

Chemical Leak at Livermore Oil Field May Have Contaminated Some Alameda County Water Supplies

An NBC Bay Area Investigation reveals E&B Natural Resources waited months to report a leak at its East Bay Facility

Bigad Shaban, Liza Meak and Mark Villarreal, KNTV (San Jose television), 11-25-15

A hazardous chemical leak at an oil field in Livermore may have contaminated an underground aquifer used for drinking water, according to inspection reports obtained by the NBC Bay Area Investigative Unit.

E&B Natural Resources, which operates the oil field, failed to quickly notify state and local regulators of the leak, despite legal obligations to report it immediately.

"It was not reported," said Susan Hugo, the head of the Hazardous Materials Division at Alameda County's Department of Environmental Health. "The leak was not reported to us."

Records show E&B discovered the leak at the end of March while removing an unused oil tank. Now, more than seven months later, local and state officials are still waiting on test results to determine whether people might be at risk because of contaminated water supplies.

"I wouldn't say they are at risk or not," Hugo said. "We don't know that yet."

Hugo and her team of 15 inspectors are in charge of ensuring proper safety measures and protocols are followed at Alameda County companies that work with hazardous materials, including the E&B oil field in Livermore. According to Hugo, inspectors only check above ground oil tanks once every three years, so it took complaints from a neighboring business for county inspectors to learn about the leak at the Livermore oil field.

According to documents E&B submitted to the county, the oil company started testing soil samples from the leak on March 30, 2015. However, other documents [[hyperlink the document](#)] obtained by the NBC Bay Area Investigative Unit show E&B Natural Resources reported "the release was discovered in April."

The Alameda County Environmental Health Department inspected the site in May and issued a report in June. The agency cited the oil company for more than a dozen violations, including improperly disposing of hazardous waste and failing to immediately notify state and local agencies about the release of hazardous material.

"We know it contained really dangerous levels of lead and chromium, and it also contained ethyl benzene and toluene," said Clare Lakewood, an attorney with the environmental group, the Center for Biological Diversity.

Lakewood said E&B Natural Resources was legally obligated to report the leak as soon as it was discovered. Instead, the company tried to clean up the mess on its own, without notifying any state or local agencies.

"It wasn't until the end of July that the Office of Emergency Services, which should have been told straight away, was finally told about this leak," Lakewood said.

Lakewood said the company should have known better, especially since E&B has a history of oil spills and violations.

"Across California, they've had more than a dozen spills in the past five years that they've reported to state agencies," said Lakewood.

Since 2010, state records show E&B reported 13 spills in four different California counties. In the past three months, oil companies across California have reported 18 oil spills to the Governor's Office of Emergency Services – two of those spills occurred at E&B oil fields.

After Hugo's team documented the violations at the Livermore oil field, other Alameda County employees stepped in to oversee the clean-up effort. Dilan Roe heads that division as the Local Oversight Program Manager.

Roe spoke to the Investigative Unit over the phone about what is causing the delay in determining whether the oil leak could have contaminated water supplies in the area. According to Roe, before the groundwater can be safely tested, the contaminated soil must be cleaned up first so it doesn't move further underground when crews dig deep enough to test the water supplies.

"The major piece is to remove the source and then define the impact and the extent," Roe said.

The months-long delay in determining the extent of the contamination is not lost on Roe.

"That is a concern to us," she said. "The regulatory process doesn't work as fast as we would all like it to work."

As of Nov. 20, crews were still removing contaminated soil at the site of the leak.

"It tells me, companies can still get away with very lax operations," said Rebecca Franke, an environmental activist with Alameda County Against Fracking. "These are not hard regulations to obey for an experienced oil company."

Alameda County officials are now requiring E&B to assess all of the wells within a 2,000-foot radius of the leak to find out how many people could potentially be impacted. The California Department of Water Resources estimates that about 400 wells are in the area, but couldn't tell the NBC Bay Area Investigative Unit how many people rely on that water. Most, if not all, are private wells, which means the water is not treated for possible contaminants before it's used for drinking or farming.

In October, Alameda County approved a plan that would require the oil company to pay for groundwater testing. Those results aren't due to the company until Dec. 21. By then, eight months will have passed since E&B said it first discovered the leak of hazardous chemicals.

"If it gets down into the groundwater, as intensively as that is utilized out here by vintners and residents, that's a big concern," Franke said. "There seems to be, basically, a no-care attitude, not to conform to common sense rules."

E&B Natural Resources produces approximately 11,500 barrels of oil per day at its more than 25 oil and gas fields in California, Louisiana, Kansas and Wyoming, according to the company's website.

The company refers to itself as "one of California's largest privately owned oil and gas companies," that is "a recognized leader within the exploration and production industry."

E&B Natural Resources declined NBC Bay Area's interview request. In a written statement, the company said it believes the leak in Livermore happened years ago, before it ever bought the oil field.

"In late March 2015, when E&B Natural Resources removed an unused storage tank, we discovered oil-stained soil underneath the unused tank. E&B has never used the tank," the statement said. "Any leak occurred prior to E&B's acquisition of the facility in 2006. The company takes full responsibility for cleaning-up the affected soil in a voluntary remediation agreement with the County."