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I am writing to express opposition to your proposed heat stress regulations. While I appreciate any efforts to protect workers, the rule as currently constituted is unworkable and imposes severe penalties and operational obstacles on certain industries, including construction and oil and gas, in a state that already struggles to compete with its neighbors. The Environment Department should allow employers to continue to successfully implement heat stress procedures specific to their work environments and tasks, rather than implement a one-sized-fits-all approach. Use your power to investigate specific heat-related incidents and injuries, rather than penalizing all companies with impractical and onerous mandates.

The prescribed rest periods based on heat index are unrealistic for any outdoor work in summer months in New Mexico. As written, these rules will lead to higher costs, less productivity, and delays for critical public projects, which are much-needed in our state. The proposed rules also go FAR beyond the rules that federal OSHA has proposed for rest breaks. Additionally, small businesses are simply not able to afford the staff to keep up with the prescribed observation, documentation, and record-keeping required by the acclimatization rules. These rules are expansive and difficult to interpret.

Given these concerns, I urge the Environment Department to reconsider the scope and structure of this rule. Protecting workers is a shared priority, but it must be done in a way that reflects the realities of New Mexico's industries, workforce, and climate. A more collaborative approach—one that incorporates industry-specific practices, allows for flexibility, and avoids excessive administrative burden—would be far more effective than a blanket regulation that penalizes responsible employers alongside negligent ones.