



NEW MEXICO ENVIRONMENT DEPARTMENT
Radiation Control Bureau

Public Involvement Plan (PIP)
for the
Proposed Amendments to 20.3.1 NMAC,
20.3.2 NMAC, 20.3.3 NMAC, 20.3.4 NMAC,
20.3.6 NMAC and 20.3.20 NMAC

APPROVAL PAGE

Signed by:

Srikanth Paladugu

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Radiation Control Bureau
New Mexico Environment Department

8/25/2026

Date

I. Public Involvement Plan (PIP) Overview

The New Mexico Environment Department (NMED or Department), Radiation Control Bureau (Bureau or RCB) developed this Public Involvement Plan (PIP) to increase transparency regarding the decision-making and rulemaking process involved in amending 20.3.1 New Mexico Administrative Code (NMAC) 20.3.2 NMAC, 20.3.3 NMAC, 20.3.4 NMAC, 20.3.6 NMAC, and 20.3.20 NMAC.

- 20.3.1 NMAC. Title 20 Environmental Protection Chapter 3 Radiation Protection Part 1 for General Provisions

The proposed updates to 20.3.1 NMAC are intended to complement compliance and enforcement actions.

- 20.3.2 NMAC. Title 20 Environmental Protection Chapter 3 Radiation Protection Part 2 for Registration of Radiation Machines and Services

The proposed updates to 20.3.2 NMAC are intended to modernize the rule and align it with current federal standards under 21 CFR 1020, as well as recommendations from the Conference of Radiation Control Program Directors (CRCPD) and standards established by the American College of Radiology. The revisions will help streamline the radiation machine registration process and ensure that regulatory requirements accurately reflect current technologies, practices, and services used by registrants.

These updates are also intended to improve clarity within the rule by more clearly defining qualifications and requirements for services regulated under this chapter. Updating 20.3.2 NMAC will help ensure the regulations remain consistent with current industry practices while supporting effective oversight and protection of public health and safety.

- 20.3.3 NMAC. Title 20 Environmental Protection Chapter 3 Radiation Protection Part 3 Licensing of Radioactive Material

The proposed revisions to 20.3.3 NMAC are to align this part with the federal regulations. The federal National Regulatory Commission provides review summary sheets for the regulation amendments called the Regulation Amendment Tracking System Identification Numbers ("RATS IDs"). The Bureau proposes one minor revision, so it is compatible with RATS ID: 2023-1 and aligns with the current federal regulations. Specifically, the proposed revisions is to correct a citation reference to 21 CFR 207, "Requirements for Foreign and Domestic Establishment Registration for Human Drugs, Including Drugs that are Regulated Under a Biologics License, and Animal Drugs, and the National Drug Code."

- 20.3.4 NMAC. Title 20 Environmental Protection Chapter 3 Radiation Protection Part 4 Standards for Protection Against Radiation

The proposed revisions to 20.3.4 NMAC are RCB Correction to align with 10 CFR 20.2203. Currently the 20.3.4.453 NMAC references an incorrect citation for reports of exposures, radiation levels, and concentrations of radioactive material exceeding the constraints or limits.

- 20.3.6 NMAC. Title 20 Environmental Protection Chapter 3 Radiation Protection Part 6 for X-Rays in Healing Arts

The proposed updates to 20.3.6 NMAC are intended to modernize the rule and align it with current federal standards under 21 CFR 1020, recommendations from the Conference of Radiation Control Program Directors, and applicable standards used by neighboring states. The revisions include updated provisions related to fluoroscopically guided interventional (FGI) procedures, reporting and evaluation of medical events associated with diagnostic and interventional X-ray systems, and quality assurance and quality control requirements for Computer Radiography (CR) and Digital Radiography (DR) systems. The rule also incorporates updated suggested standards for computed tomography.

These updates are intended to improve clarity by more clearly defining the qualifications and requirements for services and activities regulated under this chapter. Updating 20.3.6 NMAC will help ensure the regulations remain consistent with current clinical practices, technological developments, and federal guidance, while supporting effective regulatory oversight and the protection of public health and safety.

- 20.3.20 NMAC. Title 20 Environmental Protection Chapter 3 Radiation Protection Part 20 for Medical Imaging and Radiation Therapy Licensure

The proposed revisions to 20.3.20 NMAC provide minor updates and clarifications to the licensure requirements for individuals performing medical imaging and radiation therapy procedures. The changes clarify definitions and recognize additional licensure pathways that align with current standards of practice established by the American Society of Radiologic Technologists.

These updates are intended to improve the clarity of the rule and ensure the licensing process reflects current professional standards and practices while continuing to support safe and effective use of medical radiation in New Mexico.

The purpose of this PIP is to provide public participation opportunities and information that may be needed for New Mexicans to participate in the rulemaking and hearings related to 20.3.1 NMAC. General Provisions, 20.3.2 NMAC. Registration of Radiation Machines and Services, 20.3.3 NMAC. Licensing of Radioactive Material, 20.3.4 NMAC. Standards for Protection Against Radiation, 20.3.6 NMAC. X-Rays in Healing Arts, and 20.3.20 NMAC. Medical Imaging and Radiation Therapy Licensure.

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 rulemaking. The PIP identifies the Department staff and resources needed to accomplish these activities.

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

In developing this PIP, state-wide 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, ect.) that may impact public participation.

This assessment identifies community outreach needs and provides for public access opportunities above and beyond statutorily mandated requirements and underscores the provision of adequate public access to information about the proposed amendments to: 20.3.1 NMAC, General Provisions; 20.3.2 NMAC,

Registration of Radiation Machines and Services; 20.3.3 NMAC, Licensing of Radioactive Material; 20.3.4 NMAC, Standards for Protection Against Radiation; 20.3.6 NMAC, X-Rays in Healing Arts; and 20.3.20 NMAC, Medical Imaging and Radiation Therapy Licensure.

The proposed amendments to 20.3.1 NMAC, 20.3.2 NMAC, 20.3.3 NMAC, 20.3.4 NMAC, 20.3.6 NMAC and 20.3.20 NMAC will likely impact a relatively large community of Spanish speakers, and the Bureau will provide pertinent information in both English and Spanish in public meeting notices, public comment notices, and other announcements (radio broadcasts, brochures, signs, newspapers, fact sheets, etc.), as necessary. During public comment periods, hardcopies of relevant documents may be reviewed at the information repositories listed in “Public Participation and Outreach Activities” – Section V.F.

More detailed information about planned Bureau outreach is available in this PIP.

As much as possible, public participation and informational activities related to the rulemaking 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 rulemaking, 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 below. 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.

Table 1. Schedule of Public Participation and Stakeholder Outreach Activities

Activity	Dates
Petition Environmental Improvement Board “EIB” for Hearing	November 6, 2026
PIP posted on webpage at: https://www.env.nm.gov/rcb/public-notice-of-radioactive-materials-licensing-actions-and-rulemakings/	August 20, 2026
Public Notice for the Proposed Rule Changes to 20.3.1 NMAC 20.3.2 NMAC, 20.3.3 NMAC, 20.3.4 NMAC, 20.3.6 NMAC in one newspaper of statewide general circulation	August 20, 2026
Public Notice for the Proposed Rule Changes to 20.3.20 NMAC in one newspaper of statewide general circulation	June 9, 2026
Publish hearing notice in the New Mexico Register, in one newspaper of statewide general circulation, in one newspaper in the affected area.	June 9, 2026
Radiation Technical Advisory Council (RTAC) contacted with rule change proposals of 20.3.2 NMAC, 20.3.3 NMAC, and 20.3.6 NMAC.	February 2026

Medical Imaging and Radiation Therapy Advisory Council (MIRTAC) contacted with rule change proposals of 20.3.20 NMAC.	February 2026
Radiation Technical Advisory Council meeting for review of rule change proposals of 20.3.2 NMAC, 20.3.3 NMAC, and 20.3.6 NMAC.	TBD
Medical Imaging and Radiation Therapy Advisory Council meeting for review of rule change proposals of 20.3.20 NMAC.	March 20, 2026
Public Notice for the Proposed Rule Changes to 20.3.2 NMAC and 20.3.6 NMAC RTAC meeting posted on RCB Website	June 9, 2026
Public Notice for the Proposed Rule Changes to 20.3.3 NMAC and 20.3.6 NMAC RTAC meeting posted on RCB Website	June 9, 2026
Public Notice for the Proposed Rule Changes to 20.3.20 NMAC MIRTAC meeting posted on RCB Website	June 9, 2026
Public Notice for the Proposed Rule Changes to 20.3.2 NMAC, 20.3.3 NMAC, and 20.3.6 NMAC RTAC meeting posted on RCB Website	June 9, 2026
Public Notice for the Proposed Rule Changes to 20.3.20 NMAC MIRTAC meeting posted on RCB Website	June 9, 2026
If adopted, the amendments to 20.3.20 NMAC take effect	30 days after filing with State Records
If adopted, the amendments to 20.3.2 NMAC, 20.3.3 NMAC, and 20.3.6 NMAC take effect	30 days after filing with State Records

II. Contacts

Bureau contacts for questions regarding this rulemaking, the public meetings, the Departments website, or this PIP is:

Robert Bicknell -
Radiation Control Bureau, NMED
525 Camino De Los Marquez, Suite 1B, Santa Fe,
NM 87505, New Mexico 87505
(505) 570-7240
robert.bicknell@env.nm.gov

If you need to contact the Bureau regarding the proposed amendments to 20.3.1 NMAC, 20.3.2, 20.3.3 NMAC, 20.3.4 NMAC, 20.3.6 and 20.3.20 NMAC, please call and leave a voicemail message with, or email the bureau contacts listed above. Callers with limited English proficiency will be accommodated according to the Bureau's Limited English Proficiency plan.

A. Non-English Language Speaker Assistance and Accommodations

Non-English speakers may call the Bureau contact listed in this PIP and request language assistance services, such as an interpreter, so they can learn more about the proposed rule changes.

- B.** When engaging initial contact with members of the public in languages other than Spanish, where communication cannot be effectively conducted in English, RCB staff will use the US Census Bureau "Language Identification Flashcard" to identify the speaker's language if the contact is in person; if the contact is by phone staff will record a call-back number and inform the caller that they will receive a return call as soon as an interpreter is available. RCB will use the NMED contracted Language Link interpretation services (888-338-7394) and complete a merged call with the interpreter or use a staff member and LEP member of the public.

C. Department and Bureau Websites

The Department maintains a website and webpages for information regarding its activities, programs, boards, and commissions.

New Mexico Environment Department
<https://www.env.nm.gov/>

Public Notices webpage
<https://www.env.nm.gov/public-notice/>

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

III. Regulatory Framework

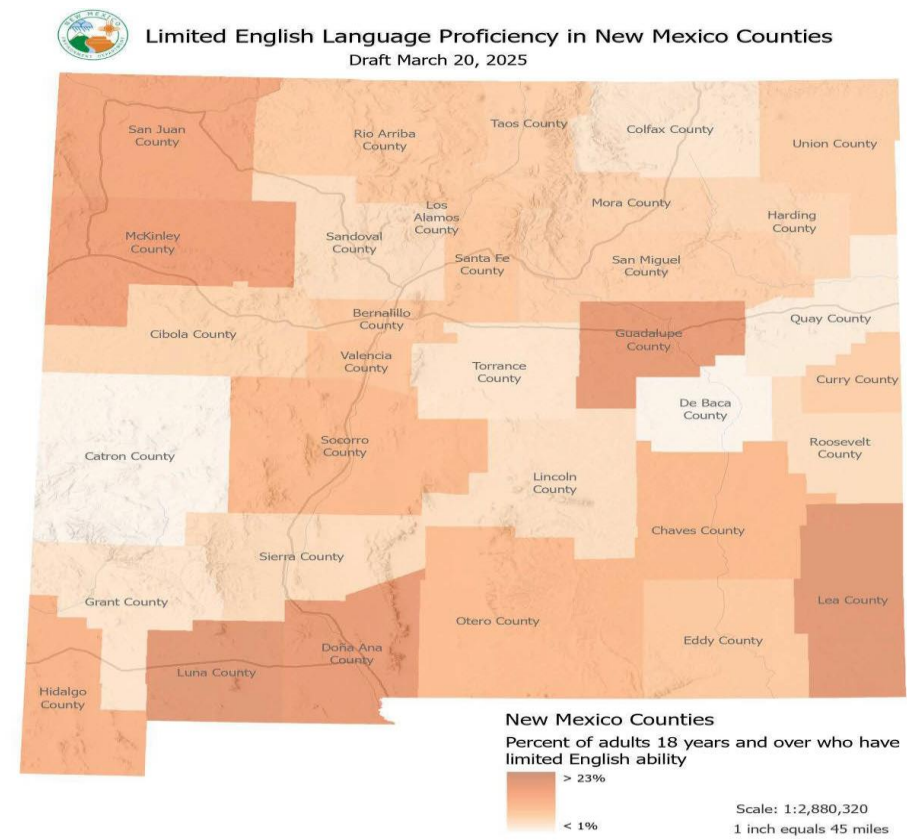
The Department is responsible for environmental management and consumer protection programs.

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).

In addition, the Environmental Improvement Board (“EIB”) is responsible for environmental protection division. Regarding radiation control, the EIB promulgates rules and standards for radiation control. See Section 74-1-8(A)(5) NMSA 1978 (2020).

IV. Location and Demographics

The proposed amendments to 20.3.1 NMAC, 20.3.2 NMAC, 20.3.3 NMAC, 20.3.4 NMAC, 20.3.6 and 20.3.20 NMAC Rule is a statewide rulemaking because public and private sector employers within the Bureau’s jurisdiction across the state will be affected.



Demographic Summary

Using U.S. Census Bureau 2016-2020 American Community Survey (ACS) Report for the State of New Mexico has an estimated population of 2,130,256; 49% identify as Hispanic or Latino (which may be of mixed race). The percent of persons that communicate in a language other than English (non-English) at home is 33%, compared to 21.5% for the United States. There are 5.1% of households in New Mexico that are linguistically isolated, of which 81% speak Spanish, 13% speak “other” languages that include Native American languages, and 6% speak various other Indo-European, Asian, and Pacific Island languages. The per capita income for New Mexico is \$27,945 as compared to the national per capita income of \$35,384, with 18.4% of the population living in poverty. These results indicate that for the area, the percentage of Spanish-speaking communication is considerable substantially greater than the national percentage) and there are demographic factors (i.e., low-income community, minority community, limited English proficiency, Linguistically Isolated Households, etc.) that may impact public participation.

Therefore, the Bureau will provide information in Spanish and in English for public comment notices and other announcements. All public notices 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) at least 5 days in advance for public meetings and 14 days in advance for hearings related to the rule development. Specific information repositories that may be used depending on the need are provided in Section V.F of this PIP.

V. Public Participation & Outreach Activities

The rule revisions to 20.3.1 NMAC, 20.3.2 NMAC, 20.3.3 NMAC, 20.3.4 NMAC, 20.3.6 NMAC, and 20.3.20 NMAC are applicable statewide, thus this PIP addresses public engagement and outreach, rule development, and hearing participation for the entire state. Based on the 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 Bureau contact listed herein, to be added to the mailing list.

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

- For online viewing – Publication of this PIP and the notice of public hearing on proposed rulemaking 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 rulemaking to interested parties on the Bureau’s Mailing List
- For statewide circulation – Publication of the notice of public hearing on proposed rulemaking in the Legal Notices section of the Albuquerque Journal

The most direct way to learn about and be involved in the decision-making process for this Plan revision is to submit a comment to the Bureau during the public comment period and/or attend the rulemaking hearing when the Bureau presents the rule to the EIB for adoption.

Based on the demographics report discussed in the PIP, basic information about public involvement opportunities will be in both English and Spanish. This information will include how to request materials in Spanish or to speak with Bureau staff through language link interpreter service or staff proficient in Spanish. Further details about public participation for this activity are outlined below.

A. Postal Mailing or E-Mailing of Notices of Amendment to 20.3.1 NMAC, 20.3.2 NMAC, 20.3.3 NMAC, 20.3.4 NMAC, 20.3.6 and 20.3.20 New Mexico Administrative Code (NMAC) to Bureau’s Email List

The Bureau maintains an extensive email list that includes individuals and business owners interested in rule changes. The Bureau regularly maintains contact information, which is updated or supplemented if additional information is found. Individuals, organizations, and other interested parties can be added to the email list as requested.

B. Public Notices – Comments, Meetings, Hearings, and Other Notices

Based on the Bureau’s evaluation of the community, public notices and messaging will be translated into Spanish. In addition, the Bureau will post notices, in English and Spanish, with participation details, access to supporting information, and communication instructions on the Department’s Events Calendar at <https://www.env.nm.gov/events/>, the Department’s Smart Comment Website at Public Notices <https://www.env.nm.gov/public-notices/> and the Bureau’s webpages, as appropriate. Sections II.B and II.C list website addresses where information and notices will be posted.

C. Public Comment Period and Hearing

The Bureau will hold a public comment period on the proposed amendments to 20.3.1 NMAC, 20.3.2, 20.3.3 NMAC, 20.3.4 NMAC, 20.3.6 NMAC and 20.3.20 NMAC. The public comment period will be announced through publishing in newspapers and direct emails. The public comment opportunity will start with publishing the notice of rulemaking in the New Mexico Register and will continue through the close of the administrative record. Interested parties may also provide technical testimony at the hearing by filing a Notice of Intent prior to the hearing. Details for participating in the hearing, submitting comments, providing technical testimony, and deadlines will be outlined in each public notice.

D. Other Outreach

Other means of outreach such as flyers, radio advertisements, or hard copy postings are not anticipated at this time. However, any updates to the material or rulemaking process will be posted on the Department's website.

E. Information Repositories

Copies of the proposed amendments to 20.3.1 NMAC, 20.3.2, 20.3.3 NMAC, 20.3.4 NMAC, 20.3.6 and 20.3.20 NMAC rule will be available to download from the RCB website the following link ([Public notices of radioactive materials licensing actions and rulemakings](#)) or by contacting Bureau contacts listed above in Section II.

The Bureau will post the proposed amendments to 20.3.1 NMAC, 20.3.2 NMAC, 20.3.3 NMAC, 20.3.4 NMAC, 20.3.6, and 20.3.20 NMAC, the proposed regulatory language and supporting information at all Department offices until the completion of the hearing. The Bureau emphasizes that individuals can access the proposed amendments to 20.3.1 NMAC, 20.3.2, 20.3.3 NMAC, 20.3.4 NMAC, 20.3.6 and 20.3.20 NMAC documents and information online at the links noted above. If requested, the Bureau will work with individuals to provide hard copies. If you would like to request hard copies of important documents or information about how to comment on the proposed amendments to 20.3.1 NMAC, 20.3.2 NMAC, 20.3.3 NMAC, 20.3.4 NMAC, 20.3.6 and 20.3.20 NMAC, please contact Robert Bicknell robert.bicknell@env.nm.gov

F. Amendment to 20.3.1 NMAC, 20.3.2, 20.3.3 NMAC, 20.3.4 NMAC, 20.3.6 and 20.3.20 New Mexico Administrative Code (NMAC) Response to Comments, Amendments, and Participating in the Rulemaking Hearing

To address stakeholder and community members input, the Bureau will consider and respond to public comments received within the public comment period. RCB will prepare a "Response to Comments" document and include it as an appendix to the amendment to 20.3.1 NMAC, 20.3.2 NMAC, 20.3.3 NMAC, 20.3.4 NMAC, 20.3.6 NMAC and 20.3.20 NMAC EIB petition. If appropriate, the associated regulatory language will be amended to incorporate feedback prior to filing a petition with the EIB. The final rule language, supporting information for amendment to 20.3.1 NMAC, 20.3.2, 20.3.3 NMAC, 20.3.4 NMAC, 20.3.6 and 20.3.20 NMAC will be presented to EIB for approval and adoption into 20.3.2 NMAC, 20.3.3 NMAC, 20.3.6 NMAC and 20.3.20 NMAC by the Bureau at an EIB hearing that has not yet been scheduled. This PIP will be updated once the hearing has been scheduled.

