



California Regional Water Quality Control Board Central Valley Region

Karl E. Longley, ScD, PE, Chair



Linda S. Adams
Secretary for
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Arnold
Schwarzenegger
Governor

24 May 2007

Mr. Robert Boston
Berry Petroleum Company
5201 Truxtun Avenue, Suite 300
Bakersfield, California 93309-3900

TENTATIVE WASTE DISCHARGE REQUIREMENTS (TWDRs), BERRY PETROLEUM COMPANY, POSO CREEK/MCVAN FACILITY, POSO CREEK OIL FIELD, KERN COUNTY

Enclosed are responses to comments submitted by Berry Petroleum Company (Berry), California Sportfishing Protection Alliance (CSPA), and Environmental Law Foundation (ELF) on the subject TWDRs. The comments were received between 7 and 11 May 2007. Also enclosed is a revised (strikeout) version of the TWDRs that includes changes that will be considered by the Regional Water Board at its meeting on 21 and 22 June 2007. The changes include some made by Regional Water Board staff and some made in response to comments received by Berry, CSPA, and/or ELF. Most significantly, the applicable beneficial uses of the identified receiving waters were reevaluated by Regional Water Board staff and the permit was modified to reflect the appropriate uses. Also, the requirement for Berry to conduct the beneficial use study has been appropriately modified.

To conserve resources, paper copies of the TWDRs are being sent to Berry only. Revised TWDRs and any additional information are available electronically on our web site (<http://www.waterboards.ca.gov/centralvalley/tentative/index.html>). If you have any questions regarding the proposed TWDRs, or are without access to the internet and would like to request paper copies of the TWDRs, please contact me at (559) 445-6190.

W. DALE HARVEY
Senior WRC Engineer
RCE No. 55628

Enclosures: TWDRs (Discharger only)
Response to Comments (Discharger only)

cc: see next page

cc: Mr. Douglas Eberhardt, (WTR-5), U.S. EPA, Region IX, San Francisco
U.S. Army Corps of Engineers, Sacramento
U.S. Fish and Wildlife Service, Sacramento
U.S. National Marine Fisheries Service, Santa Rosa
Ms. Frances McChesney, Office of Chief Counsel, State Water Resources Control Board,
Sacramento (via email)
Mr. Philip Isorena, State Water Resources Control Board, Sacramento (via email)
Mr. Jim Pedri, Regional Water Quality Control Board, Redding (via email)
Mr. Jon Marshack, Regional Water Quality Control Board, Sacramento (via email)
Ms. Kiran Lanfranchi-Rizzardi, Regional Water Quality Control Board, Sacramento (via email)
Mr. Thomas Kovac, Department of Toxic Substances Control Division, Clovis
Department of Health Services, Office of Drinking Water, Fresno
Department of Fish and Game, Region IV, Fresno
Department of Water Resources, San Joaquin District, Fresno
Fresno County Environmental Health System, Fresno
Mr. David Orth, Kings River Conservation District, Fresno
Mr. Bill Jennings, California Sportfishing Protection Alliance, Stockton
Mr. Dan Gildor, Environmental Law Foundation, Oakland
Mr. Tim Souther, Geomatrix Consultants, Fresno