

# California oil regulator under fire for aquifer injections

**David R. Baker, San Francisco Chronicle, 3-10-15**

The California office that for years let oil companies inject their wastewater into potentially drinkable aquifers needs a new culture more focused on protecting public health, state officials said Tuesday.

“Here we are in the fourth year of a serious drought, and the actions of the oil and gas regulator are threatening the state’s precious groundwater supply,” said Sen. Fran Pavley, chairwoman of the California Senate Natural Resources and Water Committee. “We cannot allow our precious groundwater resources to be contaminated by negligence.”

Her comments were read during a committee hearing on the state’s Division of Oil, Gas and Geothermal Resources, which oversees oil-field operations in the state. As detailed in a Chronicle investigation last month, the division has allowed oil companies to drill 171 wastewater disposal wells into high-quality aquifers that were supposed to be protected by federal law.

So far, the state has not found evidence that the injections have tainted any drinking-water wells. But as California struggles through another year of drought, officials want to protect every usable aquifer they can.

Cleaning up groundwater that has already been contaminated is difficult at best, an official with the California State Water Resources Control Board told senators Tuesday.

“You do not remediate aquifers — you try to contain the contamination,” said Jonathan Bishop, the board’s chief deputy director.

Senators used the hearing, jointly held with the Senate’s Environmental Quality Committee, to slam the division for lax oversight and an office culture that they said focused too much on the oil industry’s wishes and too little on environmental protection.

“It’s very clear that there has been a terrible imbalance,” said state Sen. Hannah-Beth Jackson, D-Santa Barbara. “There is a culture here that has been so much moved by the oil and gas industry.”

Gov. Jerry Brown last year picked a new supervisor to clean up the division, Steven Bohlen, who described for senators on Tuesday the steps his office is taking to keep the injections from contaminating drinking water supplies. Last week, for example, the division said it had shut down 12 wastewater injection wells deemed to be too close to other wells used for drinking or irrigation.

And John Laird, California’s natural resources secretary, urged senators to give Bohlen time to clean up the division. The office has added over 50 employees in the last four years, although many of them will be tasked with implementing California’s new regulations of hydraulic fracturing.

“The state is fortunate that he continues to come back to work every day, given the challenges he faces,” Laird said. When asked by a senator how the state could prevent similar problems from happening again, Laird responded, “We prevent it by taking management action, by changing the culture and changing the management.”

Under a 1982 agreement, the U.S. Environmental Protection Agency gave the division authority to enforce the federal Safe Drinking Water Act in California’s oil fields. That agreement listed by name

aquifers where oil companies would be allowed to dispose of wastewater from their operations. But there were two versions of the agreement, with different lists. Partly as a result, the division approved permits for the companies to inject into aquifers that were supposed to be off-limits.

After the problem came to light, the EPA threatened to revoke the state's authority to enforce the drinking water act. But late Monday, the EPA approved the division's proposed steps and timeline for shutting down improperly permitted wells.

By May 15, the state will finish reviewing all wells injecting into aquifers that don't contain oil. Injections into high-quality aquifers (those with fewer than 3,000 parts per million of total dissolved solids) must stop by Oct. 15. If the state wants to let oil companies continue injecting into any of those high-quality aquifers, by declaring the aquifers exempt from the drinking water act, the exemption proposals must be submitted to the EPA by July 15.

Bohlen, however, has resisted calls from environmentalists to shut down all the injection wells immediately.