



NEW MEXICO ENVIRONMENT DEPARTMENT
OFFICE OF STRATEGIC INITIATIVES



PUBLIC INVOLVEMENT PLAN
(PIP)

Location: New Mexico

Department: New Mexico Environment Department
Harrold Runnels Building
1190 South Saint Francis Drive
Santa Fe, New Mexico, 87505

Legislative Action: Implementation of the Per – and Poly-Fluoroalkyl
Substances Protection Act (HB 212)

Department Contact: Drew Goretzka, Communications Director
(505) 827-2855 or 1-800-219-6157
NMED-PFAS@env.nm.gov

EFFECTIVE DATE: October 8, 2025

REVISION DATE: N/A

(NAME/SIGNATURE)

Element 1 – Public Involvement Plan (PIP) Overview

The New Mexico Environment Department (NMED or Department) Office of Strategic Initiatives (OSI) has developed this Public Involvement Plan (PIP) for the implementation of the *Per- and Poly-Fluoroalkyl Substances Protection Act* (HB 212). HB 212 prohibits the sale, distribution, or manufacture of certain products containing intentionally added per- and poly-fluoroalkyl substances (PFAS), authorizes the Environmental Improvement Board (EIB) to adopt rules, and requires manufacturers to disclose product information, test, and label.

This PIP provides public participation opportunities and information needed for the community to engage in rulemaking, enforcement, and policy development under HB 212. This plan also identifies information about affected communities and resources needed by NMED to incorporate public participation into the decision-making process. This PIP is developed in accordance with NMED's Public Participation Policy (Policy 07-13) and incorporates the requirements of the Policy, as well as applicable regulatory and statutory public participation requirements.

HB 212 implementation will involve multiple stages of public participation, including rulemaking hearings, stakeholder meetings, and opportunities for comment on reporting requirements, enforcement, currently unavoidable use exemptions, labeling requirements, penalties, fees, and enforcement provisions. Public participation activities required by statute or regulation are mandatory and subject to deadlines set forth by HB 212 and related EIB rulemakings. NMED will supplement required activities with additional outreach to ensure transparency.

Technical information that served as a basis for the proposed rule was filed in docket number EIB 25-61 (R) as exhibits to the Petition and may be viewed online at <https://www.env.nm.gov/public-notices/> and may also be obtained from the Petitioners upon request to NMED-PFAS@env.nm.gov.

This PIP is a “living document” that may be amended based on public input or new statutory obligations. The OSI Director will provide final approval of the PIP and amendments.

ACTIVITY	DATES
Develop draft rules	July – September 2025
Email technical stakeholder webinar invitation to stakeholders	September 9, 2025
Email informational public webinar invitation to interested parties and Tribal leaders	September 15, 2025
Technical Stakeholder Webinar	September 25, 2025 (1:00 pm - 2:30 pm)
Petition to EIB	October 8, 2025
Informational Public Webinar	October 22, 2025
EIB Meeting to decide hearing	October 24, 2025
Public Hearing Notice	On or before December 23, 2025
Public Comment Period starts (60 days)	December 23, 2025
EIB Public Hearing	February 23, 2026
Rules finalized	By June 30, 2026

Element 2 – NMED Contact Information

Primary Contact for HB 212 Implementation:

Drew Goretzka, Communications Director
Office of the Secretary
New Mexico Environment Department
1190 South St. Francis Drive
Santa Fe, NM 87502
Phone: (505) 827-22855
Email: NMED-PFAS@env.nm.gov

Non-English Language Speaker Assistance and Accommodations:

Requests for accommodation may be directed to the NMED contact above. Relay New Mexico provides telephone assistance at no charge:

- English: 1-800-659-1779
- Spanish: 1-800-327-1857
- TTY users: 1-800-659-8331

Websites for Notices and Updates:

- NMED Public Notices: <https://www.env.nm.gov/public-notices/>
- NMED PFAS webpage: <https://www.env.nm.gov/pfas/>
- NMED Events Calendar: <https://www.env.nm.gov/events-calendar/>
- Public Comment Portal: <https://nmed.commentinput.com/comment/search>

Element 3 – Regulatory Framework for Public Participation

A formal rulemaking process must take place before certain provisions of HB 212 go into effect. The rulemaking process includes public notice, a 60-day comment period, an Environmental Improvement Board (EIB) public hearing, EIB approval, and publishing the approved rule in the New Mexico Register. HB 212 directs the EIB to adopt rules for prohibitions on the sales of certain consumer products, disclosures, labeling, and currently unavoidable use exemptions regarding PFAS in products. Public participation will occur primarily through:

- **Rulemaking hearings** requiring public notice, hearing officer procedures, and opportunities for oral/written comments.
- **Public comment periods** of no less than 60 days for draft rules or amendments.
- **Notices in newspapers, online postings, and mailings** to interested parties, tribes, land grants, and stakeholders.
- **Final decisions and responses to comments** provided by the EIB or NMED.

Element 4 – Description of Community/Stakeholder Groups

To provide for adequate public participation opportunities and meaningful involvement of persons in the rulemaking process, the affected communities must first be identified, informed about proposed environmental actions affecting the community, and invited to share their comments and concerns. For a statewide rulemaking, the affected community is identified as the entire population of New Mexico. U.S. Census Bureau data was used to 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. The data in the table below was taken from the 2023 American Community Survey (ACS) 1-Year Estimates.

Preliminary Screening Results for the Affected Community

Category	New Mexico	USA
Total population	2,114,371	334,914,896
Total number of households	856,580	131,332,360
People of Color (%)	60.9%	38.4
Hispanic (any race)(%)	48.6%	19.4%
Percentage of the population by race. Do not include percentage reporting two or more races.	Population reporting one race: White: 47.5% Black: 2% American Indian:.... 9.3% -Aztec: 0.1% -Navajo: 6% -Other: 3.2% Asian: 1.8% Pacific Islander: 0.2% Some Other Race: 13%	Population reporting one race: White: 60.5% Black: 12.1% American Indian: 1% Asian: 6% Pacific Islander: 0.2% Some Other Race: ...7.4%
Non-English Languages Spoken at Home (%)	31.7%	22.5%
Limited English households (%)	5.3%	4.4%
LEP individuals (%)	9.1%	8.7%
Languages by percentage in Limited English-Speaking Breakdown	Spanish: 14.5% Other Indo-European languages:..... 6.4% Asian-Pacific Island languages: 17.2% Other languages: 14.2%	Spanish: 19.2% Other Indo-European languages:..... 14.8% Asian-Pacific Island languages: 22.6% Other languages: 14.3%
Linguistically isolated households (%)	5.3%	4.4%
Per capita income	35,510	43,313

Data taken from the U.S. Census Bureau, 2023 American Community Survey (ACS) 1-Year Estimates

Preliminary findings from the U.S. Census Bureau's 2023 American Community Survey indicate that New Mexico has a much higher percentage of People of Color and people who identify as Hispanic than the national average, lower per capita income, and a higher percentage of Limited English Proficient households and individuals. Spanish is the language with the greatest need for assistance, but other languages such as Vietnamese and Navajo/Diné may also be requested.

For an in-depth assessment of Limited English Proficiency populations and language services provided by NMED, please see the LEP Assessment attached to this PIP.

Element 5 – Detailed Actions and Outreach Activities

The NMED will implement the following public involvement activities:

Public Notices

The Public Hearing Notice will be posted in English and Spanish in the legal section of the Albuquerque Journal, Santa Fe New Mexican, and Las Cruces News. NMED may also post notice in other publications such as the Carlsbad Current-Argus, Roswell Daily Record, The Tri-City Record (formerly the Farmington Daily Times), and the online publication Indian Country Today. The notice will include information on how to request language assistance or ADA accommodation and how to contact NMED's Non-Discrimination Coordinator.

The Public Hearing Notice will be sent by postal mailing and email to the interested party list maintained by NMED's Office of General Counsel and will include how to sign up for the interested party list through GovDelivery, and to all Tribes, Pueblos, Nations, Active Land Grants, and Colonias in New Mexico.

Other Outreach Activities

Other means of outreach such as flyers 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 discretion of OSI after consideration of public interest and input.

Information Repositories

Public notices and outreach materials will include a statement that copies of the draft rulemaking and supporting documents may be obtained via the Department's website at <https://www.env.nm.gov/pfas/> or by contacting Drew Goretzka at (505) 827-22855,

NMED-PFAS@env.nm.gov, New Mexico Environment Department, 1190 South St.
Francis Drive, Santa Fe, NM 87502

Hardcopies of this PIP, the Public Notice, and other relevant documents will be available
at the following NMED offices:

NMED Headquarters:

Harold Runnels Building
1190 St. Francis Dr. Suite N4050
Santa Fe, NM 87505
Ph: 505-827-2855
1-800-219-6157

NMED District I:

Rio Rancho

4359 Jager Drive NE, Suite B
Rio Rancho, NM 87144
Ph: 505-771-5980

Clovis

100 E Manana, Unit 3
Clovis, NM 88101
Ph: 575-762-3728

Gallup

1720 East Aztec Avenue
Gallup, NM 87301
Ph #1: (505) 470-2473
Ph #2: (505) 670-5754

Milan

708 Uranium Ave.
Milan, NM 87021
Ph: 505-209-4042

Los Lunas

475 Courthouse Rd SE, Suite B
Los Lunas, New Mexico 87031
Ph: 505-841-5280

Tucumcari

113 W Center
Tucumcari, NM 88401
Ph: 575-461-1671

NMED District II:

Santa Fe

2540 Camino Edward Ortiz
Santa Fe, NM 87507
Ph: 505-827-1840

Española

912 N. Railroad Avenue
Española, NM 87532
Ph: 505-753-7256

Farmington

1800 E 30th St, Suite B
Farmington, NM 87401
Ph: 505-566-9741

Las Vegas

2538 Ridgerunner Road
Las Vegas, NM 87701
Ph: 505-454-2801

Raton

1277A S 2nd Street
Raton, NM 87740
Ph: 575-445-3621

Taos

145 Roy Road, Suite B
Taos, NM 87571
Ph: 575-758-8808

NMED District III:

Las Cruces

2301 Entrada Del Sol
Las Cruces, NM 88001
Ph: 575-288-2050

Alamogordo

811 E First St, Suite D
Alamogordo, NM 88310
Ph: 575-437-7115

Carlsbad

406 N Guadalupe, Suite C
Carlsbad, NM 88220
Ph: 575-885-9023

Hobbs

2120 N Alto
Hobbs, NM 88240
Ph: 575-397-6910

Roswell

1914 W 2nd
Roswell, NM 88201
Ph: 575-624-6046

Ruidoso

1216 Mechem Dr., Bldg 2
Ruidoso, NM 88345
Ph: 575-258-3272

Silver City

3082 32nd Street Bypass, Suite D
Silver City, NM 88061
Ph: 575-388-1934

Deming

918 E. Pear Street

Deming, NM 88030
Ph: 505-670-5112

Response to Comments and Participation in the Rulemaking Hearing

NMED will consider all public comments on the Public Review Draft received within the pre-hearing public comment period. If appropriate, the Department will amend the petition and associated regulatory language to incorporate feedback received prior to filing a petition with the EIB. NMED will present the final draft rule language and supporting information for HB 212 to the EIB for approval and adoption.