



New Mexico Environment Department Radiation Control Bureau

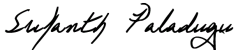
Public Involvement Plan (PIP)

Project: The New Mexico Environment Department (NMED) is hereby providing notice pursuant to Subsection E of 20.3.4.426 NMAC that Thermo Eberline, LLC, whose business address is 27 Forge Parkway, Franklin, MA 02038, a radioactive materials licensee, has submitted a decommissioning plan for its facility located at 5981 Airport Road, Santa Fe, New Mexico 87501, pursuant to 20.3.3.318 NMAC.

Planning Timeframe: December 2025 to enable the initiation of decommissioning work in January 2026.

Project Planner: Robert Bicknell

Approval:

Signed by:

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Srikanth Paladugu, Bureau Chief
Radiation Control Bureau
New Mexico Environment Department

9/19/2025

Date

Element 1 – Public Involvement Plan (PIP) Overview

The New Mexico Environment Department (NMED or Department), Radiation Control Bureau (Bureau) developed this Public Involvement Plan (PIP) to increase transparency regarding the decommissioning plan for the Thermo Eberline facility located at 5981 Airport Road, Santa Fe, New Mexico 87501, pursuant to 20.3.3.318 NMAC.

- 20.3.3.318 NMAC. Title 20 Environmental Protection Chapter 3 Radiation Protection Part 3 Expiration and Termination of Licenses and Decommissioning of Sites and Separate Buildings or Outdoor Areas

Compliance is one of the Department's core values, guiding the positive and consistent application of our mission. Addressing violations that pose the greatest risk to public health and the environment in a fair and just manner ensures a level playing field for all regulated businesses. This includes ensuring timely and proper decommissioning of facilities and sites that possess radioactive materials, to prevent legacy contamination and long-term hazards. Enforcement of violations including those related to decommissioning obligations and holding accountable those who violate the laws, rules, registrations, and licenses we oversee is both the expectation and the right of the communities we serve. It is a duty we are bound to uphold. New Mexico is compelled to meet the requirements to protect public health and safety with regard to radioactive material within the state, as agreed upon in the April 4, 1974, Agreement with the U.S. Nuclear Regulatory Commission (NRC), signed by then-Governor Bruce King.

The purpose of this PIP is to plan for providing public participation opportunities and information that may be needed for New Mexicans to comment on the decommissioning plan.

This PIP integrates information about the potentially affected communities and identifies resources needed by the Bureau to incorporate community participation activities into the decision-making process for the decommissioning. The PIP identifies the Department staff and resources needed to accomplish these activities.

The decommissioning plan may require public participation throughout different stages. The Bureau will meet the public participation requirements for the decommissioning plan by following this PIP, which includes the applicable policy, regulatory and statutory public participation requirements.

In developing this PIP, community participation needs were assessed to ensure the appropriate promotion of public outreach by identifying whether there is a combination of environmental and demographic factors (i.e., low-income community, minority community, limited English proficiency individuals, Linguistically Isolated Households, etc.) that may impact public participation. Hence, this assessment identifies community outreach opportunities for participation and provides for those opportunities.

As much as possible, public participation and informational activities related to the decommissioning plan will be held within the timelines outlined in the table below. This timeline is tentative and subject to change; activities subject to statutory or regulatory deadlines are noted.

In the timeline for this decommissioning process, 30 days are allotted for public review and comments, and there will be at least a 7-day advanced notice for the public meeting and the public hearing, including posting the meeting and hearing information on the Department's website.

During public comment periods, documents may be reviewed at the repositories listed. Details about planned Bureau outreach are provided in this PIP.

This PIP is a "living" document that may be amended after considering public comments and feedback. The Bureau Chief provides final approval of the PIP and amendments.

Activity	Dates
PIP posted on webpage at https://www.env.nm.gov/rcb/	September – 2025
Publish proposed decommissioning plan on webpage at https://www.env.nm.gov/rcb/	September – 2025
Published Links to Smart Comments Open	September 23, 2025
Published Links to Smart Comments Close	October 23, 2025
Publish notice of public published in the Santa Fe New Mexican	September 23, 2025
Publish notice of public hearing in NM Register (English and Spanish)	September - 2025
Notice of Public Meeting	TBD

Element 2 – Bureau Contact Information

The Bureau contact for questions regarding this decommissioning plan, the, public meetings, the Department's website, or this PIP is:

Robert Bicknell
Radiation Control Bureau, NMED
525 Camino De Los Marquez, Suite 1B

Santa Fe, New Mexico 87505
 (505) 476-8601
Robert.bicknell@env.nm.gov

Non-English Language Speaker Assistance and Accommodations

The Bureau will include information about how persons may request non-English speaker language assistance and accommodations for persons with disabilities (i.e., deaf and/or non-English language interpreters) in public notices for meetings or hearings related to this decommissioning plan. Public notices will direct public requests for assistance to the Bureau contact, who will notify the Non-Discrimination Coordinator. Arrangements will be made by the Bureau for document translation, interpretation, or disability services related to the decommissioning process as necessary. Following this process ensures the Bureau is directly informed about the request and allows the Department to track requests for disability assistance². The following numbers 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.

Department Websites

Notices will include links to the following websites:

The Department: <https://www.env.nm.gov>

The Department's Public Notices webpage: <https://www.env.nm.gov/public-notices/>

The Radiation Control Bureau: <https://www.env.nm.gov/rcb/>

Element 3 - Regulatory Background for Public Participation

The Department is responsible for environmental management and consumer protection programs. Regarding radiation control, the Department maintains, develops, and enforces rules and standards as provided in the Radiation Protection Act. See Section 74-1-7(A)(5) NMSA 1978 (2000). In addition, the Environmental Improvement Board ("EIB") is responsible for environmental management and consumer protection. Regarding radiation control, the EIB promulgates rules and standards for radiation control. See Section 74-1-8(A)(5) NMSA 1978 (2020).

Any member of the public may submit written comments on the proposed decommissioning plan during the public comment period which will run for 30 days after publication in the New Mexico Register. See Section 14-4-5.3(A) NMSA 1978 (2017). Any member of the public may also testify at the public hearing or submit written statements for the record, in lieu of providing oral testimony. See 20.1.1.304 NMAC (2018).

Element 4 - Location and Demographics of the Community and Stakeholder Groups

To provide for adequate public participation opportunities and meaningful involvement of people in this decommissioning plan, the affected communities must first be identified, informed about proposed environmental actions affecting the community, and invited to share their comments and concerns. Previously, the EJSCREEN tool developed by the U.S. Environmental Protection Agency (EPA) was used to help identify low-income and minority populations for outreach planning. Due to recent federal requirements, this tool is no longer permitted. Public outreach efforts are now guided by historical data from prior engagement activities to ensure that all interested and potentially affected communities continue to be included in the process.

Demographic indicators were obtained from EPA EJSCREEN, an environmental justice screening and mapping tool, available on-line at [EJScreen](#). This decommissioning plan impacts the entire, non-tribal government portion of the state, which includes a community of 6.1% Spanish-speakers whose English-speaking ability is “less than very well”¹. The Bureau will provide pertinent information in both English and Spanish in public meeting notices, public comment notices, and other announcements.

EJSCREEN Results for the State of New Mexico

Total population	57,111
Total number of households	20,947
Percentage People of Color Population	74%
Percentage Hispanic Population	68%
Percentage of the population by race	Population reporting one race: White: 82% Black: 1% American Indian: 3% Asian: 2% Pacific Islander: 0% Some Other Race: 10%
Total number of persons greater than the age of five who speak English “less than very well”	7,935
Percentage of persons greater than the age of five who speak English “less than very well”	15%
Total number of linguistically isolated households	1,287
Percentage of linguistically isolated households (Total number of linguistically isolated households ÷ total number of households X 100)	6.1%

Languages by percentage in linguistically isolated households	Spanish: 96% Other Indo-European languages: 3% Asian-Pacific Island languages: 6% Other languages:1%
Percent linguistically isolated population, New Mexico*	4.8%
Per capita income	\$37,978
Per capita income, USA**	\$45,256

*U.S. Census Bureau. Source: Decennial Census PCT013

<https://data.census.gov/table/DECENNIALSLDS.PCT013?q=New+Mexico+Percent+linguistically+isolated+population> Divided by U.S. Census Bureau. Source <https://www.census.gov/search-results.html?q=New+Mexico&page=1&stateGeo=none&searchtype=web&cssp=SERP& charset =UTF-8> (Date of access: 9/19/2025)

** U.S. Census Bureau. Source: 2024 American Community Survey 1-Year Estimates <https://www.census.gov/search-results.html?q=New+Mexico+Per+Capita+income&page=1&stateGeo=none&searchtype=web&cssp=SERP& charset =UTF-8> (Date of access: 9/19/2025)

*** U.S. Census Bureau. Source: 2024 American Survey 1-Year Estimates <https://www.census.gov/search-results.html?q=US+per+capita+income&page=1&stateGeo=none&searchtype=web&cssp=SERP& charset =UTF-8> (Date of access: 9/19/2025)

Element 5 - Public Participation and Outreach Activities

Based on the Limited-English Proficiency (LEP) report discussed herein, the Department will seek to provide basic information about public involvement opportunities in both English and Spanish. This information will include how to request materials in Spanish or another language, or to speak with Department staff through an interpreter.

The Bureau solicits interested parties' names and contact information with all public notices. The Bureau maintains those names when provided by interested parties on a Mailing List and provides those individuals with information about regulatory activities. 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 reach out to the contact Bureau Contact list herein, to be added to the mailing list.

The Bureau will conduct the following participation and outreach activities during this decommissioning process:

- For online viewing – Publication of this PIP and the notice of public hearing on proposed decommissioning plan on the Bureau's website
- For in-person viewing – Placement of this PIP at the Bureau's offices in Santa Fe and Albuquerque
- Mailing and/or emailing the notice of public hearing on proposed decommissioning plan to interested parties on the Bureau's Mailing List
- For statewide circulation – Publication of the notice of public hearing on proposed

decommissioning plan in the Legal Notices section of the Albuquerque Journal

The Bureau will contact land grants about this decommissioning plan through the New Mexico Land Grant

Council at:

NM Land Grant Council
1829 Sigma Chi Rd SE
Albuquerque NM 87106
nmlandgrantcouncil@unm.edu

The Bureau will contact pueblos and tribes via the email addresses listed below:

- Pueblo of Acoma: fmartinez@poamail.org
- Pueblo of Cochiti: Jayson.romero@cochiti.org
- Pueblo of Isleta: Joseph.Lujan@isletapueblo.com
- Pueblo of Jemez: Clarice.Madalena@jemezpueblo.org
- Pueblo of Laguna: gjojola@lagunapueblo-nsn.gov
- Pueblo of Nambe: srydeen@nambepueblo.org
- Pueblo of Ohkay Owingeh: larry.phillips@ohkay.org
- Pueblo of Picuris: environment@picurispueblo.org
- Pueblo of Pojoaque: aduran@pojoaque.org
- Pueblo of San Felipe: pstout@sfpueblo.com
- Pueblo of San Ildefonso: rmartinez@sanipueblo.org
- Pueblo of Sandia: gkaufman@sandiapueblo.nsn.us
- Pueblo of Santa Ana: alan.hatch@santaana-nsn.gov
- Pueblo of Santa Clara: dinoc@santaclarapueblo.org
- Pueblo of Santo Domingo: woodrow.crumbo@kewa-nsn.us
- Pueblo of Taos: mvigil@taospueblo.com
- Pueblo of Tesuque: sagem@pueblooftesuque.org
- Pueblo of Zia: ybenton@ziapueblo.org
- Pueblo of Zuni: tammy.parker@ashiwi.org
- Pueblo of Ysleta Del Sur (Tigua): ecruz@ydsp-nsn.gov
- Navajo Nation: s.etsity@navajo-nsn.gov
- Jicarilla Apache Nation: cltecube@yahoo.com
- Mescalero Apache Tribe: thora@mescalerodrmrp.org
- Fort Sill Apache Tribe: jennifer.heminokeky@fortsillapache-nsn.gov
- Southern Ute Tribe: dpowers@southernutensn.gov
- Ute Mountain Tribe: jarchuleta@utemountain.org
- TO'HAIJILEE Navajo Chapter: tohajiilee@navajochapters.org
- Eight Northern Indian Pueblos Council: boyd.nystedt@enipc.org

Outreach materials and notices, including links to the following website, in addition to other websites of interest and QR codes, for quick access to specific information:



Department's website is here:
<https://www.env.nm.gov/>



The Department's Events Calendar webpage:
<https://www.env.nm.gov/events-calendar/>



The Department's Public Notices webpage:
<https://www.env.nm.gov/public-notices/>

20.3.16 NMAC. Title 20 Environmental Protection Chapter 3 Radiation Protection Part 16 Fees and Radiation Safety Requirements for Irradiators

<https://www.srca.nm.gov/wp-content/uploads/attachments/20.003.0016.pdf>

Site Repositories

Copies of this PIP, any notice of public hearing on the proposed decommissioning plan, and the proposed decommissioning plan will be available for viewing at the Santa Fe office of the Radiation Control Bureau:

Radiation Control Bureau
Marquez Building
525 Camino De Los Marquez, Suite 1B
Santa Fe New Mexico 87505

Hybrid Public Hearings

It is anticipated that any public hearings will be conducted in hybrid format, as follows: virtually via Webex and in person at a physical location, with details to be posted on the Department's online Calendar (www.env.nm.gov/events-calendar/).

PIP Contingency Plan

During a public health emergency or other unforeseen events 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 decommissioning planes. The purpose of this PIP

Contingency Plan is 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 use the physical PIP and document repositories, the Department will consider utilizing electronic delivery methods deemed appropriate for the decommissioning plan. While operating under the PIP Contingency Plan, instead of placing a copy of the PIP for this decommissioning plan in a public location, the Department will make the PIP available to the community by sending the PIP by email or First-Class mail to any community member requesting a copy. An individual may request a copy of the PIP utilizing the Bureau's contact information listed herein. Please specify how you would like the document delivered when making such a request. 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 followed.

Attachments

- LEP Assessment

Limited-English Proficiency (LEP) Analysis and Approval For the Thermo Eberline Decommissioning Plan

New Mexico Environment Department
Radiation Control Bureau

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

See Public Involvement Plan (PIP), Table of EJSscreen 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 7,935.
2. The percentage of LEP individuals in the affected community is 15%.
3. The percentage of linguistically isolated households is 6.1%, slightly less than the statewide average.
4. Spanish is the predominant non-English language spoken by LEP persons.
5. Historical participation: Decommissioning of radioactive materials licensees sites is a common practice for RCB. No one has yet requested placement on a specific mailing list.

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

The department will also establish a website and email informational bulletins periodically. This outreach precedes a formal Department decommissioning plan before the public outreach, where the public will have the opportunity to comment. LEP individuals might come in contact with the outreach material and may choose to comment before the Board. Considering that 6.1% of the Spanish-speaking population is considered linguistically isolated and that 27% of New Mexicans speak Spanish at home, an identifier of “**occasional**” is being assigned to this factor. A summary of historical participation in activities for this decommissioning plan is under Factor 1.

Considering that 5.2% of the Spanish-speaking population is considered linguistically isolated and that 27% of New Mexicans speak Spanish at home, an identifier of “**occasional**” is being assigned to this factor.

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

The RCB deems the decommissioning plan activity of amending 20.3.16 NMAC “important” to the Department, the impacted community, and the State of New Mexico. It is essential to the Department because the requirements that must be met to protect public health and safety and provides a means to enforce those requirements. The Radiation Control Bureau reviewing and approving these decommissioning plan activities is vital to the impacted community, the Bureau believes that the proposed decommissioning will provide for the health and safety of the public, and meet the requirements agreed upon between the State of New Mexico and the U.S. Nuclear Regulatory Commission (NRC) in an April 4, 1974 Agreement <https://www.nrc.gov/cdn/nmss/pdf/nmagreements.pdf> that Governor Bruce King signed.

Conclusion:

The RCB considers the Thermo Eberline decommissioning plan review and approval of decommissioning plan activity “**important**” to the Department, the state as a whole, and the impacted community.

Factor 4: Resources Available to NMED for LEP Services and Associated Costs

For outreach to LEP communities associated with this decommissioning plan, the Department employs an in-house Spanish translator/interpreter and utilizes a phone interpretation service to assist during direct communication between LEP individuals and the Department staff in many other languages. Incorporated into the Bureau's budget are the costs of newspaper publication of public Notices in Spanish and interpretive services for a public meeting or hearing to the extent possible. Fees collected from the licensees by the schedule in 20.3.16 NMAC are limited and may be sufficient to cover these costs.

Conclusion:

The Bureau may accommodate the costs of the LEP services identified in this plan but is limited to one outreach per year, reviewing budgetary implications if additional services are requested.

LEP Plan for the Decommissioning of the Thermo Eberline

Policy Overview

This LEP Four Factor Analysis has been prepared in accordance with the NMED Policy 07-11, *Limited-English Proficiency Accessibility and Outreach Policy*, and NMED Policy 07-13, *Public Participation*.

Determination

Based on a balanced evaluation of the four factors described above, the assessment indicates that language assistance (interpretation and translation services) or outreach are needed for this activity. The public notice will be translated into Spanish and outreach materials will include information on how LEP persons or persons with disabilities can obtain assistance. If information or data are acquired that indicate additional translation or interpretation services are needed, the Department will implement expanded outreach activities described in the associated public involvement plan (PIP). The Department has determined that there are adequate resources available to provide LEP services if requested or determined necessary.

Final Actions

- All public notices will be published in both English and Spanish.
- Outreach materials will include information on how LEP persons or persons with disabilities can obtain assistance associated with this activity.
- The Department will provide a Spanish interpreter for all public engagement meetings if requested.
- If LEP individuals contact the Department, the Department will provide language assistance or will contract translation services, as needed.
 - If individuals with accessibility needs contact the Department, the Department's Non-Discrimination Coordinator will work to address the request.
 - If LEP individuals provide written comments during the decommissioning plan public comment period for inclusion in the public record, the Department will translate their response and include both English and the preferred language versions in the Response to Comments and the individual who commented.