

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ORDER R5-2013-XXXX

WASTE DISCHARGE REQUIREMENTS
FOR

AERA ENERGY LLC
FOR
POST-CLOSURE MAINTENANCE AND CORRECTIVE ACTION
NORTH SURFACE IMPOUNDMENTS
NORTH BELRIDGE OIL FIELD, KERN COUNTY

The California Regional Water Quality Control Board, Central Valley Region (hereafter Central Valley Water Board) finds that:

1. Aera Energy LLC (hereafter Discharger), a California limited liability company, owns and maintains the former North surface impoundments in the North Belridge Oil Field. The impoundments included 16 individual unlined pond cells in the SE1/4 of Section 26, T27S, R20E, MDB&M (Assessor Parcel Number 069-220-36).
2. The North Belridge Oil Field is on the west side of the San Joaquin Valley, approximately 45 miles west-northwest of the city of Bakersfield and seven miles southwest of Lost Hills, in Kern County as shown on Attachment A, which is attached to and made part of this Order.
3. The former impoundments covered an area of approximately 35 acres as shown on Attachment B, which is attached to and made part of this Order.
4. Non-hazardous oilfield production wastewater from the Discharger's oil production wells and filter backwash water from the Discharger's water treatment plant were discharged to the impoundments for disposal by evaporation and percolation. Disposal occurred from the 1950's until 2007.
5. The former impoundments are currently regulated by Waste Discharge Requirements Resolution No. 58-183 (WDRs). The WDRs were issued in 1958 to Belridge Oil Company, a predecessor company to the Discharger.
6. The Discharger submitted a Closure Plan on 6 March 2008. In correspondence dated 15 May 2008, Central Valley Water Board staff concurred with the proposed closure plan and requested submittal of additional information. The Discharger submitted the additional information in correspondence dated 6 June 2008, 11 July 2008, and 24 December 2008.
7. This Order describes requirements for post-closure maintenance and monitoring of the closed impoundments and a groundwater corrective action and monitoring program.

SITE DESCRIPTION

8. The North Belridge Oil Field is on the Antelope Plain, an alluvial piedmont with coalescing alluvial fans from the Temblor Range to the west. The region slopes east towards the San Joaquin Valley.

9. The land use consists of oil and gas production around and to the southwest of the former impoundments. State Highway 33 is about 500 feet to the northeast of the former impoundments. Irrigated row crops are grown to the northeast of the highway.
10. The former impoundments are in the South Valley Floor Hydrologic Unit, Antelope Plain Hydrologic Area (No. 558.60), as depicted on interagency hydrogeologic maps, prepared by the Department of Water Resources in August 1986.
11. The climate in the area is semi-arid, with hot, dry summers and cool winters. Weather data through 1997 from a monitoring station at South Belridge indicates the average annual precipitation is 5.96 inches. The annual Class A pan evaporation rate is approximately 108 inches at Lost Hills.
12. At the former impoundments, the 100-year, 24-hour precipitation event from Figure 43 in the *Precipitation Frequency Atlas of Western United States*, Volume XI-California published by the United States Department of Commerce, National Oceanic and Atmospheric Administration, is about 2.1 inches.
13. Federal Emergency Management Agency Flood Insurance Rate Map, Community Panel Number 06029C1175E, dated 26 September 2008, shows the closed impoundments are not within the 100-year floodplain.
14. The former impoundments are in the Kern County Basin Hydrologic Unit, Detailed Analysis Unit 259. The designated beneficial uses of the groundwater, as specified in the Basin Plan, are municipal and domestic supply (MUN), agricultural supply (AGR), and industrial service supply (IND).
15. No known Holocene faults traverse or are projected through the area. The nearest Holocene fault is the San Andreas Fault zone, located 15 miles southwest of the former impoundments.

SURFACE WATER AND GROUNDWATER CONDITIONS

16. *The Water Quality Control Plan for the Tulare Lake Basin, Second Edition*, revised January 2004, (Basin Plan), designates beneficial uses of the waters of the State and establishes water quality objectives and implementation plans and policies for all waters of the Basin.
17. An unnamed intermittent stream channel traverses through the center of the former impoundments and terminates approximately 2,000 feet to the northeast of the former impoundments. Natural flow in the channel occurs during infrequent storm events.
18. The stratigraphy consists of two geologic units. The youngest unit is Alluvium consisting of unconsolidated sand and silt layers and lenses of clay. Underlying the Alluvium is an unconformity. Below the unconformity are sandy-silts and silty-clays of the upper Tulare Formation of Pleistocene age. The stratigraphy is shown on Attachment C, which is attached to and made part of this Order.
19. No drinking water wells are within one mile of the facility. The nearest water supply wells are in unincorporated Spicer City about 11 miles east-southeast of the facility.

20. Native groundwater (Aquifer I) is present in the Alluvium (Aquifer I) as part of a regional aquifer system. During November 2012, native groundwater in Aquifer I was measured at a depth of approximately 154 feet below ground surface (bgs) in well 25H1. Groundwater in Aquifer II was measured at a depth of approximately 269 feet bgs in well 285(3)-26.

GROUNDWATER MONITORING

21. Groundwater monitoring and reporting is regulated by Monitoring and Reporting Program No. 5-00-854.
22. The groundwater monitoring program currently consists of eight wells with seven wells monitoring Aquifer I and one well monitoring Aquifer II. Monitoring wells 25C1, 25N1, and 26A1 were installed in 2005. Monitoring wells 14R1, 19M1, and 25H1 were installed in 2006. Monitoring well 285(3)-26 was installed in 1989. The well locations are shown on Attachment B.
23. The Discharger submitted monitoring information stating that in 2007 the groundwater flow direction in the Aquifer I was N22E at a gradient of 0.0225 feet/foot or 118.8 feet per mile. The Discharger submitted information stating that in 2012 the groundwater flow direction in the Aquifer I was N18E at a gradient of 0.0179 feet/foot or 94.5 feet per mile.
24. The Discharger submitted monitoring information stating that in 2007, the groundwater elevation in monitoring well 276(2)-26 was 535.72 feet above mean sea level (AMSL). The groundwater elevation in well 276(2)-26 has steadily decreased since 2007 to 498.40 feet AMSL in 2012, indicating the height of the wastewater mound beneath the former impoundments is decreasing.

GROUNDWATER DEGRADATION

25. The Discharger completed an Evaluation Monitoring Program (EMP) and determined that wastewater migrated from the impoundments and impacted groundwater in the Alluvium. Impacted groundwater is enriched with the isotopes of oxygen-18 and deuterium and has elevated concentrations of total alkalinity, specific electrical conductance (EC), Total Dissolved Solids (TDS), sodium, chloride, and boron.
26. Seven monitoring wells were sampled from 2005 through 2012 and one monitoring well was sampled from 1990 to 2012. The concentration ranges for the constituents of concern, COCs (TDS, chloride, and boron) are shown in Table 1:

TABLE 1

Well	Constituent	Range of Analytical Results (mg/L)
14R1	TDS	3,000 – 3,400
Sentinel Well	Chloride	530 – 650
	Boron	3.4 – 4.3
19M1	TDS	2,800 – 4,100

Sentinel Well	Chloride	450 – 590
	Boron	3.3 – 4.4
25H1	TDS	2,400 – 3,7300
Sentinel Well	Chloride	490 – 840
	Boron	1.2 – 4.2
25C1	TDS	17,000 – 51,000
	Chloride	6,400 – 21,000
	Boron	4.9 – 28
25N1	TDS	9,700 – 16,000
	Chloride	4,000 – 6,000
	Boron	4.0 – 6.6
26A1	TDS	37,000 – 54,000
	Chloride	18,000 – 23,000
	Boron	45 – 77
276(2)-26	TDS	30,800 – 66,200
	Chloride	17,000 – 27,000
	Boron	83 – 96
285(3)-26	TDS	3,200 – 3,900
	Chloride	460 – 610
	Boron	2.1 – 9.4

Well 285(3)-26 monitors Aquifer II. All other wells monitor Aquifer I.

27. The analytical results in Table 1 indicate groundwater in Aquifer I is impacted by wastewater from the former impoundments in all wells except sentinel wells 14R1, 19M1, and 25H1.
28. The lateral extent of wastewater migration from the former impoundments in Aquifer I extends downgradient and to the northeast of monitoring well 25C1 (Attachment C).
29. Twenty two years of groundwater monitoring data from well 285(3)-26 indicates groundwater in Aquifer II is not impacted by wastewater from the former impoundments (Attachment C).

CLOSURE

30. Between April 2011 and June 2012, the Discharger closed the impoundments with some residual waste remaining in place beneath an engineered cover soil. Closure activities included excavation of waste, confirmation soil sampling, construction of at least one foot of foundation backfill, a minimum one foot of soil as final cover, and submittal of a Closure Certification Report.

31. The Closure Certification Report (Report), dated 20 December 2012, contains all Construction Quality Assurance data. The Report certified that the impoundments were closed in accordance with the approved closure plan and addendum.
32. Central Valley Water Board staff has reviewed the Report and determined the Discharger completed closure of the impoundments in accordance with the approved closure plan and addendum.

POST- CLOSURE MAINTENANCE AND MONITORING

33. The Report includes a facility Post-Closure Maintenance and Monitoring Plan. Post-closure maintenance and monitoring activities include: (a) an annual inspection of the condition of the cover soil and native vegetation prior to the rainy season but no later than 30 September; (b) mapping and repairing of any depressions, cracks, erosion channels, or other visible damage; (d) annual monitoring of the moisture content in the cover soil to confirm the previous vadose zone model result; (e) annual monitoring of groundwater in the seven wells monitoring Aquifer I for the constituents listed in section 3.3 of the *Post-Closure Groundwater Monitoring Plan* dated 17 September 2012; and (f) submittal of an annual report documenting the results of post-closure maintenance and monitoring activities.

CORRECTIVE ACTION PROGRAM

34. The Discharger submitted a groundwater Corrective Action Plan in 2011. Three corrective action alternatives were proposed: no further action; monitored natural attenuation (MNA); and groundwater containment/extraction and treatment. The Corrective Action Plan evaluated the alternatives and selected MNA as the appropriate alternative.
35. In correspondence dated 1 May 2012, Central Valley Water Board staff concurred that MNA is the appropriate corrective action alternative because: (a) the discharge of wastewater to the ponds had ceased; (b) the COCs concentrations in groundwater appeared stable; (c) corrective action alternatives other than MNA are not economically feasible; and, (d) MNA would achieve the long-term goal of limiting the extent and concentration of the COCs in groundwater. The correspondence also stated that the Discharger needed to continue monitoring groundwater until Central Valley Water Board staff determines the COCs have decreased to background concentrations or that background concentrations cannot be technologically or economically achieved.
36. The Discharger is required to collect and analyze groundwater samples annually for those constituents listed in Table I in the attached Monitoring and Reporting Program.

CEQA AND OTHER REGULATORY CONSIDERATIONS

37. The action to adopt waste discharge requirements for this existing facility is exempt from the provisions of the California Environmental Quality Act (CEQA), Public Resources Code, section 21000, et seq., and the CEQA guidelines, in accordance with Title 14, section 15301.
38. California Water Code section 13267(b)(1) states that: "*In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who*

proposes to discharge waste within its region... shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports."

39. This Order implements:
- a. *The Water Quality Control Plan for the Tulare Lake Basin, Second Edition (Revised 2004)*; and,
 - b. The performance goals in Title 27 for the closure and post-closure of Class II surface impoundments.
40. Based on site conditions, the threat and complexity of the discharge, the facility is determined to be classified 3B as defined below:
- a. Category 3 threat to water quality, defined as: "Those discharges of waste that could degrade water quality without violating water quality objectives, or could cause a minor impairment of designated beneficial uses as compared with Category 1 and Category 2."
 - b. Category B complexity, defined as: "Any discharger not included in Category A that has physical, chemical, or biological treatment system, or any Class 2 or Class 3 waste management units."
41. Technical reports required by this Order and the attached MRP, are necessary to ensure compliance with the WDRs. The Discharger owns the facility that is subject to this Order.

PROCEDURAL REQUIREMENTS

42. All local agencies with jurisdiction to regulate land use, solid waste disposal, air pollution, and to protect public health have approved the use of this site for the discharges of waste to land stated herein prior to closure.
43. The Central Valley Water Board notified the Discharger, and interested agencies and persons of its intent to prescribe WDRs for the facility, and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
44. The Central Valley Water Board, in a public meeting, heard and considered all comments pertaining to the proposed WDRs.

IT IS HEREBY ORDERED, pursuant to the California Water Code sections 13263 and 13267, that Waste Discharge Requirements Resolution No. 58-183 and Monitoring and Reporting Program No. 5-00-854 are rescinded, and that Aera Energy LLC, its agents, successors, and assigns, in order to meet the provisions of Division 7 of the California Water Code and the regulations adopted thereunder, shall comply with the following:

A. PROHIBITIONS

1. The discharge to land of any type of solid or liquid waste at this facility is prohibited.

B. FACILITY SPECIFICATIONS

1. The Discharger shall immediately notify the Central Valley Water Board of any flooding, unauthorized discharge of waste, or other change in site conditions which could impair the integrity of the cover at the facility.
2. The Discharger shall maintain in good working order any monitoring device installed to achieve compliance with this Order.

C. POSTCLOSURE MAINTENANCE AND MONITORING SPECIFICATIONS

1. The facility shall be maintained during post-closure to prevent a pollution or nuisance as defined by the Water Code, section 13050.
2. The closure cover shall be maintained to prevent ponding and minimize erosion. Excessive animal burrows and other defects that could compromise the integrity of the cover shall be repaired.
3. Precipitation and drainage control systems shall be maintained to accommodate the anticipated peak flow volume of surface runoff from the 100-year, 24-hour precipitation event.
4. Annually, prior to the anticipated rainy season, any necessary erosion control measures shall be implemented, and any necessary construction, maintenance, or repairs of precipitation and drainage control facilities shall be completed to prevent erosion or flooding.
5. The Discharger shall monitor the final cover soil in accordance with the post closure maintenance and monitoring plan in the Closure Certification Report and Monitoring and Reporting Program (MRP) R5-2013-XXXX.

D. CORRECTIVE ACTION PROGRAM SPECIFICATIONS

1. The Discharger shall comply with the Corrective Action Program provisions of Title 27 for groundwater monitoring in accordance with MRP R5-2013-XXXX.
2. The Discharger shall collect and analyze groundwater samples from the corrective action monitoring wells and submit the analytical data in accordance with the sampling and reporting frequency in MRP R5-2013-XXXX.
3. The Discharger shall provide Central Valley Water Board staff a minimum of **five days** notification prior to commencing any field activities related to the installation, repair, or abandonment of monitoring wells or the collection of samples associated with the Corrective Action Program.

4. The samples collected from all monitoring wells for a given reporting period shall be taken **within a span not to exceed 30 days**, unless the Executive Officer approves a longer time period, and shall be taken in a manner that ensures sample independence to the greatest extent feasible.
5. Specific methods of collection and analysis must be identified. Sample collection, storage, and analysis shall be performed according to the most recent version of United States Environmental Protection Agency (USEPA) Methods and/or Standard Methods, such as the latest editions, as applicable, of: (1) *Test Methods for Evaluating Solid Waste* (SW-846 latest edition), and (2) *Methods for Chemical Analysis of Water and Wastes* and in accordance with an approved revised Sampling and Analysis Plan.
6. If methods other than USEPA approved methods or Standard Methods are used, the methodology shall be submitted for review by Central Valley Water Board staff prior to use.
7. The methods of analysis and the detection limits used must be appropriate for the expected concentrations. For the monitoring of any constituent or parameter that is found in concentrations which produce more than 90 percent non-numerical determinations (i.e., "trace" or "ND") in data for that medium, the analytical method having the lowest method detection limit (MDL) shall be selected from among those methods which would provide valid results considering any matrix effects or interferences.

E. PROVISIONS

1. The Discharger shall comply with the attached MRP R5-2013-XXXX, which is part of this Order, and any revisions thereto as ordered by the Executive Officer.
2. The Discharger shall comply with those applicable sections of the *Standard Provisions and Reporting Requirements for Waste Discharge Requirements for Discharges Regulated by Title 27 Industrial Facilities* (Standard Provisions) dated September 2003, which are attached to, and by reference, a part of this Order. To the extent that the Standard Provisions are inconsistent with any terms, conditions, or requirements in this Order, this Order shall govern.
3. **By 2 August 2013**, the Discharger shall submit for review and approval by Central Valley Water Board staff a *Facility Post-Closure Maintenance and Monitoring Plan* that is consistent with the requirements of this Order and contains a Cover Integrity Monitoring and Maintenance Program and Cover Moisture Monitoring Program. The Plan shall be implemented for a minimum period of 30 years or until it can be determined that the waste no longer poses a threat to the environment, whichever is greater.
4. **By 2 August 2013**, the Discharger shall submit for review and approval by Central Valley Water Board staff a revised *Sampling and Analysis Plan* that is consistent with the requirements of this Order.

5. **By 1 December 2014**, the Discharger shall propose a concentration limit for each of the COCs. Each concentration limit shall be proposed in accordance with section 20400 of Title 27.
6. **Within 60 days** after a determination by Central Valley Water Board staff that monitored natural attenuation is not an appropriate corrective action measure, the Discharger shall submit a report proposing modifications to the MRP and the Corrective Action Program.
7. **Within 120 days** after approval by Central Valley Water Board staff of the Discharger's proposed modifications to the MRP and the Corrective Action Program, the Discharger shall implement the approved modifications.
8. **By 2 December 2013**, the Discharger shall submit financial assurance mechanism(s) containing estimates for costs for post-closure maintenance and monitoring. The Discharger shall conduct an annual review of the estimates and submit a report for Executive Officer review and approval by 31 January of each year. The Discharger shall adjust the cost annually to account for inflation and any changes in the facility, etc. The document shall describe the financial assurances in the form of an irrevocable fund or other mechanism(s) that the Discharger has created, with the Central Valley Water Board named as the beneficiary, to ensure that funds are available for the post-closure maintenance and the corrective action and other monitoring of the closed facility.
9. The Discharger shall comply with all notice and reporting requirements of the State Department of Water Resources with regard to the construction, alteration, destruction, or decommissioning of all monitoring wells as required by Water Code sections 13750 through 13755.
10. In the event of any change in control or ownership of the facility, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall also be forwarded to this office, at least 14 days in advance of the change in control or ownership.
11. To assume ownership or operation of the facility under this Order, the succeeding owner or operator must apply in writing to the Central Valley Water Board requesting transfer of the Order within 14 days of assuming ownership or operation of the facility. The request must contain the requesting entity's full legal name, the State of incorporation if a corporation, the name, address, and telephone number of the persons responsible for contact with the Central Valley Water Board, and a statement that the new owner or operator assumes full responsibility for compliance with this Order. The request must comply with the signatory requirements of this Order. Failure to submit the request shall be considered a discharge without requirements, which is a violation of the Water Code. Transfer of this Order to a succeeding owner or operator shall be approved or disapproved by the Central Valley Water Board.

12. The Discharger shall maintain a copy of this Order and make it available at all times to facility operating personnel, who shall be familiar with its contents, and to regulatory agency personnel upon request.
13. The Central Valley Water Board will review this Order periodically and will revise these requirements when necessary.
14. The Discharger may be required to submit technical reports as directed by the Executive Officer as provided for in Water Code section 13267.
15. Technical reports and plans are to be prepared by or under the direction of and signed and certified by the appropriate registered professional, which may be a Registered Geologist, Registered Civil Engineer, Certified Engineering Geologist, or Certified Hydrogeologist. All registered professionals must be licensed by the State of California.
16. This Order does not authorize violation of any federal, state, or local laws or regulations.

If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement, may issue a complaint for administrative civil liability, or may take other enforcement actions. Failure to comply with this Order may result in the assessment of Administrative Civil Liability of up to \$10,000 per violation, per day, depending on the violation, pursuant to the Water Code, including sections 13268, 13350 and 13385. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality

or will be provided upon request.

I, PAMELA C. CREEDON, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the Central Valley Regional Water Quality Control Board on XX May 2013.

PAMELA C. CREEDON, Executive Officer