



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

Version06.06.23

Date: 1/17/2024

Applicant: Morningstar Operating LLC.

Facility Name: Buckeye CO2 Plant

Air Quality Permit Application Number: 2196-M6

Location: From Lovington, travel west on US-82 approximately 7 miles. Turn left at NM-238 (south) and go approximately 11 miles to plant on right. Approximately 14.4 miles southeast of Lovington, NM Lea County, New Mexico

Latitude: 32.785953

Longitude: -103.510842

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 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 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) 629-3395 to speak to Spanish speaking staff for additional information regarding this permitting action.

- b. The AQB will provide a copy of the Completion Letter w/Legal Notice, and just attachment B of the completion letter template that has links for someone to view the application and PIP on our Bureau website PN page to the NMED field office at:

Hobbs
2120 N. Alto
Hobbs, NM 88240
Phone (575) 397-6910
Fax (575) 397-6916

- 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 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 ninety (90) days 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):

Adam Bland
New Mexico Environment Department
Air Quality Bureau
525 Camino de los Marquez, Suite 1
Santa Fe, New Mexico, 87505
505-629-3584
Adam.bland@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 the default 4-mile radius or some other appropriate distance such as distance from the boundary of a large facility from the facility, the results of the EJScreen ACS Summary Report (attached) are listed in the table below. [<https://ejscreen.epa.gov/mapper/>]

Population and Income Data			
Total Population:	15	Per capita income of community (2016-2020):	\$32,063
People of Color Population, %:	66	US Per Capita Income*:	\$37,638
Total number of households:	1	Total Number (and Percent) of Linguistically Isolated Households:	0

*US Per Capita Income 2017-2021; <https://www.census.gov/quickfacts/fact/table/US/INC910219>

Population by Race, %		Population by Ability to Speak English, %	
White	34	Speak Only English	N/A
Black	0	Non-English at Home	N/A
American Indian	0	Speak English "very well"	N/A
Asian	0	Speak English "well"	N/A
Pacific Islander	0	Speak English "not well"	N/A
Some Other Race	0	Speak English "not at all"	N/A
Two or More Races	0	Speak English "less than very well"	N/A

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

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 Hobbs 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 also includes addresses within fifty kilometers of the boundary of other states, Bernalillo County, or a Class I area.

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 Hobbs News-Sun newspaper.

Hobbs News Sun: English: <http://www.hobbsnews.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.

Notification to Indian Tribes, Pueblos or Nations within 10 miles is required from the applicant for the NSR. However, in accordance with NMED Public Involvement Plan Policy, the Department provided additional notification to those within the 10-mile radius.

There are no Tribes, Pueblos, or Nations within a 10 mile radius of this facility.

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 and the State of Texas.

US EPA Region VI, Elizabeth (Mary) Layton at r6airpermits@epa.gov & layton.mary@epa.gov

There are no Tribal Lands, Colonias, or Land Grants within 4 miles of the facility.

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



EJScreen Community Report

This report provides environmental and socioeconomic information for user-defined areas, and combines that data into environmental justice and supplemental indexes.

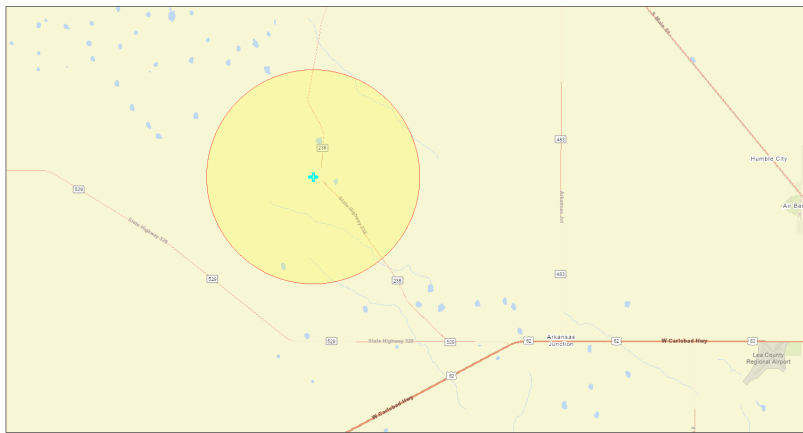
Lea County, NM

4 miles Ring Centered at 32.785831,-103.510780

Population: 15

Area in square miles: 50.26

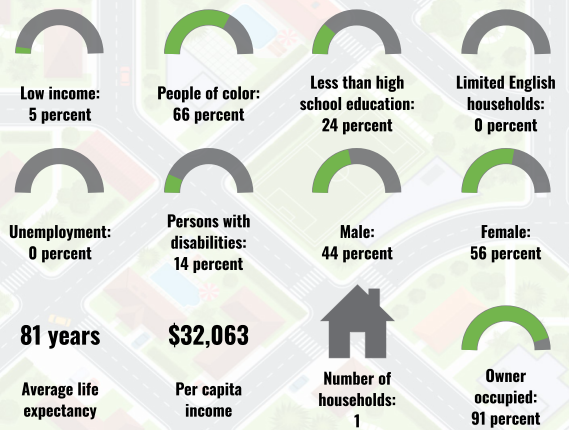
A3 Landscape



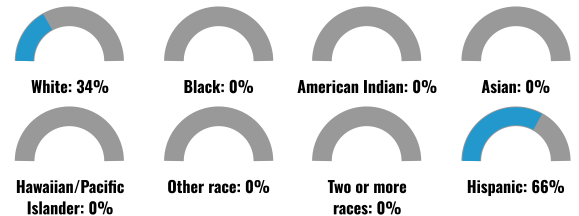
January 18, 2024
Search Result (point)

1:144,448
0 1.5 3 4.5 6 mi
0 2.25 4.5 9 km
Source: Points & Visibility, Esri, DeLorme, Garmin, TeleAtlas, GeoNames, VLM, NITDA, USGS, EPA, NPS, USDA, USFWS

COMMUNITY INFORMATION



BREAKDOWN BY RACE



BREAKDOWN BY AGE



LIMITED ENGLISH SPEAKING BREAKDOWN



Notes: Numbers may not sum to totals due to rounding. Hispanic population can be of any race. Source: U.S. Census Bureau, American Community Survey (ACS) 2017-2021. Life expectancy data comes from the Centers for Disease Control.

LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
No language data available.	

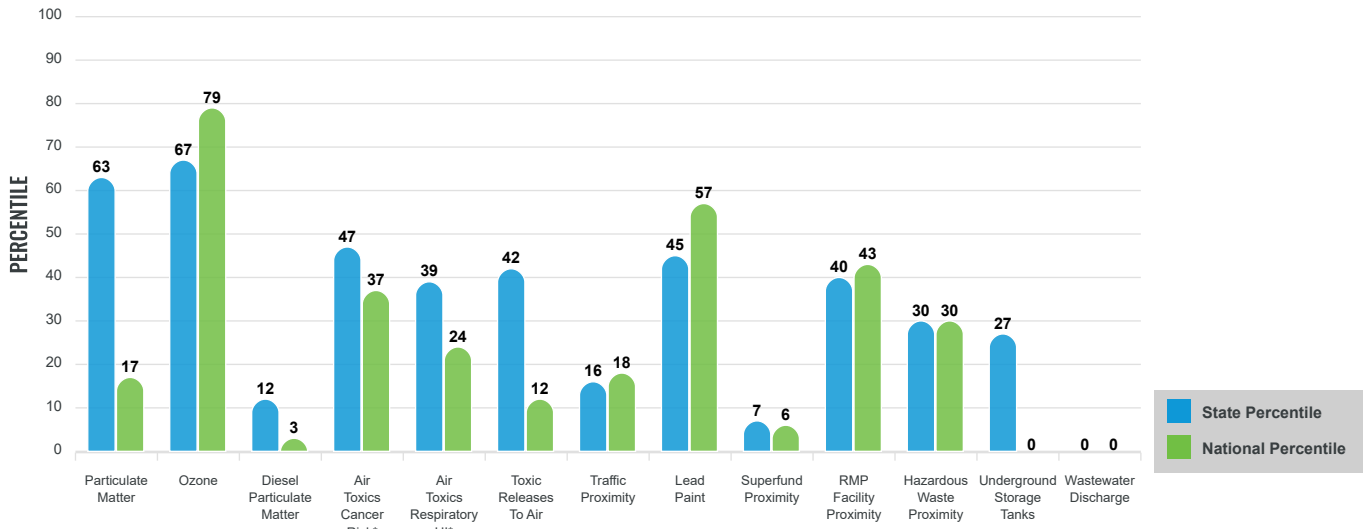
Environmental Justice & Supplemental Indexes

The environmental justice and supplemental indexes are a combination of environmental and socioeconomic information. There are thirteen EJ indexes and supplemental indexes in EJScreen reflecting the 13 environmental indicators. The indexes for a selected area are compared to those for all other locations in the state or nation. For more information and calculation details on the EJ and supplemental indexes, please visit the [EJScreen website](#).

EJ INDEXES

The EJ indexes help users screen for potential EJ concerns. To do this, the EJ index combines data on low income and people of color populations with a single environmental indicator.

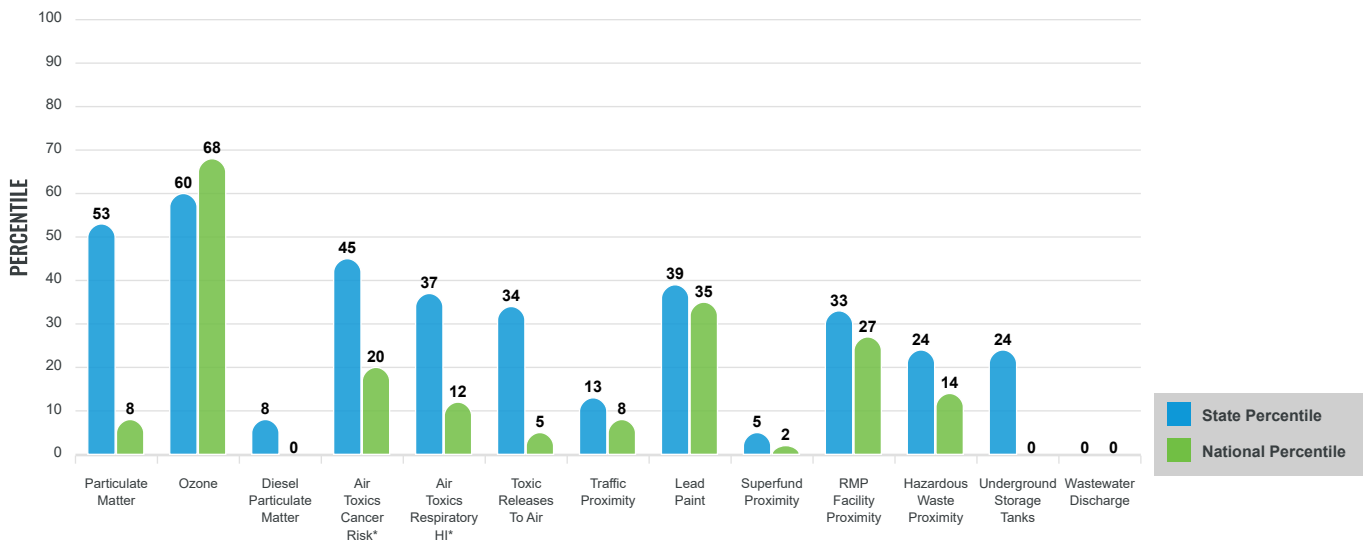
EJ INDEXES FOR THE SELECTED LOCATION



SUPPLEMENTAL INDEXES

The supplemental indexes offer a different perspective on community-level vulnerability. They combine data on percent low-income, percent linguistically isolated, percent less than high school education, percent unemployed, and low life expectancy with a single environmental indicator.

SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION



These percentiles provide perspective on how the selected block group or buffer area compares to the entire state or nation.

Report for 4 miles Ring Centered at 32.785831,-103.510780

EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
POLLUTION AND SOURCES					
Particulate Matter ($\mu\text{g}/\text{m}^3$)	6.02	5.16	77	8.08	8
Ozone (ppb)	67.9	64.7	84	61.6	88
Diesel Particulate Matter ($\mu\text{g}/\text{m}^3$)	0.0246	0.194	12	0.261	1
Air Toxics Cancer Risk* (lifetime risk per million)	20	18	34	25	5
Air Toxics Respiratory HI*	0.2	0.21	29	0.31	4
Toxic Releases to Air	4.2	29	47	4,600	6
Traffic Proximity (daily traffic count/distance to road)	2.8	84	17	210	8
Lead Paint (% Pre-1960 Housing)	0.14	0.19	57	0.3	41
Superfund Proximity (site count/km distance)	0.009	0.14	7	0.13	3
RMP Facility Proximity (facility count/km distance)	0.095	0.15	50	0.43	27
Hazardous Waste Proximity (facility count/km distance)	0.078	0.73	35	1.9	15
Underground Storage Tanks (count/km ²)	0.0061	3.3	24	3.9	0
Wastewater Discharge (toxicity-weighted concentration/m distance)	2.5E-12	0.47	0	22	0
SOCIOECONOMIC INDICATORS					
Demographic Index	36%	51%	24	35%	59
Supplemental Demographic Index	9%	17%	18	14%	30
People of Color	66%	62%	53	39%	76
Low Income	5%	40%	4	31%	9
Unemployment Rate	0%	7%	0	6%	0
Limited English Speaking Households	0%	6%	0	5%	0
Less Than High School Education	24%	14%	81	12%	86
Under Age 5	14%	5%	93	6%	95
Over Age 64	9%	19%	20	17%	24
Low Life Expectancy	17%	19%	21	20%	23

*Diesel particulate matter, air toxics cancer risk, and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding. More information on the Air Toxics Data Update can be found at: <https://www.epa.gov/haps/air-toxics-data-update>.

Sites reporting to EPA within defined area:

Superfund	0
Hazardous Waste, Treatment, Storage, and Disposal Facilities	0
Water Dischargers	0
Air Pollution	15
Brownfields	0
Toxic Release Inventory	0

Other community features within defined area:

Schools	0
Hospitals	0
Places of Worship	0

Other environmental data:

Air Non-attainment	No
Impaired Waters	No

Selected location contains American Indian Reservation Lands*	No
Selected location contains a "Justice40 (CEJST)" disadvantaged community	Yes
Selected location contains an EPA IRA disadvantaged community	Yes

Report for 4 miles Ring Centered at 32.785831,-103.510780

EJScreen Environmental and Socioeconomic Indicators Data

HEALTH INDICATORS					
INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	17%	19%	21	20%	23
Heart Disease	6.5	6.2	59	6.1	60
Asthma	9.8	10.3	39	10	49
Cancer	6	5.7	59	6.1	45
Persons with Disabilities	12%	16.6%	25	13.4%	46

CLIMATE INDICATORS					
INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Flood Risk	29%	9%	94	12%	91
Wildfire Risk	89%	58%	53	14%	90

CRITICAL SERVICE GAPS					
INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	0%	22%	0	14%	0
Lack of Health Insurance	12%	9%	71	9%	75
Housing Burden	No	N/A	N/A	N/A	N/A
Transportation Access	Yes	N/A	N/A	N/A	N/A
Food Desert	No	N/A	N/A	N/A	N/A

Footnotes

Report for 4 miles Ring Centered at 32.785831,-103.510780

