



NMED Public Participation Policy Policy 07-13

Public Involvement Plan for Notice of a Final Remediation Plan

Santa Fe County Judicial Complex
225 Montezuma Avenue
Santa Fe, New Mexico

Approved: Dana Bahar Digitally signed by Dana Bahar
Date: 2020.09.21 14:29:38
-06'00'

Dana Bahar
Chief, Petroleum Storage Tank Bureau

Petroleum Storage Tank Bureau
September 21, 2020

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 Final Remediation Plan review for the Santa Fe County Judicial Complex state-lead site located at 225 Montezuma Avenue, Santa Fe, 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 Final 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 Final Remediation Plan is acceptable. Upon a determination that the Final Remediation Plan is acceptable, the PSTB will implement the Final Remediation Plan.

The Santa Fe County Judicial Complex site is in Santa Fe, New Mexico in an area that has a relatively large community of Spanish speakers. Therefore, the PSTB will provide public notice information in both English and Spanish.

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 Final Remediation Plan and

relevant documents may be reviewed at the repositories listed.

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

Activity	Dates
Posting of PIP (PSTB website and office)	9/21/2020
Public Comment Period for PIP	Ongoing
PIP Revision	As necessary
Posting of Revised PIP	Within 21 days of receipt of substantial comment
Public Notice of Planned Submission of Draft Final Remediation Plan and to include availability of language assistance services	9/18/2020
Submittal of Draft Final Remediation Plan	9/14/2020
Posting of Draft Final Remediation Plan (PSTB website and office) & PSTB Broadcast Email Alert	9/21/2020
Second Public Notice of Submission of Draft Final Remediation Plan and Posting of a Notice at the Site	9/25/2020
Public Comment Period for Draft Final Remediation Plan	9/18/2020 through 10/16/2020
Incorporation of Comments and Preparation of Final Remediation Plan	N/A, no public comments were submitted

The PSTB Bureau Chief provides final approval of the PIP. 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 Final Remediation Plan is:

Ms. Susan von Gonten
Project Manager
NMED Petroleum Storage Tank Bureau
2905 Rodeo Park Drive E, Building 1
Santa Fe, New Mexico 87505

Phone: (505) 372-8153

Fax: (505) 476-4374

Email: susan.vongonten@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 is 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.

The New Mexico Relay Network numbers will also be provided in public notices for the hearing or speech impaired: 1-800-659-1779 (voice) and 1-800-659-8331 (TTY users).

Department Websites

New Mexico Environment Department - <https://www.env.nm.gov/>

Petroleum Storage Tank Bureau - 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 (responsible parties) of petroleum storage tanks where a release has occurred requiring a Final Remediation Plan shall develop a Final Remediation Plan including a public notice satisfying the requirements of paragraph (10) of subsection D of 20.5.119.1923 NMAC, and subsection B of 20.5.119.1928 NMAC. For state lead sites, the NMED’s contractor will develop and implement the Final Remediation Plan.

The Department may provide for additional public participation in the review process as the Department deems appropriate or for public meetings 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 Santa Fe County Judicial Complex site, Facility ID #53763, Release ID #4597, is located at 225 Montezuma Avenue in Santa Fe, New Mexico. The property comprising the site includes the Santa Fe County Judicial Complex and District Attorney Building, and surrounding office and retail buildings.

The remediation systems previously located onsite utilized a series of vertical and horizontal soil vapor extraction (SVE) and hot air injection wells. The wells were routed through conveyance piping to one of

two equipment compounds, referred to as the north and south SVE systems. The north SVE system was dismantled in August 2012, and the south SVE system was dismantled the week of February 2, 2015.

Rental ozone treatment equipment, consisting of an H2O Model OSU20-52, Series B, ozone injection unit, was installed in November 2012 for pilot testing. The unit was later purchased in January 2013 and ozone injection was performed until November 2013. Equipment associated with ozone injection was dismantled the week of February 2, 2015.

A series of five hydrogen peroxide applications were conducted on select wells between September 2013 and May 2014. During these events a total of 1,140 gallons of hydrogen peroxide were injected in 16 site wells.

Three 48-hour mobile dual-phase extraction (MDPE) events were conducted on three areas of the Judicial Complex site in October 2017. MDPE was performed on 3 to 4 wells in each of the areas. Following completion of the MDPE events, Oxygen Release Compound-Advanced (ORC-A) socks were installed in the wells. The ORC-A socks were removed from the wells during the August 2018 groundwater monitoring event.

Additional active remediation is necessary in several areas where contaminant concentrations are elevated to the degree that natural attenuation will not reduce concentrations in a reasonable timeframe. On November 29, 2018, a state lead request for proposals to remediate petroleum hydrocarbon contamination was posted on the PSTB Web page, open to any qualified firm to submit a proposal. The PSTB evaluated the proposals that were submitted through an established procedure. The NMED entered into a contract to perform the proposed remedial strategy with the environmental firm that was most responsive based on both technical merit and cost-effectiveness.

The planned cleanup strategy includes injection of PetroFix, a micron-scale liquid activated carbon, which when injected, disperses with the viscosity of water as it coats soil grains. The active surface treatment of PetroFix breaks down in about a week, and the activated carbon forms a permanent several micron thick coating on the soil, and the sorption of contaminants onto the solid will immediately reduce dissolved phase contaminant concentrations; however, this is a transfer from aqueous to sorbed phase. Contaminant destruction is necessary, and this is accomplished with Petro Fix by addition of alternative electron acceptors, such as sulfate, to provide assimilative capacity to the aquifer to complete anaerobic degradation by sulfate reducing bacteria. This would be accomplished by amendment injection below the water table.

There is no “active” operation and maintenance for the planned remediation method. Rather, once the injections have been completed, groundwater monitoring and performance assessment is all that is required. Performance assessment would include evaluating contaminant trend data, geochemical indicators, the use of passive diffusion bags to check for methane and hydrogen sulfide toxicity, and Bio-Trap™ Samplers to monitor microbial populations, appropriate degrading bacteria, and levels of alternative electron acceptor to verify adequate assimilative capacity of the amended aquifer.

The next step at the site is the development of the Final Remediation Plan, which includes public notice for participation in the PSTB review process. The anticipated submission of the Final Remediation Plan is in September 2020.

4. Affected Communities, Stakeholders and Governments

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 Final Remediation Plan for a petroleum storage tank site.

Using the results of the EJSCREEN ACS Summary Report for 2013 to 2017 (see Attachment 1):

- There are 4,800 households within a 1-mile radius of the release site (i.e., affected community);
- The minority percentage for the affected community is 37 percent, with the Hispanic population accounting for 31 percent and Black, American Indian, Asian, and Two or More Races accounting for the other 6 percent of the minority population.
- The percentage of persons that communicate in a language other than English (non-English) at home is 25 percent.
- The percent of linguistically isolated households is 3 percent.
- The per capita income for the affected community is \$47,837 as compared to the national per capita income of \$31,786 for 2017.

These results indicate that for the affected community, the percentage of Spanish language communication (25 percent) is considerable. Additionally, the EJSCREEN report indicates that of the linguistically isolated households in the affected area, 78 percent 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 Final 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 English and Spanish when conducting public outreach and participation activities and when providing public notices and other announcements (brochures, signs, mailings, etc.) for the Santa Fe County Judicial Complex site. The PSTB will strive to make public participation efforts as inclusive as possible within the 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.

An informational sign shall be posted at the site (on a light pole located at 225 Montezuma Avenue, Santa Fe, NM) that also describes public information repositories.

The City of Santa Fe, the County of Santa Fe and Ground Water Quality Bureau are supplied electronic copies of all workplan approval letters and are provided with electronic copies of documents submitted to PSTB.

5. Detailed Public Participation and Outreach Activities for the Final Remediation Plan, Santa Fe County Judicial Complex

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 Final Remediation Plans as appropriate.

The PSTB strategy for facilitating public participation in the proposed corrective action activities for the Santa Fe County Judicial Complex 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 Final Remediation Plan for public comment. This notice is provided prior to or on the day of the submission of the Final Remediation Plan and informs the public that the PSTB will be reviewing the Plan. The owner or operator **[for this state-lead site, the PSTB]** will provide notice of the submission of a Final Remediation Plan in English and Spanish on its website and will generate a broadcast email alert in English and Spanish, to include availability of language assistance services. 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 sites, the PSTB]** is required to provide notice in the following manner:*

*(a) owners and operators **[for this state-lead sites, 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 Santa Fe New Mexican]** 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 [225 Montezuma Avenue, Santa Fe, NM];

(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] main office [located at 2905 Rodeo Park Drive East, Building 1, Santa Fe, NM] and at the department's field office for the area in which the release occurred [PSTB main office, 2905 Rodeo Park Drive East, Building 1, Santa Fe, NM]; 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 [Susan von Gonten] at the petroleum storage tank bureau, [the PSTB's main office, 2905 Rodeo Park Drive East, Building 1, Santa Fe, NM] New Mexico environment department, or a district office 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 [for these state-lead sites, 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 [for these state-lead sites, 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 the Santa Fe County Judicial Complex Site

The PSTB will also perform the following public participation and outreach activities during the review phase of the planning process for the Santa Fe County Judicial Complex remedial activities:

1. **Information Repository:** A copy of the Final 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, NM**. In

addition, the Final Remediation Plan, the PIP, and all applicable data may be viewed at the following website:

<https://cloud.env.nm.gov/waste/pages/search.php?search=%21collection2651&k=91ee438222>

2. **Electronic Posting of Public Notice:** The PSTB will post the public notice and the PIP on the PSTB's portion of NMED's website:

https://www.env.nm.gov/petroleum_storage_tank/reports-and-lists/

Electronically-posted public notices will be provided in English and Spanish.

3. **Language Assistance Services:** Non-English speakers or readers will be directed in notices to call, fax or email 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: Santa Fe County
 Judicial Complex
 225 Montezuma Avenue, Santa Fe
Location: 35.684780, -105.943378
Buffer: 1-mile radius
Date: 2013 – 2017

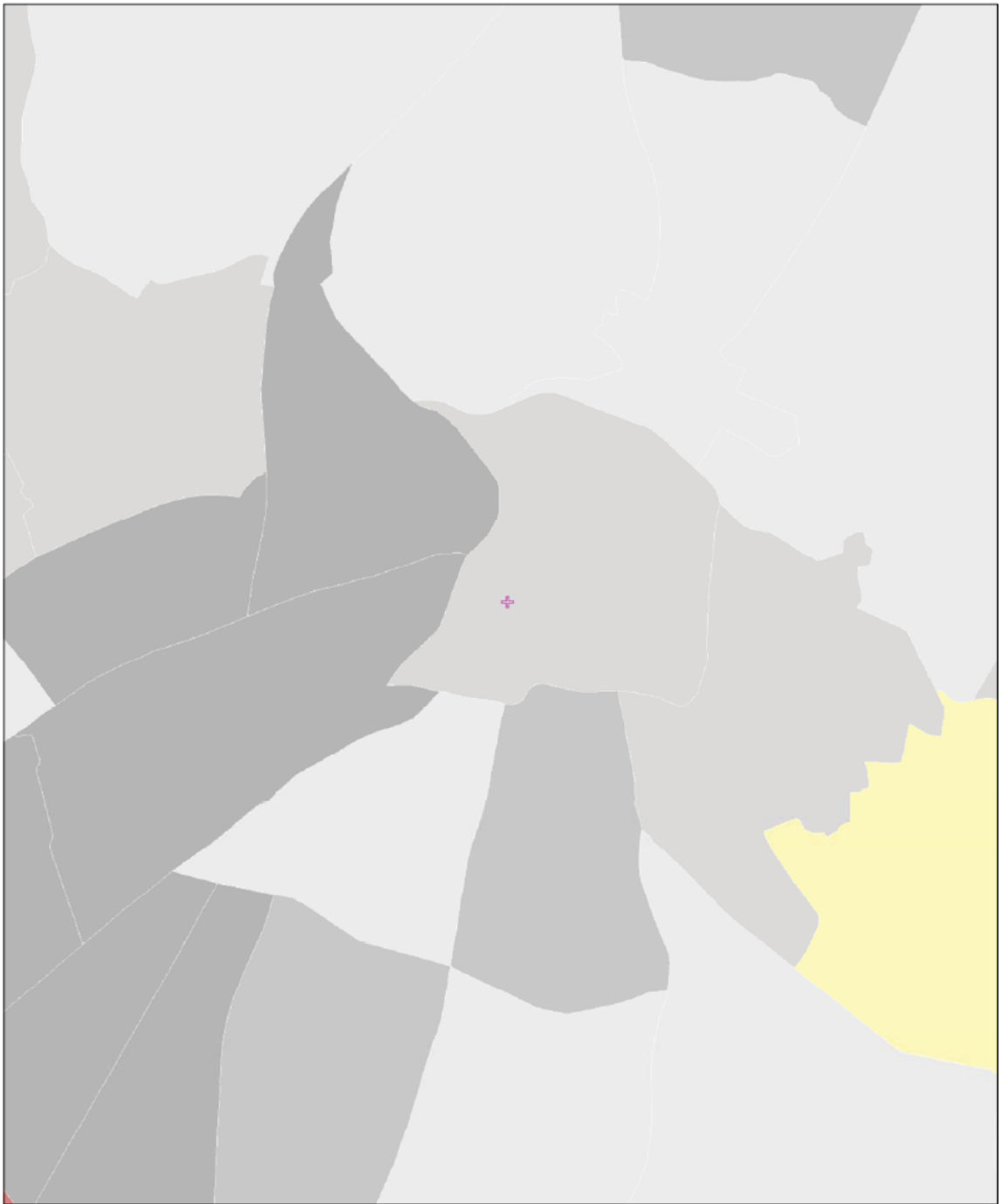
Total population within 1-mile radius*:	8,694
Total population age 5+ years within 1-mile radius*:	8,436
Number of households within 1-mile radius*:	4,800
Per capita income within 1-mile radius*:	\$47,837
Per capita income, USA:	\$31,768
Percent minority population within 1-mile radius*(population reporting one race):	37%
Percent minority population by race within 1-mile radius*:	
Hispanic:	31%
Black Alone:	1%
American Indian Alone:	1%
Non-Hispanic Asian Alone:	2%
Pacific Islander Alone:	0%
Other Race alone:	1%
Two or more races alone:	1%
<i>Sum:</i>	37%
Percent linguistically isolated households within 1-mile radius**:	3%
Percent linguistically isolated households by language within 1-mile radius*:	
Spanish:	78%
Other Indo-European languages:	22%
Other Asian-Pacific Island languages:	0%
Other languages:	0%
<i>Sum:</i>	100%
Population age 5+ yrs. speaking English "less than very well" within 4-mile radius*:	4%

* From EJSCREEN ACS Summary Report

** 131 linguistically isolated households / 4800 total households X 100 = % linguistically isolated households

Detail may not sum to total due to rounding.

Linguistically Isolated



September 11, 2020

Linguistically Isolated
(National Percentiles)

Data not available

Less than 50 percentile

50 -60 percentile

60 -70 percentile

70 -80 percentile

80 - 90 percentile

90 - 95 percentile

95 - 100 percentile

⊕ Santa Fe County Judicial Complex

1:18,056

0 0.15 0.3 0.6 mi
0 0.25 0.5 1 km



EJSCREEN ACS Summary Report



Location: User-specified point center at 35.684712, -105.942810
 Ring (buffer): 1-miles radius
 Description: Santa Fe County Judicial Complex

	2013 - 2017 ACS Estimates	Percent	MOE (±)
Population 25+ by Educational Attainment			
Total	7,608	100%	355
Less than 9th Grade	118	2%	129
9th - 12th Grade, No Diploma	241	3%	114
High School Graduate	1,270	17%	101
Some College, No Degree	1,828	22%	130
Associate Degree	419	6%	80
Bachelor's Degree or more	4,245	57%	243
Population Age 5+ Years by Ability to Speak English			
Total	8,430	100%	301
Speak only English	6,500	77%	265
Non-English at Home ^{1,2,3,4}	1,927	23%	269
¹ Speak English "very well"	1,572	19%	269
² Speak English "well"	223	3%	63
³ Speak English "not well"	112	1%	41
⁴ Speak English "not at all"	20	0%	36
^{3,4} Speak English "less than well"	133	2%	53
^{1,3,4} Speak English "less than very well"	355	4%	60
Linguistically Isolated Households*			
Total	131	100%	34
Speak Spanish	103	78%	30
Speak Other Indo-European Languages	29	22%	20
Speak Asian-Pacific Island Languages	0	0%	12
Speak Other Languages	0	0%	12
Households by Household Income			
Household Income Base	4,800	100%	134
< \$15,000	595	12%	74
\$15,000 - \$25,000	855	14%	81
\$25,000 - \$50,000	1,010	21%	112
\$50,000 - \$75,000	885	18%	88
\$75,000 +	1,654	34%	184
Occupied Housing Units by Tenure			
Total	4,800	100%	134
Owner Occupied	2,550	53%	130
Renter Occupied	2,242	47%	111
Employed Population Age 16+ Years			
Total	7,867	100%	355
In Labor Force	4,718	60%	210
Civilian Unemployed in Labor Force	268	3%	01
Not in Labor Force	3,149	40%	204

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 35.684712, -105.942810
 Ring (buffer): 1-miles radius
 Description: Santa Fe County Judicial Complex

	2013 - 2017 ACS Estimates	Percent	MOE (±)
Population by Language Spoken at Home*			
Total (persons age 5 and above)	7,522	100%	306
English	5,637	75%	255
Spanish	1,579	21%	192
French	36	0%	42
French Creole	N/A	N/A	N/A
Italian	N/A	N/A	N/A
Portuguese	N/A	N/A	N/A
German	62	1%	41
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	94	1%	42
Chinese	5	0%	26
Japanese	N/A	N/A	N/A
Korean	0	0%	12
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%	12
Other Asian	95	1%	68
Tagalog	0	0%	12
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%	12
Hebrew	N/A	N/A	N/A
African	N/A	N/A	N/A
Other and non-specified	5	0%	14
Total Non-English	1,885	25%	393

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

N/A means not available. Source: U.S. Census Bureau, American Community Survey (ACS) 2013 - 2017.

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

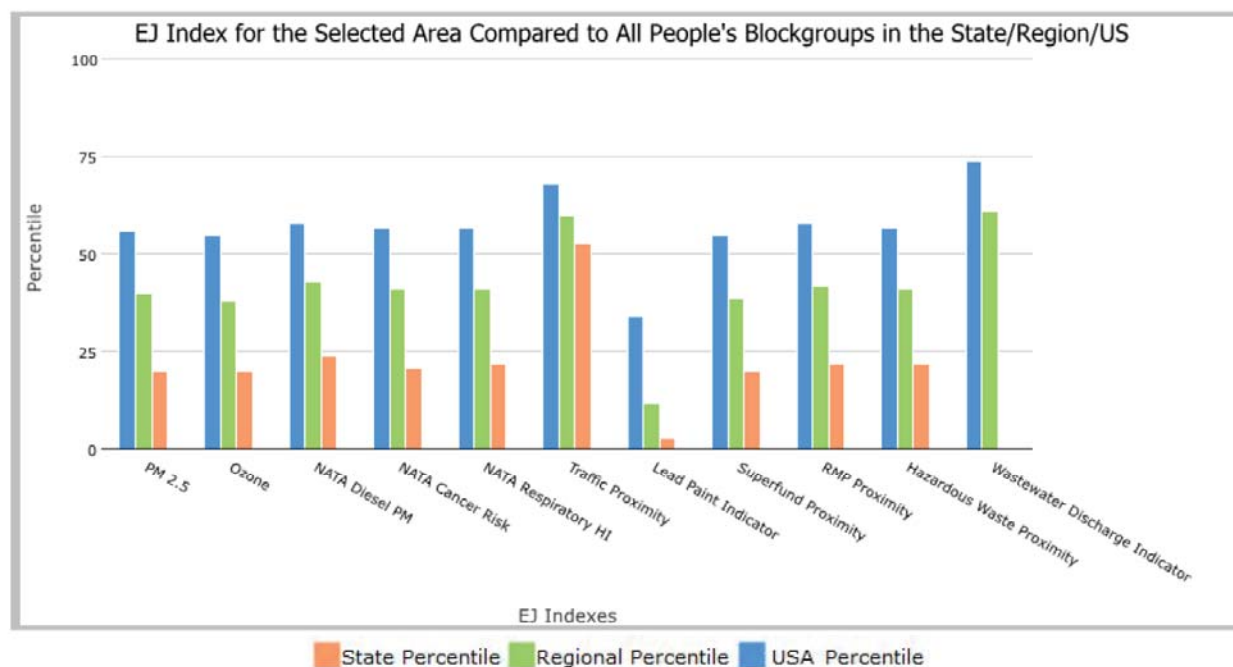
1 miles Ring Centered at 35.684712,-105.942810, NEW MEXICO, EPA Region 6

Approximate Population: 8,694

Input Area (sq. miles): 3.14

Santa Fe County Judicial Complex

Selected Variables	State Percentile	EPA Region Percentile	USA Percentile
EJ Indexes			
EJ Index for PM2.5	20	40	56
EJ Index for Ozone	20	38	55
EJ Index for NATA* Diesel PM	24	43	58
EJ Index for NATA* Air Toxics Cancer Risk	21	41	57
EJ Index for NATA* Respiratory Hazard Index	22	41	57
EJ Index for Traffic Proximity and Volume	53	60	68
EJ Index for Lead Paint Indicator	3	12	34
EJ Index for Superfund Proximity	20	39	55
EJ Index for RMP Proximity	22	42	58
EJ Index for Hazardous Waste Proximity	22	41	57
EJ Index for Wastewater Discharge Indicator	N/A	61	74



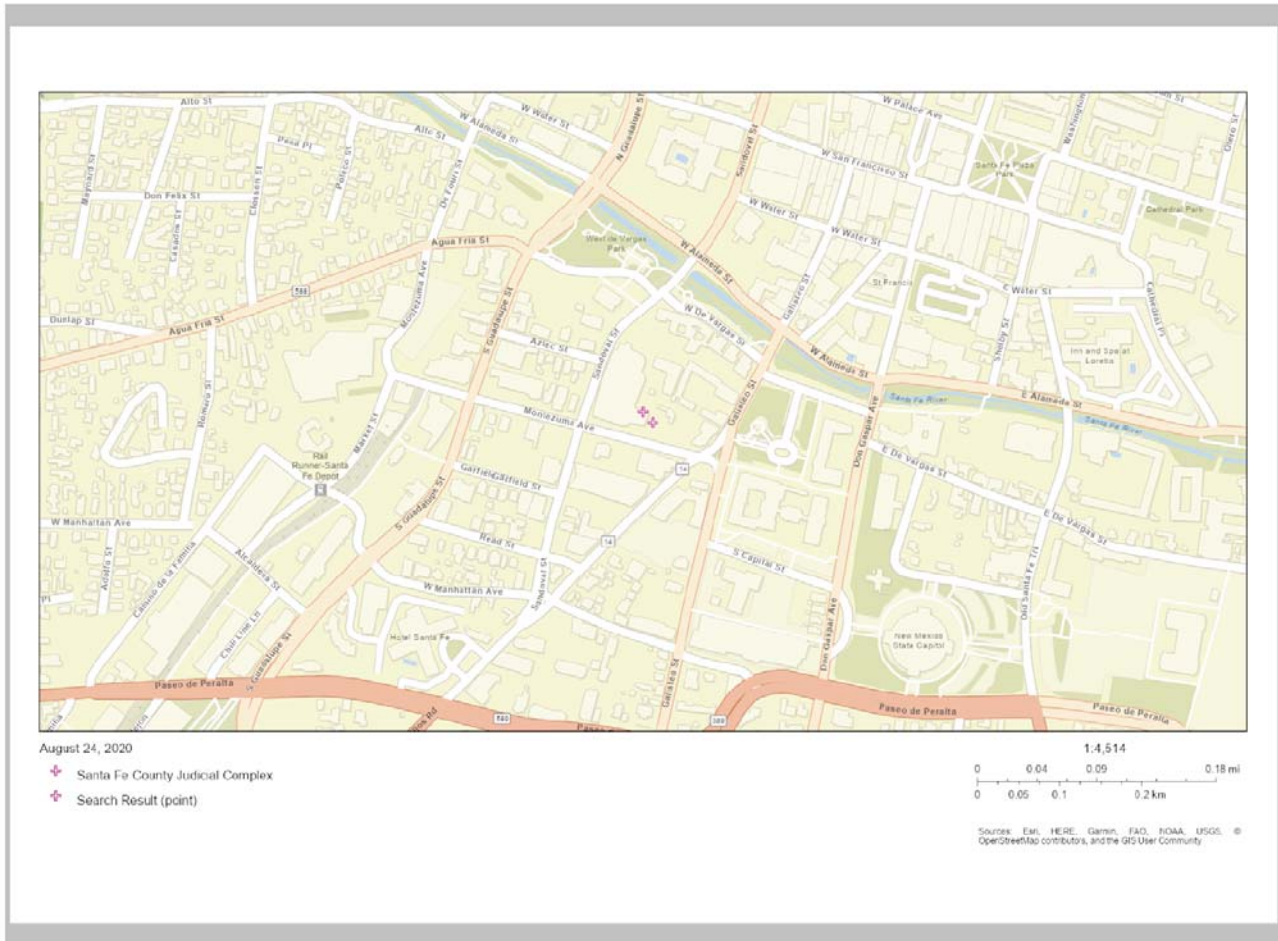
This report shows the values for environmental and demographic indicators and EJSCREEN indexes. It shows environmental and demographic raw data (e.g., the estimated concentration of ozone in the air), and also shows what percentile each raw data value represents. These percentiles provide perspective 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.

1 miles Ring Centered at 35.684712,-105.942810, NEW MEXICO, EPA Region 6

Approximate Population: 8,694

Input Area (sq. miles): 3.14

Santa Fe County Judicial Complex



Sites reporting to EPA

Superfund NPL	0
Hazardous Waste Treatment, Storage, and Disposal Facilities (TSDF)	0

EJSCREEN Report (Version 2019)



1 miles Ring Centered at 35.684712,-105.942810, NEW MEXICO, EPA Region 6

Approximate Population: 8,694

Input Area (sq. miles): 3.14

Santa Fe County Judicial Complex

Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
Environmental Indicators							
Particulate Matter (PM 2.5 in $\mu\text{g}/\text{m}^3$)	5.52	6.15	21	8.37	1	8.3	3
Ozone (ppb)	50.8	50.4	42	39.4	96	43	90
NATA* Diesel PM ($\mu\text{g}/\text{m}^3$)	0.302	0.281	63	0.401	<50th	0.479	<50th
NATA* Cancer Risk (lifetime risk per million)	18	24	17	36	<50th	32	<50th
NATA* Respiratory Hazard Index	0.23	0.32	19	0.45	<50th	0.44	<50th
Traffic Proximity and Volume (daily traffic count/distance to road)	1000	360	92	400	90	750	81
Lead Paint Indicator (% Pre-1960 Housing)	0.53	0.18	90	0.17	90	0.28	78
Superfund Proximity (site count/km distance)	0.028	0.14	32	0.081	37	0.13	25
RMP Proximity (facility count/km distance)	0.014	0.24	7	0.82	0	0.74	0
Hazardous Waste Proximity (facility count/km distance)	0.025	0.46	15	0.75	3	4	2
Wastewater Discharge Indicator (toxicity-weighted concentration/m distance)	0	130	N/A	9.8	32	14	37
Demographic Indicators							
Demographic Index	32%	52%	17	44%	37	36%	53
Minority Population	35%	62%	15	51%	37	39%	55
Low Income Population	29%	42%	30	37%	40	33%	49
Linguistically Isolated Population	3%	5%	47	6%	52	4%	61
Population With Less Than High School Education	5%	15%	22	16%	21	13%	27
Population Under 5 years of age	3%	6%	20	7%	15	6%	19
Population over 64 years of age	31%	16%	93	13%	97	15%	95

* 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

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: Santa Fe County
Judicial Complex
Location: 225 Montezuma Avenue, Santa Fe, New Mexico
Buffer: 1-mile radius
Date: 2013 – 2017

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 1-mile radius*:	3%
Percent linguistically isolated households by language within 1-mile radius*:	
Spanish:	78%
Other languages:	22%
Sum:	100%
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*:	4%

*: From "EJSCREEN ACS Report"

**: From "EJSCREEN Report (version 2019)"

Conclusions:

- 1) Proportion of LEP persons (i.e., speaking English "less than very well") within one mile is less than the statewide proportions and the same as the national proportions
- 2) Spanish is the primary non-English language spoken by LEP persons.
- 3) Historical participation: There were no comments for the Final Remediation Plan public notice published in 2009. .

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

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

Not frequent

Past public participation has been infrequent in response to notices of submission of a Final Remediation Plan.

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

All Final 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 Final Remediation Plans are reviewed by the PSTB to assess compliance with regulatory requirements and to evaluate their technical adequacy. The Final 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 Final Remediation Plan review is deemed by the PSTB to be "important" to NMED, the affected community, and the State of New Mexico. Final 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. Final 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. Final Remediation Plan review is important to the State of New Mexico because implementation of effective remedial actions ensures that leaking petroleum tank sites will have a limited impact on the State's vital 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 is able to provide these additional services within budgetary constraints.

LEP Services Plan

The PSTB plans to provide notice of submission of Final Remediation Plans in both English and Spanish, which is consistent with statutory requirements and program practice, and is appropriate based on the LEP analysis, as the majority of the LEP population speaks Spanish. The PSTB will provide further LEP services as requested.