



PUBLIC INVOLVEMENT PLAN (PIP)

Air Quality Bureau Air Permit Application

Version 07.15.22

Date: May 2, 2022, revised 7/8/2022, and revised 10/31/2022

Applicant: HF Sinclair Navajo Refining LLC

Facility Name: Artesia Refinery

Air Quality Permit Application Number: PSD 195-M40

Location: 501 E. Main Street, Artesia NM 88210 in Eddy County

Latitude: 32.842674

Longitude: -104.390695

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 20.2.72 and 20.2.74 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 20.2.72 and 20.2.74 NMAC require that the application must be ruled complete or incomplete no more than 30 days after receipt, and that a public notice for this application must be published in a newspaper of general circulation where the facility is located. 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) 372-8373 to speak to Spanish speaking staff for additional information regarding this permitting action.

- b. The AQB will provide a copy of the public notice, the air quality permit application, and this PIP to the NMED field office at:

Carlsbad
406 N. Guadalupe, Suite C

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Carlsbad, NM 88220
Phone (575) 885-9023
Fax (575) 887-9283

- c. AQB regulations require that the public notice be sent to interested parties maintained on a mailing list. See Section 4.b below for more information.
- d. AQB regulations require that the public notice be sent to the “appropriate agency” as defined at 20.2.72 or “officials and agencies having jurisdiction” including “federal land manager[s]” of Class I Areas that may be impacted by the source for 20.2.74 NMAC. See Section 4.e below for more information.
- e. In accordance with the evaluation of the site location and associated demographics, no additional means for disseminating information are planned at this time.
- f. 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.
- g. AQB regulations require that the permit must be issued, issued subject to conditions, or denied within one hundred eighty (180) days after the department deems the application administratively complete. (20.2.74 NMAC)

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):

James Nellessen
New Mexico Environment Department
Air Quality Bureau
525 Camino de los Marquez, Suite 1
Santa Fe, New Mexico, 87505
505-629-6283
james.nellessen@env.nm.gov

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/public-notices/>

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 1-mile radius from the facility, the results of the EJScreen ACS Summary Report (attached) are listed in the table below. [<https://ejscreen.epa.gov/mapper/>] A 1-mile radius circle was used rather than the default 4-mile radius because the facility is located in an urban area; this is in accordance with NMED Public Participation Policy 07-13. This is also consistent with the PIP analyses completed for the most recent NSR and TV permits for this facility, which were also performed with a 1-mile radius circle around the facility.

Population and Income Data			
Total Population:	1,761	Per capita income of community (2015-2019):	\$20,745
People of Color Population, %:	73	US Per Capita Income*:	\$34,103
Total number of households:	910	Total Number (and Percent) of Linguistically Isolated Households:	105 (11.5%)

*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	84	Speak Only English	61
Black	0	Non-English at Home	39
American Indian	9	Speak English "very well"	27
Asian	0	Speak English "well"	3
Pacific Islander	0	Speak English "not well"	7
Some Other Race	7	Speak English "not at all"	1
Two or More Races	0	Speak English "less than very well"	12

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: None.

History of public involvement in air permitting during the last 10 years: None.

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 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. The Carlsbad NMED field office will serve as access areas for the AQB to leave hard copies of important documents and information about how to comment on this permit application.

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 English. 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.**
- 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 includes addresses within fifty kilometers of the boundary of other states, Bernalillo County, or Class I areas (20.2.72 NMAC). The list also includes Federal Land Managers of Class I Areas up to 100 km away from the source for PSD actions (20.2.74 NMAC).

c. Notices in the State Newspaper and Local Newspapers

The public notice for this permit application will be published in English in the Legal Section of the Artesia Daily Press newspaper.

The website for this publication is below:

<http://www.artesianews.com/> (English)

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.

The Department does not do this notification for NSR permits (20.2.72 NMAC). Notification to Indian Tribes, Pueblos or Nations within 10 miles is required from the applicant for the NSR.

For PSD actions, 20.2.74.400.C(4)(c)(iv) NMAC states that the Department shall send notice to any "Indian governing body whose lands may be affected by emissions from the source." Based on the EPA EJ Screen map, the facility is approximately 55.0 miles (88.5 km) from the border of Mescalero Apache Tribal lands. Since AQB has been in contact with federal agency entities within this distance range, out of courtesy, the AQB will notify the Mescalero Apache Tribe.

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 (based on requirements of both 20.2.72 NMAC and 20.2.74 NMAC, specifically 20.2.74.400 NMAC and 20.2.74.403 NMAC).

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

- US EPA Region VI
r6airpermits@epa.gov; layton.mary@epa.gov; LeDoux.Erica@epa.gov

Federal Land Managers (FLM) of Class I Areas within 100 km of the facility will be notified:

- Carlsbad Caverns National Park (approximately 71.8 km from facility*)
rod_horrocks@nps.gov
- Salt Creek Wilderness Area (approximately 80.7 km from facility*)
catherine_collins@fws.gov and tim_allen@fws.gov
- Guadalupe Mountains National Park (approximately 99.6 km from facility*)
Eric_Brunnemann@nps.gov
- National Park Service, Air Resources Division
Don_shepherd@nps.gov

*Distances calculated with the Department tool MergeMaster.

FLM of Class I Areas within 300 km (for air quality related values (AQRV), per 20.2.74.403 NMAC, which includes visibility per FLM AQRV Work Group (FLAG) guidance documents and per NMED modeling guidelines):

- White Mountain Wilderness (approximately 150 km*)
bret.a.anderson@usda.gov
- Bosque del Apache Wilderness Area (approximately 256 km*)
bernard_lujan@fws.gov
catherine_collins@fws.gov and tim_allen@fws.gov

*Distances were approximated using Google Earth.

Officials and agencies having jurisdiction over the location of proposed construction, including chief executives of counties and cities, regional land use planning agencies, and state, FLM, or Indian governing body whose lands may be affected by emissions from the source (20.2.74.400.C(4)(c) NMAC):

- State of Texas: AIRPERM@tceq.texas.gov
- Bureau of Land Management: Carlsbad Office blm_nm_comments@blm.gov
- New Mexico State Land Office: slowebmaster@slo.state.nm.us
- New Mexico State Parks (e.g., Living Desert in Carlsbad): nm.parks@state.nm.us
- Eddy County (County Manager): ardavis@co.eddy.nm.us
- Lea County (County Manager): mgallagher@leacounty.net
- City of Artesia: hard copy letter if electronic not possible
- City of Carlsbad: hard copy letter if electronic not possible

In addition, although not required by regulation, the following land grants and/or colonias were found within a 1-mile radius of the facility:

- For the colonia of Morningside the public notice will be sent to the following organization: District 6: Southeastern NM Economic Development District (Lincoln, Otero, Chaves, Eddy, Lea Counties) 1600 SE Main Street, Suite D, Roswell, NM 88203. Phone: (575) 624-6131; Fax: (575) 624-6134; website: www.SNMEDD.com.

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.

g. Public Comment Periods

AQB regulations require that all interested persons have thirty (30) days from the date the public notice is published to express an interest in writing in the permit application. If AQB receives written public comment before the end of the thirty (30) day public comment period, the analysis of the application will be made available for review for thirty (30) days on the Air Quality Bureau Website and at the NMED District office (address listed in Section 1.b above).

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

For Liz Bisbey-Kuehn
Bureau Chief
Air Quality Bureau

Date approved

Attachments: EJSCREEN Printout

Location: User-specified point center at 32.842674, -104.390695

Ring (buffer): 1-miles radius

Description: Artesia Refinery

Summary of ACS Estimates		2015 - 2019		
Population		1,761		
Population Density (per sq. mile)		531		
People of Color Population		1,281		
% People of Color Population		73%		
Households		910		
Housing Units		1,068		
Housing Units Built Before 1950		134		
Per Capita Income		20,745		
Land Area (sq. miles) (Source: SF1)		3.32		
% Land Area		100%		
Water Area (sq. miles) (Source: SF1)		0.01		
% Water Area		0%		
		2015 - 2019 ACS Estimates	Percent	MOE (±)
Population by Race				
Total		1,761	100%	603
Population Reporting One Race		1,755	100%	1,096
White		1,484	84%	616
Black		1	0%	54
American Indian		152	9%	250
Asian		0	0%	12
Pacific Islander		0	0%	12
Some Other Race		118	7%	152
Population Reporting Two or More Races		6	0%	69
Total Hispanic Population		1,128	64%	517
Total Non-Hispanic Population		633		
White Alone		480	27%	292
Black Alone		1	0%	54
American Indian Alone		152	9%	250
Non-Hispanic Asian Alone		0	0%	12
Pacific Islander Alone		0	0%	12
Other Race Alone		0	0%	12
Two or More Races Alone		0	0%	12
Population by Sex				
Male		864	49%	307
Female		897	51%	384
Population by Age				
Age 0-4		120	7%	105
Age 0-17		480	27%	230
Age 18+		1,281	73%	290
Age 65+		340	19%	181

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) 2015 - 2019

Location: User-specified point center at 32.842674, -104.390695

Ring (buffer): 1-miles radius

Description: Artesia Refinery

	2015 - 2019 ACS Estimates	Percent	MOE (±)
Population 25+ by Educational Attainment			
Total	1,151	100%	340
Less than 9th Grade	164	14%	141
9th - 12th Grade, No Diploma	224	19%	180
High School Graduate	436	38%	244
Some College, No Degree	204	18%	182
Associate Degree	53	5%	130
Bachelor's Degree or more	71	6%	87
Population Age 5+ Years by Ability to Speak English			
Total	1,641	100%	565
Speak only English	1,008	61%	304
Non-English at Home ¹⁺²⁺³⁺⁴	633	39%	375
¹ Speak English "very well"	437	27%	309
² Speak English "well"	57	3%	130
³ Speak English "not well"	118	7%	107
⁴ Speak English "not at all"	20	1%	28
³⁺⁴ Speak English "less than well"	139	8%	109
²⁺³⁺⁴ Speak English "less than very well"	196	12%	130
Linguistically Isolated Households*			
Total	105	100%	102
Speak Spanish	105	100%	101
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	910	100%	207
< \$15,000	259	28%	141
\$15,000 - \$25,000	181	20%	122
\$25,000 - \$50,000	219	24%	150
\$50,000 - \$75,000	105	12%	97
\$75,000 +	146	16%	155
Occupied Housing Units by Tenure			
Total	910	100%	207
Owner Occupied	478	53%	163
Renter Occupied	432	47%	185
Employed Population Age 16+ Years			
Total	1,326	100%	379
In Labor Force	803	61%	243
Civilian Unemployed in Labor Force	61	5%	82
Not In Labor Force	523	39%	313

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)

*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 32.842674, -104.390695

Ring (buffer): 1-miles radius

Description: Artesia Refinery

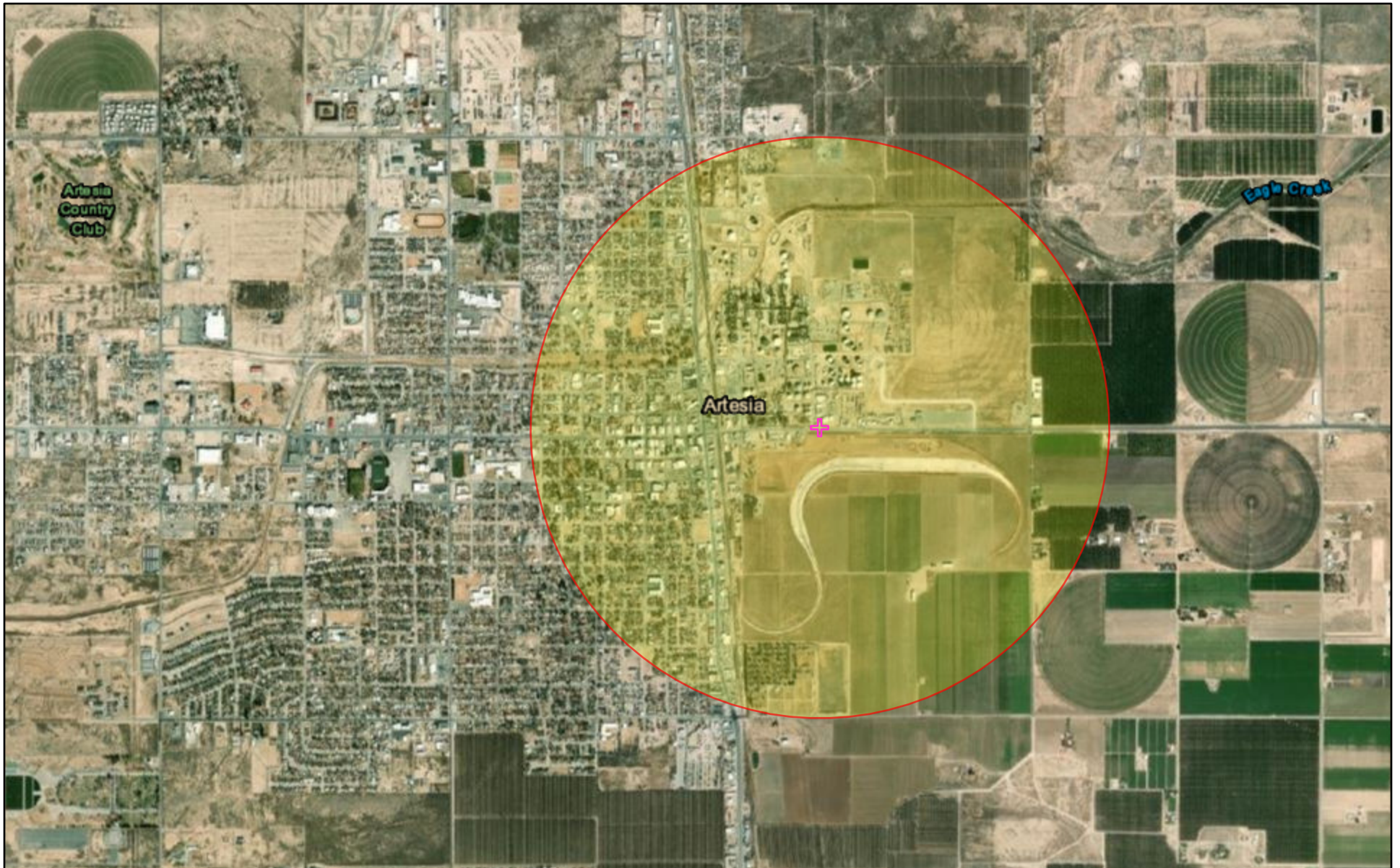
	2015 - 2019 ACS Estimates	Percent	MOE (±)
Population by Language Spoken at Home*			
Total (persons age 5 and above)	1,500	100%	500
English	1,039	69%	632
Spanish	461	31%	486
French	0	0%	17
French Creole	N/A	N/A	N/A
Italian	N/A	N/A	N/A
Portuguese	N/A	N/A	N/A
German	0	0%	17
Yiddish	N/A	N/A	N/A
Other West 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	0	0%	17
Total Non-English	461	31%	806

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) 2015 - 2019.

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

Artesia Refinery



5/2/2022

✚ Artesia Refinery

