



**NEW MEXICO ENVIRONMENT DEPARTMENT
GROUND WATER QUALITY BUREAU**



**PUBLIC INVOLVEMENT PLAN
(PIP)**

Facility Name: Luchini Enterprises, Inc.

Facility Location: 3621 W. Picacho Blvd.
Section 15, Township 23S, Range 1E

County: Doña Ana

Responsible Party: Eric Luchini, Owner
3621 W. Picacho Blvd., Las Cruces, NM 88007

Agency: Ground Water Quality Bureau
Pollution Prevention Section

GWQB Action: Permitting - New
DP-1861

Bureau Contact: Andrew Romero
(505) 827-0076
andrewc.romero@state.nm.us

EFFECTIVE DATE: September 27, 2018

REVISION DATE: N/A

/s/ Michelle Hunter

Michelle Hunter
Chief, Ground Water Quality Bureau

Element 1 – Public Involvement Plan (PIP) Overview

The New Mexico Environment Department (NMED or Department), Ground Water Quality Bureau (Bureau) has developed this PIP for the application for a new discharge permit for Luchini Enterprises, Inc. The groundwater discharge permit for this facility is referred to as DP-1861.

The purpose of this PIP is to plan for providing public participation opportunities and information that may be needed for the community to participate in the permitting process for this facility. This PIP identifies information about the community and resources needed by the Bureau to incorporate community participation activities into the decision-making process. This PIP is developed in accordance with the Department's *Public Participation Policy* (Policy 07-13 or Policy), and incorporates the requirements of the Policy, as well as applicable regulatory and statutory public participation requirements.

This PIP implements the “elements” set forth in the Policy. Those elements include:

1. An overview of the Public Involvement Plan for the community affected by the activity
2. Bureau contact names and contact information, specifically for Limited English Proficiency (LEP) language assistance services (e.g., translation, interpreters) or for disability accommodations
3. A summary of the regulatory public participation framework associated with discharge permits
4. A description of community/stakeholder groups based on results of a preliminary environmental justice (EJ) screening
5. Details about planned public outreach activities

In developing this PIP, community participation needs were assessed to ensure appropriate public outreach. This was accomplished by identifying whether there is a combination of environmental and demographic factors that may impact public participation (e.g., low income community, minority community, LEP individuals, linguistically isolated households). Because the community located near the Luchini Enterprises, Inc. includes a significant percentage of Spanish speakers, the Bureau will provide appropriate information in both English and Spanish.

Public involvement associated with discharge permits occurs at different stages and in different forms. Public involvement activities required by statute or regulation are mandatory and subject to statutory or regulatory deadlines. Mandatory public involvement activities and associated time requirements relevant to this PIP are noted in the *Table of Mandated Public Involvement Activities* at the end of this PIP.

The Bureau plans to conduct the public involvement activities related to the permitting process outlined in the *Table of Public Involvement Activities* below. The activity timeline and dates are tentative and subject to change.

Table of Public Involvement Activities

Activity	Date
Public Notice One (PN-1) See <i>Table of Mandated Public Involvement Activities</i> at the end of this PIP for details.	January, 2018 (English only)
Placement of a hardcopy of the PIP in the local field office: Las Cruces Field Office 2301 Entrada del Sol Las Cruces, NM 88001 (575) 288-2050	September 2018
Notice of availability of draft permit (PN-2) See <i>Table of Mandated Public Involvement Activities</i> . Being provided in English and Spanish, beyond regulatory requirement.	To be determined

All notices for upcoming meetings or hearings will include a statement that any person who requires assistance, an interpreter, or an auxiliary aid to participate in the process may contact a specifically identified Department person to request those services. Requested interpretation services during the meeting and accommodations or services for persons with disabilities will be arranged to the extent possible.

This PIP is a “living” document that may be amended for numerous reasons, including the consideration of public comments and feedback.

Element 2 – Bureau Contact Information

PIP Specific Contacts

The Bureau contact for this discharge permit is:

Andrew Romero, Environmental Scientist & Specialist
NMED Ground Water Quality Bureau
P.O. Box 5469
Santa Fe, New Mexico 87502-5469
(505) 827-0076
andrewc.romero@state.nm.us

Non-English Language Speaker Assistance

All public notices will contain a statement that non-English speakers may call the Bureau contact listed above and request language assistance in order to learn more about this permit or the permitting process. Arrangements may be made for document translation or interpretation related to the permitting process as necessary and as resources allow.

Individuals with Disabilities Assistance

All public notices will contain a statement that disabled individuals may call the Bureau contact listed above and request assistance needed to participate in activities associated with the permitting process.

The following numbers will be provided in public notices so that hearing-impaired callers can contact the Bureau and ask questions about the activity or proceeding: Toll-free numbers are available for TDD or TTY users to access the New Mexico Relay network (for deaf or hearing-impaired callers), 1-800-659-1779; TTY users: 1-800-659-8331.

Websites

Outreach materials and notices will include links to the following websites:

Ground Water Quality Bureau – <https://www.env.nm.gov/gwqb/>
New Mexico Environment Department - <https://www.env.nm.gov/>

Element 3 – Regulatory Framework for Public Participation Related to the Permitting Process

The public participation regulatory framework associated with the permitting process is identified in the *Table of Mandated Public Involvement Activities* at the end of this PIP. The Table identifies activities subject to statutory or regulatory deadlines, the associated regulatory requirements, and the associated dates or time periods.

Element 4 – Description of Community/Stakeholder Groups Based on the EJSCREEN

EJSCREEN Summary

To provide for adequate public participation opportunities and meaningful involvement of persons in the permitting process, 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, have minority populations, and have limited English proficiency that may benefit from a variety of approaches for notification and outreach communication. This information is used to help plan for the community's involvement in the public process for environmental activities or actions. In addition to the EJSCREEN results, the

Bureau may consider additional information such as the U.S. Census Bureau website or NMED's EJ Mapping Tool.

The Bureau considers the affected community to be those persons living within the geographic area depicted on the attached EJSCREEN document that includes the discharge site. The results of the EJSCREEN American Community Survey (ACS) Summary Report (attached to this PIP) are summarized in the table below.

EJSCREEN Results for the Affected Community

Total population	47,246
Total number of households	17,757
Percentage minority population	66%
Percentage Hispanic Population	62%
Percentage of the population by race	Population reporting one race: White: 90% Black: 1% American Indian: 1% Some Other Race: 5%
Total number of persons over the age of five who speak English "less than very well"	4,938
Percentage of persons over the age of five who speak English "less than very well"	11%
Total number of linguistically isolated households	1,068
Percentage of linguistically isolated households (Total number of linguistically isolated households ÷ total number of households X 100)	6%
Languages by percentage in linguistically isolated households	Spanish: 94% Other Indo-European languages: 4% Asian-Pacific Island languages: 1% Other languages: 1%
Percent linguistically isolated population, New Mexico*:	5.4%
Per capita income	\$20,566
Per capita income, USA**	\$29,979

* U.S. Census Bureau. 2011-2015 American Community Survey 5-Year Estimates, Table S1602. Limited English Speaking Households. https://factfinder.census.gov/bkmk/table/1.0/en/ACS/15_5YR/S1602/0400000US35 (date of access: 7/26/2018).

** U.S. Census Bureau. 2015 American Community Survey 1-Year Estimates, Table S0201. Selected Population Profile in the United States. https://factfinder.census.gov/bkmk/table/1.0/en/ACS/15_1YR/S0201/0100000US (date of access: 7/26/2018).

The EJSCREEN results indicate that for the affected community the proportion of the population with limited English proficiency (LEP) is significant. The Bureau has therefore performed a LEP assessment for the community and attaches that assessment to this PIP.

Because the affected community has a significant percentage of persons with difficulties communicating in English, the Bureau will consider the language and communication needs of this community when conducting public outreach and participation activities. To accomplish this the Bureau will provide the same information in Spanish as in English in public comment notices, public meeting notices, and other announcements (e.g., radio broadcasts, brochures, signs, postcards) and will strive to make public participation efforts as inclusive as possible within the Bureau's budget and time limitations.

Element 5 – Detailed Actions and Outreach Activities with the Affected Public

Public involvement activities required by statute or regulation for this permitting action are listed in the *Table of Mandated Public Involvement Activities* at the end of this document.

Public Participation – Outreach Activities

The Bureau will conduct the following outreach activities during this permitting process:

- Placement of this PIP on the Bureau website and in nearby NMED field office
- Postal mailing and email notices
- Newspaper notices
- Notice posted on NMED website

Newspapers utilized in the notification process include:

- Statewide circulation (English): Albuquerque Journal
- Local circulation (English and Spanish): Las Cruces Sun - Doña Ana County

Local, state, and federal government agencies, tribal entities, and land grant officials will be notified about the permitting process. A list of the agencies and officials notified can be provided upon request.

Indian Tribes, Pueblos and Nations will be notified about the permitting action through the contacts maintained by the Indian Affairs Department at the following URLs:

<http://www.iad.state.nm.us/apaches.html>

<http://www.iad.state.nm.us/navajo.html>

<http://www.iad.state.nm.us/pueblos.html>

Timelines and methods for submitting public comments are specified in the *Table of Mandated Public Involvement Activities*. Final discharge permit documents will be available from the Bureau's contact identified in Element 2 of this PIP.

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

The Bureau solicits the names and contact information of interested parties with all public notices. The Bureau maintains those names on a Facility-Specific Mailing List and provides the individuals with information about regulatory activities for the facility. Individuals, organizations, and other interested parties are added to the mailing list as requested. All public notices will contain a statement directing interested individuals to contact the Bureau contact for this permit if they want to be added to the facility specific mailing list. The Department also maintains a more comprehensive list of persons requesting copies of all notices issued by the agency. Public notices will also contain a statement informing interested individuals that they can subscribe to this list by visiting <https://www.env.nm.gov/email-update-bulletins/>.

Other means of outreach such as fliers announcing public comment periods and/or public meetings or hearings may be posted in locations throughout the community (e.g., local businesses, schools, libraries) and on the Department's website, at the Bureau's discretion after consideration of public interest and input.

Attachments

The following documents are attached to this PIP:

- A copy of the EJSCREEN ACS Summary Report, and a map showing the area evaluated
- A copy of the public notice with facility and permit specific information in all published languages (PN1 in English only)
- LEP Assessment

Table of Mandated Public Involvement Activities

Activity	Dates
<p>Application Notice (PN-1): The first notice of the Bureaus receipt of the permit application – applicant’s obligations at 20.6.2.3108.B – Bureau’s obligations at 20.6.2.3108.E NMAC</p> <ul style="list-style-type: none"> • Signs (English and Spanish) - Applicant obligation • Mailings to owners of nearby properties - Applicant obligation • Newspaper ads (English and Spanish)- Applicant obligation • NMED website https://www.env.nm.gov/gwqb/public-notice/ • Notice to government agencies • Notice to interested parties 	<p>Within 30 days of the department deeming the application administratively complete</p>
<p>Permit Notice (PN-2): Notice to the public of the availability of a draft permit for a 30-day review and comment period – the notice will outline the process for requesting a public hearing – obligation at 20.6.2.3108.H NMAC</p> <ul style="list-style-type: none"> • NMED website https://www.env.nm.gov/gwqb/public-notice/ • Newspaper ads • Notification of interested parties • Notice to government agencies • Notice to Indian Tribes, Pueblos and Nations 	<p>Within 60 days of the department determining the application is technically complete and drafting a permit.</p>
<p>Public Hearing Notice (if required): Upon the Department’s determination that there is substantial public interest in the permit – obligation at 20.6.2.3108.L NMAC. Notice includes information on how to participate in the hearing, and how to request an interpreter or auxiliary aid if needed.</p> <ul style="list-style-type: none"> • NMED website https://www.env.nm.gov/gwqb/public-notice/ • Newspapers • Notice to interested parties • Notice to government agencies • Notice to Indian Tribes, Pueblos and Nations 	<p>Notice of the hearing shall occur at least 30 days prior to the hearing.</p>

Location: User-specified point center at 32.308855, -106.831805

Ring (buffer): 4-mile radius

Description:

Summary of ACS Estimates		2011 - 2015	
Population		47,246	
Population Density (per sq. mile)		1,003	
Minority Population		30,981	
% Minority		66%	
Households		17,757	
Housing Units		19,294	
Housing Units Built Before 1950		2,586	
Per Capita Income		20,566	
Land Area (sq. miles) (Source: SF1)		47.10	
% Land Area		100%	
Water Area (sq. miles) (Source: SF1)		0.03	
% Water Area		0%	
		2011 - 2015 ACS Estimates	Percent MOE (±)
Population by Race			
Total		47,246	100% 612
Population Reporting One Race		46,230	98% 1,278
White		42,501	90% 610
Black		673	1% 203
American Indian		660	1% 106
Asian		220	0% 105
Pacific Islander		1	0% 11
Some Other Race		2,175	5% 243
Population Reporting Two or More Races		1,016	2% 119
Total Hispanic Population		29,374	62% 657
Total Non-Hispanic Population		17,872	
White Alone		16,265	34% 532
Black Alone		610	1% 159
American Indian Alone		401	1% 95
Non-Hispanic Asian Alone		206	0% 105
Pacific Islander Alone		1	0% 11
Other Race Alone		23	0% 32
Two or More Races Alone		366	1% 77
Population by Sex			
Male		23,656	50% 441
Female		23,590	50% 412
Population by Age			
Age 0-4		3,379	7% 222
Age 0-17		10,718	23% 284
Age 18+		36,528	77% 357
Age 65+		7,632	16% 169

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 32.308855, -106.831805

Ring (buffer): 4-mile radius

Description:

	2011 - 2015 ACS Estimates	Percent	MOE (±)
Population 25+ by Educational Attainment			
Total	30,427	100%	344
Less than 9th Grade	2,818	9%	127
9th - 12th Grade, No Diploma	3,178	10%	175
High School Graduate	6,873	23%	186
Some College, No Degree	9,186	30%	191
Associate Degree	2,259	7%	131
Bachelor's Degree or more	8,370	28%	248
Population Age 5+ Years by Ability to Speak English			
Total	43,866	100%	561
Speak only English	24,867	57%	401
Non-English at Home ¹⁺²⁺³⁺⁴	19,000	43%	471
¹ Speak English "very well"	14,062	32%	407
² Speak English "well"	2,309	5%	184
³ Speak English "not well"	1,920	4%	240
⁴ Speak English "not at all"	709	2%	150
³⁺⁴ Speak English "less than well"	2,629	6%	240
²⁺³⁺⁴ Speak English "less than very well"	4,938	11%	240
Linguistically Isolated Households*			
Total	1,068	100%	76
Speak Spanish	1,001	94%	75
Speak Other Indo-European Languages	47	4%	23
Speak Asian-Pacific Island Languages	7	1%	19
Speak Other Languages	12	1%	18
Households by Household Income			
Household Income Base	17,757	100%	175
< \$15,000	3,472	20%	168
\$15,000 - \$25,000	2,774	16%	139
\$25,000 - \$50,000	4,555	26%	127
\$50,000 - \$75,000	2,718	15%	131
\$75,000 +	4,238	24%	165
Occupied Housing Units by Tenure			
Total	17,757	100%	175
Owner Occupied	11,325	64%	172
Renter Occupied	6,431	36%	160
Employed Population Age 16+ Years			
Total	37,685	100%	470
In Labor Force	22,752	60%	364
Civilian Unemployed in Labor Force	2,462	7%	178
Not In Labor Force	14,933	40%	356

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 32.308855, -106.831805

Ring (buffer): 4-mile radius

Description:

	2011 - 2015 ACS Estimates	Percent	MOE (±)
Population by Language Spoken at Home*			
Total (persons age 5 and above)	43,866	100%	561
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.

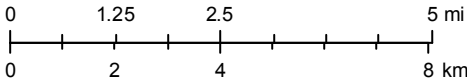
Luchini Enterprises, Inc. (DP-1861)



July 10, 2018

1:144,448

-  Buffer Area
-  Digitized Point



Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Notice is hereby given pursuant to 20.6.2.3108 NMAC, the following Groundwater Discharge Permit applications have been submitted to the New Mexico Environment Department (NMED) for review.

DP #	Facility/Applicant	Closest City	County	Notice	NMED Permit Contact
162	Yorktown Dairy Jim Richardson, Owner Yorktown Dairy 3500 School Road Roswell, NM 88203	Roswell	Chaves	DP-162 - Yorktown Dairy proposes to renew and modify the Discharge Permit for the discharge of up to 21,000 gallons per day of agricultural wastewater from the production area of a dairy facility. The modification consists of an increase in land application area from 85 acres to 284 acres. Potential contaminants from this type of discharge include nitrogen compounds. The facility is located at 3500 School Road, approximately five miles southeast of Roswell, in Sections 19 and 20, T11S, R25E, Chaves County. Groundwater beneath the site is at a depth of approximately 12 feet and had a pre-discharge total dissolved solids concentration of 1,925 milligrams per liter.	Matthew Smith Matthew.Smith3@state.nm.us
281	City of Roswell Wastewater Treatment Plant Arthur Torrez Utilities Director City of Roswell PO Box 1838 Roswell, NM 88202	Roswell	Chaves	DP-281 - City of Roswell Wastewater Treatment Plant: City of Roswell proposes to renew the Discharge Permit for the discharge of up to 7,500,000 gallons per day of reclaimed domestic wastewater for irrigation. Potential contaminants from this type of discharge include nitrogen compounds. The facility is located at 2306 E College Blvd., Roswell, in Section 26, T10S, R24E, Chaves County. The discharge sites are located in Sections 22, 23, 24, 25, 26, 27, 34, and 35, T10S, R24E; and in Section 30, T10S, R25E, Chaves County. Groundwater beneath the site is at a depth of approximately 2 feet and had a total dissolved solids concentration of approximately 2,000 milligrams per liter.	Russell Isaac Russell.Isaac@state.nm.us



1861	<p>Luchini Enterprises</p> <p>Eric Luchini Owner Luchini Enterprises Inc. 3621 W. Picacho Blvd Las Cruces, NM 88007</p>	Las Cruces	Doña Ana	<p>DP-1861: Luchini Enterprises, Inc. proposes to discharge up to 100 gallons per day of industrial wastewater from a vehicle wash to a disposal system. Potential contaminants from this type of discharge include nitrogen compounds, organic compounds, and metals. The facility is located at 3621 W. Picacho Blvd., Las Cruces, in the Mesilla Civil Colony Grant, projected in Section 15, T23S, R01E, Doña Ana County. Groundwater beneath the site is at a depth of approximately 22 feet and has a total dissolved solids concentration of approximately 274 milligrams per liter.</p>	<p>Andrew Romero AndrewC.Romero@state.nm.us</p>
466	<p>Santa Fe Community College</p> <p>Henry Mignardot Plant & Operations Manager Santa Fe Community College 6401 Richards Avenue Santa Fe, NM 87508</p>	Santa Fe	Santa Fe	<p>DP-466 - Santa Fe Community College proposes to renew the Discharge Permit for the discharge of up to 30,000 gallons per day of reclaimed domestic wastewater for irrigation. Potential contaminants from this type of discharge include nitrogen compounds. The facility is located at 6401 Richards Avenue, Santa Fe, in Sections 20 and 21, T16N, R09E, Santa Fe County. Groundwater beneath the site is at a depth of approximately 200 feet and has a total dissolved solids concentration of approximately 300 milligrams per liter.</p>	<p>Kellie Jones Kellie.Jones@state.nm.us</p>



1053	Village of Los Lunas Sludge Disposal Site Michael Jaramillo Public Works Director Village of Los Lunas PO Box 1209 Los Lunas, NM 87031	Los Lunas	Valencia	DP-1053 - Village of Los Lunas Sludge Disposal Site: Village of Los Lunas proposes to renew the Discharge Permit for the discharge of up to 45,000 gallons per day of domestic wastewater sludge to a surface disposal site. Potential contaminants from this type of discharge include nitrogen compounds and metals. The facility is located at 189 Tren Rd. SW, approximately 5.2 miles southwest of the intersection of Dalies Rd. and NM-6, approximately nine miles southwest of the Village of Los Lunas, located in the Duran de Chavez Land Grant, projected in Section 18, T06N, R01E, Valencia County. Groundwater beneath the site is at a depth of approximately 400 feet and has a total dissolved solids concentration of approximately 150 milligrams per liter.	Andrew Romero AndrewC.Romero@state.nm.us
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Provided the applicant has met applicable requirements, the New Mexico Environment Department (NMED) will propose for approval a Discharge Permit containing limitations, monitoring requirements, and other conditions intended to protect groundwater quality for present and potential future use. Information in this public notice was provided by the applicants and will be verified by NMED during the permit application review process. NMED will accept comments and statements of interest regarding applications and will create facility-specific mailing lists for persons who wish to receive future notices. Questions, comments or statements of interest should be directed to the NMED permit contact at (505) 827-2900 or at the following address: Ground Water Quality Bureau, PO Box 5469, Santa Fe, NM 87502-5469.



NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. Part 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, you may contact: Kristine Pintado, Non-Discrimination Coordinator, New Mexico Environment Department, 1190 St. Francis Dr., Suite N4050, P.O. Box 5469, Santa Fe, NM 87502, (505) 827-2855, nd.coordinator@state.nm.us. If you believe that you have been discriminated against with respect to a NMED program or activity, you may contact the Non-Discrimination Coordinator identified above or visit our website at <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> to learn how and where to file a complaint of discrimination.

El Departamento del Medio Ambiente de Nuevo México (NMED, por su sigla en inglés) no discrimina por motivos de raza, color, origen nacional, discapacidad, edad o sexo en la administración de sus programas o actividades, según lo exigido por las leyes y los reglamentos correspondientes. El NMED es responsable de la coordinación de esfuerzos para el cumplimiento de las reglas y la recepción de indagaciones relativas a los requisitos de no discriminación implementados por 40 C.F.R. Parte 7, que incluye el Título VI de la Ley de Derechos Civiles de 1964, como fuera enmendado; la Sección 504 de la Ley de Rehabilitación de 1973; la Ley de Discriminación por Edad de 1975; el Título IX de las Enmiendas de Educación de 1972; y la Sección 13 de las Enmiendas a la Ley Federal de Control de la Contaminación del Agua de 1972. Si tiene preguntas sobre este aviso o sobre cualquier programa de no discriminación, norma o procedimiento de NMED, puede comunicarse con la Coordinadora de No Discriminación: Kristine Pintado, Non-Discrimination Coordinator, New Mexico Environment Department, 1190 St. Francis Dr., Suite N4050, P.O. Box 5469, Santa Fe, NM 87502, (505) 827-2855, nd.coordinator@state.nm.us. Si piensa que ha sido discriminado con respecto a un programa o actividad de NMED, puede comunicarse con la Coordinadora de No Discriminación antes indicada o visitar nuestro sitio web en <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> para saber cómo y dónde presentar una queja por discriminación.

To view this and other public notices issued by the Ground Water Quality Bureau on-line, go to:
<https://www.env.nm.gov/gwb/NMED-GWQB-PublicNotice.htm>

Limited English Proficiency (LEP) Assessment

Facility: Luchini Enterprises, Inc.
Location: 3621 W. Picacho Ave, Las Cruces, NM
Regulatory Action: New Discharge Permit
Buffer Distance: 4-mile radius (i.e., area evaluated or Community of Concern)
Date: July 25, 2018

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

See Public Involvement Plan (PIP), Table of EJSCREEN Results for the Affected Community.

Conclusions:

1. The number of LEP individuals (persons over the age of 5 who speak English “less than very well” in the affected community) is 4,938.
2. The proportion of LEP individuals in the affected community is 11%.
3. The percentage of linguistically isolated households is 6%, which is somewhat greater than the statewide average.
4. Spanish is the predominant non-English language spoken by LEP persons.

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

Contact with the discharge permitting process primarily occurs when a permit application is under review. The GWQB provides notice to the public and encourages participation. Individuals may participate by requesting information, submitting comments on draft permits, requesting hearings, and taking part in hearings. Some permits generate considerable public interest, but participation is low for most permits. Historical participation in permitting activities for this facility is summarized under Factor 1.

Conclusion:

LEP participation and overall public interest in this facility have been limited historically. Based on this record, the Bureau considers the potential for LEP contact with the permitting process to be “infrequent.”

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

The permitting activity is deemed by the GWQB to be “important” to NMED, the impacted community, and the State of New Mexico. The permitting activity is important to NMED because the permit establishes site-specific requirements that must be met to ensure protection of public health and groundwater quality and provides a means to enforce those requirements. The permitting activity is important to the impacted community because poorly-operated waste

treatment facilities have the potential to pose a public nuisance and adversely affect the quality of life of people living in the vicinity of the facility. The permitting activity is important to the State of New Mexico because establishment of effective permits ensures that discharges will not impact the State's limited groundwater resources and that waste disposal is conducted in a consistent manner throughout the State.

Conclusion:

The GWQB considers the permitting activity “important” to NMED, to the state as a whole, and to the impacted community.

Factor 4: Resources Available to NMED for LEP Services and Associated Costs

For outreach to LEP communities associated with this permit action, NMED employs an in-house Spanish translator/interpreter and utilizes a phone interpretation service to assist during direct communication between LEP individuals and NMED staff. The costs of newspaper publication of public notice in [language] and of interpretive services for a public meeting or hearing are being incorporated into the Bureau’s budget, to the extent possible. Fees collected from the permittee in accordance with the schedule at 20.6.2.3114 NMAC are not sufficient to cover these costs.

Conclusion:

The Bureau can accommodate the costs of the LEP services identified in this plan. If additional services are requested, the budgetary implications will be reviewed.

LEP Services Plan:

The Bureau plans to:

1. Translate the Public Notice for public comment and any subsequent public notices into Spanish and publish in a paper serving the local community.
2. Provide interpretive services at any public meeting or public hearing, if requested.
3. Interact with members of the LEP community using certified interpreters, when needed.

The Bureau will consider requests from members of the affected community for additional LEP services.