

Public Involvement Plan

for

**KIRTLAND AIR FORCE BASE (KAFB), NEW MEXICO
EPA ID# NM9570024423**

Class 3 Permit Modification – Draft Closure Plan

Prepared by:

Hazardous Waste Bureau
New Mexico Environment Department
Santa Fe, New Mexico
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I. Public Involvement Plan Overview

The New Mexico Environment Department (NMED), Hazardous Waste Bureau (Bureau or HWB) developed this Public Involvement Plan (PIP) in response to a request by Kirtland Air Force Base (KAFB) for a Class 3 permit modification to modify the closure plans included in the KAFB RCRA permits under the federal Resource Conservation and Recovery Act (RCRA) and the New Mexico Hazardous Waste Act (HWA).

KAFB headquarters is located at 2000 Wyoming Blvd., SE, Kirtland AFB, New Mexico 87117-5000. KAFB is located between the Sandia and Manzano mountain ranges in southeastern Albuquerque, New Mexico and occupies approximately 51,558 acres. The Open Detonation (OD) Unit at Kirtland Air Force Base (AFB) is located in the remote southeast corner of Kirtland AFB, east of Lovelace Road and south of the former Manzano Weapons Storage Area. The OD Unit is located within the roughly 190-acre circular Explosive Ordnance Disposal (EOD) Range. It served as a central location on Kirtland AFB for treatment of waste munitions propellant waste by detonation. The Open Burn (OB) Treatment Unit is co-located at the Explosive Ordnance Disposal (EOD) Range at Kirtland AFB and was used for the controlled burning of small arms munitions. The last treatment event at the Former OB Unit took place in 2008 and all waste residues (i.e., ash and debris) were removed and disposed of as hazardous waste.

The purpose of this PIP is to plan for providing public participation opportunities and information regarding the requested permit modification as required by statute or regulation, and also as the Bureau determines is needed to facilitate participation by the affected community.

This PIP integrates information about the community and identifies resources needed by the Bureau to successfully incorporate community participation activities into the RCRA decision-making process. The PIP identifies the NMED staff and resources needed to accomplish these activities.

Both the RCRA regulations at 40 CFR 270.42 and the New Mexico Hazardous Waste Management Regulations (HWMR) at 20.4.1.900 and 901 NMAC require public participation as part of the process for a Class 3 permit modification. The Bureau will meet the public participation requirements for the permit modification process at KAFB by adhering to this PIP, which includes all the applicable policy, regulatory and statutory public participation requirements.

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

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

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

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

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

II. Contacts

The Bureau contact for this permit modification request is:

Dave Cobrain, Program Manager
Hazardous Waste Bureau
Rodeo Park Drive East, Building 1
Santa Fe, NM 87505

Phone: (505) 476-6000

Fax: (505) 476-6030

Email: dave.cobrain@state.nm.us

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

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

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

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

auxiliary aid to participate in this process.

IV. Department Websites

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

New Mexico Environment Department - www.env.nm.gov
Hazardous Waste Bureau - www.env.nm.gov/hazardous-waste

V. Regulatory Background for Public Participation

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

VI. EJSCREEN Summary

To assess the need to specifically reach and inform Limited English Proficient (LEP) community populations to encourage public participation, two search criteria were utilized (EJSCREEN and American Fact Finder). The first tool, Environmental Justice mapping and screening (EJSCREEN), was developed by the U.S. Environmental Protection Agency (EPA). EJSCREEN provides up to 11 environmental indexes and six demographic indexes. Through EJSCREEN, demographic data is available for 2011-2015 via the American Community Survey (ACS), the 2010 U.S. Census, and the 2000 U.S. Census.

To meet the search criteria specified in NMED policy 07-13, preliminary screenings were conducted using the EPA EJSCREEN tool to generate reports from the American Community Survey (ACS) using a four-mile radius from each SWMU. For the purposes of this evaluation, only the Open Detonation (OD) Unit and the Open Burn (OB) Unit were examined within the Explosive Ordinance Disposal (EOD) range for the purposes of this PIP.

Both sites are inaccessible to the public and have been characterized in accordance with current and applicable state and/or federal regulations, and the available data indicate the contaminants present do not pose an unacceptable level of risk to human health, ecological receptors, or have the potential to affect groundwater.

This report, which is included as Appendix A to this PIP, indicated that there are 0 households within a four-mile radius from the facilities.

The percent minority population within a four-mile radius was 0% and the percent of population

by race within a four-mile radius was 0% white Non-Hispanic. Within a four-mile radius 0% of the population is listed as white Hispanic, 0% of within four-miles were listed as black, 0% were listed as American Indian, 0% of were listed as Asian, and 0% were listed as Other. The total Hispanic population was listed as 0%. The percentage of linguistically isolated households within a four-mile radius from the was listed as 0%.

The second tool, American Fact Finder, was developed by the United States Census Bureau. The tool presents language data from the ACS for languages spoken at home. This tool was chosen to supplement search criteria to be thorough in our efforts to reach LEP communities. While there were differences in the data when compared to EJSCREEN, the percentages related to limited English proficiency and demographic distribution corroborated the EJSCREEN data.

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

VII. Public Participation Activities

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

- Postal mailings
- Radio announcements
- Newspaper publications

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

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

IX. Notices in the State Newspaper and Local Newspapers

Public notices that are required to be published in state and local newspapers will be published in English and Spanish in the Albuquerque Journal (state wide circulation). There is no local Spanish Language newspaper in New Mexico.

Albuquerque Journal:

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

X. Public Notices

Public notices are issued for public comment periods related to the issuance of 1) draft permits, including major permit modifications, 2) public informational meetings, and 3) selected other public notifications. Public notices are mailed to persons included on the facility mailing list, published in the Albuquerque Journal, broadcast as public service announcements on radio, and

posted on the Hazardous Waste Bureau website. The notifications will be issued in Spanish and English. These notices will provide general information about the draft permit or permit modification, contact information for submitting comments or requesting a public hearing, and, if held, the time and location of public informational meetings.

XI. Factsheets

The Hazardous Waste Bureau will develop a fact sheet to accompany the Class 3 permit modification, as required by 20.4.1.901.A(2) NMAC. Fact sheets provide information regarding public participation, a description of the facility, a description of the proposed permit action and next steps in the process. Copies of a fact sheet will be sent to any person upon request in accordance with 20.4.1.901.A(2) NMAC. Fact sheets also will be made available for viewing at the Hazardous Waste Bureau and on the Bureau website.

XII. Public Comment Periods

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

XIII. Public Information Meetings

Investigation conducted at the units have not detected the presence of contaminants to date at levels that pose a risk to human health or the environment. These sites are inaccessible to the public and have been characterized in accordance with current and applicable state and/or federal regulations, and the available data indicate that contaminants present do not pose an unacceptable level of risk to human health, ecological receptors, or groundwater.

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

XIV. Other Outreach

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

Based on the analysis of any potential impacts, there would be no disproportionately high or adverse impacts to the public including minority and low-income populations. The soil and

groundwater sampling results indicate that there are limited impacts to the site as a result of past site usage for open burning and open detonation. Though the wells are monitoring different groundwater units due to the complex geology at the site, the results indicate that use of the area for open burning and open detonation operations have not resulted in groundwater contamination.

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

XV. Site Repositories

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

NMED Hazardous Waste Bureau
Rodeo Park Drive East, Building 1
Santa Fe, NM 87505
505-476-6000

XVI. Responses to Comments

The Hazardous Waste Bureau must ensure that the approved final permits are consistent with the New Mexico Hazardous Waste Management Regulations and the Hazardous Waste Act. All written comments submitted on the draft Class 3 permit modification will become part of the administrative record, will be considered in formulating a final decision, and may cause the draft permit modification to be modified. The Hazardous Waste Bureau will respond in writing to all significant public comment. The response will specify which provisions, if any, of the draft permit modification have been changed in the final permit decision, and the reasons for the change. This response will also be posted on the Bureau's website and the Bureau will notify all persons who have provided written comments.

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

ATTACHMENT A

Location: User-specified point center at 34.977725, -106.476305
 Ring (buffer): 4-mile radius
 Description: OD & OB Units

Summary of ACS Estimates	2011 - 2015
Population	0
Population Density (per sq. mile)	0
Minority Population	0
% Minority	0%
Households	0
Housing Units	0
Housing Units Built Before 1950	0
Per Capita Income	25,262
Land Area (sq. miles) (Source: SF1)	60.69
% Land Area	100%
Water Area (sq. miles) (Source: SF1)	0.17
% Water Area	0%

	2011 - 2015 ACS Estimates	Percent	MOE (±)
Population by Race			
Total	0	0%	364
Population Reporting One Race	0	0%	888
White	0	0%	370
Black	0	0%	87
American Indian	0	0%	279
Asian	0	0%	77
Pacific Islander	0	0%	19
Some Other Race	0	0%	56
Population Reporting Two or More Races	0	0%	39
Total Hispanic Population	0	0%	204
Total Non-Hispanic Population	0		
White Alone	0	0%	298
Black Alone	0	0%	87
American Indian Alone	0	0%	278
Non-Hispanic Asian Alone	0	0%	77
Pacific Islander Alone	0	0%	19
Other Race Alone	0	0%	11
Two or More Races Alone	0	0%	15
Population by Sex			
Male	0	0%	217
Female	0	0%	182
Population by Age			
Age 0-4	0	0%	66
Age 0-17	0	0%	118
Age 18+	0	0%	236
Age 65+	0	0%	123

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) 2011 - 2015.

Location: User-specified point center at 34.977725, -106.476305

Ring (buffer): 4-mile radius

Description: OD & OB Units

	2011 - 2015 ACS Estimates	Percent	MOE (±)
Population 25+ by Educational Attainment			
Total	0	0%	275
Less than 9th Grade	0	0%	29
9th - 12th Grade, No Diploma	0	0%	55
High School Graduate	0	0%	119
Some College, No Degree	0	0%	129
Associate Degree	0	0%	72
Bachelor's Degree or more	0	0%	184
Population Age 5+ Years by Ability to Speak English			
Total	0	0%	328
Speak only English	0	0%	308
Non-English at Home ¹⁺²⁺³⁺⁴	0	0%	214
¹ Speak English "very well"	0	0%	199
² Speak English "well"	0	0%	42
³ Speak English "not well"	0	0%	34
⁴ Speak English "not at all"	0	0%	42
³⁺⁴ Speak English "less than well"	0	0%	53
²⁺³⁺⁴ Speak English "less than very well"	0	0%	62
Linguistically Isolated Households*			
Total	0	0%	29
Speak Spanish	0	0%	17
Speak Other Indo-European Languages	0	0%	11
Speak Asian-Pacific Island Languages	0	0%	21
Speak Other Languages	0	0%	16
Households by Household Income			
Household Income Base	0	0%	138
< \$15,000	0	0%	85
\$15,000 - \$25,000	0	0%	54
\$25,000 - \$50,000	0	0%	67
\$50,000 - \$75,000	0	0%	92
\$75,000 +	0	0%	113
Occupied Housing Units by Tenure			
Total	0	0%	138
Owner Occupied	0	0%	131
Renter Occupied	0	0%	52
Employed Population Age 16+ Years			
Total	0	0%	302
In Labor Force	0	0%	190
Civilian Unemployed in Labor Force	0	0%	64
Not In Labor Force	0	0%	198

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) 2011 - 2015.

*Households in which no one 14 and over speaks English "very well" or speaks English only.

Location: User-specified point center at 34.977725, -106.476305

Ring (buffer): 4-mile radius

Description: OD & OB Units

	2011 - 2015 ACS Estimates	Percent	MOE (±)
Population by Language Spoken at Home*			
Total (persons age 5 and above)	0	0%	328
English	N/A	N/A	N/A
Spanish	N/A	N/A	N/A
French	N/A	N/A	N/A
French Creole	N/A	N/A	N/A
Italian	N/A	N/A	N/A
Portuguese	N/A	N/A	N/A
German	N/A	N/A	N/A
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	N/A	N/A	N/A
Chinese	N/A	N/A	N/A
Japanese	N/A	N/A	N/A
Korean	N/A	N/A	N/A
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	N/A	N/A	N/A
Other Asian	N/A	N/A	N/A
Tagalog	N/A	N/A	N/A
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	N/A	N/A	N/A
Hebrew	N/A	N/A	N/A
African	N/A	N/A	N/A
Other and non-specified	N/A	N/A	N/A
Total Non-English	N/A	N/A	N/A

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) 2011 - 2015.

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