



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



**PUBLIC INVOLVEMENT PLAN
(PIP)**

Facility Name: City of Raton Wastewater Treatment Facility

Facility Location: 444 Hereford Ave
Raton, NM
Beaubien and Miranda Land Grant, Township 30N & 31N,
Range 24E

County: Colfax

Responsible Party: Dan Campbell, Utility Director
City of Raton/Raton Water Works
P.O. Box 99
Raton, NM 87740

Agency: Ground Water Quality Bureau
Pollution Prevention Section

GWQB Action: Permitting - Renewal
DP-254

Bureau Contact: Gerald Knutson, Environmental Scientist
(505) 827-2996
gerald.knutson@state.nm.us

EFFECTIVE DATE: September 26, 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 an application for Discharge Permit renewal for the City of Raton Wastewater Treatment Facility. The groundwater discharge permit for this facility is referred to as DP-254.

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 City of Raton Wastewater Treatment Facility 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) <i>See Table of Mandated Public Involvement Activities</i> at the end of this PIP for details.	August 26, 2016
Placement of a hardcopy of the PIP in the local field office: Raton Field Office (District II) 1277A South Second Street Raton, NM 87740 (575) 445-3376	September 2018 (anticipated)
Notice of availability of draft permit (PN-2) <i>See Table of Mandated Public Involvement Activities.</i> Being provided in English and Spanish, beyond regulatory requirement.	October 2018 (anticipated)

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:
Gerald Knutson, Environmental Scientist
NMED Ground Water Quality Bureau
P.O. Box 5469
Santa Fe, New Mexico 87502-5469
(505) 827-2996
gerald.knutson

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	7,308
Total number of households	3,143
Percentage minority population	60%
Percentage Hispanic population	58%
Percentage of the population by race	Population reporting one race: White: 86% American Indian: 1% Some Other Race: 9%
Total number of persons greater than the age of five who speak English “less than very well”	319
Percentage of persons greater than the age of five who speak English “less than very well”	5%
Total number of linguistically isolated households	163
Percentage of linguistically isolated households	5%
Languages by percentage in linguistically isolated households	Spanish: 84% Other Indo-European languages: 16%
Percent linguistically isolated population, New Mexico*:	5.4%
Per capita income	\$19,115
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. See Element 5 for more specifics on the public outreach and participation activities.

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): Huerfano World Journal – Colfax 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
- LEP Assessment

Table of Mandated Public Involvement Activities

Activity	Dates
<p>Application Notice (PN-1): The first notice of the Bureau's 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"> • 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 linear location
 Ring (buffer): 4-mile radius
 Description: DP-254

Summary of ACS Estimates		2011 - 2015	
Population		7,308	
Population Density (per sq. mile)		110	
Minority Population		4,421	
% Minority		60%	
Households		3,143	
Housing Units		4,059	
Housing Units Built Before 1950		1,015	
Per Capita Income		19,115	
Land Area (sq. miles) (Source: SF1)		66.35	
% Land Area		100%	
Water Area (sq. miles) (Source: SF1)		0.13	
% Water Area		0%	
	2011 - 2015 ACS Estimates	Percent	MOE (±)
Population by Race			
Total	7,308	100%	299
Population Reporting One Race	7,116	97%	635
White	6,308	86%	265
Black	36	0%	32
American Indian	106	1%	44
Asian	31	0%	34
Pacific Islander	0	0%	11
Some Other Race	634	9%	249
Population Reporting Two or More Races	192	3%	99
Total Hispanic Population	4,226	58%	276
Total Non-Hispanic Population	3,082		
White Alone	2,887	40%	254
Black Alone	23	0%	32
American Indian Alone	39	1%	40
Non-Hispanic Asian Alone	31	0%	34
Pacific Islander Alone	0	0%	11
Other Race Alone	1	0%	11
Two or More Races Alone	101	1%	96
Population by Sex			
Male	3,603	49%	194
Female	3,705	51%	168
Population by Age			
Age 0-4	398	5%	77
Age 0-17	1,533	21%	123
Age 18+	5,774	79%	207
Age 65+	1,585	22%	99

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 linear location

Ring (buffer): 4-mile radius

Description: DP-254

	2011 - 2015 ACS Estimates	Percent	MOE (±)
Population 25+ by Educational Attainment			
Total	5,250	100%	204
Less than 9th Grade	188	4%	37
9th - 12th Grade, No Diploma	534	10%	85
High School Graduate	1,982	38%	151
Some College, No Degree	1,720	33%	146
Associate Degree	486	9%	92
Bachelor's Degree or more	826	16%	111
Population Age 5+ Years by Ability to Speak English			
Total	6,910	100%	267
Speak only English	5,516	80%	229
Non-English at Home ¹⁺²⁺³⁺⁴	1,394	20%	113
¹ Speak English "very well"	1,074	16%	109
² Speak English "well"	215	3%	50
³ Speak English "not well"	90	1%	44
⁴ Speak English "not at all"	15	0%	20
³⁺⁴ Speak English "less than well"	105	2%	44
²⁺³⁺⁴ Speak English "less than very well"	319	5%	60
Linguistically Isolated Households*			
Total	163	100%	59
Speak Spanish	137	84%	58
Speak Other Indo-European Languages	26	16%	38
Speak Asian-Pacific Island Languages	0	0%	11
Speak Other Languages	0	0%	11
Households by Household Income			
Household Income Base	3,143	100%	98
< \$15,000	925	29%	86
\$15,000 - \$25,000	400	13%	62
\$25,000 - \$50,000	732	23%	68
\$50,000 - \$75,000	448	14%	63
\$75,000 +	638	20%	91
Occupied Housing Units by Tenure			
Total	3,143	100%	98
Owner Occupied	2,134	68%	85
Renter Occupied	1,009	32%	86
Employed Population Age 16+ Years			
Total	5,965	100%	222
In Labor Force	3,035	51%	184
Civilian Unemployed in Labor Force	281	5%	73
Not In Labor Force	2,929	49%	177

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 linear location

Ring (buffer): 4-mile radius

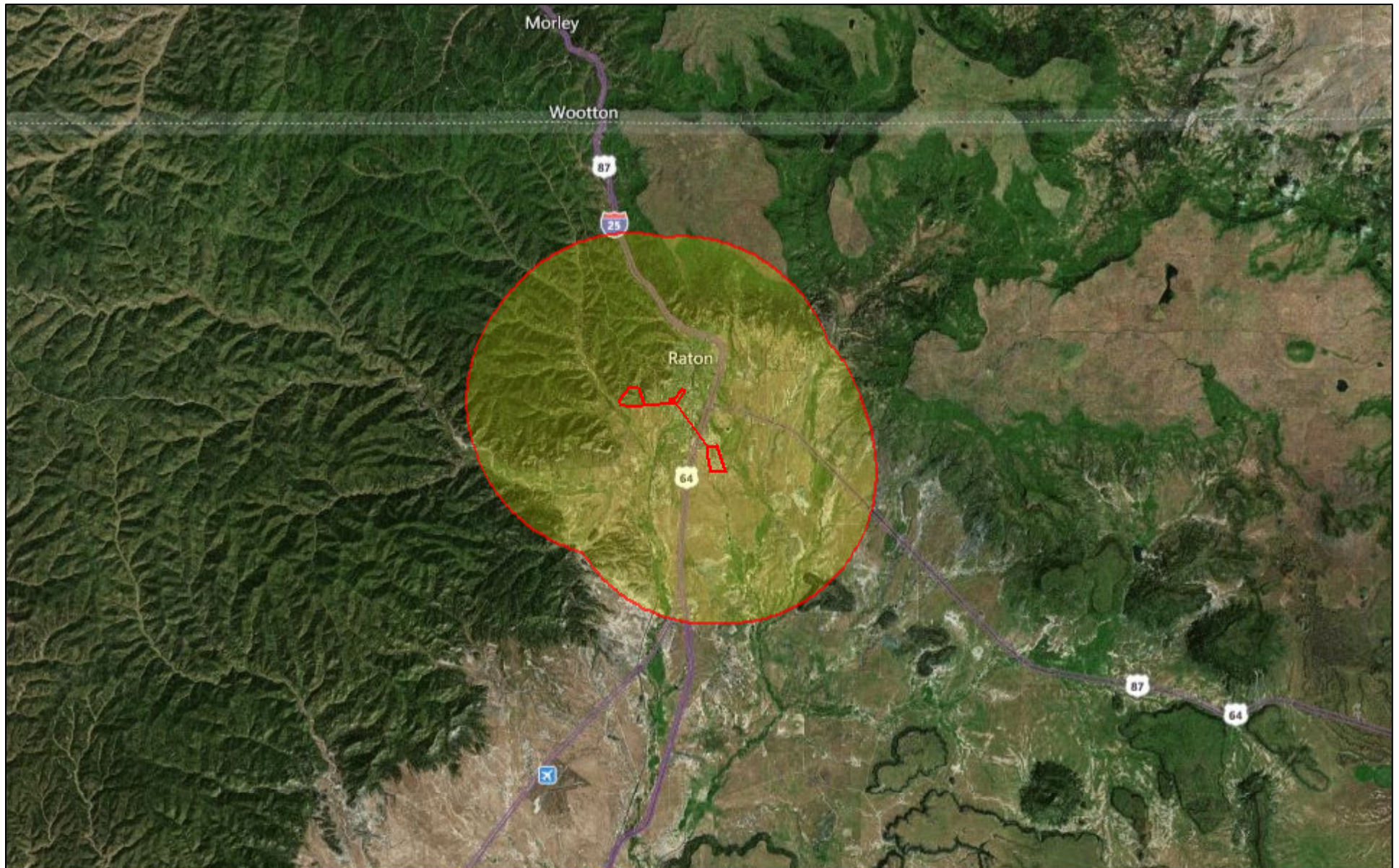
Description: DP-254

	2011 - 2015 ACS Estimates	Percent	MOE (±)
Population by Language Spoken at Home*			
Total (persons age 5 and above)	6,910	100%	267
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.

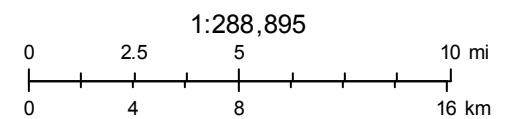
DP-254



July 27, 2018

— Digitized Line

— Buffer Area



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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
1845	<p>Sandia National Laboratories/New Mexico (SNL/NM), Technical Area-V (TA-V) Treatability Study Injection Wells</p> <p>James Todd, Manager Sandia National Laboratories/New Mexico (SNL/NM) Technical Area-V (TA-V) Treatability Study Injection Wells U. S. Department of Energy/Sandia Field Office PO Box 5400 Albuquerque, NM 87185</p>	Kirtland Air Force Base	Bernalillo	<p>James Todd, Manager for Sandia National Laboratories/New Mexico (SNL/NM), Technical Area-V (TA-V) Treatability Study Injection Wells, proposes Discharge Permit 1845 for the discharge of up to 20,000 gallons per day of extracted groundwater containing substrate solution and biodegradation bacteria to up to three injection wells for the remediation of groundwater. Potential contaminants from this type of discharge include nitrogen compounds, volatile organic compounds, and metals. The facility is located within Kirtland Air Force Base (KAFB), one mile southwest of the intersection of Pennsylvania Ave. and TA-III/V access road, in Section 20, T09N, R04E, Bernalillo County. Groundwater beneath the site is at a depth of approximately 503.37 feet and has a total dissolved solids concentration of approximately 423 milligrams per liter.</p>	<p>Kellie Jones kellie.jones@state.nm.us</p>
254	<p>Town of Raton Wastewater Treatment Plant</p> <p>Dan Campbell Utility Director Town of Raton Wastewater Treatment Plant PO Box 99 Raton, NM 87740</p>	Raton	Colfax	<p>DP-254, Town of Raton Wastewater Treatment Plant, Dan Campbell, Utility Director, proposes to renew the Discharge Permit for the discharge of up to 100,000 gallons per day (gpd) of sludge to a land application site and 620,000 gpd of reclaimed domestic wastewater to be used for irrigation. Potential contaminants from this type of discharge include nitrogen compounds. The facility and sludge disposal site are located at 444 Hereford Ave., Raton, within the Beaubien and Miranda Land Grant, projected to be in Section 6, T30N, R24E, Colfax County. Reclaimed wastewater irrigation areas are located within the Beaubien and Miranda Land Grant, projected to be in Section 1, T30N, R23E and in Sections 25, 26, and 27, T31N, R23E, Colfax County. Groundwater beneath the site is at a depth of approximately 3 - 28 feet and has a total dissolved solids concentration of approximately 3,660 to 4,600 milligrams per liter.</p>	<p>Gerald Knutson gerald.knutson@state.nm.us</p>

Limited English Proficiency (LEP) Assessment

Facility: City of Raton Wastewater Treatment Facility
Location: Raton, NM
Regulatory Action: Discharge Permit Renewal
Buffer Distance: 4-mile radius (i.e., area evaluated or Community of Concern)
Date: July 30, 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 319.
2. The proportion of LEP individuals in the affected community is 5%.
3. The percentage of linguistically isolated households is 5%, which is less than the statewide average.
4. Spanish is the predominant non-English language spoken by LEP persons. The remaining non-English languages spoken by LEP persons are deemed statistically insignificant.
5. Historical participation: The Bureau maintains a facility-specific mailing list. The current mailing list for the facility includes no people. A review of the administrative record for this facility indicates limited public interest/participation overall during the past 10 years. The review found no record of participation by the LEP community.

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

Public 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 Spanish 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 Two 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.