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ADI's Environmental Justice (EJ) review has several flaws, primarily in its interpretation of the data and its conclusion about the proposed plant's impact. The review minimizes the potential for heightened EJ concerns by focusing on a limited set of criteria while ignoring other significant indicators that exceed established benchmarks.

The review claims the only community exceeding a heightened EJ review benchmark (80th, 90th, or 95th percentile) is the population over 64 years of age, which it dismisses as not a group of color or low-income. This statement is inaccurate and misleading. The provided data shows several demographic indicators that exceed the 80th percentile benchmark, including:

Population >64 years of age: 31%, which is in the 80th percentile for the state. This is the only indicator the review acknowledges.

Persons with disabilities: 24.5%, which is in the 91st percentile for the state.

Heart disease: The state percentile is 93, and the US percentile is 98.

Cancer: The state percentile is 86, and the US percentile is 96.

Lead paint: The state percentile is 78, which is very close to the 80th percentile benchmark.

Ozone: The national percentile is 91.

Superfund proximity: The state percentile is 92, and the national percentile is 85.

Wildfire risk: The state percentile is 71, and the US percentile is 94.

The review also states that the area's demographics are "fairly representative of the state as a whole," even though the data shows significant differences. For example, the low-income population is 39% compared to the state average of 31%. The population over 64 years of age is 31% compared to the state average of 21%.

The review also incorrectly states that the population over 64 years of age is not a "group of color nor low income that triggers heightened EJ review". This is a flawed premise since the supplemental indexes provided in the report specifically combine environmental indicators with data on percent low income, persons with disabilities, and low life expectancy, among other factors.

The review concludes that ADI "does not believe that the proposed Benson plant will harm a potentially underserved community" based on its selective reading of the data. This conclusion is not supported by the evidence in the full EJ Screen report. The report identifies multiple indicators that exceed the 80th percentile, which, according to the EPA's guidance cited in the review, suggests the need for a heightened EJ review. The review also fails to consider other relevant data points, such as the fact that the location contains a "Justice40 (CEJST)" disadvantaged community and an "EPA IRA disadvantaged community". These facts, found in the supplemental report, directly contradict the review's conclusion that the area is not an underserved community.

ADEQ, ADI is not appropriate at this location. Take action and DENY this permit. Thank you.

12. ENVIRONMENTAL JUSTICE

For many years, it has been federal policy that environmental actions, including permit issuance, ensure “the fair treatment and meaningful involvement of all people regardless of race, color, national origin or income with respect to the development, implementation and enforcement of environmental laws, regulations and policies.” In more recent years, the focus has become stronger on identifying underserved and overburdened communities, particularly those that have historically been marginalized, to ensure that they do not suffer from a disproportionate additional impact from a proposed environmental action. ADI shares these concerns and is committed to minimizing adverse impacts on all communities.

ADI has reviewed EPA’s EJ Screen 2.1 tool to help it understand the communities in which it is located. This review indicated that the area around the proposed Project is fairly representative of the state as a whole. Relevant demographic indicators include:

Table 12-1. Relative Demographic Indicators

Demographic Indicator	Value	State Average	State Percentile
People of color	26%	44%	31%
Low-income population	39%	31%	67%
Linguistically isolated population	2%	4%	61%
Population < high school education	9%	12%	55%
Population > 64 years of age	31%	21%	80%
EPA calculated Demographic Index	1.39	1.53	52%

EPA’s “Interim Environmental Justice and Civil Rights in Permitting Frequently Asked Questions” (Aug. 2022), suggests the use of benchmarks at 80, 90 or 95th percentiles (page 9 of Appendix B). The only community that exceeds any of these benchmarks is the population > 64 years of age, which is neither a group of color nor low income that triggers heightened EJ review. From this study, ADI does not believe that the proposed Benson plant will harm a potentially underserved community.

For additional detail into the results of the EJ Screen, a copy of the initial EJ Screen 2.1 report is included in Appendix E.



EJScreen Community Report

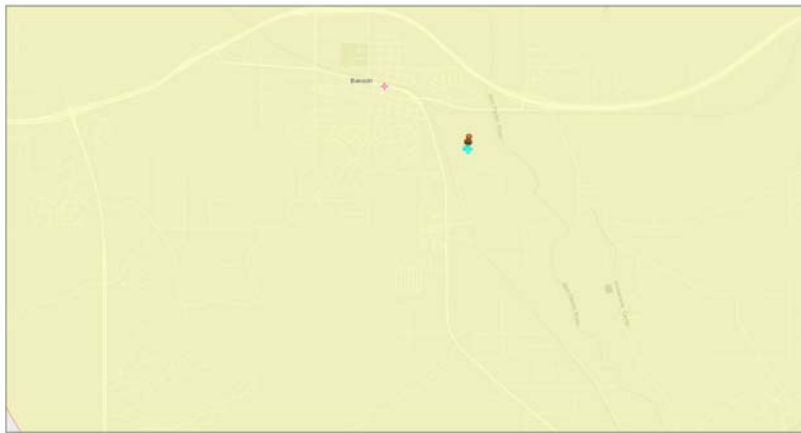
This report provides environmental and socioeconomic information for user-defined areas, and combines that data into environmental justice and supplemental indexes.

Benson, AZ

5 miles Ring Centered at 31.959525,-110.282564

Population: 7,503

Area in square miles: 78.53



August 5, 2024
ADI Benson
Search Result (point)

1:36,112
0 0.38 0.75 1.5 mi
0 0.5 1 2 km
Source: U.S. Department of the Interior, Bureau of Land Management, Esri, HERE, DeLorme, GeoTechnologies, Inc., IGN, EPA, Esri, NOAA

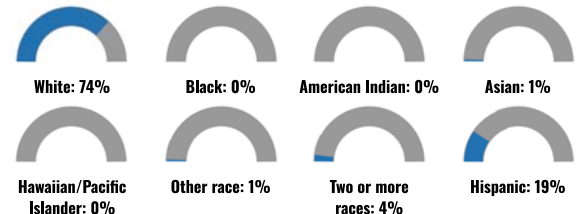
COMMUNITY INFORMATION



LANGUAGES SPOKEN AT HOME

LANGUAGE	PERCENT
English	91%
Spanish	8%
Total Non-English	9%

BREAKDOWN BY RACE



BREAKDOWN BY AGE



LIMITED ENGLISH SPEAKING BREAKDOWN



Notes: Numbers may not sum to totals due to rounding. Hispanic population can be of any race. Source: U.S. Census Bureau, American Community Survey (ACS) 2018-2022. Life expectancy data comes from the Centers for Disease Control.

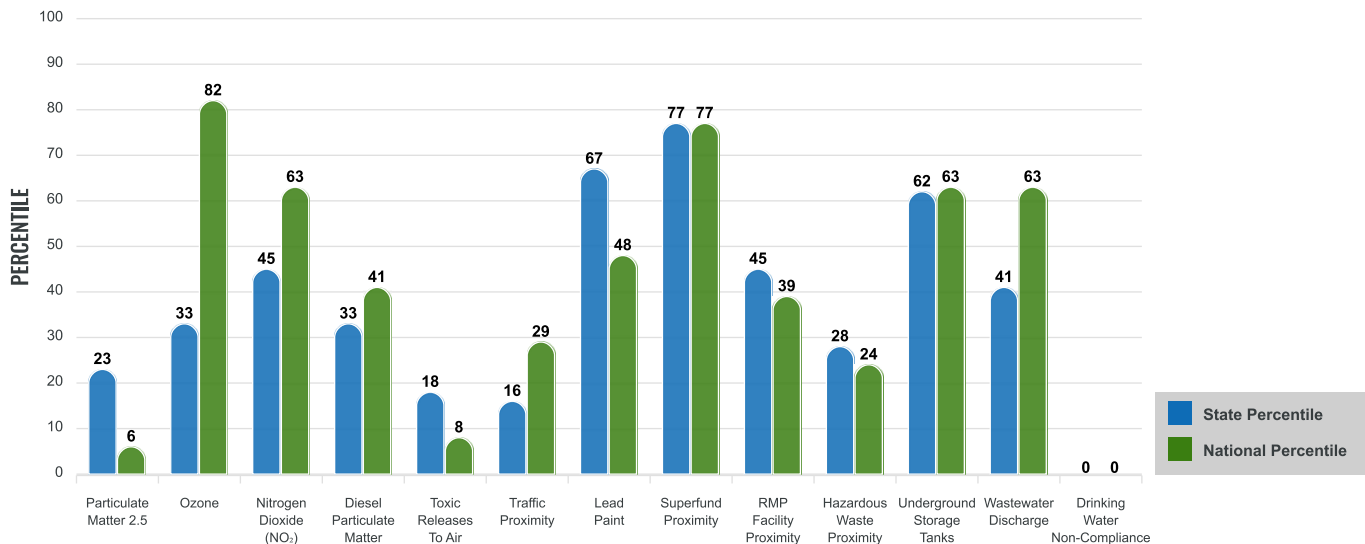
Environmental Justice & Supplemental Indexes

The environmental justice and supplemental indexes are a combination of environmental and socioeconomic information. There are thirteen EJ indexes and supplemental indexes in EJScreen reflecting the 13 environmental indicators. The indexes for a selected area are compared to those for all other locations in the state or nation. For more information and calculation details on the EJ and supplemental indexes, please visit the [EJScreen website](#).

EJ INDEXES

The EJ indexes help users screen for potential EJ concerns. To do this, the EJ index combines data on low income and people of color populations with a single environmental indicator.

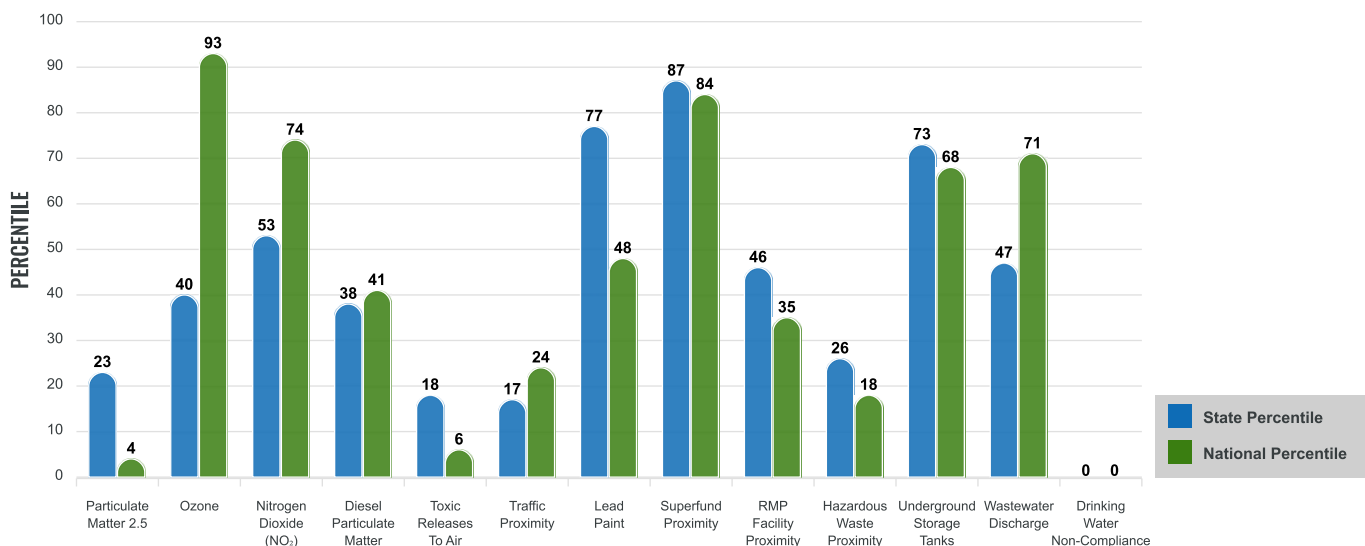
EJ INDEXES FOR THE SELECTED LOCATION



SUPPLEMENTAL INDEXES

The supplemental indexes offer a different perspective on community-level vulnerability. They combine data on percent low income, percent persons with disabilities, percent less than high school education, percent limited English speaking, and percent low life expectancy with a single environmental indicator.

SUPPLEMENTAL INDEXES FOR THE SELECTED LOCATION



Report for 5 miles Ring Centered at 31.959525,-110.282564

Report produced August 5, 2024 using EJScreen Version 2.3

EJScreen Environmental and Socioeconomic Indicators Data

SELECTED VARIABLES	VALUE	STATE AVERAGE	PERCENTILE IN STATE	USA AVERAGE	PERCENTILE IN USA
ENVIRONMENTAL BURDEN INDICATORS					
Particulate Matter 2.5 ($\mu\text{g}/\text{m}^3$)	5.48	7.4	14	8.45	2
Ozone (ppb)	51.7	53.2	27	41	91
Nitrogen Dioxide (NO_2) (ppbv)	7.9	9.3	24	7.8	53
Diesel Particulate Matter ($\mu\text{g}/\text{m}^3$)	0.0898	0.209	22	0.191	24
Toxic Releases to Air (toxicity-weighted concentration)	1.3	2,800	11	4,600	5
Traffic Proximity (daily traffic count/distance to road)	100,000	1,900,000	11	1,700,000	17
Lead Paint (% Pre-1960 Housing)	0.11	0.088	78	0.3	36
Superfund Proximity (site count/km distance)	0.59	0.41	92	0.39	85
RMP Facility Proximity (facility count/km distance)	0.085	0.54	35	0.57	30
Hazardous Waste Proximity (facility count/km distance)	0.085	1.5	23	3.5	17
Underground Storage Tanks (count/ km^2)	1.6	1.6	67	3.6	59
Wastewater Discharge (toxicity-weighted concentration/m distance)	79	32000	31	700000	53
Drinking Water Non-Compliance (points)	0.15	1.8	61	2.2	74
SOCIOECONOMIC INDICATORS					
Demographic Index USA	1.33	N/A	N/A	1.34	57
Supplemental Demographic Index USA	2	N/A	N/A	1.64	74
Demographic Index State	1.39	1.53	52	N/A	N/A
Supplemental Demographic Index State	1.75	1.43	71	N/A	N/A
People of Color	26%	44%	31	40%	44
Low Income	39%	31%	67	30%	69
Unemployment Rate	6%	6%	67	6%	68
Limited English Speaking Households	2%	4%	61	5%	64
Less Than High School Education	9%	12%	55	11%	53
Under Age 5	5%	5%	53	5%	52
Over Age 64	31%	21%	80	18%	89

*Diesel particulate matter index is from the EPA's Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. More information on the Air Toxics Data Update can be found at: <https://www.epa.gov/haps/air-toxics-data-update>.

Sites reporting to EPA within defined area:

Superfund	1
Hazardous Waste, Treatment, Storage, and Disposal Facilities	0
Water Dischargers	3
Air Pollution	0
Brownfields	0
Toxic Release Inventory	1

Other community features within defined area:

Schools	8
Hospitals	1
Places of Worship	12

Other environmental data:

Air Non-attainment	No
Impaired Waters	Yes

Selected location contains American Indian Reservation Lands*	No
Selected location contains a "Justice40 (CEJST)" disadvantaged community	Yes
Selected location contains an EPA IRA disadvantaged community	Yes

Report for 5 miles Ring Centered at 31.959525,-110.282564

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EJScreen Environmental and Socioeconomic Indicators Data

HEALTH INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	20%	19%	55	20%	56
Heart Disease	10.2	5.9	93	5.8	98
Asthma	11.2	10.5	79	10.3	77
Cancer	9.6	6.7	86	6.4	96
Persons with Disabilities	24.5%	14.2%	91	13.7%	94

CLIMATE INDICATORS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Flood Risk	8%	6%	76	12%	57
Wildfire Risk	98%	48%	71	14%	94

CRITICAL SERVICE GAPS

INDICATOR	VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Broadband Internet	13%	12%	66	13%	60
Lack of Health Insurance	9%	11%	50	9%	63
Housing Burden	No	N/A	N/A	N/A	N/A
Transportation Access Burden	Yes	N/A	N/A	N/A	N/A
Food Desert	Yes	N/A	N/A	N/A	N/A

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