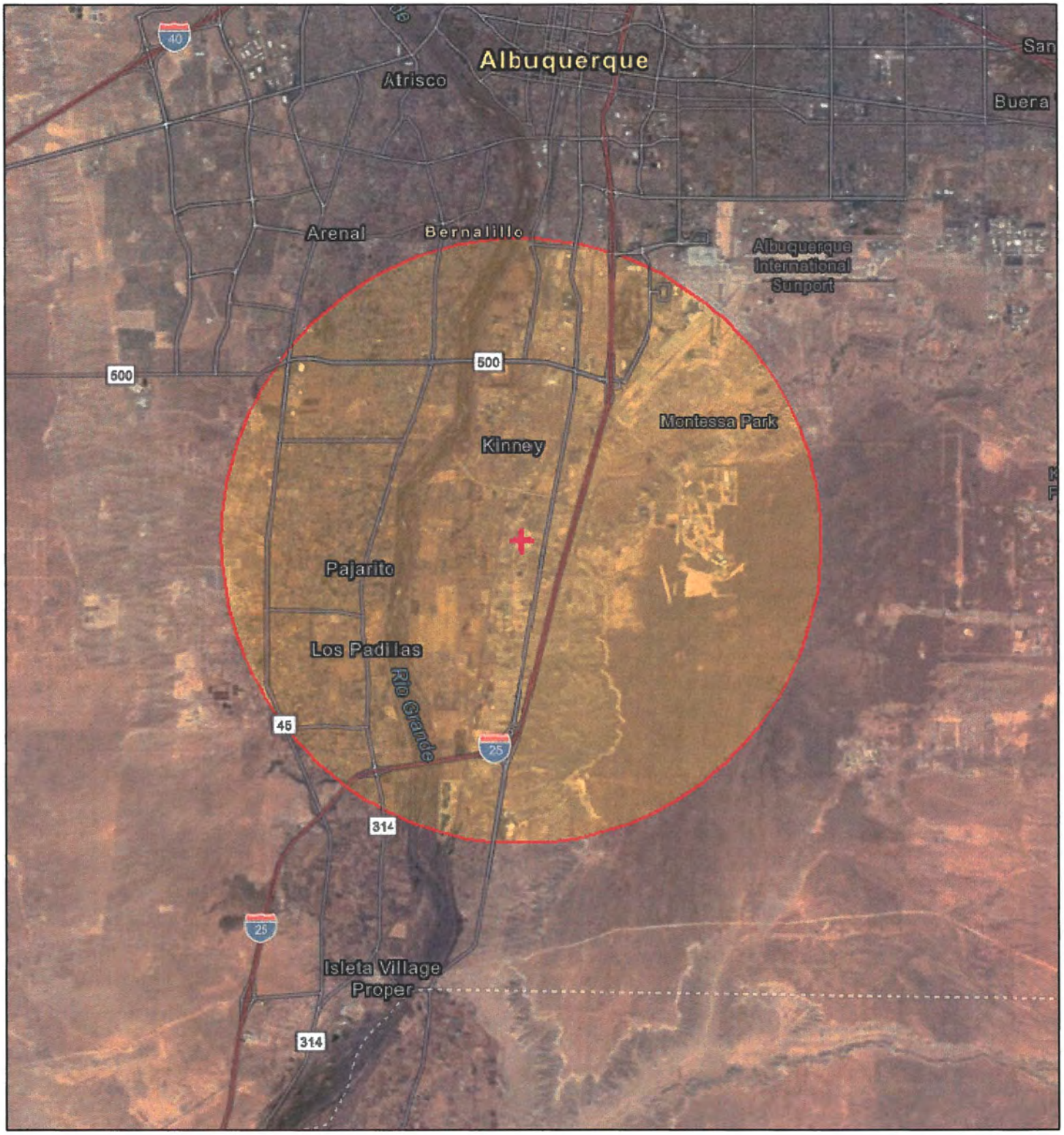
EJSCREEN ACS Summary Report

Location: User-specified point center at 34.992528, -106.659469
Ring (buffer): 4-mile radius
Description: Phillips 66 - Abq Terminal

	2012 - 2016 ACS Estimates	Percent	MOE (±)
Population by Language Spoken at Home*			
Total (persons age 5 and above)	26,132	100%	568
English	13,147	50%	468
Spanish	12,649	48%	552
French	14	0%	16
French Creole	N/A	N/A	N/A
Italian	N/A	N/A	N/A
Portuguese	N/A	N/A	N/A
German	22	0%	20
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	23	0%	27
Chinese	52	0%	65
Japanese	N/A	N/A	N/A
Korean	0	0%	16
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	33	0%	52
Other Asian	50	0%	98
Tagalog	0	0%	16
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%	16
Hebrew	N/A	N/A	N/A
African	N/A	N/A	N/A
Other and non-specified	127	0%	75
Total Non-English	12,985	50%	700

Data Note: Detail may not sum to totals due to rounding. Hispanic popultion can be of any race.
N/A means not available. Source: U.S. Census Bureau, American Community Survey (ACS) 2012 - 2016.
*Population by Language Spoken at Home is available at the census tract summary level and up.

Phillips 66 Albuquerque Terminal Stage 1 Abatement Plan



September 26, 2019

1:144,448

0 1.25 2.5 5 mi

0 2 4 8 km

Buffer Area

Digitized Point

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

EJSCREEN 2018