



5/15/2025

To: New Mexico Occupational Health and Safety Bureau

Subject: Opposition to Proposed Heat Illness & Injury Prevention Rule – Potential Negative Impacts on Our Operations

Dear NNM Occupational Health and Safety Bureau,

I am writing on behalf of Chenault Consulting Inc. to express our strong concerns regarding the proposed Heat Illness & Injury Prevention rule currently under consideration. As a business that has operated in New Mexico for over 26 years, we have consistently prioritized the health and safety of our employees while maintaining efficient and effective operations in often challenging field conditions.

In more than two decades of business, we have experienced only one heat-related illness incident. Upon thorough internal investigation, it was determined that the employee involved had been up late the night before, engaging in alcohol consumption and relying heavily on energy drinks the next day—factors which contributed significantly to the incident and were unrelated to our safety protocols or environmental conditions.

Implementing this proposed rule would place a substantial burden on our company, both operationally and financially. The level of regulation proposed appears disproportionate to the actual risk we have encountered across hundreds of thousands of man-hours worked outdoors. It would require extensive changes in scheduling, staffing, and equipment usage that could significantly hinder our ability to meet client deadlines and maintain project timelines—ultimately threatening our viability in a highly competitive industry.

While we agree that employee safety should always be a priority, we believe that any additional regulation should be based on verifiable need and not on isolated or statistically rare events. In our experience, proper training, hydration, supervision, and common-sense measures have proven more than adequate in preventing heat-related injuries.

We respectfully urge the Bureau to reconsider or revise the proposed rule to reflect a more balanced and evidence-based approach—one that protects workers without unnecessarily burdening small- to mid-sized companies like ours that have a long-standing record of safe operation.

Thank you for your time and consideration.

Sincerely,
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