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April 22, 2015

VIA ELECTRONICALLY AND OVERNIGHT MAIL

National Freedom of Information Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460
(202) 566-1667

Regional Freedom of Information Officer
U.S. EPA, Region 9
75 Hawthorne Street (OPPA-2)
San Francisco, CA 94105
(415) 947-4251

Re: RE: FREEDOM OF INFORMATION ACT REQUEST

This is a request under the Freedom of Information Act, 5 U.S.C. § 552 and 40 C.F.R. Sections 2.100 *et seq.* We request that a copy of the documents described below be produced for inspection and/or copying:

DEFINITIONS

1. The term "ADMINISTRATIVE BOUNDARY" means the administrative boundary of an oil or gas field as defined by DOGGR. Attached as Exhibit A is a document showing the current ADMINISTRATIVE BOUNDARY established by DOGGR for the Elk Hills Oil Field.

2. The term "COMMUNICATION" means any oral, written, or electronic transmission of information, including, but not limited to meetings, discussions, conversations, telephone calls, memoranda, letters or correspondence, e-mails, telegrams, telecopies, telexes, conferences, seminars, messages, notes or reports.

3. The term "DOCUMENT" means handwriting, typewriting, printing, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing, any form of communication or representation, including letters, words, pictures, sounds, or

symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. It includes all writings or COMMUNICATIONS in the agency's actual or constructive possession, custody or control or of which the agency has knowledge of the existence, and whether prepared, published, or released by the agency or by any other person or entity. "DOCUMENT" includes every copy of a DOCUMENT that is not identical to the original, whether because of notes made on or attached to such copy, or otherwise; and all other handwritten, typed, printed, recorded or graphic matter or sound reproductions, however produced or reproduced, and whether copies or originals, as well as any electronically stored documents, recordings, or files (including those stored on laptop computers), such as, for example, e-mails, and other documents stored on audiotape, magnetic tape, computer disks, computer hard-drives, CD-ROMS, videotapes, or optical forms of storage. For DOCUMENTS that exist in electronic form (even if they also exist in hard copy), the DOCUMENTS must be produced in their existing electronic format or in another electronic format that preserves any metadata associated with the DOCUMENTS.

4. The term "DOE" means the U.S. Department of Energy, and all directors, officers, employees, and agents thereof.

5. The term "DOGGR" means the California Department of Conservation, Division of Oil, Gas and Geothermal Resources, and includes any predecessor agency, and all directors, officers, employees, and agents thereof.

6. The term "ELK HILLS OIL FIELD AQUIFER" refers to any underground source of drinking water, as defined by Section 146.3, title 40, of the Code of Federal Regulations, located within the ADMINISTRATIVE BOUNDARY of the Elk Hills Oil Field. The term "ELK HILLS OIL FIELD AQUIFER" includes but is not limited to the TULARE ZONE.

7. The term "EXEMPTION" refers to the exemption of an aquifer under the SDWA, as provided for in Sections 144.7(b) and 146.4, title 40, of the Code of Federal Regulations.

8. The term "RELATED TO" means to constitute, contain, relate to, refer to, reflect, evidence, reference, touch upon, discuss, mention, concern, pertain to, support, summarize, analyze or in any way logically or factually connect with the matter discussed.

9. The term "SDWA" means the federal Safe Drinking Water Act, 42 U.S.C. § 300f, et seq., and includes the regulations for the Underground Injection Control Program, 40 C.F.R. Parts 144 through 148.

10. The term "TULARE ZONE" refers to any portion of the Tulare formation located within the ADMINISTRATIVE BOUNDARY of the Elk Hills Oil Field.

11. The term "USEPA" means the United States Environmental Protection Agency and, for purposes of this FOIA request, includes all directors, officers, employees, agents, and constituent regions thereof, including Region 9.

DOCUMENT DESCRIPTION

1. All DOCUMENTS RELATED TO any EXEMPTION of the TULARE ZONE under the SDWA.

2. All DOCUMENTS RELATED TO any EXEMPTION of any ELK HILLS OIL FIELD AQUIFER under the SDWA.

3. All DOCUMENTS RELATED TO the re-injection of oil field produced water into the TULARE ZONE.

4. All DOCUMENTS RELATED TO the use of enhanced oil recovery activities within the TULARE ZONE.

5. All DOCUMENTS RELATED TO the re-injection of oil field produced water into any ELK HILLS OIL FIELD AQUIFER.

6. All DOCUMENTS RELATED TO the use of enhanced oil recovery activities within any ELK HILLS OIL FIELD AQUIFER.

7. All DOCUMENTS RELATED TO COMMUNICATIONS with the DOE RELATED TO the EXEMPTION of the TULARE ZONE under the SDWA.

8. All DOCUMENTS RELATED TO COMMUNICATIONS with the DOE RELATED TO the EXEMPTION of any ELK HILLS OIL FIELD AQUIFER under the SDWA.

9. All DOCUMENTS RELATED TO COMMUNICATIONS with the DOE RELATED TO the re-injection of oil field produced water into the TULARE ZONE.

10. All DOCUMENTS RELATED TO COMMUNICATIONS with the DOE RELATED TO the use of enhanced oil recovery activities within the TULARE ZONE.

11. All DOCUMENTS RELATED TO COMMUNICATIONS with the DOE RELATED TO the re-injection of oil field produced water into any ELK HILLS OIL FIELD AQUIFER.

12. All DOCUMENTS RELATED TO COMMUNICATIONS with the DOE RELATED TO the use of enhanced oil recovery activities within any ELK HILLS OIL FIELD AQUIFER.

13. All DOCUMENTS RELATED TO COMMUNICATIONS with DOGGR RELATED TO the EXEMPTION of the TULARE ZONE under the SDWA.

14. All DOCUMENTS RELATED TO COMMUNICATIONS with DOGGR RELATED TO the EXEMPTION of any ELK HILLS OIL FIELD AQUIFER under the SDWA.

15. All DOCUMENTS RELATED TO COMMUNICATIONS with DOGGR RELATED TO the re-injection of oil field produced water into the TULARE ZONE.

16. All DOCUMENTS RELATED TO COMMUNICATIONS with DOGGR RELATED TO the use of enhanced oil recovery activities within the TULARE ZONE.

17. All DOCUMENTS RELATED TO COMMUNICATIONS with DOGGR RELATED TO the re-injection of oil field produced water into any ELK HILLS OIL FIELD AQUIFER.

18. All DOCUMENTS RELATED TO COMMUNICATIONS with DOGGR RELATED TO the use of enhanced oil recovery activities within any ELK HILLS OIL FIELD AQUIFER.

19. All DOCUMENTS RELATED TO any evaluation done by the USEPA RELATED TO the EXEMPTION of the TULARE ZONE under the SDWA.

20. All DOCUMENTS RELATED TO any evaluation done by the USEPA RELATED TO the EXEMPTION of any ELK HILLS OIL FIELD AQUIFER under the SDWA.

21. All DOCUMENTS RELATED TO any evaluation done by the USEPA RELATED TO the effect of the implementation of the SDWA on the re-injection of produced water into any ELK HILLS OIL FIELD AQUIFER.

22. All DOCUMENTS RELATED TO any evaluation done by the USEPA RELATED TO the effect of the implementation of the SDWA on the use of enhanced oil recovery activities within any ELK HILLS OIL FIELD AQUIFER.

23. All DOCUMENTS RELATED TO any evaluation done by the USEPA at or around the adoption of the SDWA in 1974 RELATED TO the EXEMPTION of the TULARE ZONE under the SDWA.

24. All DOCUMENTS RELATED TO any evaluation done by the USEPA at or around the adoption of the SDWA in 1974 RELATED TO the EXEMPTION of any ELK HILLS OIL FIELD AQUIFER under the SDWA.

25. All DOCUMENTS RELATED TO any evaluation done by the USEPA at or around the adoption of the SDWA in 1974 RELATED TO the effect of the implementation of the SDWA on the re-injection of produced water into any ELK HILLS OIL FIELD AQUIFER.

26. All DOCUMENTS RELATED TO any evaluation done by the USEPA at or around the adoption of the SDWA in 1974 RELATED TO the effect of the implementation of the SDWA on the use of enhanced oil recovery activities within any ELK HILLS OIL FIELD AQUIFER.

27. All DOCUMENTS RELATED TO any evaluation done by the USEPA at or around the time of the USEPA/DOGGR Primacy Agreement in September 1982 RELATED TO the EXEMPTION of the TULARE ZONE under the SDWA.

28. All DOCUMENTS RELATED TO any evaluation done by the USEPA at or around the time of the USEPA/DOGGR Primacy Agreement in September 1982 RELATED TO the EXEMPTION of any ELK HILLS OIL FIELD AQUIFER under the SDWA.

29. All DOCUMENTS RELATED TO any evaluation done by the USEPA at or around the time of the USEPA/DOGGR Primacy Agreement in September 1982 RELATED TO the effect of the implementation of the SDWA on the re-injection of produced water into any ELK HILLS OIL FIELD AQUIFER.

30. All DOCUMENTS RELATED TO any evaluation done by the USEPA at or around the time of the USEPA/DOGGR Primacy Agreement in September 1982 RELATED TO the effect of the implementation of the SDWA on the use of enhanced oil recovery activities within any ELK HILLS OIL FIELD AQUIFER.

31. All DOCUMENTS RELATED TO any evaluation done by the USEPA at or around the transfer of the Elk Hills Naval Petroleum Reserve to Occidental Petroleum in February 1998 RELATED TO the EXEMPTION of the TULARE ZONE under the SDWA.

32. All DOCUMENTS RELATED TO any evaluation done by the USEPA at or around the transfer of the Elk Hills Naval Petroleum Reserve to Occidental Petroleum in February 1998 RELATED TO the EXEMPTION of any ELK HILLS OIL FIELD AQUIFER under the SDWA.

33. All DOCUMENTS RELATED TO any evaluation done by the USEPA at or around the transfer of the Elk Hills Naval Petroleum Reserve to Occidental Petroleum in February 1998 RELATED TO the effect of the implementation of the SDWA on the re-injection of produced water into any ELK HILLS OIL FIELD AQUIFER.

34. All DOCUMENTS RELATED TO any evaluation done by the USEPA at or around the transfer of the Elk Hills Naval Petroleum Reserve to Occidental Petroleum in February 1998 RELATED TO the effect of the implementation of the SDWA on the use of enhanced oil recovery activities within any ELK HILLS OIL FIELD AQUIFER.

35. All DOCUMENTS RELATED TO any representations by USEPA to Occidental Petroleum in connection with the transfer of the Elk Hills Naval Petroleum Reserve to Occidental Petroleum in February 1998 that were RELATED TO the status of any underground injection wells in the Elk Hills Oil Field under the SDWA.

36. All DOCUMENTS RELATED TO any representations by USEPA to Occidental Petroleum in connection with the transfer of the Elk Hills Naval

Petroleum Reserve to Occidental Petroleum in February 1998 that were RELATED TO the status of any ELK HILLS OIL FIELD AQUIFER under the SDWA.

If any part of this request is denied, please justify the response by reference to specific exemptions of FOIA. If you determine that some portions of the requested records are exempt from disclosure, please provide me with the non-exempt portions that can be disclosed. If you withhold any portions of the requested records are otherwise responsive to the requests, please provide me with the basis for withholding these documents. I look forward to your response within twenty working days as provided by statute and regulation.

In order to help determine the assessment of fees, you should know that this firm is a private entity seeking information for use in the normal course of business. We are willing to pay reasonable fees and photocopying costs for this request. If you estimate that the fees will exceed $1,000, please inform us first. We reserve the right to inspect the documents in lieu of receiving photocopies.

Please send the requested documents to my attention at Gibson, Dunn & Crutcher, LLP, 333 South Grand Avenue, Suite 4600, Los Angeles, California 90071. If you have any questions about this request, please contact me at the number listed above.

Thank you in advance for your prompt consideration of this request.

Sincerely,

Patrick Dennis /Mar

Patrick W. Dennis

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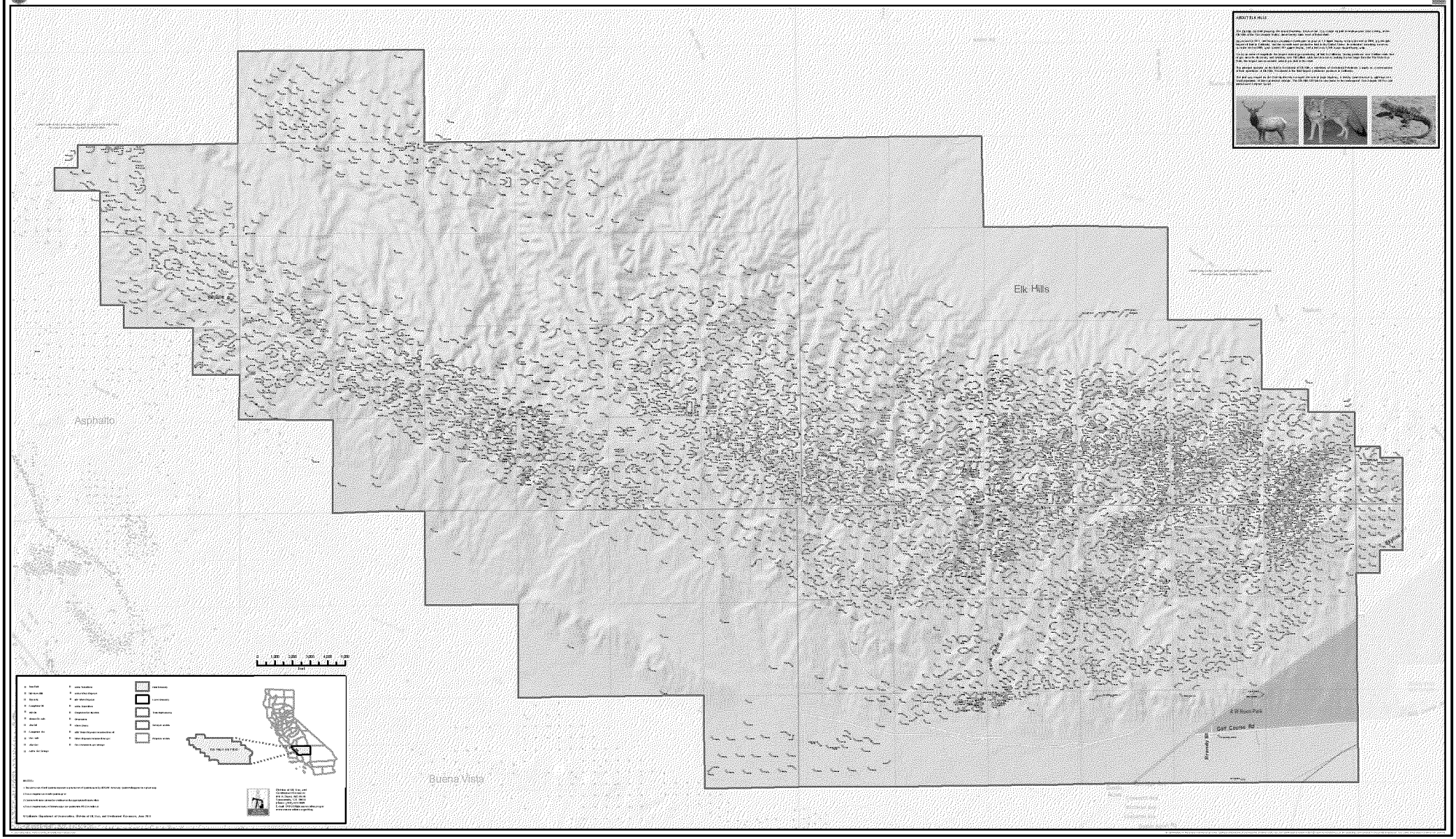
EDMUND G. BROWN, JR., GOVERNOR, STATE OF CALIFORNIA
JOHN LAIRD, SECRETARY, NATURAL RESOURCES AGENCY

ELK HILLS OIL FIELD

DERK CRIDDLE, ACTING DIRECTOR, DEPARTMENT OF CONSERVATION
ELENA M. MILLER, STATE OIL & GAS SUPERVISOR



ABOUT ELK HILLS

Elk Hills is the only federal property that is a producing oil and gas field. Located in Kern County, about 20 miles southwest of Bakersfield, Elk Hills is the 7th largest oil field in the state of California.

Discovered in 1911, Elk Hills was a strategic petroleum reserve, or one of a 3 digit number, set aside in 1912, by President Taft, to provide fuel to the Navy. Elk Hills produces both petroleum and natural gas. Elk Hills is the 7th largest oil field in California, and the 3rd largest natural gas field in the United States. Its cumulative production is over 1 billion barrels of oil, and over 2 trillion cubic feet of natural gas. Elk Hills is 7.5 miles in length and 3 miles wide, and covers 47 square miles, and is 3,500 acres in area.

Elk Hills is one of California's two largest natural gas producers, at 100 million cubic feet per day. Elk Hills produces over 1 billion cubic feet of gas annually. Elk Hills, and Elk Hills' sister field Buena Vista, employs 1,500 people from the Kern County area. The largest non-government employer in Kern County is Elk Hills.

The physical operator of Elk Hills is Occidental of Elk Hills, a subsidiary of Occidental Petroleum. It supplies all administrative and field operations at Elk Hills. Occidental is the 2nd largest petroleum producer in California.

Oil and gas created in the Elk Hills reservoir is a result of the action of high temperature, & deep pressure over a long period of time. The Elk Hills oil field is also known to be underpressured. Gas is liquid, but is not considered a liquid. Gas is gas.

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