



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



**PUBLIC INVOLVEMENT PLAN
(PIP)**

Facility Name: 300-312 Central Avenue SE

Facility Location: 300-312 Central Avenue SE
Albuquerque, NM
Section 20, Township 10 North, Range 3 East

Latitude/longitude: 35.08339909,-106.64426624

County: Bernalillo

VRP Applicant: Hayman Properties, LLC
7615 Indian School Road NE
Albuquerque, NM

Agency: Ground Water Quality Bureau
Voluntary Remediation Section

GWQB Action: VRP Site No. 53211004

Bureau Contact: Savannah Richards, VRP Project Manager
(505) 670-2221
savannah.richards@state.nm.us

Main bureau telephone number:
(505) 827-2900

EFFECTIVE DATE: December, 2021

REVISION DATE: N/A

**Karen Menetrey, Program Manager
Remediation Oversight Section
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 Voluntary Remediation Program (VRP) site located at 300-312 Central Avenue SE, Albuquerque, NM 87102. This VRP site is referred to as the **300-312 Central Avenue SE site** or **VRP Site No. 53211004**.

The purpose of this PIP is to provide public participation opportunities and information that may be needed for the community to participate in the Voluntary Remediation process for this site. 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 the Voluntary Remediation process;
4. A description of community/stakeholder groups based on results of a preliminary environmental justice (EJ) screening; and
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 using the U.S. Environmental Protection Agency's (EPA) Environmental Justice Screening and Mapping Tool (EJSCREEN) to identify 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 300-312 Central Avenue SE site includes a significant percentage of Spanish speakers, the Bureau will provide appropriate information in both English and Spanish.

The Bureau plans to conduct the public involvement activities related to the Voluntary Remediation process outlined in Table 1 - *Public Involvement Activities*. The activity timeline and dates are tentative and subject to change.

Table 1 - Public Involvement Activities

Activity	Date
Placement of a hardcopy of the PIP in the local NMED office: Harold Runnels Building Room N2250 1190 Saint Francis Drive Santa Fe, NM 87502	December 2021
Public Notice <i>See Table of Mandated Public Involvement Activities at the end of this PIP for details.</i>	December 2021
Public Meeting Notice <i>(Only if requested by public as part of initial public notice</i> <i>See Table of Mandated Public Involvement Activities for details.</i>	TBD

All notices for upcoming meetings or hearings, if applicable 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 Voluntary Remediation site is:

Savannah Richards, Project Manager
NMED Ground Water Quality Bureau
P.O. Box 5469
Santa Fe, New Mexico 87502-5469
(505) 670-2221
savannah.richards@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 VRP site or VRP process. Arrangements may be made for document translation or interpretation related to the 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 process.

The following information 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 website, where the Bureau's public notices and PIP information are posted:

<https://www.env.nm.gov/public-notices/>

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

The public participation regulatory framework associated with the VRP 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 Voluntary Remediation 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 a 4-mile radius of the VRP site. However, according to NMED Policy 07-13, if an activity or proceeding is related to a facility that is located in an urban area or is proposed to be located in an urban area, it may be more representative of the community to be captured if a one (1) mile radius is applied. VRP site No. 53211004 is located in Albuquerque; therefore, a one-mile radius was utilized. The results of the EJSCREEN American Community Survey (ACS) Summary Report (attached to this PIP) are summarized in the table below.

Table 3 - EJSCREEN Results for the Affected Community

Total population	12,409
Total number of households	6,566
Percentage minority population	64%
Percentage Hispanic population	52%
Percentage of the population by race	Population reporting one race: White: 69% Black: 3% American Indian: 6% Asian: 2% Pacific Islander: 0% Some Other Race: 11%
Total number of persons greater than the age of five who speak English "less than very well"	869
Percentage of persons greater than the age of five who speak English "less than very well"	7%
Total number of linguistically isolated households	370
Percentage of linguistically isolated households (Total number of linguistically isolated households ÷ total number of households X 100)	5.63%
Languages by percentage in linguistically isolated households	Spanish:81% Other Indo-European languages:2% Asian-Pacific Island languages:11%

	Other languages:6%
Percent linguistically isolated population, New Mexico*:	5.4%
Per capita income	\$24,236
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, and that the predominant non-English language is Spanish. 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, to the extent its budget and time limitations allow, 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. 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 associated with the Voluntary Remediation process are listed in the *Table 2 of Mandated Public Involvement Activities*.

Public Participation – Outreach Activities

The Bureau will conduct the following outreach activities associated with the Voluntary Remediation process:

- Placement of this PIP on the Bureau website and in nearby NMED office
- Notice posted on NMED website
- Document repositories
- Public meetings, as determined by the Secretary

Newspapers utilized in the notification process include:

- Statewide circulation (English): Albuquerque Journal

Local, state, and federal government agencies, tribal entities, and land grant officials will be notified about the Abatement. 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:

<https://www.iad.state.nm.us/pueblo-tribes-and-nations/apaches/>

<https://www.iad.state.nm.us/pueblo-tribes-and-nations/navajo/>

<https://www.iad.state.nm.us/pueblo-tribes-and-nations/pueblos/>

Timelines and methods for submitting public comments are specified in the *Table 2 - Mandated Public Involvement Activities*. Final 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.

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.

PIP Contingency Plan

During a public health emergency or other unforeseen event outside the control of the Department, the Department will make every effort to ensure the public remains involved in and informed of the decision making and permit processes. The purpose of this PIP Contingency Plan is in part to address circumstances when public spaces are closed because of potential human exposure risks. The Department will attempt to identify and utilize alternate methods of document delivery to the public and public viewing when conventional methods and locations are unavailable. When it is unsafe to utilize the physical PIP and document repositories, the Department will consider utilizing electronic delivery methods deemed appropriate for the permitting action. While operating under the PIP Contingency Plan, the public notice will include

a statement specifying that the PIP Contingency Plan is in effect and that, “instead of placing a copy of the PIP for this permitting action in a public location, NMED will make the PIP available to the community by sending the PIP by email or US mail to any community member requesting a copy. An individual may request a copy of the PIP utilizing the Bureau contact information in this public notice. When making such a request, please specify how you would like the document delivered. If you request a copy of a PIP, you will receive a revised PIP should the PIP be updated in the future.” During the times of potential human exposure risks and the resultant implementation of this PIP Contingency Plan, public meetings and hearings will only be held when or through means by which the Department can ensure the public’s health and safety and this PIP can be fully adhered to.

Table of Mandated Public Involvement Activities

Activity	Dates
<p>Public Notice & Comment Period: NMAC 20.6.3.300.B(1) The applicant must post the public notice and make the proposed Voluntary Remediation Agreement available for public review and comment. Interested parties may submit comments to the Department concerning the proposed Agreement. Interested parties may submit a request for public meeting.</p> <ul style="list-style-type: none"> • Notice posted on-site • Newspaper ads • Notice to government agencies • Notice to interested parties • NMED Public Notice website https://www.env.nm.gov/public-notices/ 	<p>The proposed Voluntary Remediation Agreement shall be made available for public review within ten (10) calendar days of the receipt of the Conditional Eligibility Determination from the Department</p> <p>Public comment period is at least thirty (30) calendar days following the newspaper publication of the Public Notice</p>
<p>Public Meeting Notice: NMAC 20.6.3.300.B(4-5) If a public meeting is requested during the initial public notice and comment period and if the Secretary determines that there is significant public interest, the applicant shall mail a notice of the time and place of the meeting to all persons who have submitted written comments or a request for public meeting.</p> <ul style="list-style-type: none"> • Newspaper ads • Notice to interested parties • NMED Public Notice website https://www.env.nm.gov/public-notices/ 	<p>At least ten (10) calendar days before the public meeting</p>
<p>Notice of Determination NMAC 20.6.3.300.E</p>	<p>Within thirty (30) calendar days of the final determination that the</p>

<p>A notice of determination shall be mailed to the applicant and all persons who presented written and oral comments at public hearing indicating whether the proposed Voluntary Remediation Agreement has been approved, approved with modifications, or disapproved.</p>	<p>applicant is eligible</p>
<p>Additional Public Participation NMAC 20.6.3.300.G If requested, interested parties will be kept informed of the availability of key project submittals related to the voluntary remediation activities. Such submittals will be made available for public review and comment by the Department upon request.</p>	<p>After execution of the Voluntary Remediation Agreement</p>

Attachments

- Attachment 1 - LEP Assessment
- Attachment 2 - A copy of the EJSCREEN ACS Summary Report, and a map showing the area evaluated

ATTACHMENT 1

Limited English Proficiency (LEP) Assessment

Facility: 300-312 Central Avenue SE, VRP Site No. 53211004

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 869;
2. The percentage of LEP individuals in the affected community is 7%;
3. The percentage of linguistically isolated households is 5.63%, which is somewhat greater than, the statewide average;
4. Spanish is the predominant non-English language spoken by LEP persons; and
5. Historical participation: No one has requested to be placed on a facility-specific mailing list. A review of the administrative record for this facility indicates limited public interest/participation overall during the past 10 years. The portion of that public interest attributable to the LEP community cannot be determined from the record.

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

Contact with the VRP would occur when an application is under review. The applicant provides notice to the public and the GWQB encourages participation. Individuals may participate by requesting information, submitting comments on the VRA and the preliminary Voluntary Remediation Work Plan, requesting hearings, and taking part in hearings. Some sites generate considerable public interest, but participation is low for most sites. Historical participation in VRP 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 Voluntary Remediation activity is deemed by the GWQB to be “important” to NMED, the impacted community, and the State of New Mexico. The VRP activity is important to NMED because it 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 VRP

activity is important to the impacted community because abandoned, blighted, and potentially contaminated property can pose environmental risks to the surrounding community. The VRP activity is important to the State of New Mexico because state oversight of voluntary assessment/cleanup of contaminated sites ensures that the State's limited groundwater resources are not impacted.

Conclusion:

The GWQB considers the VRP 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 VRP 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 and public meeting or hearing costs are borne by the applicant. The GWQB will provide interpretive services if needed.

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 and any subsequent public notices into Spanish,
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.

Location: User-specified point center at 35.083452, -106.644265

Ring (buffer): 1-miles radius

Description: 300-312 Central Avenue SE, Albuquerque

Summary of ACS Estimates		2014 - 2018
Population		12,409
Population Density (per sq. mile)		3,940
People of Color Population		7,947
% People of Color Population		64%
Households		6,566
Housing Units		7,866
Housing Units Built Before 1950		3,047
Per Capita Income		24,236
Land Area (sq. miles) (Source: SF1)		3.15
% Land Area		100%
Water Area (sq. miles) (Source: SF1)		0.01
% Water Area		0%

	2014 - 2018 ACS Estimates	Percent	MOE (±)
Population by Race			
Total	12,409	100%	656
Population Reporting One Race	11,233	91%	1,450
White	8,507	69%	534
Black	423	3%	289
American Indian	683	6%	142
Asian	280	2%	179
Pacific Islander	6	0%	18
Some Other Race	1,333	11%	288
Population Reporting Two or More Races	1,176	9%	278
Total Hispanic Population	6,421	52%	578
Total Non-Hispanic Population	5,988		
White Alone	4,462	36%	272
Black Alone	384	3%	280
American Indian Alone	540	4%	142
Non-Hispanic Asian Alone	271	2%	179
Pacific Islander Alone	6	0%	18
Other Race Alone	33	0%	78
Two or More Races Alone	291	2%	88
Population by Sex			
Male	6,337	51%	339
Female	6,072	49%	383
Population by Age			
Age 0-4	371	3%	119
Age 0-17	1,761	14%	194
Age 18+	10,648	86%	383
Age 65+	1,544	12%	110

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) 2014 - 2018

Location: User-specified point center at 35.083452, -106.644265

Ring (buffer): 1-miles radius

Description: 300-312 Central Avenue SE, Albuquerque

	2014 - 2018 ACS Estimates	Percent	MOE (±)
Population 25+ by Educational Attainment			
Total	9,152	100%	402
Less than 9th Grade	467	5%	139
9th - 12th Grade, No Diploma	987	11%	117
High School Graduate	1,613	18%	155
Some College, No Degree	2,625	29%	173
Associate Degree	664	7%	90
Bachelor's Degree or more	3,461	38%	168
Population Age 5+ Years by Ability to Speak English			
Total	12,038	100%	603
Speak only English	8,257	69%	283
Non-English at Home ¹⁺²⁺³⁺⁴	3,780	31%	415
¹ Speak English "very well"	2,912	24%	306
² Speak English "well"	347	3%	126
³ Speak English "not well"	340	3%	110
⁴ Speak English "not at all"	182	2%	103
³⁺⁴ Speak English "less than well"	522	4%	145
²⁺³⁺⁴ Speak English "less than very well"	869	7%	192
Linguistically Isolated Households*			
Total	370	100%	115
Speak Spanish	300	81%	105
Speak Other Indo-European Languages	8	2%	36
Speak Asian-Pacific Island Languages	40	11%	34
Speak Other Languages	22	6%	49
Households by Household Income			
Household Income Base	6,566	100%	197
< \$15,000	1,927	29%	113
\$15,000 - \$25,000	888	14%	156
\$25,000 - \$50,000	1,739	26%	110
\$50,000 - \$75,000	914	14%	112
\$75,000 +	1,098	17%	100
Occupied Housing Units by Tenure			
Total	6,566	100%	197
Owner Occupied	1,944	30%	147
Renter Occupied	4,621	70%	146
Employed Population Age 16+ Years			
Total	10,853	100%	477
In Labor Force	6,931	64%	342
Civilian Unemployed in Labor Force	469	4%	119
Not In Labor Force	3,922	36%	257

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

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

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

EJSCREEN ACS Summary Report



Location: User-specified point center at 35.083452, -106.644265

Ring (buffer): 1-miles radius

Description: 300-312 Central Avenue SE, Albuquerque

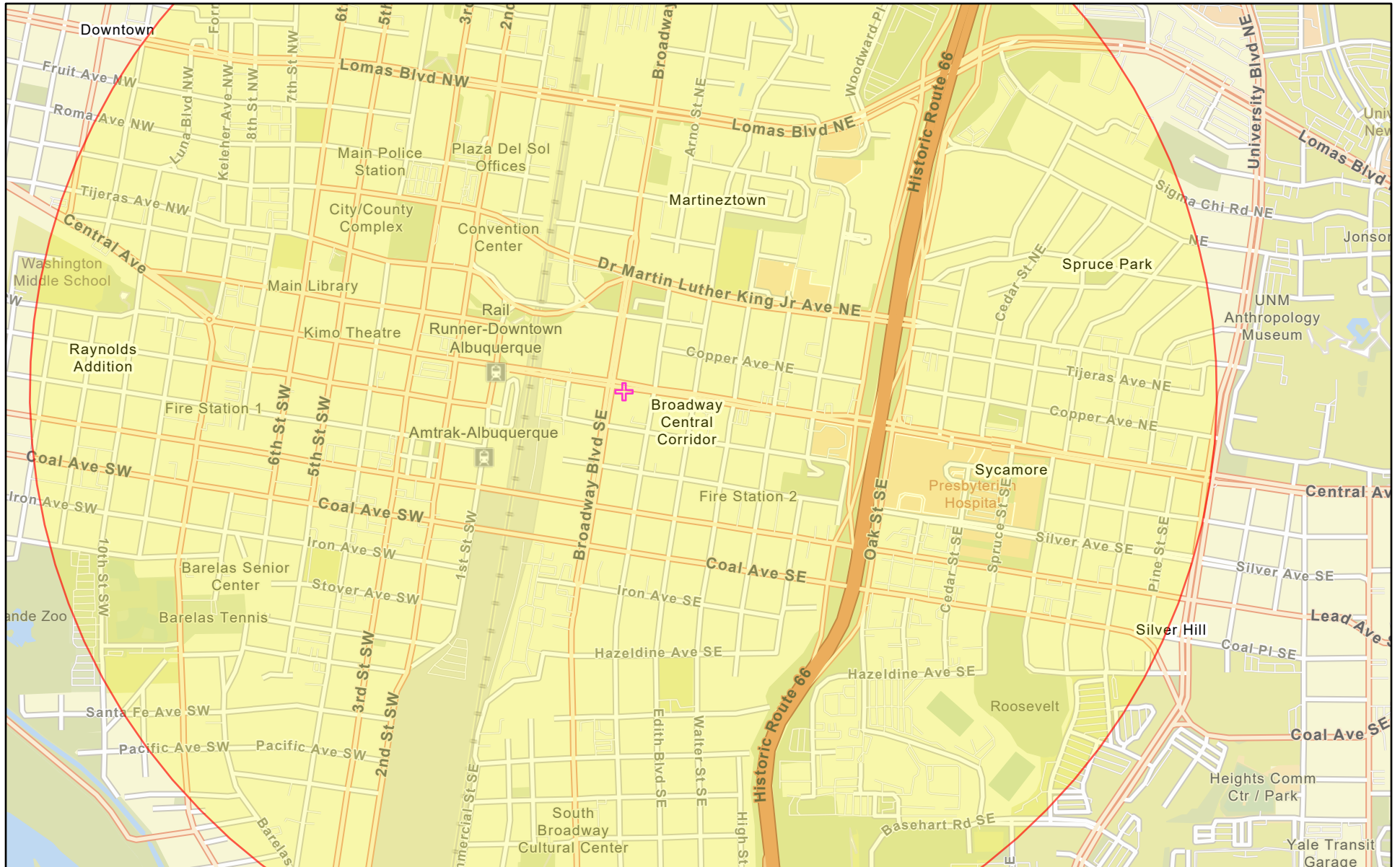
	2014 - 2018 ACS Estimates	Percent	MOE (±)
Population by Language Spoken at Home*			
Total (persons age 5 and above)	11,791	100%	469
English	8,088	69%	456
Spanish	3,041	26%	308
French	50	0%	96
French Creole	N/A	N/A	N/A
Italian	N/A	N/A	N/A
Portuguese	N/A	N/A	N/A
German	46	0%	41
Yiddish	N/A	N/A	N/A
Other West Germanic	N/A	N/A	N/A
Scandinavian	N/A	N/A	N/A
Greek	N/A	N/A	N/A
Russian	N/A	N/A	N/A
Polish	N/A	N/A	N/A
Serbo-Croatian	N/A	N/A	N/A
Other Slavic	N/A	N/A	N/A
Armenian	N/A	N/A	N/A
Persian	N/A	N/A	N/A
Gujarathi	N/A	N/A	N/A
Hindi	N/A	N/A	N/A
Urdu	N/A	N/A	N/A
Other Indic	N/A	N/A	N/A
Other Indo-European	266	2%	135
Chinese	37	0%	32
Japanese	N/A	N/A	N/A
Korean	11	0%	15
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	26	0%	29
Other Asian	39	0%	31
Tagalog	4	0%	13
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	6	0%	12
Hebrew	N/A	N/A	N/A
African	N/A	N/A	N/A
Other and non-specified	176	1%	70
Total Non-English	3,703	31%	654

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) 2014 - 2018.

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

300-312 Central Avenue SE, Albuquerque, NM 87102

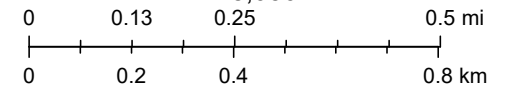


12/2/2021



300-312 Central Avenue SE, Albuquerque

1:18,056



Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community