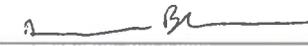




# NMED Public Participation Policy Policy 07-13

## Public Involvement Plan for Notice of a Remediation Plan

Former Y Station  
721 Commerce Way  
Clovis, New Mexico

Approved:   
Dana Bahar  
Chief, Petroleum Storage Tank Bureau

Date: May 6, 2019

Petroleum Storage Tank Bureau  
May 6, 2019

# 1. Public Involvement Plan (PIP) Overview

The New Mexico Environment Department (“NMED” or “Department”), Petroleum Storage Tank Bureau (“PSTB” or “Bureau”) developed this Public Involvement Plan (“PIP”) for the Remediation Plan review for the Former Y Station site located at 721 Commerce Way, Clovis, New Mexico.

The PSTB has developed this PIP to provide public participation opportunities and information to facilitate the public’s participation in the remediation planning process related to this site.

This PIP integrates information about the community and identifies resources needed by the PSTB to successfully incorporate community participation activities into the decision-making process for the Remediation Plan. The PIP identifies the PSTB staff and resources needed to accomplish these activities.

The remediation planning process may require public participation throughout different stages. The PSTB will meet the public participation requirements for the planning process by following this PIP, which includes all applicable policy, regulatory and statutory public notice and participation requirements.

In developing this PIP, community participation needs at the site were assessed to ensure appropriate promotion of public outreach is conducted 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 affect public participation (refer to Element 4 of this PIP). 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 the remediation planning process.

As much as possible, public participation and informational activities related to the remediation planning process will be held within the timelines outlined in the table below. This timeline is tentative and subject to change; activities subject to statutory or regulatory deadlines are noted.

In the timeline for this remediation planning process, public comments may be submitted to the PSTB prior to the PSTB’s determination that the Remediation Plan is acceptable. Upon a determination that the Remediation Plan is acceptable, the PSTB will implement the Remediation Plan.

The Former Y Station site is in Clovis, New Mexico in an area that has a relatively large community of Spanish speakers. Therefore, the PSTB will provide information in both English and Spanish notices.

As deemed necessary based on knowledge of the surrounding community, arrangements may be made for translation services. At any time during the planning process, the Remediation Plan and relevant documents may be reviewed at either of the repositories listed.

More detailed information about planned PSTB outreach is available in this PIP.

<b>Activity</b>	<b>Dates</b>
Posting of PIP (PSTB website and office)	TBD
Public Comment Period for PIP	Ongoing
PIP Revision	As necessary
Posting of Revised PIP	Within 21 days of receipt of substantial comment
City of Clovis Public Meeting	May 8, 2019
Public Notice of Planned Submission of Draft Remediation Plan	TBD (Submittal date up to 7 days before Draft Remediation Plan submission)
Submittal of Draft Remediation Plan	TBD
Posting of Draft Remediation Plan (PSTB website and office)	TBD
Second Public Notice of Submission of Draft Remediation Plan	TBD (Submittal date + up to 7 days)
Public Comment Period for Draft Remediation Plan	21 days following Second Public Notice of Submission of Draft Remediation Plan
Incorporation of Comments and Preparation of Final Remediation Plan	TBD

The Chief of the PSTB provides final approval of the PIP and amendments. This PIP is a “living” document that may be amended after considering public comments and feedback.

## 2. Contacts

Bureau contact for this PIP and the Remediation Plan is:

D. Renee Romero  
Project Manager  
NMED Petroleum Storage Tank Bureau  
1914 West Second Street  
Roswell, NM 88201  
Tel (575) 291-2109  
E-mail: d.renee.romero@state.nm.us

### ***Non-English Language Speaker Assistance and Accommodations***

The Bureau will include information about how non-English speakers or readers may call the PSTB contact listed in this PIP and request language assistance services, such as an interpreter, so they can learn more about the planning process. Services may be arranged for translation of documents, for interpreters, and for obtaining services for persons with disabilities. A phone-based interpretation service may be available for languages other than English.

Persons requiring non-English Language Speaker Assistance, assistance for an interpreter or auxiliary aid (e.g., accommodations for persons who are disabled) to participate in the planning process will be directed to the PSTB contact listed above, and if possible, allow at least 14 days prior to the end of the comment review period.

TDD or TTY users please access the number via the New Mexico Relay Network, 1-800-659-1779 (voice); TTY users: 1-800-659-8331).

### ***Department Websites***

New Mexico Environment Department - <https://www.env.nm.gov/>  
Petroleum Storage Tank Bureau - [https://www.env.nm.gov/petroleum\\_storage\\_tank/](https://www.env.nm.gov/petroleum_storage_tank/)

### 3. Regulatory Framework for Public Participation

There are existing federal and state laws governing the management of petroleum hydrocarbon releases. The United States Congress enacted the Resource Conservation and Recovery Act (RCRA), an amendment to the Solid Waste Disposal Act, in 1976 to ensure safe management and disposal of household, municipal and industrial waste generated nationwide. 42 U.S.C. § 6901 *et. seq.*, 42 U.S.C. § 6921 *et. seq.*

In 1984, Congress added Subtitle I to the Solid Waste Disposal Act, which required the U.S. Environmental Protection Agency (“EPA”) to develop a comprehensive regulatory program for Underground Storage Tank (“UST”) systems storing petroleum or certain hazardous substances to protect the environment and human health from UST releases. 42 U.S.C. § 6991 *et. seq.* In 1988, the EPA promulgated the UST regulations (40 CFR Part 280) and the regulations for state program approval (“SPA”) (40 CFR Part 281). SPA delegates the primary responsibility of implementing the federal UST program to individual states in lieu of the EPA. NMED PSTB currently has SPA from EPA.

New Mexico’s Petroleum Storage Tank regulations, 20.5 NMAC, are promulgated pursuant to the provisions of the Hazardous Waste Act, Sections 74-4-1 through 74-4-14 NMSA 1978; the Ground Water Protection Act, Sections 74-6B-1 through 74-6B-14 NMSA 1978; and the general provisions of the Environmental Improvement Act, Sections 74-1-1 through 74-1-17 NMSA 1978.

Owners and operators of petroleum storage tanks where a release has occurred which requires a final remediation plan shall develop a final remediation plan which includes public notice that meets the requirements of paragraph (10) of subsection D of 20.5.119.1923 NMAC, and paragraph B of 20.5.119.1928 NMAC.

The Department may provide for public participation in the review process as the Department deems appropriate or when there is significant public interest as provided for in subsection D of 20.5.119.1924 NMAC. If an informal public meeting, public hearing or other form of public participation is conducted, the Department may postpone its decision on the final remediation plan until after a public hearing or meeting is held and a determination is made. Any public hearing or meeting that is held due to significant public interest shall be held within 60 days of determining that there is significant public interest.

#### ***Facility Background***

The Former Y Station site is located at 721 Commerce Way, Clovis, New Mexico. The release was discovered during investigation activities associated with the Allsup’s #320 release site (Release ID#: 4623) located at 2021 N. Prince Street. The Former Y Station was the site of two gas stations that operated from the 1950’s to the early 1980’s near the intersection of Commerce Way and Prince Street. The two sites appear to have had aboveground and underground storage tanks based on interviews conducted with local residents and the inspection of public records. The release was separate and distinct from the Allsup’s #320 release. The facility is currently an Optical Source business. The surrounding land use is a mix of commercial with residential areas to the west.

The geology at the site is a vadose zone consisting entirely of the Ogallala Formation. A “caprock” unit up to 60 feet thick lies over 300 feet of unconsolidated sand and silty sand beds. Groundwater is present at a depth of approximately 325 feet below ground surface. Ten groundwater monitoring wells installed were initially part of the Allsup #320 investigation and are in the vicinity of the Former Y Station. The extent of the groundwater plume remains undefined to the south, east and northwest. Groundwater flow is to the south at a hydraulic gradient of approximately 0.0026 feet/foot.

The former underground storage tanks (USTs) and aboveground storage tanks (ASTs) are no longer present. There is no documentation recorded for the removal of the tanks. Street renovation took place at Commerce and Prince Street where the previous tanks would have been located. It is likely that any underground tanks found would have been removed.

Contaminants of concern at the site consist of benzene, toluene, ethylbenzene, and xylenes (BTEX), 1,2-dichloroethane (EDC), 1,2-dibromoethane (EDB), and naphthalenes. Free product is now present in monitoring well BW-5 at a level of 1.92 feet and was discovered during a recent monitoring well check. Groundwater monitoring associated with the Allsup #320 site occurred from 2012 through 2016. Highly elevated concentrations of dissolved-phase BTEX, naphthalenes, EDC and EDB exceeded NMWQCC standards in four wells (BW-4, BW-5, BW-7 and BW-8d) during the July 28, 2016 monitoring event. Benzene is found at the highest concentrations and across the greatest areal extent. The plume extends for at least 600 feet down-gradient.

A request for proposal to conduct investigation and remediation activities and related corrective action at the Former Y Station was posted and through a PSTB procurement evaluation process a contract was awarded to Daniel B. Stephens & Associates, Inc. The planned remediation consists of a site-specific Dual Phase Extraction (DPE) cleanup strategy that will use a combination of soil vapor extraction (SVE) and groundwater pump and treat.

Investigation activities will be done to complete site characterization and will include baseline groundwater monitoring, the installation of wells (single completion as well as nested or multi-completion wells) and pilot testing. Information and data collected from the site investigation will be used to develop subsequent work plans for the development of a final remediation plan (FRP); quarterly groundwater monitoring; and the installation, operation, and maintenance of the future remediation system.

## 4. Affected Communities and Stakeholders

To provide for adequate public participation opportunities and meaningful involvement of persons in the planning process 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. This information is used to help encourage the community's involvement in the public process for environmental activities or actions. In this case, the activity is consideration of a Remediation Plan for a petroleum storage tank site.

Using the results of the EJSCREEN ACS Summary Report (see Attachment 1), there are 15,322 households within a 4-mile radius from the facility (i.e., affected community); the minority percentage for the affected community is 52 percent, with the Hispanic population accounting for 43 percent and the Black, American Indian, and the category "Some Other Race" accounting for 27 percent each of the minority population (for populations reporting one race). The percentage of persons that communicate in a language other than English (non-English) at home is 28 percent. The percent of linguistically isolated households is 5%. The per capita income for the affected community is \$21,408 as compared to the national per capita income of \$31,786. These results indicate that for the affected community, the percentage of Spanish language communication (27 percent) is considerable (i.e., greater than the state or national percentage). Additionally, the EJ Screen report indicates that of the linguistically isolated households in the affected area, 98% speak Spanish.

It is important for the PSTB to consider the linguistic and communication needs of the affected community when providing notice of submission of Remediation Plans. Based on the EJSCREEN results and the Limited English Proficiency ("LEP") analysis (see Attachment 2), the PSTB will provide the same information in Spanish and English when conducting public outreach and participation activities, and when providing public notices and other announcements (brochures, signs, mailings, etc.) for the Former Y Station site. The PSTB will strive to make public participation efforts as inclusive as possible within PSTB budget and time limitations.

For example, as much as possible, mass communication methods will be used in addition to public notices in appropriate newspapers or mailings, as many residents in the affected community may not have regular access to newspapers or daily postal service and may rely on publicly posted notices. Informational flyers shall be posted at the site (front window of the "Optical Source" at 1908 N. Prince St.) that also describe public information repositories.

## 5. Detailed Public Participation and Outreach Activities for Remediation Plan, Former Y Station

The PSTB evaluates all public comments, places the comments in the administrative files for the remedial action, and incorporates public input into the PSTB's comments on Remediation Plans as appropriate.

The PSTB's plans for facilitating public participation in the remediation planning action for the Former Y Station site are detailed below.

### **Public Notice Requirements per Applicable Laws**

The Petroleum Storage Tank Regulations, 20.5.119.1923.D (10) NMAC, as detailed below, address notices to be provided by the owner or operator (*for this state-lead site, the PSTB*) to the public regarding the submission of a Remediation Plan for public comment. This notice is provided prior to the submission of the Remediation Plan and informs the public that the PSTB will be reviewing the Plan. The PSTB will provide notice of the submission of a Remediation Plan in English and Spanish. Spanish-language notices will be translated from English into Spanish by a translator certified by the American Translators Association for English to Spanish translation.

The **bolded information in brackets** is responsive to the regulatory requirements *in italics* below.

*The owner/operator [for this state-lead site, the PSTB] is required to provide notice in the following manner:*

(a) *owners and operators [the PSTB] shall publish a legal notice of the submission or planned submission of the final remediation plan at least twice in a paper of general circulation [Legal Section of the Classified Ads of the Eastern New Mexico News] in the county in which soil or water has been contaminated by the release; the first notice shall appear within one week of, but not later than, the day of submission of the final remediation plan to the Department; the second publication of this notice shall occur no later than seven days after the date the remediation plan is submitted to the Department, and owners and operators shall submit two certified affidavits of publication from the newspaper to the Department within 21 days after the date the final remediation plan is submitted;*

(b) *the notice shall contain the information specified in this section including the following:*

(i) *a statement that a remediation plan has been submitted to the Department proposing actions to remediate a release of petroleum products;*

(ii) *the name and physical address of the site at which the release occurred and the names and physical addresses of properties where any part of the remediation system will be located, using adequate identification of the properties, including street addresses if applicable [721 Commerce Way, Clovis];*

(iii) a statement that a copy of the remediation plan and all data and modeling related to the remediation plan, if applicable, can be viewed at the Department's [PSTB's] main office [located at 2905 Rodeo Park Drive East, Building 1, Santa Fe, New Mexico 87505] and at the Department's field office for the area in which the release occurred [District 3 Roswell office located at 1914 W. Second, Roswell, New Mexico 88201]; and

(iv) a statement that public comments on the plan must be delivered, within 21 days of the publication of the second notice, to the owner or operator's assigned project manager [D. Renee Romero] at the petroleum storage tank bureau, New Mexico environment Department, or a district office [District 3 Roswell office located at 1914 W. Second, Roswell, New Mexico 88201] if approved by the Department, and to the secretary of the environment Department;

(c) within seven days of the date a remediation plan is submitted to the Department, owners and operators [the PSTB] shall also mail by certified mail a copy of the legal notice [in English and Spanish] to adjacent property owners; and

(d) owners and operators [the PSTB] shall post a notice [in English and Spanish] of the submission of the remediation plan at the release site within seven days of the submission of the remediation plan; the notice shall contain the information specified in this subsection and shall be at least 8.5 inches by 11 inches in size and prominently displayed in a location where it is likely to be seen by members of the public for a continuous period until the remediation plan is approved and implemented; public comments must be received by the Department within 21 days of the date of the second publication of the public notice;

### **Proposed Public Participation and Outreach Activities for Former Y Station Site**

The PSTB will also perform the following public participation and outreach activities during the review phase of the planning process for the Former Y Station remediation:

1. **Information Repository:** A copy of the Remediation Plan and the PIP will be made available for public review at the PSTB's main office at **2905 Rodeo Park Drive East, Building 1, Santa Fe, New Mexico 87505** and at the NMED District 3 Roswell office located at **1914 W. Second, Roswell, New Mexico 87102**. In addition, the Remediation Plan, the PIP, and all applicable data may be viewed at the following website: <https://cloud.env.nm.gov/waste/?c=2753&k=e7620e73cb>. The data currently available from investigation activities associated with the Allsup's #320 site (Release ID#: 4623) is being used as background information for the Former Y Station. It was during investigation of the Allsup's #320 site that the Former Y Station release was discovered.
2. **Electronic Posting of Public Notice:** The PSTB will post the notice and the PIP on the PSTB's portion of NMED's website ([https://www.env.nm.gov/petroleum\\_storage\\_tank/reports-and-lists/](https://www.env.nm.gov/petroleum_storage_tank/reports-and-lists/)). Electronically-posted notices will be provided in English and Spanish.

3. **Language Assistance Services:** Non-English speakers or readers will be directed in notices to call the PSTB contact listed in this PIP and request language assistance services, such as an interpreter, so they can learn more about the planning process. Services may be arranged by the PSTB for translation of documents, for interpreters, and for obtaining services for persons with disabilities. A phone-based interpretation service is available to the PSTB for speakers of languages other than English.

***Attachment 1: Preliminary Screening (EJSCREEN)***

## Public Outreach Preliminary Screen (EJSCREEN)

**Facility:** Former Y Station  
 721 Commerce Way, Clovis, NM  
**Location:** 88101  
**Buffer:** 4-mile  
**Date:** May 1, 2019

Total population within 4-mile radius*:	41,635
Total population age 5+ years within 4-mile radius*:	38,217
Number of households within 4-mile radius*:	15,322
Per capita income within 4-mile radius*:	\$21,408
Per capita income, USA**:	\$31,786
Percent minority population within 4-mile radius*(population reporting one race):	52%
Percent minority population by race within 4-mile radius*:	
Hispanic:	43%
Black:	6%
American Indian:	1%
Asian:	1%
Pacific Islander:	0%
Some Other Race alone:	19%
<i>Sum:</i>	52%
Percent linguistically isolated households within 4-mile radius**:	5%
Percent linguistically isolated households by language within 4-mile radius:	
Spanish***:	98%
Other Indo-European languages:	0%
Other Asian-Pacific Island languages****:	2%
Other languages:	0%
<i>Sum:</i>	100%
Population age 5+ yrs. speaking English "less than very well" within 4-mile radius*:	8%

\*: From EJSCREEN ACS Summary Report

\*\* : 706 linguistically isolated households /15,322 total households X 100 = % linguistically isolated households

\*\*\*: 690 households /15,322 total households

\*\*\*\*: 16 households /15,322 total households

Detail may not sum to total due to rounding.



Location: User-specified point center at 34.418031, -103.197113  
 Ring (buffer): 4-mile radius  
 Description: Former Y Station

Summary of ACS Estimates		2012 - 2016		
Population				41,835
Population Density (per sq. mile)				793
Minority Population				21,784
% Minority				52%
Households				15,322
Housing Units				17,232
Housing Units Built Before 1950				2,298
Per Capita Income				21,408
Land Area (sq. miles) (Source: SF1)				52.47
% Land Area				99%
Water Area (sq. miles) (Source: SF1)				0.43
% Water Area				1%
		<b>2012 - 2016 ACS Estimates</b>	<b>Percent</b>	<b>MOE (±)</b>
<b>Population by Race</b>				
Total		41,835	100%	790
Population Reporting One Race		40,215	97%	1,733
White		28,847	69%	549
Black		2,708	6%	242
American Indian		387	1%	134
Asian		577	1%	121
Pacific Islander		103	0%	101
Some Other Race		7,815	19%	588
Population Reporting Two or More Races		1,420	3%	183
Total Hispanic Population		17,760	43%	728
Total Non-Hispanic Population		23,875		
White Alone		19,851	48%	478
Black Alone		2,424	6%	242
American Indian Alone		259	1%	134
Non-Hispanic Asian Alone		552	1%	121
Pacific Islander Alone		40	0%	58
Other Race Alone		111	0%	67
Two or More Races Alone		640	2%	183
<b>Population by Sex</b>				
Male		21,487	52%	638
Female		20,168	48%	361
<b>Population by Age</b>				
Age 0-4		3,419	8%	200
Age 0-17		11,030	26%	308
Age 18+		30,605	74%	430
Age 65+		4,858	12%	149

**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.

Location: User-specified point center at 34.418031, -103.197113  
 Ring (buffer): 4-mile radius  
 Description: Former Y Station

	2012 - 2016 ACS Estimates	Percent	MOE (±)
<b>Population 25+ by Educational Attainment</b>			
Total	25,628	100%	389
Less than 9th Grade	1,922	7%	142
9th - 12th Grade, No Diploma	2,587	10%	146
High School Graduate	6,776	26%	258
Some College, No Degree	9,344	36%	219
Associate Degree	2,625	10%	142
Bachelor's Degree or more	5,020	20%	178
<b>Population Age 5+ Years by Ability to Speak English</b>			
Total	38,217	100%	738
Speak only English	27,421	72%	493
Non-English at Home <sup>1+2+3+4</sup>	10,795	28%	504
<sup>1</sup> Speak English "very well"	7,707	20%	370
<sup>2</sup> Speak English "well"	865	2%	112
<sup>3</sup> Speak English "not well"	895	2%	114
<sup>4</sup> Speak English "not at all"	1,328	3%	155
<sup>3+4</sup> Speak English "less than well"	2,223	6%	188
<sup>2+3+4</sup> Speak English "less than very well"	3,088	8%	188
<b>Linguistically Isolated Households*</b>			
Total	708	100%	71
Speak Spanish	690	98%	70
Speak Other Indo-European Languages	0	0%	11
Speak Asian-Pacific Island Languages	16	2%	23
Speak Other Languages	0	0%	11
<b>Households by Household Income</b>			
Household Income Base	15,322	100%	209
< \$15,000	2,769	18%	162
\$15,000 - \$25,000	1,990	13%	97
\$25,000 - \$50,000	4,271	28%	170
\$50,000 - \$75,000	2,601	17%	141
\$75,000 +	3,691	24%	153
<b>Occupied Housing Units by Tenure</b>			
Total	15,322	100%	209
Owner Occupied	9,103	59%	142
Renter Occupied	6,220	41%	159
<b>Employed Population Age 16+ Years</b>			
Total	31,815	100%	672
In Labor Force	19,922	63%	567
Civilian Unemployed in Labor Force	1,808	6%	225
Not In Labor Force	11,893	37%	247

**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.



Location: User-specified point center at 34.418031, -103.197113  
 Ring (buffer): 4-mile radius  
 Description: Former Y Station

	2012 - 2016 ACS Estimates	Percent	MOE (±)
<b>Population by Language Spoken at Home*</b>			
Total (persons age 5 and above)	34,533	100%	624
English	24,452	71%	594
Spanish	9,418	27%	531
French	95	0%	38
French Creole	N/A	N/A	N/A
Italian	N/A	N/A	N/A
Portuguese	N/A	N/A	N/A
German	61	0%	51
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	29	0%	38
Chinese	39	0%	53
Japanese	N/A	N/A	N/A
Korean	97	0%	121
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%	16
Other Asian	98	0%	78
Tagalog	186	1%	112
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	50	0%	52
<b>Total Non-English</b>	<b>10,081</b>	<b>29%</b>	<b>862</b>

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

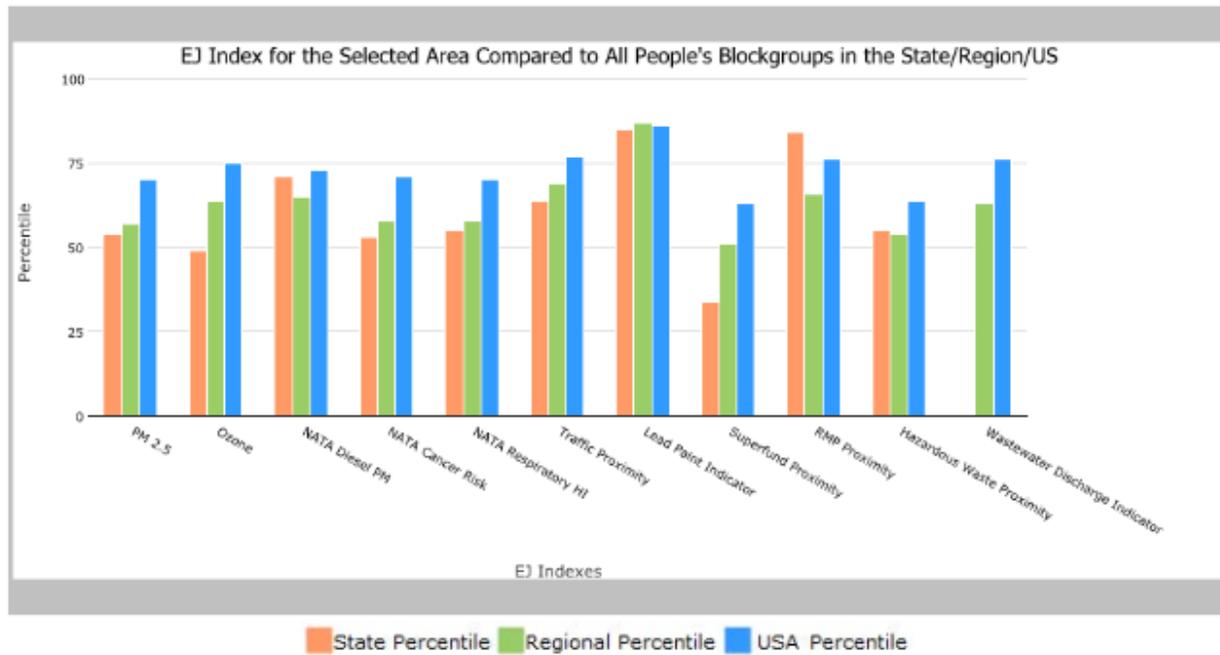
4 mile Ring Centered at 34.418031,-103.197113, NEW MEXICO, EPA Region 6

Approximate Population: 41,635

Input Area (sq. miles): 50.26

Former Y Station

Selected Variables	State Percentile	EPA Region Percentile	USA Percentile
<b>EJ Indexes</b>			
EJ Index for PM2.5	54	57	70
EJ Index for Ozone	49	64	75
EJ Index for NATA <sup>*</sup> Diesel PM	71	65	73
EJ Index for NATA <sup>*</sup> Air Toxics Cancer Risk	53	58	71
EJ Index for NATA <sup>*</sup> Respiratory Hazard Index	55	58	70
EJ Index for Traffic Proximity and Volume	64	69	77
EJ Index for Lead Paint Indicator	85	87	86
EJ Index for Superfund Proximity	34	51	63
EJ Index for RMP Proximity	84	66	76
EJ Index for Hazardous Waste Proximity	55	54	64
EJ Index for Wastewater Discharge Indicator	N/A	63	76



This report shows the values for environmental and demographic indicators and EJSCREEN indexes. It shows environmental and demographic raw data (e.g., the estimated concentration of ozone in the air), and also shows what percentile each raw data value represents. These percentiles provide perspective on how the selected block group or buffer area compares to the entire state, EPA region, or nation. For example, if a given location is at the 95th percentile nationwide, this means that only 5 percent of the US population has a higher block group value than the average person in the location being analyzed. The years for which the data are available, and the methods used, vary across these indicators. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJSCREEN documentation for discussion of these issues before using reports.

May 01, 2019

1/3



4 mile Ring Centered at 34.418031,-103.197113, NEW MEXICO, EPA Region 6

Approximate Population: 41,635

Input Area (sq. miles): 50.26

Former Y Station

Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
<b>Environmental Indicators</b>							
Particulate Matter (PM 2.5 in $\mu\text{g}/\text{m}^3$ )	6.89	6.25	80	9.55	4	9.53	7
Ozone (ppb)	47.1	49.7	5	40.4	87	42.5	86
NATA* Diesel PM ( $\mu\text{g}/\text{m}^3$ )	0.576	0.473	67	0.721	<50th	0.938	<50th
NATA* Cancer Risk (lifetime risk per million)	31	32	41	42	<50th	40	<50th
NATA* Respiratory Hazard Index	1	1.4	40	1.8	<50th	1.8	<50th
Traffic Proximity and Volume (daily traffic count/distance to road)	88	290	48	320	50	600	49
Lead Paint Indicator (% Pre-1960 Housing)	0.27	0.19	75	0.18	77	0.29	59
Superfund Proximity (site count/km distance)	0.0067	0.13	5	0.07	5	0.12	3
RMP Proximity (facility count/km distance)	0.37	0.22	82	0.8	50	0.72	54
Hazardous Waste Proximity (facility count/km distance)	0.058	0.39	40	0.86	19	4.3	15
Wastewater Discharge Indicator (toxicity-weighted concentration/m distance)	0	2.1	N/A	0.38	36	30	40
<b>Demographic Indicators</b>							
Demographic Index	52%	52%	51	44%	63	36%	75
Minority Population	52%	61%	36	51%	54	38%	69
Low Income Population	51%	43%	64	38%	71	34%	78
Linguistically Isolated Population	5%	5%	60	6%	62	4%	70
Population With Less Than High School Education	18%	15%	61	17%	60	13%	72
Population Under 5 years of age	8%	6%	71	7%	64	6%	73
Population over 64 years of age	12%	15%	39	13%	52	14%	42

\* The National-Scale Air Toxics Assessment (NATA) is EPA's ongoing, comprehensive evaluation of air toxics in the United States. EPA developed the NATA to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that NATA provides broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. More information on the NATA analysis can be found at: <https://www.epa.gov/national-air-toxics-assessment>.

 For additional information, see: [www.epa.gov/environmentaljustice](http://www.epa.gov/environmentaljustice)

EJSCREEN is a screening tool for pre-decisional use only. It can help identify areas that may warrant additional consideration, analysis, or outreach. It does not provide a basis for decision-making, but it may help identify potential areas of EJ concern. Users should keep in mind that screening tools are subject to substantial uncertainty in their demographic and environmental data, particularly when looking at small geographic areas. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJSCREEN documentation for discussion of these issues before using reports. This screening tool does not provide data on every environmental impact and demographic factor that may be relevant to a particular location. EJSCREEN outputs should be supplemented with additional information and local knowledge before taking any action to address potential EJ concerns.

***Attachment 2: Limited English Proficiency Assessment***

## Limited English Proficiency ("LEP") Assessment

**Facility:** Former y Station  
**Location:** 721 Commerce Way, Clovis, NM 88101  
**Buffer:** 4 miles  
**Date:** May 1, 2019

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

Percent linguistically isolated households within 4-mile radius*:	5%
Percent linguistically isolated households by language within 4-mile radius*:	
Spanish:	5%
Other languages:	0%
<i>Sum:</i>	
Percent linguistically isolated population, New Mexico**:	5%
Percent linguistically isolated population, USA**:	4%
Population age 5+ yrs speaking English "less than very well" within 4-mile radius*:	8%

\*: From "EJSCREEN ACS Report"

\*\*: From "EJSCREEN Report (version 2018)"

**Conclusions:**

- 1) Proportion of LEP persons within one mile is slightly less than statewide and national proportions
- 2) Spanish is the primary non-English language spoken by LEP persons.
- 3) Historical participation: Not applicable (new remediation plan notice).

**Factor 2: Frequency with which LEP Individuals Come in Contact with the Program**

**Frequency Assessment ("frequent" / "occasional" / "not frequent")**

Not frequent

This determination is based on the lack of response to past notices of submission by the public.

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

All Remediation Plans for PSTB sites are required by the NM Petroleum Storage Tank regulations to be made available for review prior to their finalization and implementation. The Remediation Plans are reviewed by the PSTB to assess compliance with regulatory requirements and to evaluate their technical adequacy. The Remediation Plan is approved after the PSTB's review is complete, any inadequacies are addressed, and the public comments are evaluated and addressed as appropriate.

The Remediation Plan review is deemed by the PSTB to be "important" to NMED, the affected community, and the State of New Mexico. Remediation Plan review is important to the NMED because it establishes site-specific requirements that must be met to ensure protection of public health, welfare, and the environment. Remediation Plan review is important to the affected community because poorly implemented or poorly operated remediation activities have the potential to pose a public nuisance and adversely affect the quality of life of people living in the vicinity of the leaking petroleum storage tank site. Remediation Plan review is important to the State of New Mexico because implementation of effective remedial actions ensures that leaking petroleum tank sites will limit their effect on the State's limited groundwater resources.

**Factor 4: Resources Available to NMED and Associated Costs**

In accordance with regulatory requirements, the PSTB posts notices of submission in both English and Spanish and utilizes the services of a certified translator for creation of the Spanish-language notices. This translation cost is included in the Bureau's annual budget requests. As the need for additional translation/interpretation services has typically been limited, the PSTB has been able to provide these additional services within budgetary constraints.

**LEP Services Plan**

The PSTB plans to provide notice of submission of Remediation Plans in both English and Spanish, which is consistent with statutory requirements and program practice and is appropriate as the majority of the LEP population speaks Spanish. As the PSTB's contact with LEP individuals has not been frequent and the proportion of LEP individuals within four miles of the facility is less than the statewide data, the PSTB is not planning to provide further LEP services at this time. However, the PSTB will reconsider this decision if members of the affected community contact the Bureau to request additional LEP services.