



NEW MEXICO ENVIRONMENT DEPARTMENT
OFFICE OF STRATEGIC INITIATIVES

LIMITED ENGLISH PROFICIENCY ANALYSIS
(LEP)



Limited English Proficiency Analysis for the Per – and Poly-Fluoroalkyl Substances (PFAS) Protection Act (HB 212)

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APPROVAL PAGE

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(NAME/SIGNATURE)

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Purpose

This analysis determines the extent to which Limited English Proficiency (LEP) services are necessary for the HB 212 rulemaking and implementation. It uses the four factors defined in NMED's Limited English Proficiency Accessibility and Outreach Policy 07-11 and Public Participation Policy 07-13.

Factor 1: Number and Proportion of LEP Individuals Likely to Be Served or Encountered

Community of Concern: Statewide (HB 212 applies to the sale, distribution, or manufacture of PFAS-containing products throughout New Mexico).

Category	New Mexico	USA
Total population	2,114,371	334,914,896
Total number of households	856,580	131,332,360
Non-English languages spoken at home (%)	31.7%	22.5%
Limited English households (%)	5.3%	4.4%
LEP individuals (%)	9.1%	8.7%
Linguistically isolated households (%)	5.3%	4.4%
Languages in Limited English-Speaking Breakdown (%)	Spanish 14.5% Other Indo-European 6.4% Asian/Pacific 17.2% Other 14.2%	Spanish 19.2% Other Indo-European 14.8% Asian/Pacific 22.6% Other 14.3%

Historical Participation: [No record yet of LEP participation or requests for assistance under HB 212 rulemaking—complete after outreach begins].

Factor 2: Frequency with Which LEP Individuals Encounter the Program

HB 212 covers PFAS in consumer products and will affect manufacturers, distributors, retailers, and potentially consumers. Points of public contact include:

- Rulemaking public notices, comment periods, and hearings under the Environmental Improvement Board (EIB).
- Stakeholder meetings with manufacturers, retailers, Tribes, Pueblos, Land Grants, Colonias, and community groups.
- Requests for currently unavoidable use exemptions, reporting, and labeling information.

Based on past administrative records for statewide rulemakings with the EIB, the frequency with which LEP individuals have participated is estimated as “occasional”.

Frequency Estimate: "occasional"

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

HB 212 establishes prohibitions on PFAS-containing products and requires disclosure, testing, and labeling. These actions:

- Protect public health and the environment from PFAS contamination.
- Provide transparency to consumers, especially in communities historically impacted by PFAS contamination.
- Involve statewide rulemaking that may affect a broad spectrum of residents, businesses, and communities, including vulnerable populations.

Because HB 212’s rules address toxic chemicals and public exposure, the rulemaking is identified as “important”.

Factor 4: Resources Available to NMED and Associated Costs

NMED employs or contracts certified translators to translate public notices and vital documents. Additional measures may include:

- Posting translated materials on the PFAS webpage and Public Notices page.
- Contracting telephone interpreter services.
- Printing translated notices in newspapers distributed to the affected community.
- Working with community leaders, Tribal governments, chapter houses, and local organizations to disseminate information.

Resource Assessment: NMED has sufficient funding for all related translation and interpretation costs associated with HB 212 rulemaking.

Determination

Based on the four factors above and the demographic profile of New Mexico, additional language assistance (interpretation or translation services) and outreach will be necessary for HB 212 rulemaking and implementation. All public notices will be published at least in English and Spanish and include information on how LEP persons or persons with disabilities can obtain assistance.