To: Lombardi, Kyle[Kyle.Lombardi@mail.house.gov]
Cc: Montgomery, Michael[Montgomery.Michael@epa.gov]; Albright, David[Albright.David@epa.gov]; Keener, Bill[Keener.Bill@epa.gov]; Maier, Brent[Maier.Brent@epa.gov]
From: Mogharabi, Nahal
Sent: Wed 8/13/2014 10:53:06 PM
Subject: RE: Confirmation of Call on Wednesday, August 13th at 1:00pm PT (4:00pm ET) with EPA to Discuss California Oil & Gas Production
DOGGR ltr to Rodriguez_Laird 071714.pdf
2012 Review of Aquifer Exemptions.pdf
11162012 DOGGR Action Plan.pdf

Hi Kyle,

Thanks so much for taking the time to speak to us today. I just wanted to follow up with a few items as requested.

The regulatory criteria for approving an aquifer exemption can be found at 40 CFR part 146.4. (http://www.gpo.gov/fdsys/pkg/CFR-2011-title40-vol23/pdf/CFR-2011-title40-vol23-sec146-4.pdf).

I'm also attaching a copy of the July 17th letter EPA sent to the state as well as the attachments.

Brent or myself will follow up with you to set up an update call on for August 28th or 29th.

Please let us know if you have any questions.

Very best,

Nahal

-----Original Message-----
From: Maier, Brent
Sent: Monday, August 11, 2014 1:12 PM
To: Lombardi, Kyle
Cc: Montgomery, Michael; Albright, David; Mogharabi, Nahal; Keener, Bill
Subject: RE: Confirmation of Call on Wednesday, August 13th at 1:00pm PT (4:00pm ET) with EPA to Discuss California Oil & Gas Production

Kyle -

Thanks for your confirmation and I apologize that I will not be able to join you for the call as I will be on annual leave on that day. Please use the following call-in number and access code to join the call. My colleague, Nahal Mogharabi, will initiate the call so others can dial in.

Dial-In Number: Ex. 6 - Personal Privacy

Conference Code: Ex. 6 - Personal Privacy

Leader PIN: Ex. 6 - Personal Privacy (for use only by Nahal Mogharabi to initiate the call)

Brent Maier
Congressional Liaison
U.S. Environmental Protection Agency, Region IX
75 Hawthorne St. (OPA-3)
San Francisco, CA 94105

Ph: 415.947.4256

-----Original Message-----
From: Lombardi, Kyle [mailto:Kyle.Lombardi@mail.house.gov]
Sent: Monday, August 11, 2014 12:41 PM
To: Maier, Brent
Subject: RE: Call on Wednesday, August 13th with EPA to Discuss California Oil & Gas Production

Hi Brent - 4PM east coast time on Wednesday works for me. Thanks again for setting this up.

Kyle

Kyle Lombardi
Rep. Kevin McCarthy
202-225-2915

-----Original Message-----
From: Maier, Brent [mailto:Maier.Brent@epa.gov]
Sent: Monday, August 11, 2014 1:35 PM
To: Lombardi, Kyle
Subject: Call on Wednesday, August 13th with EPA to Discuss California Oil & Gas Production

Kyle -

I sent you a separate calendar invite but also wanted to send you an e-mail as well. Please confirm your availability for a call on Wednesday, August 13th at 1:00pm PT (4:00pm ET) to discuss California oil and gas production and recent Bakersfield California news article included below. Please note that, unfortunately, I will be on annual leave beginning on Wednesday, August 13th and will be unable to join all of you, however my colleague, Nahal Mogharabi, will be initiating the call and participating during my absence. I have set up a conference line for you to use for this discussion and am providing both the call-in number and access code to join the call.

Dial-In Number: Ex. 6 - Personal Privacy

Conference Code: Ex. 6 - Personal Privacy

Leader PIN: Ex. 6 - Personal Privacy (for use only by Nahal Mogharabi to initiate the call)

Brent Maier
Congressional Liaison
U.S. Environmental Protection Agency, Region IX
75 Hawthorne St. (OPA-3)
San Francisco, CA 94105
Ph: 415.947.4256

-----Original Message-----
From: Lombardi, Kyle [mailto:Kyle.Lombardi@mail.house.gov]
Sent: Thursday, August 07, 2014 2:12 PM
To: Maier, Brent
Cc: Montgomery, Michael; Albright, David
Subject: RE: EPA and CA oil & gas production

Thanks, Brent. Tuesday next week is going to be tough for me. However, I am fairly flexible on Wednesday if Mike and David can a call sometime then. I'm three hours ahead of you, so morning or

early afternoon California time works best for me. Please let me know what works for your team.

Kyle

Kyle Lombardi
Rep. Kevin McCarthy
202-225-2915

-----Original Message-----
From: Maier, Brent [mailto:Maier.Brent@epa.gov]
Sent: Thursday, August 07, 2014 4:23 PM
To: Lombardi, Kyle
Cc: Montgomery, Michael; Albright, David
Subject: RE: EPA and CA oil & gas production

Kyle -

I wanted to follow up to let you know that two key EPA Water Division managers, Mike Montgomery who is an Assistant Director in our Water Division and David Albright who manages our Groundwater Office, and who are both very familiar with issue you raised need to be on our call to discuss the EPA and CA oil and gas production issue you inquired about. As I understand, they will both be back in the office on Monday, August 11th, so I have not confirmed their availability yet for a call. It is likely they will need a day to gather any needed information to prepare for a call with you, so I wanted to see what your availability might be on Tuesday, August 12th, so I have that in hand once I can connect with them. I hope to follow up with you on Monday morning to confirm a scheduled time for our call. Thank you for your patience while we set up this call. Lots of folks are using vacation time before summer ends and school years begin again.

Please let me know of your availability for a call on Tuesday, August 12th and I will confirm with you once I speak with my colleagues. Thanks.

Brent Maier
Congressional Liaison
U.S. Environmental Protection Agency, Region IX
75 Hawthorne St. (OPA-3)
San Francisco, CA 94105
Ph: 415.947.4256

-----Original Message-----
From: Maier, Brent
Sent: Wednesday, August 06, 2014 2:59 PM
To: 'Lombardi, Kyle'
Subject: RE: EPA and CA oil & gas production

Kyle -

Thanks for your inquiry. I am checking in with my colleagues on their availability for a call on the issue you raised and will be back in touch once I hear back from them. I will be out of the office on Friday, so am proposing to my colleagues that we have a call on either Monday or Tuesday of next week. I will be sure to confirm a time once I hear back from everyone and will provide you the names of who the participants will be on our end. Thanks.

Regards,

Brent Maier

Congressional Liaison
U.S. Environmental Protection Agency, Region IX
75 Hawthorne St. (OPA-3)
San Francisco, CA 94105
Ph: 415.947.4256

-----Original Message-----
From: Lombardi, Kyle [mailto:Kyle.Lombardi@mail.house.gov]
Sent: Wednesday, August 06, 2014 2:31 PM
To: Maier, Brent
Subject: EPA and CA oil & gas production

Hi Brent -

Please review the below article. I'd like to setup a call with the appropriate EPA staff to get an update on this issue and background information. I'm flexible this Friday or next week. Please let me know when your team has a date/time and who will be on the call on your end. Much thanks,

Kyle

Kyle Lombardi
Legislative Director
Majority Leader Kevin McCarthy
2421 Rayburn House Office Building
Washington, D.C. 20515

P: 202-225-2915
F: 202-225-2908

www.kevinmccarthy.house.gov

Bakersfield Californian
Tuesday, Aug 05 2014 07:24 PM
Federal EPA sets deadlines for state action on injection wells BY JOHN COX
http://www.bakersfieldcalifornian.com/business/kern-gusher/x603939639/Federal-EPA-sets-deadlines-for-state-action-on-injection-wells

The U.S. Environmental Protection Agency has given California regulators a series of deadlines -- some coming as soon as next week -- for developing plans of action and producing other information related to the state's oversight of oil field waste injection wells.

Contained in a letter the federal EPA sent state officials July 17, the deadlines make clear that federal pressure is driving the state's recent focus on disposal wells, including its emergency shutdown last month of 12 Kern County injection wells, two of which have since been allowed to reopen.

The EPA's concern is that the state may have granted permits for wells that inject produced water into aquifers that either contain federally protected drinking water or are located near existing water wells.

The letter opens with a statement that the Safe Drinking Water Act, passed by Congress in 1974, authorizes the EPA to protect underground sources of water.

"This role is of particular importance at this time of drought and diminished water supplies," Jared Blumenfeld, EPA Regional Administrator for the Pacific Southwest, wrote in the letter to John Laird, secretary of the California Natural Resources Agency, and Matt Rodriquez, secretary for environmental

protection at the California Environmental Protection Agency.

The letter traces the EPA's ongoing scrutiny of California injection wells to a 2011 audit faulting DOGGR's oversight of the injection well program. The federal government had given the state primary authority for regulating such facilities in 1983.

In 2012, a separate federal review raised questions about whether California injection wells had been allowed to operate outside the boundaries of aquifer exemptions granted by the EPA.

That review was followed by DOGGR's broad review of its UIC program. Last month's emergency well shutdowns were a result of that review.

By the letter's first deadline of Aug. 16, DOGGR is expected to turn over a list of every injection well in the state that has been permitted to inject into non-oil-producing formations containing what is generally considered to be federally protected drinking water.

On the same date, DOGGR is to provide a status report on its 2012 action plan for addressing "deficiencies" in California's regulation of what are known as Class II Underground Injection Control wells. Most such wells involve oil production, but the ones the federal government has recently focused on dispose of produced water, a saline byproduct of oil production.

Also by Aug. 16, the federal EPA wants "all documents" pertaining to California's requests for aquifers to be exempted from the federal Safe Drinking Water Act, as well as the EPA's responses to those requests and any related state appeals.

Within 60 days of the date of the letter, or Sept. 15, DOGGR is expected to give the EPA its "initial assessment of whether any existing and potential sources of drinking water are at risk of contamination from improper Class II injection."

As part of that deadline, the EPA wants the location of private and public water wells that "may be at risk" from injection wells. It also asked for a plan to "ensure protection of human health" from injection wells, as well as a plan to share such information with the public, in coordination with other state agencies including the State Water Resources Control Board and the Department of Public Health.

Also within 60 days of the letter's date, DOGGR is expected to produce a plan and timetable for creating a searchable database of all the state's Class II wells. That system must include a map overlay showing the wells' locations, geological formations and federal aquifer exemptions.

By Oct. 15, DOGGR is to provide a list of all California Class II wells permitted to inject in oil-producing aquifers containing water not generally considered to be federally protected drinking water.

Brent Maier
Congressional Liaison
U.S. Environmental Protection Agency, Region IX
75 Hawthorne St. (OPA-3)
San Francisco, CA 94105
Ph: 415.947.4256

-----Original Message-----
From: Lombardi, Kyle [mailto:Kyle.Lombardi@mail.house.gov]
Sent: Friday, August 08, 2014 11:01 AM
To: Maier, Brent
Cc: Montgomery, Michael; Albright, David
Subject: RE: EPA and CA oil & gas production

Much thanks.

Kyle Lombardi
Rep. Kevin McCarthy
202-225-2915

-----Original Message-----
From: Maier, Brent [mailto:Maier.Brent@epa.gov]
Sent: Thursday, August 07, 2014 5:27 PM
To: Lombardi, Kyle
Cc: Montgomery, Michael; Albright, David
Subject: RE: EPA and CA oil & gas production

Kyle -

I will follow up on Monday with Mike and David about a potential Wednesday call and confirm with you. Thanks.

Regards,

Brent Maier
Congressional Liaison
U.S. Environmental Protection Agency, Region IX
75 Hawthorne St. (OPA-3)
San Francisco, CA 94105
Ph: 415.947.4256

-----Original Message-----
From: Lombardi, Kyle [mailto:Kyle.Lombardi@mail.house.gov]
Sent: Thursday, August 07, 2014 2:12 PM
To: Maier, Brent
Cc: Montgomery, Michael; Albright, David
Subject: RE: EPA and CA oil & gas production

Thanks, Brent. Tuesday next week is going to be tough for me. However, I am fairly flexible on Wednesday if Mike and David can a call sometime then. I'm three hours ahead of you, so morning or early afternoon California time works best for me. Please let me know what works for your team.

Kyle

Kyle Lombardi
Rep. Kevin McCarthy
202-225-2915

-----Original Message-----
From: Maier, Brent [mailto:Maier.Brent@epa.gov]
Sent: Thursday, August 07, 2014 4:23 PM
To: Lombardi, Kyle
Cc: Montgomery, Michael; Albright, David
Subject: RE: EPA and CA oil & gas production

Kyle -

I wanted to follow up to let you know that two key EPA Water Division managers, Mike Montgomery who is an Assistant Director in our Water Division and David Albright who manages our Groundwater Office,

and who are both very familiar with issue you raised need to be on our call to discuss the EPA and CA oil and gas production issue you inquired about. As I understand, they will both be back in the office on Monday, August 11th, so I have not confirmed their availability yet for a call. It is likely they will need a day to gather any needed information to prepare for a call with you, so I wanted to see what your availability might be on Tuesday, August 12th, so I have that in hand once I can connect with them. I hope to follow up with you on Monday morning to confirm a scheduled time for our call. Thank you for your patience while we set up this call. Lots of folks are using vacation time before summer ends and school years begin again.

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Ph: 415.947.4256

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Sent: Wednesday, August 06, 2014 2:59 PM
To: 'Lombardi, Kyle'
Subject: RE: EPA and CA oil & gas production

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Brent Maier
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U.S. Environmental Protection Agency, Region IX
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San Francisco, CA 94105
Ph: 415.947.4256

-----Original Message-----
From: Lombardi, Kyle [mailto:Kyle.Lombardi@mail.house.gov]
Sent: Wednesday, August 06, 2014 2:31 PM
To: Maier, Brent
Subject: EPA and CA oil & gas production

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Kyle

Kyle Lombardi
Legislative Director
Majority Leader Kevin McCarthy
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P: 202-225-2915
F: 202-225-2908

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Bakersfield Californian
Tuesday, Aug 05 2014 07:24 PM
Federal EPA sets deadlines for state action on injection wells BY JOHN COX
http://www.bakersfieldcalifornian.com/business/kern-gusher/x603939639/Federal-EPA-sets-deadlines-for-state-action-on-injection-wells

The U.S. Environmental Protection Agency has given California regulators a series of deadlines -- some coming as soon as next week -- for developing plans of action and producing other information related to the state's oversight of oil field waste injection wells.

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The EPA's concern is that the state may have granted permits for wells that inject produced water into aquifers that either contain federally protected drinking water or are located near existing water wells.

The letter opens with a statement that the Safe Drinking Water Act, passed by Congress in 1974, authorizes the EPA to protect underground sources of water.

"This role is of particular importance at this time of drought and diminished water supplies," Jared Blumenfeld, EPA Regional Administrator for the Pacific Southwest, wrote in the letter to John Laird, secretary of the California Natural Resources Agency, and Matt Rodriquez, secretary for environmental protection at the California Environmental Protection Agency.

The letter traces the EPA's ongoing scrutiny of California injection wells to a 2011 audit faulting DOGGR's oversight of the injection well program. The federal government had given the state primary authority for regulating such facilities in 1983.

In 2012, a separate federal review raised questions about whether California injection wells had been allowed to operate outside the boundaries of aquifer exemptions granted by the EPA.

That review was followed by DOGGR's broad review of its UIC program. Last month's emergency well shutdowns were a result of that review.

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Also by Aug. 16, the federal EPA wants "all documents" pertaining to California's requests for aquifers to be exempted from the federal Safe Drinking Water Act, as well as the EPA's responses to those requests and any related state appeals.

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