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**PUBLIC INVOLVEMENT PLAN (PIP)**

**Air Quality Bureau Air Permit Application**

Version P07.20.18

Date: July 26, 2018

Applicant: Public Service Company of New Mexico

Facility Name: Luna Energy Facility

Air Quality Permit Application Number: P209-R2

Location: 1895 Arrowhead Drive, Deming, NM, 88030 in Luna County, New Mexico

Latitude: 32.2988333

Longitude: -107.7833333

**1. Overview of Air Quality Bureau's plan of action for addressing the community's needs and concerns for processing Air Quality Permit Applications:**

The New Mexico Environment Department (Department), Air Quality Bureau (AQB) developed this Public Involvement Plan (PIP) for the processing of air quality permit applications in accordance with the requirements at 20.2.70 NMAC for the facility listed above.

The AQB encourages the public to learn about and get involved in regulatory decision-making opportunities for this permit application. The purpose of this PIP is to provide public participation opportunities and information that may be needed to participate in this permitting activity.

This air quality regulation does require public participation outreach throughout different stages of the permitting process. The AQB will meet the public participation requirements by following this PIP, which includes all applicable policy, regulatory and statutory public participation requirements.

In developing this PIP, community participation needs for this permitting action were assessed to ensure appropriate promotion of public outreach by identifying whether there is a combination of environmental and demographic factors (i.e., low income community, minority community, limited English proficiency individuals, Linguistically Isolated Households, etc.) that may impact public participation. This assessment identifies community outreach needs and provides for public access opportunities above and beyond statutorily mandated requirements, and underscores the provision of adequate public access to information about this permit application.

As much as possible, public participation and informational activities related to this permit application will be held within the regulatory timelines outlined below.

- a. AQB regulations at 20.2.70 NMAC require that the application must be ruled complete no more than 60 days after receipt. The AQB will publish a public notice for this application in a newspaper of general circulation in the area closest to the location of the facility, when the draft permit is issued for comment. See section 4.d below for more information.

The public notice contains a paragraph in Spanish directing Spanish speaking interested parties to call the AQB at (505) 476-5557 to speak to Spanish speaking staff for additional information regarding this permitting action.

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

**Deming**  
405 East Florida Street  
Deming, NM 88030  
(575) 546-1464  
Fax (575) 546-9075

- c. AQB regulations require that the public notice be sent to interested parties maintained on a mailing list. See Section 4.b below for more information.
- d. AQB regulations require that the public notice be sent to the “affected programs” as defined at 20.2.70 NMAC. See Section 4.f below for more information.
- e. In accordance with the evaluation of the site location and associated demographics, the public notice will be published in English.
- f. Public notice shall be followed by a 30-day public comment period that starts on the day that the notice is published in the newspaper. See Section 4.h below for details.
- g. AQB regulations require that the permit must be issued, issued subject to conditions, or denied within eighteen (18) months after the department deems the application administratively complete.

## **2. Contact list of Department and AQB staff with phone numbers and email addresses:**

### **a. AQB contact for questions about this application or PIP:**

Kirby Olson  
New Mexico Environment Department  
Air Quality Bureau  
525 Camino de los Marquez, Suite 1  
Santa Fe, New Mexico, 87505  
(505) 476-4322  
Kirby.olson@state.nm.us

See Section 1 above for contact information for the NMED District office.

In addition, a contact list for Air Quality Bureau personnel can be found at:  
<https://www.env.nm.gov/air-quality/air-quality-bureau-contacts/>

**b. Non-English Language Speaker Assistance and Accommodations**

Non-English speakers may call the AQB contact listed in this PIP and request language assistance services, such as an interpreter, so they can learn more about this permit application. Services may be arranged for translation of documents for meetings, for translators during meetings and for obtaining services for persons with disabilities. A phone-based interpretation service may be available for languages other than English.

The AQB may hold public meetings, open houses, stakeholder meetings, and/or a formal hearing depending on the interest in the application. In the event that a public meeting will be held regarding this permit application, any person requiring non-English Language Speaker Assistance, assistance for an interpreter or auxiliary aid (e.g., accommodations for persons who are disabled) to participate in public meetings related to this permit application (if applicable), please contact the person listed in item 2.a above, allowing at least 14 days prior to the meeting date. 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).

**c. Department Websites**

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

Air Quality Bureau - <https://www.env.nm.gov/air-quality/>

**d. Site Website**

The AQB maintains a website location for the public notice for this permit application at:  
<https://www.env.nm.gov/air-quality/public-notices-of-permitting-actions/>.

**3. Description of the community/stakeholder groups:**

To provide for adequate public participation opportunities and meaningful involvement of persons regarding this permit application and to address potential or existing environmental justice areas, the affected communities must first be identified, informed about proposed environmental actions affecting the community, and invited to share their comments and concerns. The EJSCREEN tool developed by the U.S. Environmental Protection Agency (EPA) helps identify communities that are low income and minority populations that may benefit from a variety of approaches for notification and outreach communication. This information is used to help encourage the community's involvement in the public process for environmental activities or actions.

Using the default 4 mile radius from the facility, the results of the EJScreen ACS Summary Report (attached) are listed in the table below.

<b>Population and Income Data</b>			
Total Population:	14,603	Per capita income of community:	\$14,747
Minority Population, %:	72	US Per Capita Income*:	\$29,829

Total number of households:	5,092	Total Number (and Percent) of Linguistically Isolated Households:	619 (12%)
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\*US Per Capita Income 2012-2016; <https://www.census.gov/quickfacts/fact/table/US/HSG030210>

Population by Race, %		Population by Ability to Speak English, %	
White	87	Speak Only English	45
Black	2	Non-English at Home	55
American Indian	2	Speak English "very well"	35
Asian	0	Speak English "well"	7
Pacific Islander	0	Speak English "not well"	6
Other Race	7	Speak English "not at all"	6
Two or More Races	1	Speak English "less than very well"	19

Linguistically Isolated Household Details, %		List other Languages (if applicable)
Speak Spanish	98	////////////////////////////////////
Speak Other Indo-European Languages	0	
Speak Asian Pacific Island Languages	0	
Speak Other Languages	2	

In addition, the following community stakeholder groups have been identified: none.

It is important for the AQB to incorporate the linguistic and communication needs of this community when conducting public outreach and participation activities. To help accomplish this, the AQB will provide information in English, in public comment notices, public meeting notices (if applicable), and other announcements (radio broadcasts, brochures, signs, postcards, etc.) and strive to make public participation efforts as inclusive as possible within AQB budget and time limitations. The Deming NMED field office will serve as access areas for the AQB to leave hard copies of important documents and information about how to comment on this permit application.

**The AQB maintains information regarding this air quality permit application at the following locations:**

- a. On the Air Quality Bureau website, see Section 2.c above.**
- b. At the District Office listed in Section 1.b above.**
- c. At the main office location:**  
 New Mexico Environment Department  
 Air Quality Bureau  
 525 Camino de los Marquez, Suite 1  
 Santa Fe, New Mexico, 87505

#### **4. Detailed actions and outreach activities the AQB Permitting Section will take to reach the affected public:**

##### **a. Overview**

The public may ask questions about this permit application at any time. Interested community members do not need to wait for a formal public comment period to contact the AQB. However, the AQB emphasizes that to be included in the administrative record, comments solicited by public notices about the proposed activity must be submitted during the noticed comment periods, and in accordance with the public notice. Additionally, the public may request to review documents related to the facility at the AQB or one of the document repositories listed in items 1.b and 2.c above. This is the most direct way to learn more about and be involved in the decision-making process for the proposed activity or proceeding.

Based on the demographics report discussed in the PIP, the history of public involvement at the facility and the facility background, basic information about public involvement opportunities will be in English. This information will include how to request materials in Spanish or to speak with AQB staff through an interpreter. Further details about public participation for this activity are outlined below.

##### **b. Postal Mailing or E-Mailing of Notices to Persons on the Facility-Specific Mailing List**


AQB regulations require the use of a mailing list. The AQB maintains a mailing list that includes individuals interested in this permit application. This list is updated on a regular basis as a combination of all previously interested persons who requested that the AQB provide them with information about permit applications for this facility. The AQB regularly maintains contact information which is updated or supplemented, if additional information is found.

The list also includes addresses of states, local air pollution control programs, and Indian tribes and pueblos, that are within 50 miles of the source.

Additional individuals, organizations, and other interested parties are added to the mailing list as requested. If you would like to be added to the mailing list for this facility, contact the permit writer listed in item number 2a above.

##### **c. Email Updates**

The AQB may use email updates. To sign up for email updates, go to the AQB website at: <https://www.env.nm.gov/air-quality/> and click on the "Subscribe to Email Alerts" button (see graphic below):



##### **d. Notices in the State Newspaper and Local Newspapers**

The public notice for this permit application will be published in English in the Legal Section of the Deming Headlight newspaper.

Websites for this publication is listed below:  
Deming Headlight:

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

**e. Mailing to the Governor or President of Indian Tribes, Pueblos or Nations**

AQB regulations and the evaluation of the facility location and associated demographics, require notification to Tribes, Pueblos or Nations about this permit application for facilities located within a specified distance.

There are no Tribes, Pueblos, or Nations within 50 miles of this facility.

**f. Affected Local, State, or Federal Government Agencies, and Active Land Grants**

AQB regulations require identifying and notifying local, state or federal government agencies about this permit application.

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

US EPA Region VI

**g. Public Meeting Notices, Public Comment Notices, and Other Notices**

AQB may hold public meetings, open houses, stakeholder meetings, and/or a formal hearing depending on the interest in the application. Based on historical information and the results of the initial screening, there is no public meeting planned at this time for this permit application. If it is determined that a public meeting will be required, notice will be provided to the community as follows:

- 1) Via a newspaper of general circulation in the area closest to the location of the facility.
- 2) Locations commonly frequented by the general public, such as a nearby post office, public library, or city hall.
- 3) All persons and organizations that have expressed interest and are on a list maintained by AQB.
- 4) Via a public service announcement to at least one radio or television station which serves the municipality or county in which the source is or is proposed to be located.
- 5) The notices will be translated for non-English speaking participants, if required.
- 6) The notices will include information for requesting accommodations for those with disabilities as listed in item 2b above.

AQB will locate an appropriate venue based on the availability to the community to access the meeting, and the specific needs of the affected community (e.g. size of community, community locations, impacts, etc.).

AQB may reschedule the meeting due to inclement weather. If rescheduled, AQB will provide as much advance notice as possible and reschedule for an appropriate time and date.

Meetings will be scheduled to make them as accessible and user-friendly as practical, considering work schedules, dinner hours and other community commitments. To the extent possible, the meeting will be held at a location that is local and convenient, and meet American with Disabilities Act (ADA) standards. In addition, whenever practical and


appropriate, translators for limited-English speaking communities, or assistance for hearing-impaired individuals may be available. Information in public notices for a public meeting will adhere to AQB regulations, statutes and policies.

**h. Public Comment Periods**

AQB regulations require that thirty (30) days shall be provided for public and affected program comment on the draft permit. Interested persons may obtain the draft operating permit, submit written comments, or request a public hearing by contacting the permit writer listed in section 2.a above.

To determine the end of the EPA 45-day Proposed permit review period, see the “Operating Permit Timeline for New Mexico or Albuquerque” located on the EPA website at: <https://www.epa.gov/caa-permitting/operating-permit-timeline-new-mexico-or-albuquerque>

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

  
\_\_\_\_\_  
Liz Bisbey-Kuehn  
Bureau Chief  
Air Quality Bureau

  
\_\_\_\_\_  
Date approved

Attachments: EJSCREEN Printout



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**Limited English Proficiency (LEP) Services Evaluation**

**Air Quality Bureau Air Permit Application**

Version P06.06.18

Date: July26, 2018

Applicant: Public Service Company of New Mexico

Facility Name: Luna Energy Facility

Air Quality Permit Application Number: P209-R2

Location: 1895 Arrowhead Drive, Deming, NM, 88030 in Luna County, New Mexico

Latitude: 32.2988333

Longitude: -107.7833333

**Factor 1 – Number and Proportion of LEP Individuals in the Community:**

- A. Total Number that Speak English “less than very well”: 2,632 Proportion, %: 19
- B. Historical participation: The Bureau does not have records indicating any participation by LEP individuals regarding this facility.

**Factor 2 – Frequency with Which LEP Individuals Come in Contact with the Program (Frequent, Occasional, Not Frequent):**

There is no record of frequent or any contact with LEP individuals regarding this facility.

**Factor 3 – Nature and Importance of the Activity (Moderately Important, Important, Very Important):**

Important. Permits cannot be issued in accordance with 20.2.70 NMAC unless they demonstrate compliance with all state and federal regulations, including health based New Mexico and National Ambient Air Quality Standards. This requirement protects the health of the residents in the vicinity of this facility.

Bureau regulations require that final action must be taken on this permit application no later than 18 months after the application has been ruled complete.

This application is a Title V renewal, and the renewal does not incorporate any changes to equipment or emissions at the facility. Permitting facilities that are demonstrated to be in compliance with state and federal regulations encourages responsible economic development for New Mexico.

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

- A. Costs associated with translation: \$300  
Costs associated with providing a translator: \$1000-3000 depending on the length of the proceeding



Costs associated with hosting a public hearing: \$1500-3000

Costs for a court reporter: \$2000

- B. The Department is in the process of securing purchase agreements with translators to provide translating services. The Bureau currently uses in-house staff to assist Spanish speakers with their questions regarding permitting actions.

The Bureau has reviewed the above four factors. This Title V permit action is a renewal that does not change the pollutant emission rates or modify any equipment and thus, there are no new emission impacts on the community. Given the importance of this project, the limited involvement of LEP individuals in the past, and considering the public notice already contains a paragraph in Spanish regarding how to speak with someone in the Bureau about the proposed project, the Bureau does not plan to provide additional LEP services regarding this permitting action.

The LEP Services Evaluation has been reviewed and approved by the AQB Bureau Chief.



Liz Bisbey-Kuehn  
Bureau Chief  
Air Quality Bureau



Date approved



# EJSCREEN ACS Summary Report



Location: User-specified point center at 32.299087, -107.783462  
 Ring (buffer): 4-mile radius  
 Description: Luna energy 4 mile radius

Summary of ACS Estimates		2011 - 2015
Population		14,603
Population Density (per sq. mile)		372
Minority Population		10,511
% Minority		72%
Households		5,092
Housing Units		5,943
Housing Units Built Before 1950		767
Per Capita Income		14,747
Land Area (sq. miles) (Source: SF1)		39.26
% Land Area		100%
Water Area (sq. miles) (Source: SF1)		0.00
% Water Area		0%

	2011 - 2015 ACS Estimates	Percent	MOE (±)
<b>Population by Race</b>			
Total	14,603	100%	527
Population Reporting One Race	14,428	99%	1,103
White	12,775	87%	511
Black	272	2%	109
American Indian	286	2%	180
Asian	58	0%	53
Pacific Islander	18	0%	30
Some Other Race	1,019	7%	220
Population Reporting Two or More Races	175	1%	101
Total Hispanic Population	9,964	68%	469
Total Non-Hispanic Population	4,640		
White Alone	4,092	28%	250
Black Alone	236	2%	109
American Indian Alone	185	1%	180
Non-Hispanic Asian Alone	58	0%	53
Pacific Islander Alone	18	0%	30
Other Race Alone	0	0%	11
Two or More Races Alone	50	0%	97
<b>Population by Sex</b>			
Male	7,318	50%	298
Female	7,286	50%	384
<b>Population by Age</b>			
Age 0-4	1,006	7%	131
Age 0-17	3,669	25%	251
Age 18+	10,935	75%	305
Age 65+	2,851	20%	172

**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 32.299087, -107.783462

Ring (buffer): 4-mile radius

Description: Luna energy 4 mile radius

	2011 - 2015 ACS Estimates	Percent	MOE (±)
<b>Population 25+ by Educational Attainment</b>			
Total	9,384	100%	334
Less than 9th Grade	1,822	19%	163
9th - 12th Grade, No Diploma	1,359	14%	133
High School Graduate	3,112	33%	162
Some College, No Degree	2,128	23%	180
Associate Degree	490	5%	116
Bachelor's Degree or more	963	10%	109
<b>Population Age 5+ Years by Ability to Speak English</b>			
Total	13,598	100%	482
Speak only English	6,155	45%	311
Non-English at Home <sup>1+2+3+4</sup>	7,443	55%	340
<sup>1</sup> Speak English "very well"	4,811	35%	272
<sup>2</sup> Speak English "well"	908	7%	136
<sup>3</sup> Speak English "not well"	848	6%	137
<sup>4</sup> Speak English "not at all"	876	6%	138
<sup>3+4</sup> Speak English "less than well"	1,724	13%	156
<sup>2+3+4</sup> Speak English "less than very well"	2,632	19%	206
<b>Linguistically Isolated Households*</b>			
Total	619	100%	93
Speak Spanish	607	98%	92
Speak Other Indo-European Languages	0	0%	11
Speak Asian-Pacific Island Languages	0	0%	11
Speak Other Languages	12	2%	19
<b>Households by Household Income</b>			
Household Income Base	5,092	100%	143
< \$15,000	1,383	27%	121
\$15,000 - \$25,000	970	19%	96
\$25,000 - \$50,000	1,433	28%	122
\$50,000 - \$75,000	756	15%	90
\$75,000 +	551	11%	87
<b>Occupied Housing Units by Tenure</b>			
Total	5,092	100%	143
Owner Occupied	3,218	63%	133
Renter Occupied	1,874	37%	121
<b>Employed Population Age 16+ Years</b>			
Total	11,403	100%	383
In Labor Force	6,015	53%	248
Civilian Unemployed in Labor Force	985	9%	129
Not In Labor Force	5,387	47%	268

**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 32.299087, -107.783462

Ring (buffer): 4-mile radius

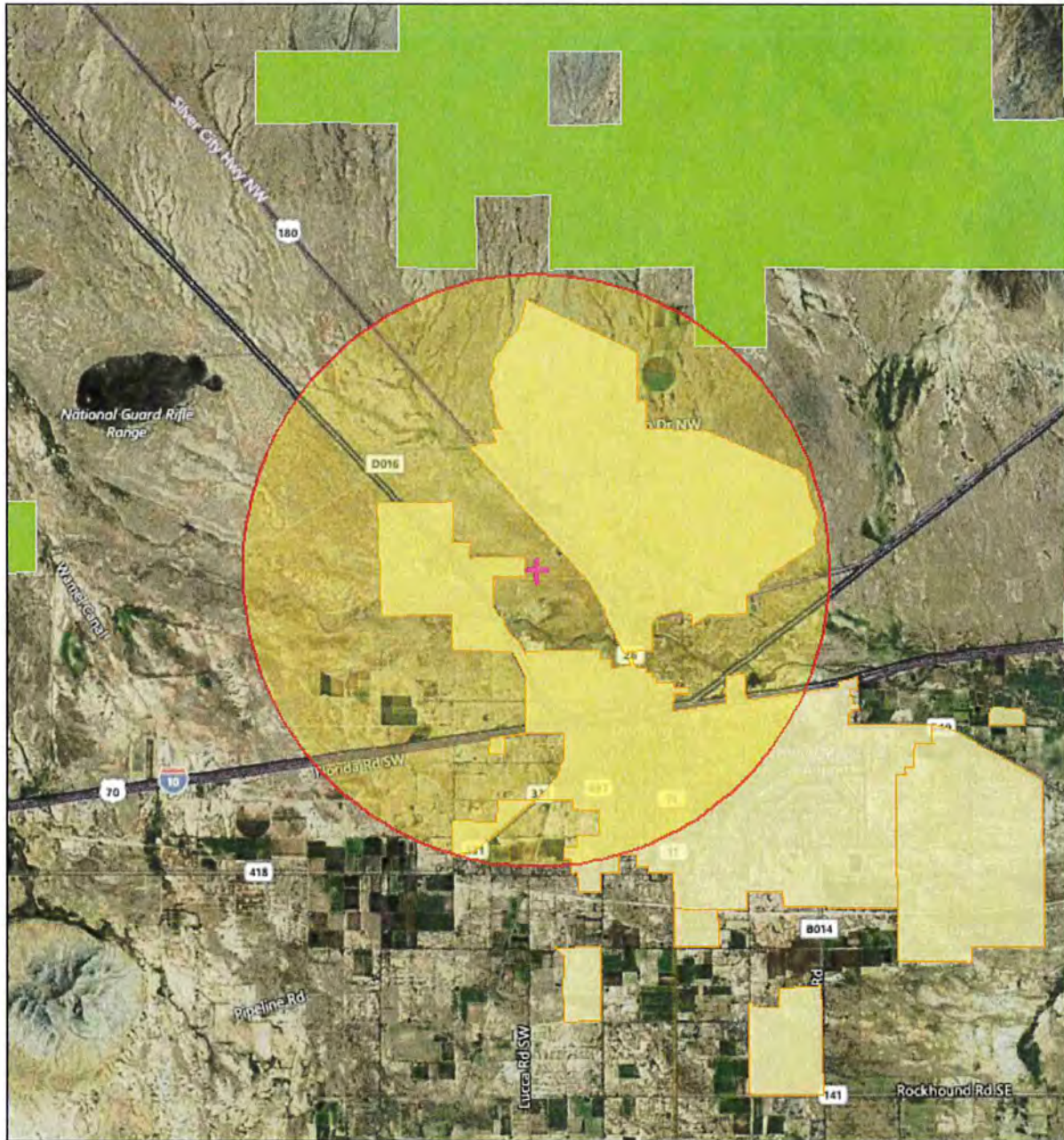
Description: Luna energy 4 mile radius

	2011 - 2015 ACS Estimates	Percent	MOE (±)
<b>Population by Language Spoken at Home*</b>			
Total (persons age 5 and above)	13,598	100%	482
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.

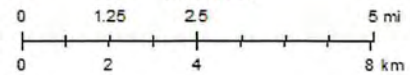
### Luna Energy PNM 4 mile



July 5, 2018

1:144,448

- |                      |     |       |
|----------------------|-----|-------|
| Buffer Area          | BIA | FWS   |
| Digitized Point      | BLM | NPS   |
| City Boundary        | BOR | OTHER |
| <b>Federal Lands</b> | DOD | TVA   |
| No Data              | FS  |       |



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EJSCREEN 2017