

Oil regulators defend permitting of injection wells at contentious hearing

John Cox, Bakersfield Californian, 3-10-15

A brewing controversy over Kern County oil field practices heated up Tuesday as top Brown administration appointees fended off state lawmakers' allegations that California regulators have become too cozy with the petroleum industry.

At a contentious, three-hour hearing in the state capitol, senators pressed Department of Conservation officials to explain why they continue to allow oil companies to operate some 2,500 wells that inject wastewater into aquifers never exempted from protections contained in the federal Safe Drinking Water Act.

"There is a culture here that has been so much moved by the oil and gas industry," said Sen. Hannah-Beth Jackson, D-Santa Barbara. She added that problems with California's oversight of injection wells point to an "endemic problem" within the department's Division of Oil, Gas and Geothermal Resources.

Department officials acknowledged, as they have repeatedly in recent months, that DOGGR erred decades ago by permitting certain Kern County disposal wells, nearly two dozen of which have been closed by California oil regulators since June.

But they downplayed risks presented by those still operating, and said the agency that first raised the issue -- the U.S. Environmental Protection Agency -- this week accepted the state's plan to come into compliance by early 2017 with federal rules on what are known as Class II Underground Injection Control wells.

Tuesday's joint hearing of the Senate's Natural Resources and Water Committee and its Environmental Quality Committee opened with Sen. Bob Wieckowski, D-Fremont, reading a letter from Sen. Fran Pavley, D-Agoura, who called the hearing but was absent. In the letter, Pavley wrote that by allowing wells to inject into non-exempt aquifers, DOGGR "continues to disregard law and regulations."

Department Director Mark Nechodom said his staff was distracted in recent years by work on California's first rules regarding the oil well stimulation technique known as hydraulic fracturing, or "fracking." He assured lawmakers that the agency has since turned attention to the UIC problems, and that early testing has turned up no evidence water wells have been contaminated by nearby injections of oil field wastewater.

State Natural Resources Secretary John Laird also testified, saying he must balance the "dual goal" of facilitating oil production with protecting public health.

The only lawmaker at the hearing to speak skeptically about negative attention on DOGGR was Sen. Jeff Stone, R-Temecula. He cautioned against "throwing out the baby with the proverbial bathwater."

"We certainly want to protect, but we don't want to over-regulate people out of business," he said.