

# **NOTICE OF PROPOSED AQUIFER EXEMPTION**

Notice Published November 6, 2018

**NOTICE IS HEREBY GIVEN** that the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (Division), in consultation with the staff of the State Water Resources Control Board (State Water Board) and the Central Valley Regional Water Quality Control Board, is considering recommending that the United States Environmental Protection Agency (US EPA) approve an aquifer exemption for the following Proposal Area:

**Field:** Midway-Sunset Oil Field  
**County:** Kern County and San Luis Obispo County, California  
**Class and Well Type:** Class II, Water Disposal and Enhanced Oil Recovery  
**Geologic Formations:** Potter Sands, Spellacy Sands, Miocene Shales/Warson Sands and the Lower Antelope Sands  
**Federal Exemption Criteria:** 40 CFR §§ 146.4(a) and 146.4(c)

If approved by the US EPA, this aquifer exemption proposal would clarify that the Proposal Area may be a suitable location for Class II injection to occur. However, approval of the proposed aquifer exemption would not, by itself, authorize any new injection activity. Approval to operate a Class II injection project involves a regulatory process separate from aquifer exemption.

The Division and the State Water Board invite comments from the public regarding whether this aquifer exemption proposal meets the criteria for recommendation to the US EPA.

## **WRITTEN COMMENT PERIOD AND PUBLIC HEARING**

<b><u>Written Comments</u></b>	<b><u>Public Hearing</u></b>
<p>Written comments regarding the proposed action may be submitted in any of the following ways:</p> <ul style="list-style-type: none"><li>• In person at the public hearing</li><li>• By email to <a href="mailto:comments@conservation.ca.gov">comments@conservation.ca.gov</a></li><li>• By facsimile (FAX) to (916) 324-0948</li><li>• By mail to:  ATTN: Aquifer Exemption Department of Conservation 801 K Street, MS 24-02 Sacramento, CA 95814</li></ul> <p><b>Comment Deadline:</b> <b>6 P.M., Thursday, December 6, 2018</b></p>	<p><b>December 6, 2018 at 4 P.M.</b> Four Points Sheraton 5101 California Avenue Bakersfield, CA 93309</p> <p>Following a brief presentation describing the aquifer exemption proposal, Division and State Water Board staff will provide an opportunity for the public to present written or oral comments regarding the proposed action.</p>

### **Language Services at the Public Hearing**

Services, such as translation between English and other languages, may be provided upon request. To ensure availability of these services, please make your request no later than ten working days prior to the hearing by calling the staff person referenced in this notice.

*Servicios, como traducción de Inglés a otros idiomas, pueden hacerse disponibles si usted los pide en avance. Para asegurar la disponibilidad de éstos servicios, por favor haga su petición al mínimo de diez días laborables antes de la reunión, llamando a la persona del personal mencionada en este aviso.*

### **RESPONSE TO COMMENTS**

Following the written comment period and public hearing, Division and State Water Board staff will review all timely and relevant comments received (including oral comments received at the hearing). Division and State Water Board staff will then consider whether to make any changes to the aquifer exemption proposal. If Division and State Water Board staff make any substantial changes to the scope of the proposed aquifer exemption, they will provide notice of a 15-day supplemental period to receive public comments on those changes.

After reviewing the comments received, Division and State Water Board staff will decide whether to submit the proposed aquifer exemption to the US EPA for its review and possible approval. If the Division and State Water Board elect to submit the proposed aquifer exemption to the US EPA, the Division will produce, in cooperation with State Water Board staff, a document that summarizes the substantive comments received and the disposition of those comments, and will include that document among the materials sent to the US EPA, along with a copy of all comments received.

### **ADDITIONAL INFORMATION**

Important information regarding the legal criteria and factual observations pertinent to this aquifer exemption proposal is summarized in a **Statement of Basis** document.

The **Statement of Basis** document, along with the other materials supporting this aquifer exemption proposal, are available online via the Division's website:

[www.conservation.ca.gov/dog/Pages/Aquifer\\_Exemptions.aspx](http://www.conservation.ca.gov/dog/Pages/Aquifer_Exemptions.aspx)

These materials may also be obtained from the Division's local district office, located at:

4800 Stockdale Hwy, Suite 100  
Bakersfield, CA 93309  
Phone: (661) 322-4031

Inquiries regarding this notice may be directed to:

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