

Public Involvement Plan

for

**MELROSE AIR FORCE RANGE
ROOSEVELT AND CURRY COUNTIES,
NEW MEXICO
EPA ID# NM55721244561**

Draft Permit Issuance

Prepared by:

Hazardous Waste Bureau
New Mexico Environment Department
Santa Fe, New Mexico

I. Public Involvement Plan Overview

The New Mexico Environment Department (NMED), Hazardous Waste Bureau (Bureau or HWB) developed this Public Involvement Plan (PIP) for the issuance of a draft permit for Melrose Air Force Range (MAFR) under the federal Resource Conservation and Recovery Act (RCRA) and the New Mexico Hazardous Waste Act (HWA).

MAFR is located approximately eight miles southwest of Melrose, New Mexico and 25 miles southwest of Cannon AFB. It is located northeast of a large plateau (The Mesa) and consists of grasslands with a grid of access roads, training areas and bombing targets. The United States Air Force (USAF) leased 7, 771 acres of grassland for use as a bombing and air-to-ground gunnery range to support Clovis AFB, which was later named Cannon AFB. No streams exist on or near MAFR. MAFR is located near the Western margin of the Southern High Plains Aquifer of which the Ogallala Formation is the primary water-bearing unit. The land surrounding MAFR is no longer used for agricultural purposes.

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

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

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

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

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

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

notices, mailings).

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

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

II. Contacts

The Bureau contact for this draft permit issuance request is:

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

Phone: (505) 476-6000

Fax: (505) 476-6030

Email: dave.cobrain@state.nm.us

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

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

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

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

IV. Department Websites

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

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

V. Regulatory Background for Public Participation

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

VI. EJSCREEN Summary

To assess the need to specifically reach and inform Limited English Proficient (LEP) community populations to encourage public participation, two search criteria were utilized (EJSCREEN and data.census.gov). The first tool, Environmental Justice mapping and screening (EJSCREEN), was developed by the U.S. Environmental Protection Agency (EPA). EJSCREEN provides up to 11 environmental indexes and six demographic indexes. Through EJSCREEN, demographic data is available for 2013-2017 via the American Community Survey (ACS), the 2010 U.S. Census, and the 2000 U.S. Census.

To meet the search criteria specified in NMED policy 07-13, preliminary screening was conducted using EPA's EJSCREEN tool to generate reports from the American Community Survey (ACS) using a four-mile radius from the Facility. This report, which is included as Appendix A to this PIP, indicated that there are 5 households that include a total of 17 persons within a four-mile radius of the facility (considered the affected community) and the per capita income for the population within the four-mile radius was \$24,962. The U.S. per capita income is \$33,706. The percent of minority population within a four-mile radius is listed as 31% and percent of population by race was 69% white (11% of the population listed as white is Hispanic), 0% black, 0% American Indian, 0% Asian, and 17% were listed as Other. The percentage of linguistically isolated households within a four-mile radius was 0%. The portion of households who spoke Spanish was 28%. The percentage of the population who were age 5+ who spoke only English was 72% and those able to speak English very well was 11%. These results indicate that for the affected community, the percentage of persons who speak English less than very well is 17%, which is considerably more than the state (9.6%) or national (8.3%)

percentages based on 2018 U.S census data but consists of three out of a total of 17 people.

The second tool, data.census.gov, was developed by the United States Census Bureau. It is a platform to access data and digital content from the U.S. Census Bureau. The tool presents information such as language data from the ACS for languages spoken at home. This tool was chosen to supplement search criteria to be thorough in our efforts to reach LEP communities. While there were differences in the data when compared to EJSCREEN, the percentages related to limited English proficiency and demographic distribution generally corroborated the EJSCREEN data.

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

VII. Public Participation Activities

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

- Postal mailings and email notices
- Radio announcements
- Newspaper publications

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

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

IX. Notices in the State Newspaper and Local Newspapers

Public notices that are required to be published in state and local newspapers will be published in English and Spanish in the Albuquerque Journal (statewide circulation) and the Eastern New Mexico News. Websites for these publications are listed below.

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

The Eastern New Mexico News:
<https://www.easternnewmexiconews.com/>

X. Public Notices

Public notices are issued for public comment periods related to the issuance of 1) draft permits, including major permit modifications, 2) public informational meetings, and 3) selected other public notifications. Public notices are mailed to persons included on the facility mailing list, published in the Albuquerque Journal and Eastern New Mexico News, broadcast as public service announcements on radio, and posted on the Hazardous Waste Bureau website. The notifications will be issued in Spanish and English. These notices will provide general information about the draft permit or permit modification, contact information for submitting comments or requesting a public hearing, and, if held, the time and location of public informational meetings.

XI. Factsheets

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

XII. Public Comment Periods

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

XIII. Public Information Meetings

The sites are not accessible to the public; therefore, the contact with the public regarding corrective action activities at MAFR is infrequent since there is no potential for exposure to residual contamination.

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

XIV. Other Outreach

In addition to the public notice procedures described in Section X above, notices in the form of flyers announcing public comment periods and informational meetings, if held, may be posted in locations throughout the community (e.g., local businesses, schools, libraries). All notices will be posted on the NMED Hazardous Waste Bureau website. Depending on the cost and a radio

station's public service broadcast availability, the Bureau may use commercial radio announcements or informational broadcasts in both Spanish and English.

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

XV. Site Repositories

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

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

Cannon Library
107 Albright Ave., Bldg. 75
Cannon AFB, NM 88103
575-784-2786

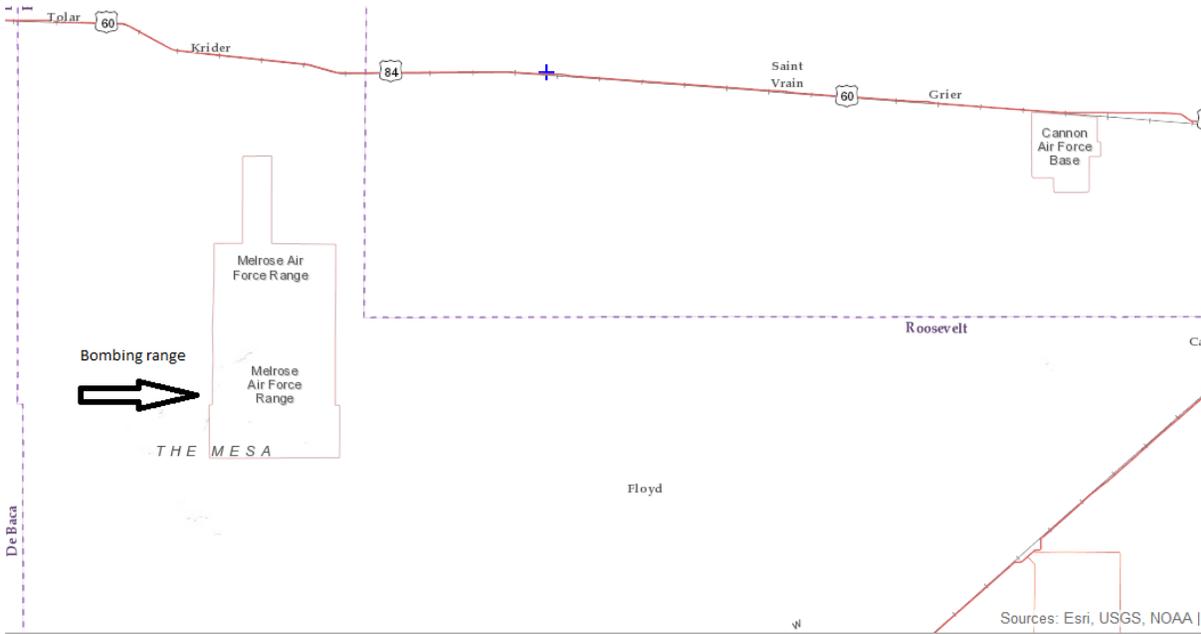
XVI. Responses to Comments

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

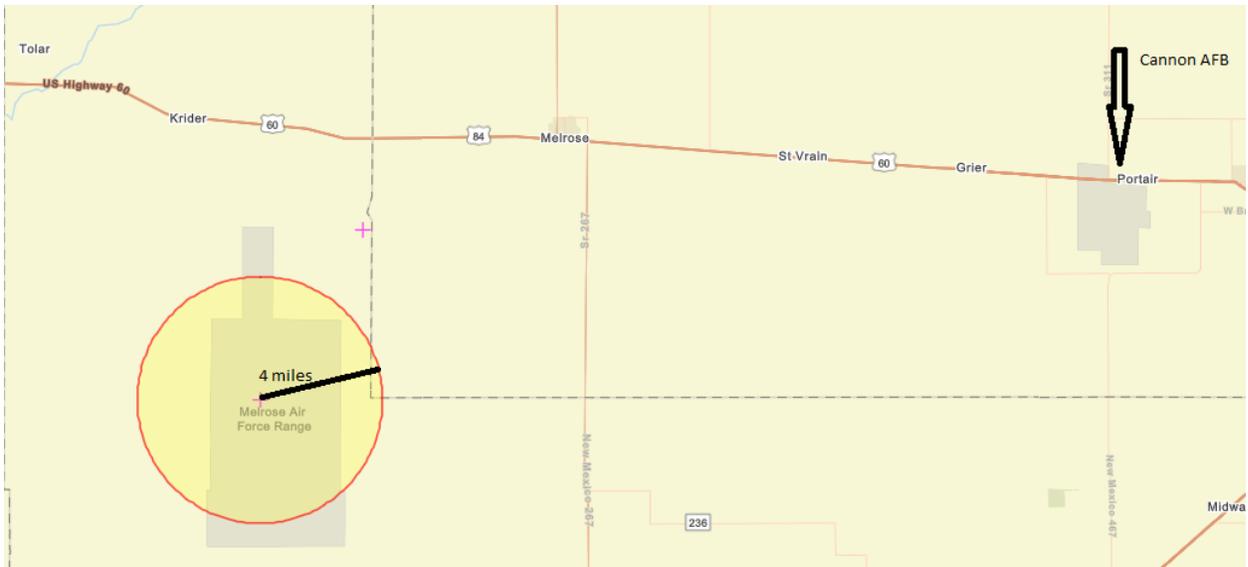
After consideration of all written public comments received, the Bureau will issue, or modify and issue, the final permit. If the Bureau modifies and issues the final permit, the Permittee shall be provided by mail a copy of the modified permit and a detailed written statement of reasons for the modifications.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

ATTACHMENT A

Melrose Bombing Range/Air Force Range:



Melrose Bombing Range 4-mile radius:





EJSCREEN ACS Summary Report



Location: User-specified point center at 34.198911, -103.793617

Ring (buffer): 4-miles radius

Description: 4 miles

Summary of ACS Estimates		2013 - 2017
Population		17
Population Density (per sq. mile)		0
Minority Population		5
% Minority		31%
Households		5
Housing Units		6
Housing Units Built Before 1950		2
Per Capita Income		24,962
Land Area (sq. miles) (Source: SF1)		58.61
% Land Area		100%
Water Area (sq. miles) (Source: SF1)		0.09
% Water Area		0%

	2013 - 2017 ACS Estimates	Percent	MOE (±)
Population by Race			
Total	17	100%	252
Population Reporting One Race	17	97%	367
White	14	80%	215
Black	0	0%	12
American Indian	0	0%	12
Asian	0	0%	12
Pacific Islander	0	0%	12
Some Other Race	3	17%	104
Population Reporting Two or More Races	0	3%	33
Total Hispanic Population	5	31%	140
Total Non-Hispanic Population	12		
White Alone	12	69%	183
Black Alone	0	0%	12
American Indian Alone	0	0%	12
Non-Hispanic Asian Alone	0	0%	12
Pacific Islander Alone	0	0%	12
Other Race Alone	0	0%	12
Two or More Races Alone	0	0%	12
Population by Sex			
Male	9	50%	134
Female	9	50%	136
Population by Age			
Age 0-4	1	4%	41

Age 0-17	4	26%	74
Age 18+	13	74%	119
Age 65+	3	18%	49

Data Note: Detail may not sum to totals due to rounding.

N/A means not available. **Source:** U.S. Census Bureau, American
Hispanic population can be of any race. Community Survey (ACS) 2013 - 2017 .

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EJSCREEN ACS Summary Report



Location: User-specified point center at 34.198911, -103.793617

Ring (buffer): 4-miles radius

Description: 4 miles

	2013 - 2017 MOE (±)	Percent	
ACS Estimates			
Population 25+ by Educational Attainment			
Total	12	100%	162
Less than 9th Grade	1	9%	40
9th - 12th Grade, No Diploma	1	9%	42
High School Graduate	3	27%	61
Some College, No Degree	3	29%	64
Associate Degree	1	7%	26
Bachelor's Degree or more	3	26%	51
Population Age 5+ Years by Ability to Speak English			
Total	16	100%	230
Speak only English	12	72%	143
Non-English at Home ¹⁺²⁺³⁺⁴	5	28%	117
¹ Speak English "very well"	2	12%	63
² Speak English "well"	1	6%	48
³ Speak English "not well"	1	4%	34
⁴ Speak English "not at all"	1	5%	48
³⁺⁴ Speak English "less than well"	2	9%	58
²⁺³⁺⁴ Speak English "less than very well"	2	15%	74
Linguistically Isolated Households*			
Total	0	100%	29
Speak Spanish	0	100%	26
Speak Other Indo-European Languages	0	0%	12
Speak Asian-Pacific Island Languages	0	0%	12
Speak Other Languages	0	0%	12
Households by Household Income			
Household Income Base	5	100%	72

< \$15,000	1	17%	28
\$15,000 - \$25,000	0	8%	21
\$25,000 - \$50,000	1	19%	27
\$50,000 - \$75,000	1	26%	41
\$75,000 +	1	30%	39
Occupied Housing Units by Tenure			
Total	5	100%	72
Owner Occupied	3	72%	58
Renter Occupied	1	28%	43
Employed Population Age 16+ Years			
Total	13	100%	188
In Labor Force	8	56%	109
Civilian Unemployed in Labor Force	0	3%	26
Not In Labor Force	6	44%	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) *Households in which no one 14 and over speaks English "very well" or speaks English only.

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EJSCREEN ACS Summary Report



Location: User-specified point center at 34.198911, -103.793617

Ring (buffer): 4-miles radius

Description: 4 miles

(±)	2013 - 2017	Percent MOE	
ACS Estimates			
Population by Language Spoken at Home*			
Total (persons age 5 and above)	N/A	N/A	N/A
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) 2013 - 2017.

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

Limited English Proficiency (LEP) Factors

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

Preliminary screening for Melrose Air Force Range (MAFR) was conducted using EPA's EJSCREEN tool to produce reports from the American Community Survey (ACS) using a four-mile radius from the Facility. The number and proportion of LEP individuals eligible to be served or likely to be encountered within the 4-mile radius is three and 17%, respectively. The history of public involvement at the site and the site background has led the Bureau to make the determination that public notice documents will provide basic information concerning public involvement opportunities in both English and Spanish. LEP Information was also generally confirmed using an alternate screening tool from the Census Bureau's new data.census.gov platform.

Factor 2: The Frequency with Which LEP Individuals Come in Contact with the Program.

Issuance of draft permits for MAFR are infrequent. Historical participation involving outside LEP and non-LEP communities has been infrequent. The sole comments received during past permitting actions to date has been from the permittee.

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

The **specific activity** necessitating an LEP evaluation is a draft permit issuance and public notice is required by regulations (NMED Public Policy 07-13). **The nature** of this activity is to complete the corrective action process. Because contact with the public, and therefore members of the public with limited English proficiency, is infrequent and the sites do not pose a risk to human health or the environment, the Bureau has determined the **importance of this action** is moderately important given the nature of the activity and the number of LEP households surrounding the area.

Factor 4: The Resources Available to NMED and the Associated Costs.

NMED's level of available resources equivalent to \$3,000 for translation services and public notice activities. Extra resources will be allocated to follow standard protocol with public notice procedures.