

**NEW MEXICO ENVIRONMENT DEPARTMENT  
HAZARDOUS WASTE BUREAU  
PUBLIC INVOLVEMENT PLAN (PIP)**

**Facility Name:** Advanced Chemical Treatment LLC (ACT)

**Facility Location:** 6137 Edith Boulevard N.E.  
Albuquerque, NM  
Latitude 35° 08' 37" N, and Longitude 106° 37' 34" W

**County:** Bernalillo

**Permittee:** Advanced Chemical Treatment LLC (ACT)  
6137 Edith Boulevard N.E.  
Albuquerque, NM 87107

**Agency:** New Mexico Environment Department  
Hazardous Waste Bureau  
RCRA Permits Program

**HWB Task ID:** Permitting-Renewal  
HWB-ACT -19-001

**HWB Contact:** Neelam Dhawan, Program Manager  
Hazardous Waste Bureau  
Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6313  
Main bureau telephone number: (505) 476-6000  
Email: Neelam.dhawan@env.nm.gov

**EFFECTIVE DATE:** January 22, 2026

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**JohnDavid Nance, Chief  
Hazardous Waste Bureau**

**PUBLIC INVOLVEMENT PLAN  
for**

**ADVANCED CHEMICAL TREATMENT LLC (ACT)  
BERNALILLO COUNTY, NEW MEXICO  
EPA ID# NMD002208627**

Prepared by:

Hazardous Waste Bureau  
New Mexico Environment Department  
Santa Fe, New Mexico  
January 2026

# **I. Element 1: Public Involvement Plan Overview**

The New Mexico Environment Department (NMED), Hazardous Waste Bureau (Bureau or HWB) developed this Public Involvement Plan (PIP) for Advanced Chemical Treatment Inc., LLC (ACT) permitting actions as required by 20.4.1.901 NMAC for a draft permit under the federal Resource Conservation and Recovery Act (RCRA) and the New Mexico Hazardous Waste Act (HWA).

ACT is located at 6137 Edith Boulevard N.E., Albuquerque, NM 87107. Hazardous waste treatment and storage operations are conducted on 1.75 acres of land owned by ACT Property Acquisition Partners V, LLC. Republic Services, Inc. informed NMED in a letter dated November 16, 2023, that it had acquired ACT earlier that month on November 1, 2023. The entire site is zoned light manufacturing (M-1) and is situated in an urban area containing nearby commercial/light manufacturing facilities which are bordered by mainly residential areas. The Facility lies within a developed industrial area with little to no habitat for ecological receptors and no appreciable vegetated areas. It is located in the northeast portion of the greater Albuquerque metropolitan area on the valley floor between the modern channel of the Rio Grande located 2.5 miles to the west, and the Sandia Mountains located 8 miles to the east. The immediate adjacent properties include Koch Mechanical (North), MGP Mechanical (Southeast), Keith's Creations (Southeast), Riccobene (Southeast), ACNM (East), Rinchem East (East), and We Care Agency (East). The nearest surface water features are unnamed storm water drainage channels (generally dry, 0.3 miles to the east and west) that ultimately discharge into the Rio Grande (2.5 miles west of the Facility).

The purpose of this PIP is to plan for providing public participation opportunities and information regarding the requested permit renewal and issuance, as required by statute or regulation, and also as the Bureau determines is needed to facilitate participation by the affected community. This PIP integrates information about the community and identifies resources needed by the Bureau to successfully incorporate community participation activities into the decision-making process. The PIP identifies the NMED staff and resources needed to accomplish these activities.

Both the RCRA regulations at 40 CFR §124.1 to 40 CFR §124.17, 40 CFR §270.42 and the New Mexico Hazardous Waste Management Regulations (HWMR) at 20.4.1.900 and 901 NMAC require public participation as part of the process for a Permit renewal. The Bureau will meet the public participation requirements for the permit modification process at ACT by adhering to this PIP, which includes all the applicable policy, regulatory and statutory public participation requirements.

In developing this PIP, community participation needs at the site were assessed to ensure appropriate promotion of public outreach by identifying whether there is a combination of environmental and demographic factors (e.g., low income, minority, limited English proficiency, linguistically isolated households) that may affect public participation actions. This assessment identifies community outreach needs and addresses the provision of public access to information about the permitting process.

To the extent possible, public participation and informational activities related to implementation of this PIP will be held within the timelines outlined below. Public notice activities are subject to

statutory or regulatory deadlines.

Draft documents issued for public comment will generally be made available for a 60-day period to allow for formal public review and comments and there will be a 30-day notice for the public informational meetings, if scheduled. Based on the demographics of the area, the Bureau will provide pertinent information in both English and Spanish in public notices, public informational meeting notices, and other announcements (e.g., radio broadcasts, newspaper notices, mailings.).

If public informational meetings are held, the Bureau will make arrangements for simultaneous Spanish interpretation during the informational meetings, and, to the extent practicable, make arrangements for translating to languages other than Spanish, if applicable, and also for obtaining services for persons with disabilities.

This PIP was developed by the Hazardous Waste Bureau and may be amended to address specific actions at the ACT Facility and after considering public comments and feedback. The Bureau will make the final approval of the PIP and amendments.

## **II. Element 2: Bureau Contact Information**

The Bureau contact for this permit renewal request is:

Neelam Dhawan, Permit Program Manager  
Hazardous Waste Bureau  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303

Phone: (505) 476-6000

Fax: (505) 476-6030

Email: [neelam.dhawan@env.nm.gov](mailto:neelam.dhawan@env.nm.gov)

Hazardous Waste Bureau actions issued for public comment will include specific instructions for submitting written comments related to the permit renewal request.

## **III. Assistance for Non-English Language Speakers and Persons with Disabilities**

The Bureau will include information about how persons may request non-English speaker language assistance and accommodations for persons with disabilities (e.g., deaf and/or non-English language interpreters) in public notices for informational meetings or hearings, if held, related to the permit renewal request. Public notices will direct public requests for assistance to the Bureau contact, who will notify the Department's Non-Discrimination Coordinator. Arrangements will be made by the Bureau for document translation, interpretation, or disability services related to the activity or proceeding, as necessary. The following information will be provided in public notices so that hearing-impaired callers and persons with a disability can contact the Bureau and ask questions about the activity or proceeding:

Toll-free numbers are available for TDD or TDY users to access the New Mexico Relay Network at 1-800-659-1779 (voice); TTY users: 1-800-659-8331. HWB public notices will include Bureau contact information for persons with a disability who require assistance or auxiliary aid to participate in this process.

#### **IV. Department Websites**

Public notices and outreach materials will include links to the following websites:

New Mexico Environment Department - [www.env.nm.gov](http://www.env.nm.gov)  
Hazardous Waste Bureau - [www.env.nm.gov/hazardous-waste](http://www.env.nm.gov/hazardous-waste)

#### **V. Element 3: Regulatory Background for Public Participation**

The Resource Conservation and Recovery Act regulations at 40 CFR §124.1 to 40 CFR §124.17 and 40 CFR §270.42 require the public to be notified regarding permit applications, permit modifications and the issuance of draft permits. Both the applicant and the regulatory agency have public notification responsibilities based on the type of proposed action (see Attachment 2 in Appendix A). The Bureau is required to issue public notices for the issuance of draft permits in accordance with 40 CFR Part 270 and the New Mexico Hazardous Waste Management Regulations in accordance with 20.4.1.900, 901 and 1102 NMAC. The HWMR require that public notice of issuance of a draft permit or a notice of intent to deny, and of any public hearing scheduled, “shall be given by publication of a notice in a newspaper of general circulation in the area affected, broadcasts over local radio stations and by mailing a copy of the notice to the permit applicant, those individuals on the department mailing list of persons interested in hazardous waste permit actions, and to any unit of local, state and federal government as may be applicable” as specified by 20.4.1.901.C(3). The Bureau public notice activities for this action are described in Section X below.

#### **VI. Element 4: EJSCREEN Summary**

To assess the need to specifically reach and inform Limited English Proficient (LEP) community populations to encourage public participation, two search criteria were utilized (EJSCREEN and data.census.gov). The first tool, Environmental Justice mapping and screening (EJSCREEN), was developed by the U.S. Environmental Protection Agency (EPA) and is based on nationally consistent data and an approach that combines environmental and demographic indicators in maps and reports. EJSCREEN provides up to 11 environmental indexes and six demographic indexes. Through EJSCREEN, demographic data is available for 2013-2017 via the American Community Survey (ACS), the 2010 U.S. Census, and the 2000 U.S. Census.

To meet the search criteria specified in NMED policy 07-13, preliminary screening was conducted using EPAs EJSCREEN tool to generate reports from the American Community Survey (ACS) using a four- mile radius from the Facility. This report, which is included as Appendix A to this PIP, indicated that there are 57,473 households within a four-mile radius from the facility

(considered the affected community) and the per capita income for the population within a four-mile radius was \$31,251. The U.S. per capita income is \$33,706. The percent of minority population within a four-mile radius was 57% and percent of population by race was 43% white (.32% of the population listed as white is Hispanic), 2% black, 4% American Indian, 2% Asian, and 11% were listed as Other. The percentage of linguistically isolated households within the four-mile radius was 6%. The portion of households who spoke Spanish was 84%. The percentage of the population who were age 5+ who spoke only English was 75% and those able to speak English very well was 19%. These results indicate that for the affected community, the percentage of persons who speak English less than very well is 6% which is considerably less than the state (9.6%) or national percentages (8.3%) based on 2018 U.S census data.

The second tool, data.census.gov, was developed by the United States Census Bureau. It is the new platform to access data and digital content from the U.S. Census Bureau. The tool presents information such as language data from the ACS for languages spoken at home. This tool was chosen to supplement search criteria to be thorough in our efforts to reach LEP communities. While there were differences in the data when compared to EJSCREEN, the percentages related to limited English proficiency and demographic distribution generally corroborated the EJSCREEN data.

Based on the EJSCREEN and data.census.gov results, along with the history of public involvement at the site and the site background, the Bureau has determined that public notice documents will provide basic information concerning public involvement opportunities in both English and Spanish. This information will include how to request materials in Spanish or to speak with Hazardous Waste Bureau staff through an interpreter.

## **VII. Element 5: Public Participation Activities**

The Bureau will conduct the following public participation and outreach activities associated with this permit renewal process:

- Postal mailings and email notices
- Radio announcements
- Newspaper publications

## **VIII. Postal Mailing or E-Mailing of Notices to Persons on the Facility-Specific Mailing List**

The Hazardous Waste Bureau maintains a facility mailing list for ACT that includes individuals and local, state, and federal government and tribal agencies interested in RCRA-related facility activities. The Bureau maintains contact information, which is updated or supplemented, if additional information becomes available. Individuals, organizations, and other interested parties are added to the list as requested. If the Bureau receives returned mail subsequent to issuance of a public notice indicating the recipient is no longer at the listed address, the name may be removed from the facility mailing list.

## **IX. Notices in the State Newspaper and Local Newspapers**

Public notices that are required to be published in state and local newspapers will be published in English and Spanish in the Albuquerque Journal (statewide circulation). Websites for these publications are listed below.

Albuquerque Journal:  
<https://www.abqjournal.com/>

## **X. Public Notices**

Public notices are issued for public comment periods related to the issuance of 1) draft permits, including major permit modifications, 2) public informational meetings, and 3) selected other public notifications. Public notices are mailed to persons included on the facility mailing list, published in the Albuquerque Journal, broadcast as public service announcements on radio, and posted on the Hazardous Waste Bureau website. The notifications will be issued in Spanish and English. These notices will provide general information about the draft permit or permit modification, contact information for submitting comments or requesting a public hearing, and, if held, the time and location of public informational meetings.

## **XI. Factsheets**

The Hazardous Waste Bureau will develop a fact sheet to accompany the draft permit, as required by 20.4.1.901.A(2). Fact sheets provide information regarding public participation, a description of the Facility, a description of the proposed permit action and next steps in the process. Copies of a fact sheet will be sent to any person upon request in accordance with 20.4.1.901.A(2). Fact sheets also will be made available for viewing at the Hazardous Waste Bureau and on the Bureau website and at other locations as specified in Section XV below.

## **XII. Public Comment Periods**

The Hazardous Waste Bureau is required to provide a minimum of 45 days for public review and comment on a draft permit in accordance with 20.4.1.901.A(3). The Bureau generally provides a 60-day comment for major permit actions to allow the public an opportunity to comment on the draft permits. The Hazardous Waste Bureau may extend the public comment period, if a request is received during the public comment period to extend the comment period based on significant interest. The Hazardous Waste Bureau will provide public notice of any extension to a public comment period as described in Section X above.

## **XIII. Public Information Meetings**

The site subject for which ACT has requested a draft permit determination is all located within ACT Facility. The site either meets the risk-based requirements for residential (unrestricted) land use or is limited to industrial land use only. The site is not accessible to the public; therefore, the contact with the public regarding hazardous waste management activities at ACT is infrequent since there

is no potential for exposure to hazardous waste.

Because the contact with the public, and therefore members of the public with limited English proficiency, is infrequent and the facility does not pose a risk to human health or the environment, the Bureau does not plan to hold a public informational meeting to provide information regarding this Permit renewal, and will publish the public notice for this action in accordance with 20.4.1.900 and 901 NMAC and as described in Section X above.

#### **XIV. Element 6: Other Outreach, Contingency Plan Implementation**

In addition to the public notice procedures described in Section X above, notices in the form of flyers announcing public comment periods and informational meetings, if held, may be posted in locations throughout the community (e.g., local businesses, schools, libraries). All notices will be posted on the NMED Hazardous Waste Bureau website. Depending on the cost and a radio station's public service broadcast availability, the Bureau may use commercial radio announcements or informational broadcasts in both Spanish and English.

Because the contact with the public, and therefore members of the public with limited English proficiency, is infrequent and the sites do not pose a risk to human health or the environment, the Bureau does not plan to provide additional public outreach for this permit action.

***Contingency Plan.*** During a public health emergency or other unforeseen event beyond the control of the Department (e.g. severe weather), the Department will make every effort to ensure the public remains involved in and informed of the decision making and permit processes. In those instances, the Department will implement a contingency plan. The purpose of this PIP Contingency Plan is in part to address circumstances when public spaces are closed because of potential human exposure risks or extreme weather, etc. The Department will attempt to identify and utilize alternate methods of information delivery to the public when conventional methods and locations are unavailable. While operating under the PIP Contingency Plan, any public notice will include a statement specifying that the PIP Contingency Plan is in effect and all messaging will be on the Hazardous Waste Bureau website, at a minimum.

#### **XV. Site Repositories**

During public comment periods, in addition to information being posted on the Hazardous Waste Bureau website, copies of relevant documents will be accessible in print or on-line at the following locations:

NMED Hazardous Waste Bureau  
2905 Rodeo Park Drive East, Building 1  
Santa Fe, New Mexico 87505-6303  
Telephone: 505-476-6000

#### **XVI. Responses to Comments**

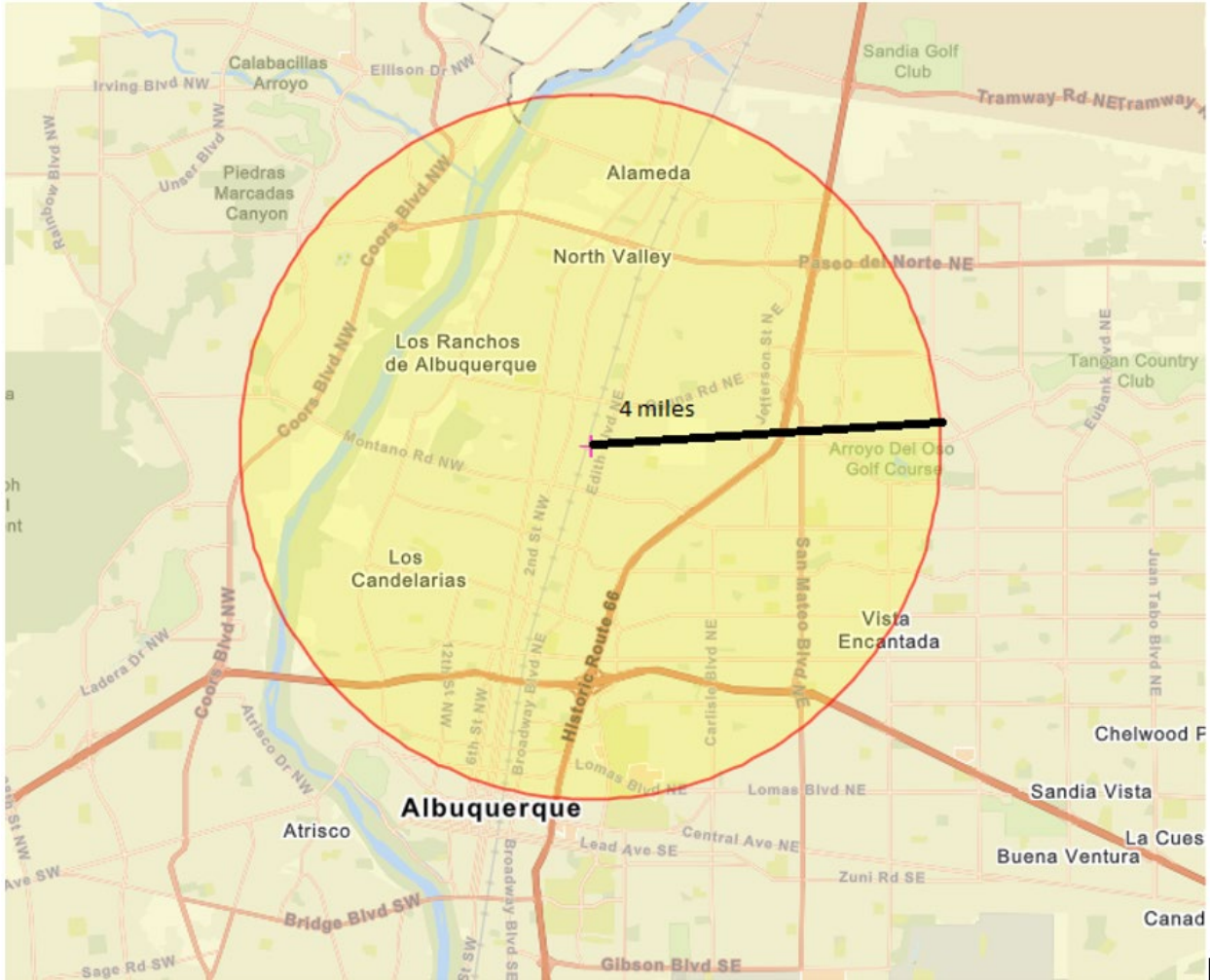
The Hazardous Waste Bureau must ensure that the approved final permit is consistent with the

New Mexico Hazardous Waste Management Regulations and the Hazardous Waste Act. All written comments submitted on the draft permit will become part of the administrative record, will be considered in formulating a final decision, and may cause the draft permit to be modified. The Hazardous Waste Bureau will respond in writing to all written public comments. The response will specify which provisions, if any, of the draft permit have been changed in the final permit decision, and the reasons for the change. This response will also be posted on the Bureau's website, and the Bureau will notify all persons who provided written comments.

After consideration of all written public comments received, the Bureau will issue, modify and issue, or deny the permit. If the Bureau modifies and issues the draft permit, the Permittee shall be provided by certified mail a copy of the permit and a detailed written statement of reasons for the modifications. The NMED Secretary will make the final permit issuance decision publicly available. The Secretary's decision shall constitute a final agency decision and may be appealed as provided by the Hazardous Waste Act. All persons that provided written comments, or who requested notification in writing, will be notified of the final decision by mail.

**APPENDIX A**

**Advanced Chemical Treatment LLC. Facility, 1637 Edith Boulevard NE, Albuquerque, New Mexico  
4-Mile (Buffer) Radius, March 2024**



**Attachment 2. Required RCRA Public Participation Activities<sup>1</sup>**

<b>Activity</b>	<b>Relevant RCRA Process(es)</b>	<b>Timeframe (if applicable)</b>	<b>Responsible Entity</b>	<b>Regulatory Citation(s)</b>
<b>Public Notice for Pre-Application</b> - Newspaper Advertisement - Visible and accessible sign near facility - Broadcast media announcement - Notice to NMED/HWB <b>Public Meeting for Pre-Application</b>	Pre-Application	30 days prior to the public meeting	<b>Owner/Operator</b>	40 CFR § 124.31 and 20.4.1.901 C (1) NMAC
<b>Mailing Lists</b>	Pre-Application Permit Issuance Permit Modification Corrective Action	Developed during the pre-application stage and updated routinely throughout the RCRA process	<b>NMED/HWB</b>	40 CFR § 124.10 (c)(1)(viii) and 20.4.1.901 C. (2)
<b>Agency Contact Persons/Offices</b>	Pre-Application	30 days prior to the public meeting	<b>Owner/Operator</b>	40 CFR § 124.31 and 20.4.1.901 C (1) NMAC
	Permit Issuance or notice of intent to deny	Included in public notices	<b>NMED/HWB</b>	40 CFR § 124.10 (d) and 20.4.1.901 C (4) NMAC
	Permit Modification	No timeframe specified	<b>Owner/Operator</b>	40 CFR § 270.42 (b) and (c)
			<b>NMED/HWB</b>	40 CFR § 270.41 and 20.4.1.901 C (4) NMAC
	Permitted and interim status combustion facilities		<b>NMED/HWB</b>	40 CFR §§ 270.62 (b) and (d); 270.66 (d)(3) and (g)
<b>Fact Sheets / Statements of Basis</b>	Permit Issuance	At the time public notice is published	<b>NMED/HWB</b>	40 CFR §§ 124.) and 124.8; and 20.4.1.901 D (1) NMAC
	Permit			

	Modification (Class 3 or Agency- Initiated)  Corrective Action	(as above) at the time public notice is published		20.4.1.901 B(5) NMAC
<b>Information Repositories</b>	Permit issuance  Permit modification  Corrective action	During permitting process;  Active life of the facility		40 CFR § 124.33, 40 CFR § 270.30, and 20.4.1.901 E NMAC
<b>Notices of Decision</b>	Permit issuance  Permit Modification  Corrective action	Once an application is determined to be administratively and technically complete; or after the close of public comment period	<b>NMED/HWB</b>	40 CFR § 124.15 and 20.4.1.901 A. (1)
<b>Public Comment Periods</b>	Permit Issuance  Permit Modification Request  Permit Modification	45 days  60 days  45 days	<b>NMED/HWB</b>  <b>Owner/Operator</b>  <b>NMED/HWB</b>	40 CFR § 124.10 (b) and 20.4.1.901 A(3) NMAC  40 CFR §§ 270.42 (b) and (c)  40 CFR §§ 270.42 (b) and (c) and 20.4.1.901 B (5) and A (3) NMAC
<b>Public Hearings</b>	Permit issuance  Permit Renewal  Permit denial  Permit modification	No timeframe specified	<b>NMED/HWB</b>	20 NMAC 1.4
<b>Public Meetings</b> (other than those associated with pre-application)	Permit issuance  Permit Modification request (Class 2 or 3)  Corrective action	Upon request  Timeframes from Public notice	<b>NMED/HWB</b>  <b>Owner/Operator</b>	40 CFR §§ 270.42 (b) (c)
<b>Public Notice</b>	Permit issuance	At the time final	<b>NMED/HWB</b>	20.4.1.901 A(9)

(other than that associated with pre-application)	Permit Modification request	permit decision is issued Class 2 and 3: within 7 days of submittal to NMED	<b>Owner/Operator</b>	NMAC 40 CFR §§ 270.42 (b) (c)
	Permit modification	Class 3: after conclusion of 60-day comment period	<b>NMED/HWB</b>	40 CFR § 124.10 (b)(2) and 20.4.1.901 C (3) NMAC
	Corrective action Public hearing	30 days before hearing		20 NMAC 1.4
<b>Response to Comments</b>	Permit issuance	At the time any final permit decision is issued	<b>NMED/HWB</b>	40 CFR § 124.17 and 20.4.1.901 A. (9) NMAC
	Permit modification	On Class 2 and 3		40 CFR §§ 270.41, 270.42, 20.4.1.901 B. (5) and 20.4.1.901 A. (9) NMAC
	Corrective Action			

<sup>1</sup> Material excerpted from Exhibit 5-2. Required Public Participation Activities. EPA, 2016. *Resource Conservation and Recovery Act Public Participation Manual*. 530-R-16-013, citations from 40 CFR relevant sections and 20.4.1 NMAC