



MICHELLE LUJAN GRISHAM
GOVERNOR

HOWIE C. MORALES
LT. GOVERNOR

New Mexico **ENVIRONMENT DEPARTMENT**

525 Camino de los Marquez, Suite 1
Santa Fe, NM 87505-1816
Phone (505) 476-4300
Fax (505) 476-4375
www.env.nm.gov



JAMES C. KENNEY
CABINET SECRETARY

JENNIFER J. PRUETT
DEPUTY SECRETARY

PUBLIC INVOLVEMENT PLAN (PIP) **Air Quality Bureau Air Permit Application**

Version P8.20.19

Date: 1/8/2021, updated 3/31/2021

Applicant: Four Peaks Energy LLC, owner; ENERGYneering Solutions, Inc., operator

Facility Name: Four Peaks Energy LLC

Air Quality Permit Application Number: P284

Location: 1000 B Camino Real Blvd., Sunland Park, Doña Ana County, New Mexico

Latitude: 31.7911

Longitude: -106.5856

1. Overview of Air Quality Bureau's plan of action for addressing the community's needs and concerns for processing Air Quality Permit Applications:

The New Mexico Environment Department (Department), Air Quality Bureau (AQB) developed this Public Involvement Plan (PIP) for the processing of air quality permit applications in accordance with the requirements at 20.2.70 NMAC for this facility. This air quality regulation does require public participation outreach throughout different stages of the permitting process. The AQB will meet the public participation requirements by following this PIP, which includes all applicable policy, regulatory and statutory public participation requirements.

In developing this PIP, community participation needs for this permitting action were assessed to ensure appropriate promotion of public outreach by identifying whether there is a combination of environmental and demographic factors (i.e., low income community, minority community, limited English proficiency individuals, Linguistically Isolated Households, etc.) that may impact public participation. This assessment identifies community 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 this permit application.

As much as possible, public participation and informational activities related to this permit application will be held within the regulatory timelines outlined below.

- a. AQB regulations at 20.2.70 NMAC require that the application must be ruled complete or incomplete no more than 60 days after receipt. The AQB will publish a public notice for this application in a newspaper of general circulation in the area closest to the location of

the facility, when the draft permit is issued for comment. See section 4.c below for more information.

The public notice contains a paragraph in Spanish directing Spanish speaking interested parties to call the AQB at (505) 476-5557 to speak to Spanish speaking staff for additional information regarding this permitting action.

- b. Normally the AQB would provide a copy of the public notice, the air quality permit application, and this PIP to the Las Cruces NMED field office, but due to current Covid-19 access restrictions for protection of both public employees and the protection of the general public these materials are instead available on the NMED website (see section 2.a).
- c. AQB regulations require that the public notice be sent to the “affected programs” as defined at 20.2.70 NMAC. See Section 4.e below for more information.
- d. In accordance with the evaluation of the site location and associated demographics, no additional means for disseminating information are planned at this time.
- e. Public notice shall be followed by a 30-day public comment period that starts on the day that the notice is published in the newspaper. See Section 4.g below for details.
- f. AQB regulations require that the permit must be issued, issued subject to conditions, or denied within eighteen (18) months after the department deems the application administratively complete.

2. Contact list of AQB staff with phone numbers and email addresses:

a. AQB contact for questions about this application or PIP (included in public notices and outreach materials):

Rebecca Procter
New Mexico Environment Department
Air Quality Bureau
525 Camino de los Marquez, Suite 1
Santa Fe, New Mexico, 87505
505-476-4301
rebecca.procter@state.nm.us

Electronic copies will be available at the following link, which will be included in public notices and outreach materials as appropriate: https://www.env.nm.gov/air-quality/aqb-p_current_permitting_activites/

b. Non-English Language Speaker Assistance and Accommodations

The AQB may hold public meetings, open houses, stakeholder meetings, and/or a formal hearing depending on the interest in the application. Language assistance services may be arranged for translation of documents for meetings, for translators during meetings and for obtaining services for persons with disabilities. A phone-based interpretation service may be available for languages other than English.

3. Description of the community/stakeholder groups:

To provide for adequate public participation opportunities and meaningful involvement of persons regarding this permit application 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.

Using a one-mile radius appropriate for a facility within an urbanized area, the results of the EJScreen ACS Summary Report (attached) are listed in the table below.

Population and Income Data			
Total Population:	6392	Per capita income of community (2013-2017):	\$10,716
Minority Population, %:	99	US Per Capita Income*:	\$34,103
Total number of households:	1810	Total Number (and Percent) of Linguistically Isolated Households:	713 (39.4%)

*US Per Capita Income 2015-2019; <https://www.census.gov/quickfacts/fact/table/US/INC910219>

Population by Race, %		Population by Ability to Speak English, %	
White	89	Speak Only English	5
Black	0	Non-English at Home	95
American Indian	1	Speak English "very well"	52
Asian	0	Speak English "well"	18
Pacific Islander	0	Speak English "not well"	15
Other Race	10	Speak English "not at all"	9
Two or More Races	0	Speak English "less than very well"	42

Linguistically Isolated Household Details, %		List other Languages (if applicable)
Speak Spanish	100	////////////////////////////////////
Speak Other Indo-European Languages	0	
Speak Asian Pacific Island Languages	0	
Speak Other Languages	0	

In addition, the following community or stakeholder groups have been identified: No community or stakeholder groups have been identified.

History of public involvement in air permitting during the last ten (10) years: No history of public involvement for this facility in the past ten years.

It is important for the AQB to incorporate the linguistic and communication needs of this community when conducting public outreach and participation activities. To help accomplish this, the AQB will provide information in Spanish and in English, in public comment notices, public meeting notices (if applicable), and other announcements (radio broadcasts, brochures, signs, postcards, etc.) and strive to make public participation efforts as inclusive as possible within AQB budget and time limitations. Under normal circumstances the Las Cruces NMED

Field Office would serve as an access area for the AQB to leave hard copies of important documents and information about how to comment on this permit application, but due to Covid-19 restrictions to protect both the general public and public employees, materials will not be available in hard copy, but can be found on the AQB webpage (see Section 2.a above).

4. Detailed actions and outreach activities the AQB Permitting Section will take to reach the affected public:

a. Overview

Based on the demographics report discussed in the PIP, the history of public involvement at the facility and the facility background, basic information about public involvement opportunities will be in both English and Spanish. This information will include how to request materials in Spanish or to speak with AQB staff through an interpreter. Further details about public participation for this activity are outlined below.

The AQB maintains information regarding this air quality permit application at the following locations:

- i. On the Air Quality Bureau website, see Section 2.a above. Due to Covid-19 restrictions materials will not be available at ii and iii below but will be available on the website:**
- ii. At the District Office listed in Section 1.b above.**
- iii. At the main office location:**
New Mexico Environment Department
Air Quality Bureau
525 Camino de los Marquez, Suite 1
Santa Fe, New Mexico, 87505

b. Postal Mailing or E-Mailing of Notices to Persons on the Facility-Specific Mailing List
AQB regulations require notification to persons who have expressed interest in applications. The AQB maintains a mailing list that includes individuals interested in permit applications from particular facilities or geographic areas. Notifications may be sent through physical mail and/or an email.

The list also includes addresses of states, local air pollution control programs, and Indian tribes and pueblos, that are within 50 miles of the source.

- c. Notices in the State Newspaper and Local Newspapers** The public notice for this permit application will be published in English and Spanish in the Legal Section of the *Las Cruces Sun News* newspapers.

Websites for these publications are listed below:

Las Cruces, NM, *Las Cruces Sun News*:

English and Spanish: <http://www.lcsun-news.com/>

d. Mailing to the Governor or President of Indian Tribes, Pueblos or Nations

AQB regulations and the evaluation of the facility location and associated demographics, require notification to Tribes, Pueblos or Nations about this permit application for facilities located within a specified distance.

- Ysleta del Sur Pueblo, El Paso, TX

e. Affected Local, State, or Federal Government Agencies, and Active Land Grants

AQB regulations require identifying and notifying local, state or federal government agencies about this permit application.

The following affected Local, State, or Federal Government Agencies will be notified by email:

- US EPA Region VI,
- State of Texas,
- Sunland Park City Manager.

In addition, although not required by regulation, the evaluation of the facility location and associated demographics, the following land grants and/or colonias shall also be notified about this permit application: The Sunland Park colonia is located within the one-mile radius area. The Sunland Park city manager will be notified of this proposed permit action.

f. Public Meeting Notices, Public Comment Notices, and Other Notices

AQB may hold public meetings, open houses, stakeholder meetings, and/or a formal hearing depending on the interest in the application. Based on historical information and the results of the initial screening, there is no public meeting planned at this time for this permit application. If it is determined that a public meeting will be required, notice will be provided to the community as follows:

- 1) Via a newspaper of general circulation in the area closest to the location of the facility.
- 2) Locations commonly frequented by the general public, such as a nearby post office, public library, or city hall.
- 3) All persons and organizations that have expressed interest and are on a list maintained by AQB.
- 4) Via a public service announcement to at least one radio or television station which serves the municipality or county in which the source is or is proposed to be located.
- 5) The notices will be translated for non-English speaking participants, if required.
- 6) The notices will include information for requesting accommodations for those with disabilities as listed in item 2b above.

AQB will locate an appropriate venue based on the availability to the community to access the meeting, and the specific needs of the affected community (e.g. size of community, community locations, impacts, etc.).

AQB may reschedule the meeting due to inclement weather. If rescheduled, AQB will provide as much advance notice as possible and reschedule for an appropriate time and date.

Meetings will be scheduled to make them as accessible and user-friendly as practical, considering work schedules, dinner hours and other community commitments. To the extent

possible, the meeting will be held at a location that is local and convenient, and meet American with Disabilities Act (ADA) standards. In addition, whenever practical and appropriate, translators for limited-English speaking communities, or assistance for hearing-impaired individuals may be available. Information in public notices for a public meeting will adhere to AQB regulations, statutes and policies.

AQB may reschedule the meeting due to inclement weather. If rescheduled, AQB will provide as much advance notice as possible and reschedule for an appropriate time and date.

g. Public Comment Periods

AQB regulations require that thirty (30) days shall be provided for public and affected program comment on the draft permit.

The PIP has been reviewed and approved by the AQB Bureau Chief.

For Liz Bisbey-Kuehn Bureau Chief Air Quality Bureau	Date approved
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Attachments: EJSCREEN Printout

Location: User-specified point center at 31.791100, -106.585600
 Ring (buffer): 1-miles radius
 Description: FourPeaks

Summary of ACS Estimates		2013 - 2017
Population		6,392
Population Density (per sq. mile)		2,741
Minority Population		6,329
% Minority		99%
Households		1,810
Housing Units		1,966
Housing Units Built Before 1950		0
Per Capita Income		10,716
Land Area (sq. miles) (Source: SF1)		2.33
% Land Area		100%
Water Area (sq. miles) (Source: SF1)		0.01
% Water Area		0%

	2013 - 2017 ACS Estimates	Percent	MOE (±)
Population by Race			
Total	6,392	100%	886
Population Reporting One Race	6,392	100%	1,390
White	5,705	89%	892
Black	0	0%	76
American Indian	34	1%	58
Asian	0	0%	50
Pacific Islander	0	0%	17
Some Other Race	653	10%	297
Population Reporting Two or More Races	0	0%	47
Total Hispanic Population	6,315	99%	878
Total Non-Hispanic Population	76		
White Alone	62	1%	298
Black Alone	0	0%	76
American Indian Alone	14	0%	53
Non-Hispanic Asian Alone	0	0%	50
Pacific Islander Alone	0	0%	17
Other Race Alone	0	0%	17
Two or More Races Alone	0	0%	17
Population by Sex			
Male	2,909	46%	589
Female	3,483	54%	426
Population by Age			
Age 0-4	552	9%	259
Age 0-17	2,040	32%	434
Age 18+	4,351	68%	517
Age 65+	867	14%	130

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) 2013 - 2017

Location: User-specified point center at 31.791100, -106.585600
 Ring (buffer): 1-miles radius
 Description: FourPeaks

	2013 - 2017 ACS Estimates	Percent	MOE (±)
Population 25+ by Educational Attainment			
Total	3,626	100%	438
Less than 9th Grade	1,189	33%	169
9th - 12th Grade, No Diploma	526	14%	144
High School Graduate	865	24%	237
Some College, No Degree	682	19%	274
Associate Degree	235	6%	75
Bachelor's Degree or more	364	10%	197
Population Age 5+ Years by Ability to Speak English			
Total	5,840	100%	749
Speak only English	320	5%	360
Non-English at Home ¹⁺²⁺³⁺⁴	5,520	95%	738
¹ Speak English "very well"	3,058	52%	677
² Speak English "well"	1,058	18%	223
³ Speak English "not well"	869	15%	256
⁴ Speak English "not at all"	534	9%	116
³⁺⁴ Speak English "less than well"	1,404	24%	281
²⁺³⁺⁴ Speak English "less than very well"	2,461	42%	358
Linguistically Isolated Households*			
Total	713	100%	152
Speak Spanish	713	100%	151
Speak Other Indo-European Languages	0	0%	17
Speak Asian-Pacific Island Languages	0	0%	17
Speak Other Languages	0	0%	17
Households by Household Income			
Household Income Base	1,810	100%	207
< \$15,000	545	30%	165
\$15,000 - \$25,000	511	28%	150
\$25,000 - \$50,000	389	22%	183
\$50,000 - \$75,000	198	11%	150
\$75,000 +	165	9%	144
Occupied Housing Units by Tenure			
Total	1,810	100%	207
Owner Occupied	1,093	60%	196
Renter Occupied	717	40%	175
Employed Population Age 16+ Years			
Total	4,529	100%	636
In Labor Force	2,582	57%	479
Civilian Unemployed in Labor Force	311	7%	171
Not In Labor Force	1,947	43%	276

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of anyrace.

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.

Location: User-specified point center at 31.791100, -106.585600

Ring (buffer): 1-miles radius

Description: FourPeaks

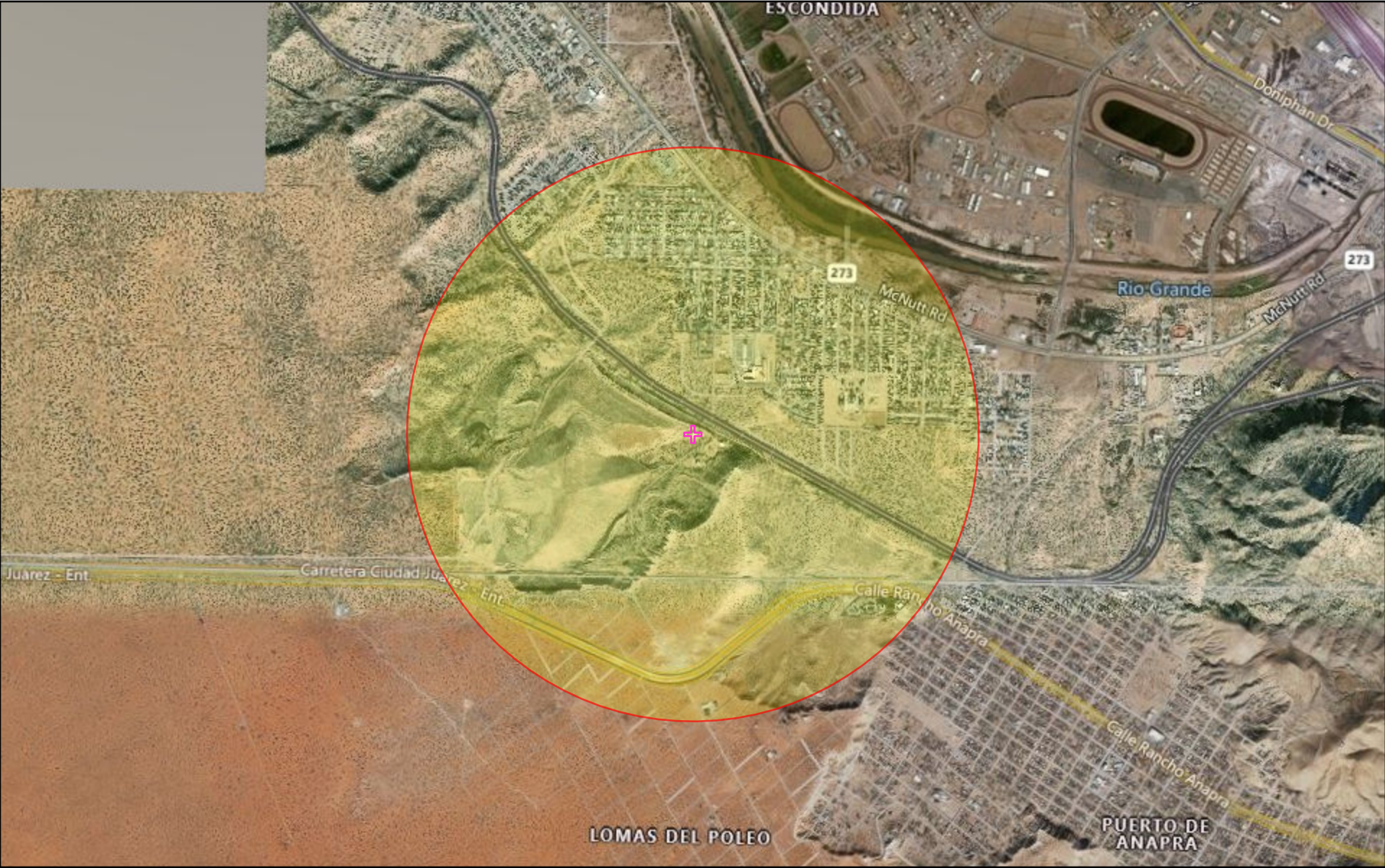
	2013 - 2017 ACS Estimates	Percent	MOE (±)
Population by Language Spoken at Home*			
Total (persons age 5 and above)	6,397	100%	422
English	308	5%	150
Spanish	6,070	95%	388
French	0	0%	17
French Creole	N/A	N/A	N/A
Italian	N/A	N/A	N/A
Portuguese	N/A	N/A	N/A
German	0	0%	17
Yiddish	N/A	N/A	N/A
Other West 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	0	0%	17
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	0	0%	17
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	18	0%	29
Total Non-English	6,088	95%	448

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) 2013 - 2017.

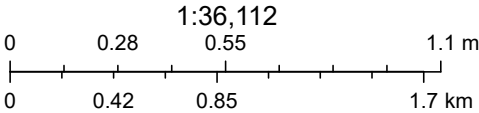
*Population by Language Spoken at Home is available at the census tract summary level and up.

FourPeaks



January 5, 2021

 FourPeaks



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Colonias map

