



STATE OF NEW MEXICO

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RAÚL TORREZ, ATTORNEY GENERAL

NEWS RELEASE

For Immediate Release

July 24, 2025

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Air Force denies state inspectors access to test for toxic PFAS

SANTA FE — New Mexico Environment Department Sec. James Kenney and New Mexico Attorney General Raúl Torrez today asked a state court to order Cannon Air Force Base near Clovis to comply with state law and let inspectors collect on-site samples of toxic PFAS.

The motion follows Cannon officials' refusal to allow NMED inspectors to conduct environmental sampling during a regulatory inspection on July 15. In doing so, the U.S. Air Force has blatantly disregarded state law as NMED has clear authority to conduct environmental sampling under state and federal law.

"Denying access to state inspectors to sample for toxic PFAS contamination while claiming to value relationships and embrace transparency is downright insulting to New Mexicans," said **Environment Secretary James Kenney**. "For years, the U.S. Air Force's promises have contradicted their harmful actions towards communities and regulators — a tired pattern from Washington bureaucrats with no connection to our families, land, or water."

"The Air Force's refusal to allow state inspectors to measure the impact of their actions in releasing cancer causing chemicals into our communities is just one more example of the federal government's refusal to accept responsibility for the welfare of the citizens they have sworn an oath to protect," said **Attorney General Raúl Torrez**. "Despite these shameful tactics, the people of New Mexico should have no doubt about our resolve in holding the Air Force accountable for their actions and to force them to pay for the damage they have done to our environment, our livelihoods and our public health."

In 2019, the U.S. Air Force sued the state of New Mexico to avoid responsibility for toxic PFAS cleanup on and off Cannon Air Force Base. For the past six years, the U.S. Air Force has fought orders from the State of New Mexico to clean up its almost four-mile PFAS plume in the Ogallala Aquifer, caused by discarding PFAS-laden firefighting foams on base.

This contamination forced a local dairy to euthanize 3,500 dairy cows poisoned by contaminated groundwater — devastating local agriculture. NMED provided technical and financial support to this farmer.

New Mexico has the responsibility under the Hazardous Waste Act to regulate PFAS — a position the Air Force disagrees with. This led the Air Force to sue NMED in response to state cleanup orders.

Earlier this year, Gov. Michelle Lujan Grisham signed House Bill 140, which explicitly designated discarded firefighting foams containing PFAS as a hazardous waste — clarifying state-level regulation.

Despite this designation, U.S. Air Force officials still refused to let NMED inspectors gather samples on Cannon Air Force Base, claiming that PFAS was not covered under the base's hazardous waste permit — a position in clear violation of state law. PFAS have been detected in Cannon Air Force Base groundwater at concentrations of 26,200 parts per trillion, which exceeds not only state water quality standards but also the federal government's drinking water standards — by over 650,000%.

The motion for preliminary injunction can be [found here](#).

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