To: Moffatt, Brett[Moffatt.Brett@epa.gov]; Montgomery, Michael[Montgomery.Michael@epa.gov]
From: Albright, David
Sent: Wed 9/24/2014 12:35:08 AM
Subject: Re: Confidential wells; new lawsuit

I guess no one from EPA will be returning Peter Candy's phone call.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

[redacted]

Brett Moffatt

US EPA, Region 9

(415) 972-3946

From: Reeves, Bruce@DOC [mailto:Bruce.Reeves@conservation.ca.gov]
Sent: Tuesday, September 23, 2014 3:30 PM
To: Moffatt, Brett
Cc: St. Michel, Graham@DOC; Findley, Timothy@DOC
Subject: UIC: Confidential wells; new lawsuit

Brett:

Got your voicemail. Sorry for the delay.

My understanding is that it is nearly impossible to have a confidential well into a non-hydrocarbon producing zone. By nature, confidential wells are to protect the operator's work and information to produce hydrocarbons. I don't believe we would every approve a request for a confidential status for an injection well injecting into a non-hydrocarbon producing zone, hence none should have shown up on the list provided.

In other news, Hathaway LLC has just filed suit seeking to compel us to grant an injection permit into one of the 1985 aquifers. They filed their application in November of last year, but we haven't acted on it. They allege the target zone was "confirmed" by USEPA to be exempt in the 1985 Frank Covington letter.

A copy of the writ petition is attached. Let me know if you have any questions.

Might we be expecting any documents from you on the 1985 letter question any time soon?

Bruce Reeves

Chief Counsel

Department of Conservation

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(916) 323-6733

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