



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

3 March 2015

Ingrid Aliet-Gass, Agent
Western States International, Inc.
168 Highland Pl
Monrovia, CA 91016

CERTIFIED MAIL
7014 2870 0000 7593 2722

ORDER PURSUANT TO CALIFORNIA WATER CODE SECTION 13267. You are legally obligated to respond to this Order. Read this Order carefully.

Western States International, Inc. is the operator of an injection well identified as American Petroleum Institute (API) number 02948128 (hereinafter "injection well subject to this Order"). The California Division of Oil, Gas, and Geothermal Resources (Division) has determined that the injection well subject to this Order has been injecting fluids produced by oil or gas extraction activities into an aquifer that may not have been properly designated as an exempt aquifer under the federal Safe Drinking Water Act (42 U.S.C. § 300f et seq.). The aquifer may be suitable for drinking water supply and other beneficial uses. The Division is issuing an Emergency Order to Cease Injection Operations Immediately (Emergency Order) to Western States International, Inc. for the injection well subject to this Order concurrently with the issuance of this Order by the Central Valley Regional Water Quality Control Board (Central Valley Water Board).

As described further below, for the injection well subject to this Order, Western States International, Inc. is required to submit technical reports containing information about the quality of the groundwater within the zone(s) where fluids have been injected and nearby water supply wells. The issuance of this Order has been coordinated with the Division. The Division is requiring Western States International, Inc. to submit information about the injection wells subject to this Order and the fluid that has been injected into those wells. This Order is not intended to require Western States International, Inc. to submit any information that the Division's Emergency Order also requires Western States International, Inc. to submit to the Division.

The Central Valley Water Board's authority to require technical reports derives from section 13267 of the California Water Code, which specifies, in part, that:

(a) A regional board...in connection with any action relating to any plan or requirement authorized by this division, may investigate the quality of any waters of the state within its region.

(b)(1) In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge

waste within its region...that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.

The Central Valley Water Board is concerned about the potential threat to human health and potential impacts to water quality posed by the discharge of waste associated with the injection of fluids into aquifers that may be suitable for drinking water supply and other beneficial uses. The technical information and reports required by this Order are necessary to assess the potential threat to human health and potential impacts to water quality. The need to understand the potential threat to human health and potential impacts to water quality justifies the need for the information and reports required by this Order. Based on the nature and possible consequences of the discharges of waste, the burden of providing the required information, including reporting costs, bears a reasonable relationship to the need for the report, and the benefits to be obtained. Western States International, Inc. is required to submit this information and reports because it is the operator of the injection well subject to this Order. If Western States International, Inc. and its predecessors in interest have never injected fluids into the injection well subject to this Order, please advise Central Valley Water Board staff of this in writing as soon as possible.

Under the authority of California Water Code section 13267, the Central Valley Water Board hereby orders Western States International, Inc. to:

1. **By 23 March 2015**, submit a work plan that adequately describes the procedures to collect a representative groundwater sample from the injection zone(s) for the injection well subject to this Order.
2. **By 22 May 2015**, submit a technical report that contains all of the following information:
 - a. The analyses of each of the groundwater samples from the injection zone(s) for the injection well subject to this Order, in accordance with the water quality analysis and reporting requirements contained in Attachment A to this Order. If a representative sample cannot feasibly be collected from one or more of the injection zones for the injection well subject to this Order within the required timeframe (e.g., due to constraints posed by the design of the injection well), then **by 6 April 2015**, submit a technical report demonstrating that collection of a representative sample from those injection zones is not feasible within the required timeframe, and proposing an alternative sampling procedure and expeditious time schedule for obtaining a representative sample of groundwater from those injection zones. Alternative sampling procedures and time schedules are subject to approval by the Assistant Executive Officer of the Central Valley Water Board.
 - b. All previously obtained analytical data for groundwater samples collected from any injection zones within one (1) mile of the injection well subject to this Order.

- c. A list and location map of all water supply wells within one mile of the injection well subject to this Order.
 - d. Information for each identified water supply well, including the well owner name and contact information; type of well (i.e., domestic, irrigation, industrial, etc.); whether any of the water is used for domestic purposes; status (i.e., active, idle, etc.); well construction; borehole geophysical logs; and all analytical results for any water sample(s) collected from each water supply well. Notify Central Valley Water Board staff within 24 hours upon determination that any water supply well information cannot be obtained from the California Department of Water Resources because it is confidential.
3. **By 1 June 2015**, upload the technical report and groundwater quality data in the report to the State Water Resources Control Board's GeoTracker database in an electronic format that follows the requirements of California Code of Regulations, title 23, section 3893 (available at http://www.waterboards.ca.gov/ust/electronic_submittal/docs/text_regs.pdf). Central Valley Water Board staff will provide a unique GeoTracker Global ID number assigned for the well subject to this Order. Your state-certified laboratory will need the assigned Global ID number to upload to GeoTracker the certified analytical results for each sampled well.

Based on the information submitted in the work plan and/or technical report, additional information or action may be required.

All required technical information must be submitted to the attention of:

Dane S. Johnson
Central Valley Water Board
1685 E Street
Fresno, CA 93706

In addition, all information is to be copied to the Division, to the attention of:

Steven R. Bohlen, State Oil and Gas Supervisor
Department of Conservation, DOGGR
801 K Street
Sacramento, CA 95814-3500

Submissions pursuant to this Order need to include the following statement signed by an authorized representative of Western States International, Inc.:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

The failure to furnish the required report, or the submission of a substantially incomplete report or false information, is a misdemeanor, and may result in additional enforcement actions,

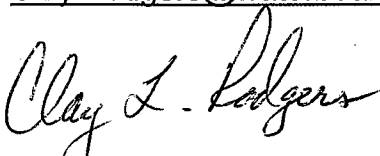
including issuance of an Administrative Civil Liability Complaint pursuant to California Water Code section 13268. Liability may be imposed pursuant to California Water Code section 13268 in an amount not to exceed one thousand dollars (\$1,000) for each day in which the violation occurs.

Any person aggrieved by this Order of the Central Valley Water Board may petition the State Water Resources Control Board (State Water Board) to review the action in accordance with California Water Code section 13320. The State Water Board must receive the petition by 5:00 p.m., within 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations, and instructions applicable to filing petitions, are at http://www.waterboards.ca.gov/public_notices/petitions/water_quality/index.shtml, or will be provided upon request.

Be advised that sections 13260 and 13264 of the California Water Code require any person who proposes to discharge waste that could affect waters of the state to submit a Report of Waste Discharge for any new discharge or change in the character, volume, or location of an existing discharge. Fluids produced by oil or gas extraction activities that can no longer be disposed of in the injection well subject to this Order cannot be discharged to land or waters of the state prior to the issuance of Waste Discharge Requirements, and cannot be discharged to waters of the United States prior to the issuance of an National Pollutant Discharge Elimination System (NPDES) Permit. Failure to comply with these requirements may constitute a misdemeanor under Water Code section 13265 or a felony under Water Code section 13387, and may also subject Western States International, Inc. to judicial or administrative civil liabilities.

By **12 March 2015**, you must contact Dane S. Johnson of this office at (559) 445-5525 to discuss: (1) any alternative method for discharge, reuse, or other disposition for the fluids that had previously been disposed of in the injection well subject to this Order; and (2) your proposed work plan and technical reports.

Any questions regarding this matter should be directed to me at (559) 445-5116 or at Clay.Rodgers@waterboards.ca.gov.



Clay L. Rodgers
Assistant Executive Officer