

## Pyle, Jeffrey@Waterboards

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**From:** Hatton, Scott@Waterboards  
**Sent:** Monday, November 16, 2015 8:05 AM  
**To:** Pyle, Jeffrey@Waterboards  
**Subject:** FW: Comments on Tentative WDRs for CRC and North Kern WSD

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**From:** Robinson, Jim [mailto:Jim.Robinson@crc.com]  
**Sent:** Thursday, November 12, 2015 2:14 PM  
**To:** Hatton, Scott@Waterboards; Wass, Lonnie@Waterboards; Rodgers, Clay@Waterboards  
**Subject:** RE: Comments on Tentative WDRs for CRC and North Kern WSD

Gentlemen:

In response to your proposed revised language to the WDRs for the North Kern Drought Relief Project, we believe the project should appear on the Regional Board's consent agenda, given the Board's 30-plus years of permitting the safe and environmentally responsible use of reclaimed water from the same field for agricultural irrigation, and the fact that you received no opposition to the project during the comment period. Because of the urgency of the drought, California Resources Production Corporation (CRC) and the North Kern Water Storage District invested in building and commissioning the project to help farmers and farmworkers alleviate the curtailment of their irrigation water this year while your staff was preparing the final WDRs for hearing.

In that spirit of cooperation, we think the language in the Tentative WDRs dated September 18, 2015, is acceptable applying the industry standard definition of frac-packing. If you plan on using your revised language, then you need to (i) revise provision 4 to include the effective date of the definition in your reference to the specific version of the DOGGR regulation so that someone reading the permit in the future knows the definition that has been applied and (ii) replace the definition of "frac-packing" with an accurate definition.

As revised, Provision 4 should state:

"4. The discharge to land of any fluids from wells that have undergone a "well stimulation treatment", as defined by California Code of Regulations, title 14, section 1761 (effective July 1, 2015) (including hydraulic fracturing, acid fracturing, and acid matrix stimulation) is prohibited."

With respect to provisions 5 and 13, we thought based on our September 24<sup>th</sup> meeting that you were going to remove the reference to frac-packing. The definition you have suggested for frac-packing is inaccurate and inconsistent with widely accepted definitions of what a frac-pack is. A frac-pack, according to Halliburton's Sand Control book, is a specific sand control process "that involves pumping gravel or proppant into the perforations at rates and pressures that exceed the parting pressure of the formation." As we've previously indicated, we don't apply that technique at Kern Front. Therefore, we ask you to either retain the original language from the Tentative WDRs dated September 18, 2015, or replace your suggested parenthetical definition of frac-packing with the following: "(i.e., a sand control technique to pump gravel or proppant into the perforations at rates and pressures that exceed the parting pressure of the formation)."

To be clear, we do not think these provisions are appropriate as a template for other fields or other contexts, and we suggest that you revisit your attorneys' SB-4 interpretation with DOGGR and with the State Water Board, since this language would arbitrarily stifle investments in water reclamation and treatment technology during the drought and

unnecessarily increase water disposal at other California fields while providing zero environmental benefit. We are happy to work with you on how to expedite water reclamation projects and associated WDRs.

Please let me know by early next week which version of these provisions you plan to include in this WDR for presentation to the Board and whether the North Kern Drought Relief Project WDR will appear on the December 10-11, 2015 consent agenda.

Jim

Jim Robinson  
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**From:** Hatton, Scott@Waterboards [<mailto:Scott.Hatton@waterboards.ca.gov>]  
**Sent:** Monday, November 09, 2015 11:34 AM  
**To:** Robinson, Jim  
**Cc:** Wass, Lonnie@Waterboards  
**Subject:** Comments on Tentative WDRs for CRC and North Kern WSD

Jim –

Lonnie Wass and I want to call to let you know our proposed response to the comments you send on the subject document, in order to decide whether or not you agree and we can remove the tentative WDRs from the contested item agenda. We have not received any other comments of the tentative WDRs. Below is a copy of changes for your review before we discuss:

#### Discharge Specification

- 4. The discharge to land of any fluids from wells that have undergone a “well stimulation treatment”, as defined by California Code of Regulations, title 14, section 1761 (including hydraulic fracturing, acid fracturing, and acid matrix stimulation) is prohibited. The discharge of any produced fluids from wells that have undergone either a “well stimulation treatment”, as defined by California Code of Regulations, title 14, section 1761 (including hydraulic fracturing, acid fracturing, and acid matrix stimulation), or frac-packing on or after 1 July 2015 is prohibited...**

#### Discharge Specification

- 5. The discharge of fluids associated with the frac-packing process (i.e., emplacement of a filter pack into the well annulus using a pressurized high-viscosity fluid that is not a drilling mud and that does not meet the standard of well stimulation) to land are prohibited. The discharge of produced water from wells that have been frac-packed is prohibited, unless the Discharger meets the requirements of Provision E.13. The discharge of any produced fluids from wells that have undergone either a “well stimulation treatment”, as defined by California Code of Regulations, title 14, section 1761 (including hydraulic fracturing, acid**

fracturing, and acid matrix stimulation), or a frac-packing prior to 1 July 2015 is prohibited, unless the Discharger meets the requirements of Provision E.13.

Provision

13. **The discharge of any produced water from wells that have undergone a frac-packing may only be authorized in writing by the Executive Officer following a demonstration by the Discharger that frac-packing fluids are not present in the produced water from the specific well or wells that have been frac-packed.** ~~The discharge of any produced fluids from wells that have undergone a "well stimulation treatment" as defined in California Code of Regulations, title 14, section 1761 (including hydraulic fracturing, acid fracturing, and acid matrix stimulation) or a frac-packing prior to 1 July 2015 may only be authorized in writing by the Executive Officer following a demonstration by the Discharger that well stimulation chemicals are not present in the oil field produced water from the specific well or wells that have been stimulated and/or frac-packed.~~

We'll call you shortly to discuss.

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