To: Albright, David[Albright.David@epa.gov]; Rao, Kate[Rao.kate@epa.gov]; Engelman, Alexa[ENGELMAN.ALEXA@EPA.GOV]; Moffatt, Brett[Moffatt.Brett@epa.gov]; Keener, Bill[Keener.Bill@epa.gov]; Zito, Kelly[ZITO.KELLY@EPA.GOV]
Cc: Maier, Brent[Maier.Brent@epa.gov]
From: Skadowski, Suzanne
Sent: Thur 2/12/2015 11:45:14 PM
Subject: RE: Question from Rep. Jared Huffman (CA-02) on Calif. UICs violation of the Safe Drinking Water Act

Ex. 5 - Attorney Client

Suzanne Skadowski
Public Affairs Specialist
U.S. Environmental Protection Agency | San Francisco
D: 415-972-3165| **C**: 415-265-2863| **E:** skadowski.suzanne@epa.gov

From: Albright, David
Sent: Thursday, February 12, 2015 12:13 PM
To: Skadowski, Suzanne; Rao, Kate
Cc: Engelman, Alexa; Moffatt, Brett
Subject: RE: Question from Rep. Jared Huffman (CA-02) on Calif. UICs violation of the Safe Drinking Water Act

With this, I am copying Alexa and Brett, as they will likely need to write any response to this inquiry.

From: Skadowski, Suzanne
Sent: Thursday, February 12, 2015 11:54 AM
To: Rao, Kate; Zito, Kelly; Keener, Bill; Albright, David; Montgomery, Michael
Subject: Question from Rep. Jared Huffman (CA-02) on Calif. UICs violation of the Safe Drinking Water Act

I'll let the congressman's office know we will work on getting a response. Can we talk about this at/after this afternoon's RA briefing? Thanks!

Suzanne Skadowski
Public Affairs Specialist
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D: 415-972-3165| **C**: 415-265-2863| **E:** skadowski.suzanne@epa.gov

From: Ferree, Logan [mailto:Logan.Ferree@mail.house.gov]
Sent: Thursday, February 12, 2015 11:41 AM
To: Skadowski, Suzanne
Subject: RE: Question on California Injection

Suzanne, I have a follow up question, happy to talk to you or Brent about this.

I'm trying to wrap my head around how these injections can continue in some cases if the state permits were issued in violation of the Safe Drinking Water Act. I saw that within California's proposal for compliance included shutting by October up to 140 wells, but my understanding is that there was more than 2,500 wells that violated the Act. What's the authority that allows them to continue to operate, at all, if their permits were improperly issued? Thanks for your help.

Logan H. Ferree

Senior Legislative Assistant

Office of Congressman Jared Huffman (CA-02)

1630 Longworth HOB | Washington DC 20515

(202) 225-5161 | huffman.house.gov

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From: Ferree, Logan
Sent: 06 February, 2015 1:59 PM
To: 'Skadowski, Suzanne'
Subject: RE: Question on California Injection

Much appreciated, thank you.

From: Skadowski, Suzanne [mailto:Skadowski.Suzanne@epa.gov]
Sent: 06 February, 2015 1:46 PM
To: Ferree, Logan
Cc: Maier, Brent
Subject: RE: Question on California Injection

Hi Logan,

I'm EPA's press officer for Northern California and also our backup congressional liaison. So I'm happy to help you with this question.

You are correct, EPA's authority here is the Safe Drinking Water Act. Below is a very brief summary of a quite complex situation - EPA Region 9's review of the state of California's Underground Injection Control (UIC) Class II Program. If you wish, I can also send you EPA's most recent letter to the state regarding our review of their permitting program and requests for actions to come into compliance with the SDWA.

On July 17 and December 22, 2014, U.S. EPA Region 9 sent letters to California's Department of Conservation, Division of Oil, Gas and Geothermal Resources (DOGGR) and Water Resources Control Board (Water Board)

(collectively, the State) highlighting concerns, providing direction and requesting information about DOGGR's implementation of its underground injection control program for oil and gas-related (Class II) wells. EPA Region 9 audited DOGGR's Class II UIC primacy program in 2011 and identified substantial implementation deficiencies and, in 2012, conducted a review of aquifer exemptions that raised questions about the alignment of injection wells with EPA-approved exemption boundaries. EPA's letters responded to DOGGR's lack of progress in addressing these issues over the prior two years. Further, in the first half of 2014, the State identified some injection wells that the State had authorized to inject Class II fluids into aquifers with less than 3,000 ppm Total Dissolved Solids (a category of aquifers that would typically warrant protection for potential future use as drinking water under the Safe Drinking Water Act), that EPA had not exempted, and the State subsequently shut down these injection wells. EPA has been meeting regularly with senior officials with the Department of Conservation, DOGGR, the Water Board and the Central Valley Regional Water Board to discuss the State's ongoing assessment of drinking water sources that may be impacted by improper injection, documentation pertaining to aquifer exemptions in California, and specific data about any Class II injection wells that may be injecting into non-exempt aquifers. EPA's December 22 letter directs the State to submit a Program Revision Plan by February 6, 2015 providing for full compliance with the SDWA by February 2017. While EPA's letter directed the State to ensure that the Plan will bring the State's injection program back into full compliance with the Safe Drinking Water Act (SDWA) by 2017, EPA and the State will also continue to pursue immediate action to shut down any injection wells that are found to be in close proximity to current drinking water supply wells.

Please let me know if you have any questions or need any more information. Thank you.

Suzanne Skadowski
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From: Ferree, Logan [mailto:Logan.Ferree@mail.house.gov]
Sent: Friday, February 06, 2015 10:35 AM
To: Skadowski, Suzanne
Subject: Question on California Injection

Suzanne, I sent this to Brent but it looks like he's out of the office. Appreciate any help on tracking this down, but also happy to wait for Brent to get back on Monday. Enjoy your weekend.

My boss had some questions after reading the AP Article today (http://www.thestate.com/2015/02/05/3971178_california-authorizes-oilfield.html?rh=1) about EPA's concerns with California's permitting of injection of production fluids and waste into aquifers.

Specifically, what is the hook that brings in the federal protection and EPA? Is this about compliance with the Safe Drinking Water Act, or I noted that some of these aquifers are under BLM lands. Or is it both?

Thanks for your help. Any additional information you're able to share would be appreciated.

Logan H. Ferree

Senior Legislative Assistant

Office of Congressman Jared Huffman (CA-02)

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