

Harvest Midstream Company

Thank you for the opportunity to provide comments to the New Mexico Environment Department Proposed Heat Illness and Injury Prevention Rule. Harvest Midstream strives to identify and mitigate all risks to our employees' and contractors' health and welfare, including heat exposure. Many of the requirements of the proposed rule are measures that Harvest is already taking.

Acclimatization and Regular Rest Breaks

With regards to acclimatization, it appears that NMED wishes to codify the CDC and NIOSH recommended practices. The proposed requirements are a "one size fits all" approach, and do not take into account individual responses to heat exposure, which can vary based on:

- Body composition, including muscle mass and body fat
- Age
- Medical conditions
- Existing hydration levels
- Hormonal differences

For this reason, Harvest elects to educate employees and supervisors on heat exposure and implement case-by-case protective measures.

Recordkeeping

One proposed recordkeeping provision requires "An accurate record of the heat acclimatization schedule and procedures for all new and returning employees." As previously stated, Harvest proposes implementation of case-by-case protective measures vs. implementing and recording standardized schedules and procedures.

Clothing Adjustment Factors

It appears that clothing adjustment factors are taken from NIOSH guidelines, including an adjustment factor for FR (double layer cloth) clothing. Because FR clothing is available in different thicknesses, weights, and fabric construction, it is not appropriate to assign one factor for all FR clothing.