

Central Valley Regional Water Quality Control Board

23 June 2025

Mathew D. Ballard, CEO
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CERTIFIED MAIL
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NOTICE OF APPLICABILITY (NOA), ORDER R5-2017-0036, WASTE DISCHARGE REQUIREMENTS FOR OIL FIELD DISCHARGES TO LAND, GENERAL ORDER NUMBER THREE, BALLARD OIL, INC., OVERLAND ANDERSON LEASE, CYMRIC OIL FIELD, KERN COUNTY

Ballard Oil, Inc. (Ballard) operates the Overland Anderson Lease (Lease) in the Cymric Oil Field. The Lease is a crude oil production facility which includes a tank farm, flow lines, production wells, and other infrastructure. Two inactive unlined surface impoundments (Ponds) are present on the lease and in the past have been used for the disposal of oil field produced wastewater (discharge). The Ponds are in the northeast quarter of Section 20, T29S, R21E, MDB&M. Pond dimensions and coordinates are summarized in **Table 1**, below.

On 17 September 2024, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff received a document titled, “Ballard Oil Inc., Overland Anderson Lease, Cymric Oil Field, Sec 20, T29S R21E MD, General Order 3 Application” (Application). Bradford A. DeWitt of PETROtech, Inc. (Petrotech), a representative of Ballard, submitted the Application. The Application indicated Ballard is seeking coverage under Order R5-2017-0036, Waste Discharge Requirements General Order For Oil Field Discharges to Land, General Order Number Three (General Order Three). General Order Three provides regulatory coverage for discharges of oil field produced water (produced water or discharge) to land.

Table 1: Pond Information for the Overland Anderson Lease.

Pond I.D.(s)	Dimensions (ft.)			Volume at 2 ft. of freeboard	Approximate center of pond coordinates in decimal degrees
	Length	Width	Depth	Barrels (bbls)	Latitude, Longitude
Pond #1	112	38	9	3,510	35.39436, -119.73483

Pond #2	105	48	8.5	4,190	35.39442, -119.73456
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APPLICABILITY

Ballard has owned the Lease since April 2002. On 1 December 2015, Central Valley Water Board staff issued Ballard Cleanup and Abatement Order No. R5-2015-0748 (CAO) and Monitoring and Reporting Program No. R5-2015-0748 (MRP) for the disposal ponds on the Lease. In a letter dated 11 July 2017, Central Valley Water Board staff indicated that Ballard needed to cease discharge into the ponds unless a Notice of Intent (NOI) for coverage under a General Order is received. On 25 November 2024 an NOI was received.

General Order Three applies to owners or operators of oil production facilities that:

- a. Primarily discharge produced water to land, but may also discharge produced water for dust control;
- b. Exceed the maximum specified salinity limits contained in the *Water Quality Control Plan for the Tulare Lake Basin, Third Edition, Revised May 2018* (Basin Plan);
- c. Discharge where the first encountered groundwater is of poor quality, does not support beneficial uses as designated by the Basin Plan, or there is no first encountered groundwater; and
- d. Began the discharge prior to 26 November 2014.

This letter is a NOA that serves as formal notice that General Order Three is applicable to the Lease. General Order Number **R5-2017-0036-030** is hereby assigned to all produced water discharges into Pond No 1 and Pond No 2 on the Lease. Ballard should become familiar with all requirements of General Order Three, and Monitoring and Reporting Program No. R5-2017-0036-030 (MRP).

This letter also serves as formal notice that the CAO is hereby rescinded.

General Order Three regulates the discharge of produced water into the ponds. As stated in California Water Code section 13263, all discharges of waste into waters of the state are privileges, not rights. General Order Three does not create a vested right for WOC to continue discharging to the pond. Failure to prevent conditions that create or threaten to create pollution or nuisance, or cause degradation will be sufficient reason to modify, revoke, or enforce the provisions of General Order Three, as well as prohibit further discharge.

In 2006, the Central Valley Water Board, the State Water Resources Control Board (State Water Board), and regional stakeholders began a joint effort to address salinity and nitrate problems and adopt long-term solutions that will lead to enhanced water quality and economic sustainability. Central Valley Salinity Alternatives for

Long-Term Sustainability (CV-SALTS) is a collaborative basin planning effort aimed at developing and implementing a comprehensive salinity and nitrate management program. Dischargers in the Central Valley region began to receive Notice to Comply letters in 2020. Ballard will need to comply with the requirements associated with CV-SALTS. The CV-SALTS effort might affect changes to the Basin Plan that would necessitate the re-opening of General Order Three.

FACILITY SPECIFIC REQUIREMENTS

1. Ballard shall maintain exclusive control of the discharge and shall comply with all the requirements of General Order Three and the MRP. The MRP includes requirements for regular monitoring and reporting. Ballard shall operate and maintain the ponds sufficiently to protect the integrity of containment and berms and prevent overtopping and/or structural failure.
2. The Discharge of produced wastewater is permitted for Pond #1 and Pond #2 that are listed on Table 1, above. Discharges of produced wastewater outside of these ponds are not permitted.
3. As per Title 23, California Code of Regulations, section 2200, the discharge shall be given a TTWQ (threat to water quality) and CPLX (complexity rating) of 3C. This rating is used in part to assign fees. Ballard is responsible for all fees associated with the discharge until coverage under General Order Three for the Lease is officially terminated. The process for terminating coverage is described in General Order Three.
4. Under Discharge Specifications, Item B.2., General Order Three states, *“The discharge flow shall not exceed actual maximum monthly average produced wastewater flow to the pond between 26 November 2004 and 26 November 2014. The discharge flow also shall not exceed the maximum design flow of the Facility’s limiting unit as described by the technical data...”*

The allowable maximum monthly average flow shall not exceed: 2,598 bbls or 109,116 gallons to the Overland Anderson Lease ponds. This is the maximum reported monthly flow of produced wastewater to ponds reported by Ballard between 26 November 2004 and 26 November 2014. Any increase beyond this reported maximum monthly average flow volume constitutes a facility expansion requiring an evaluation under the California Environmental Quality Act (CEQA). **Ballard shall not exceed this discharge volume.**

Two feet of freeboard must be always maintained in each pond, unless a California-registered civil engineer certifies (based on design, construction, and conditions of operation and maintenance) that less freeboard is adequate. Any increase in discharge volume that would exceed the “design capacity” constitutes a facility expansion requiring an evaluation under CEQA.

5. Provision E. 3 of General Order Three states: *“Within 90 days of receipt of the NOA for the Facility, the Discharger shall submit written certification that it has installed acceptable flow metering at a location or locations to ensure the accurate measurement of all discharge flows. The certification shall be accompanied by: (1) a description of the flow metering devices installed, (2) a diagram showing their locations at the Facility, and (3) evidence demonstrating that the devices were properly calibrated. An engineering alternative may be used if approved in writing by the Executive Officer.”* Ballard must submit photo and written documentation that flow meter(s) have been installed by **19 September 2025**. The flow meter(s) should be calibrated annually to ensure accuracy.
6. The discharge of waste other than of produced wastewater into the pond is prohibited. Discharges not authorized by General Order Three and not described in the NOI should be reported to the Central Valley Water Board. If the method of disposal changes, or if the nature (including volume) of the discharge changes, WOC must submit a Report of Waste Discharge.
7. If Ballard wishes to reuse solids produced at the Lease, then it must submit a solids management plan **at least 180 days prior to solids reuse**, as per Provision 7 of General Order Three. Solids reuse shall not commence prior to obtaining the written approval of the management plan from the Executive Officer. The solids management plan shall include information including: 1) a complete characterization of the quality and quantity of the solids, 2) a demonstration that the solids are not hazardous as defined by California Code of Regulations, title 22, section 66261.1 et seq., 3) a description of the proposed application area, 4) constituent loading rates, 5) a description of management practices, and 6) a demonstration that the reuse of solids will be protective of water quality. More information on Provision 7 is provided in General Order Three.
8. Ballard shall, pursuant to Provision E.4.b of General Order Three, comply with the tasks and timeline outlined therein. This includes obtaining a Basin Plan amendment to de-designate the beneficial uses of underlying groundwater. Task number 11 of Provision E.4.b requires that the discharges on the facility shall cease within 60 months of issuance of the NOA unless a basin amendment is obtained.

The MRP requires extensive monitoring requirements. Failure to comply with the requirements in General Order Three and the MRP could result in an enforcement action as authorized by provisions of the California Water Code. [A copy of General Order Three and the MRP](#) is included with the enclosures to this letter. A copy can also be found online at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2017-0036.pdf.

The MRP includes monitoring and reporting of chemicals and additives. Ballard should

become familiar with those requirements. The Central Valley Water Board will review the MRP periodically and revise requirements when necessary. The MRP can be modified if Ballard provides sufficient data to support the proposed changes. If monitoring consistently shows no significant variation in magnitude of a constituent concentrations or parameters after a statistically significant number of sampling events, Ballard may request the MRP be revised by the Executive Officer to reduce monitoring frequency or minimize the list of constituents. The proposal must include adequate technical justification for a reduction in monitoring frequency.

Ballard must comply with the Central Valley Water Board's Standard Provisions and Reporting Requirements for Waste Discharge Requirements, dated 1 March 1991 (Standard Provisions). [A copy of the Standard Provisions](#) is included with the enclosures to this notice. A copy can also be found online. (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/std_provisions/wdr-mar1991.pdf).

Technical reports need to be prepared under the direction of appropriately qualified professionals. Business and Professions Code sections 6735, 7835, and 7835.1 require that engineering and geologic evaluations and judgements be performed by or under the direction of licensed professionals.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review this action in accordance with California Water Code section 13320 and CCR, title 23, division 3, chapter 6, section 2050 and those that follow. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Notice of Applicability, except that if the thirtieth day following the date 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.

SUBMISSIONS

Ballard shall submit electronic copies of all work plans, reports, analytical results, and groundwater elevation data over the internet to the [State Water Board Geographic Environmental Information Management System database \(GeoTracker\)](#) at: <https://geotracker.waterboards.ca.gov/>. [A frequently asked question document for GeoTracker](#) can be found at: https://www.waterboards.ca.gov/ust/electronic_submittal/docs/faq.pdf. Electronic submittals shall comply with GeoTracker standards and procedures, as specified on the State Water Board's web site. Uploads to GeoTracker shall be completed on or prior to the due date. The discharger should note that only PDFs can be submitted to GeoTracker. The GeoTracker Global ID that is associated with this NOA is **T10000007035**.

In addition, documents that are less than 50 MB shall be sent via electronic mail to: centralvalleyfresno@waterboards.ca.gov. Documents that are 50 MB or larger shall be mailed to the Central Valley Water Board office at: 1685 E Street, Fresno, CA 93706.

Please review the enclosures for more information. Should you have any questions regarding this matter, please contact Virat Kang at (559) 488-4345 or virat.kang@waterboards.ca.gov.



FOR Patrick Pulupa,
Executive Officer

Enclosures: Staff Memorandum
General Order Three
1 March 1991 Standard Provisions
MRP No. R5-2017-0036-030

Cc: Chris Jones, District Deputy, Central District, California Geologic Energy
Management Division, Bakersfield (via email and without enclosures)

Mathew D. Ballard, CEO, Ballard Oil, Inc., Bakersfield (via email)

Bradford A. DeWitt, Registered Petroleum Engineer, PETROtech, Inc., Bakersfield
(via email)

Central Valley Regional Water Quality Control Board

TO: Alex Olsen
Supervising Engineering Geologist
PG No. 8932

FROM: Michael L. Pfister
Senior Engineering Geologist
PG No. 5946

Michael L. Pfister

Virat Kang
Water Resource Control Engineer



DATE: 23 June 2025

SUBJECT: NOTICE OF APPLICABILITY (NOA), CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD, ORDER NUMBER R5-2017-0036, WASTE DISCHARGE REQUIREMENTS FOR OIL FIELD DISCHARGES TO LAND, GENERAL ORDER NUMBER THREE, BALLARD OIL, INC., OVERLAND ANDERSON LEASE, CYMRIC OIL FIELD, KERN COUNTY

Ballard Oil, Inc. (Ballard) operates the Overland Anderson Lease (Lease) in the Cymric Oil Field. The Lease is a crude oil production facility which includes a tank farm, flow lines, production wells, and other infrastructure. Two inactive unlined surface impoundments (Ponds) are present at the lease. The Ponds are in the northeast quarter of Section 20, T29S, R21E, MDB&M. This memorandum provides a summary and evaluation of the information provided for coverage of the discharge of produced wastewater (discharge) into the ponds under Order Number R5-2017-0036, Waste Discharge Requirements General Order For Oil Field Discharges to Land, General Order Number Three (General Order Three).

BACKGROUND INFORMATION

General Order Three regulates oil field produced wastewater discharges where: 1) produced wastewater exceeds the maximum oil field discharge limits for electrical conductivity, chloride, and boron contained in the Water Quality Control Plan for the Tulare Lake Basin, Third Edition, Revised May 2018 (Basin Plan); and 2) there is no first encountered groundwater or first encountered groundwater is of poor quality and does not support beneficial uses as identified in the Basin Plan as municipal and domestic supply (MUN), or agricultural supply (AGR), or industrial service supply (IND) or industrial process supply (PRO).

SUBMITTED INFORMATION AND RECENT REGULATORY HISTORY

On 1 April 2015, Central Valley Water Board staff sent Ballard a letter which pursuant to Water Code Section 13267 (13267 Letter) required Ballard to collect and analyze wastewater being discharged into the Ponds. On 12 June 2015, in response to the 13267 Letter, Ballard representatives submitted a technical report titled, “Ballard Oil, Inc. Response to RWQCB Section 13267 Order, Pond Information and Sampling Results” (13267 Report)

On 1 December 2015, Central Valley Water Board staff issued Cleanup and Abatement Order R5-2015-0748 (CAO) to Ballard for the Ponds. The CAO was accompanied by Monitoring and Reporting Program R5-2015-0748 (MRP). In response to the CAO, Central Valley Water Board staff received a submittal titled “Ballard Oil, Inc. Work, Plan CAO R5-2015-0748, Global ID: T10000007035, Overland Anderson Lease, Section 20, T29/R21E MDB&M, Cymric Oil Field” (Work Plan), dated 29 March 2016.

In response to the Work Plan on 11 July 2017, Staff sent Ballard a letter titled, “Review of Response to Cleanup and Abatement Order R5-2015-0748; Ballard Oil, Inc.; Cymric Oil Field Ponds; Kern County” (Work Plan Review Letter). The Work Plan Review Letter indicated that Ballard’s Work Plan did not meet the requirements of the CAO. The Work Plan Review Letter also indicated Ballard needed to either submit a NOI for coverage under a General Order or a closure plan for the ponds.

On 17 October 2019, Staff sent Ballard a letter again identifying the need for sampling and closure plans for the Ponds.

On 22 September 2023, Staff sent Ballard a Notice of Violation (NOV) for failure to comply with Water Code Section 13267, the CAO, and the MRP. The NOV again requested Ballard to submit a closure plan for the Ponds. The NOV also indicated that staff needed to inspect the Lease.

On 30 November 2023 staff inspected the Lease. On 12 February 2024, Staff sent Ballard a letter which included a copy of an inspection report. The letter summarized conversations between Ballard representatives and Staff, indicating Ballard would submit past due monitoring reports by 1 March 2024 and a NOI for coverage under a General Order by 1 April 2024.

On 28 February 2024, Ballard submitted the past due monitoring reports for 2016 through 2023 and on 25 November 2024, a NOI was received. The NOI consisted of a technical report dated 27 September 2024 (NOI Technical Report), Form 200 signed and dated 20 November 2024, and application fee paid via check dated 25 November 2024. The Technical Report was prepared by PETROtech Resources Company (Petrotech), Ballard’s environmental consultant. The NOI Technical Report was signed

and stamped by Bradford A. DeWitt, a state of California licensed Petroleum Professional Engineer.

POND CHARACTERISTICS

Dimensions and coordinates for the ponds are listed in **Table 1** below. The information in Table 1 is from the NOI Technical Report.

Table 1: Pond Information for the Overland Anderson Lease.

Pond I.D.(s)	Dimensions (ft.)			Volume at 2 ft. of freeboard	Approximate center of pond coordinates in decimal degrees
	Length	Width	Depth	Barrels (bbls)	Latitude, Longitude
Pond #1	112	38	9	3,510	35.39436, -119.73483
Pond #2	105	48	8.5	4,190	35.39442, -119.73456

The NOI Technical Report states that primary separation of wastewater occurs in the wash tank and secondary wastewater separation occurs in the shipping tank. The separated wastewater is discharged into Pond 1 which is connected in series to Pond 2. A process flow schematic is included as Figure 4 of the NOI Technical Report.

DISCHARGE CHARACTERISTICS

Flow Volumes

Under Discharge Specifications, Item B.2., General Order Three states *“The discharge flow shall not exceed actual maximum monthly average produced wastewater flow to pond between 26 November 2004 and 26 November 2014. The discharge flow also shall not exceed the maximum design flow of the Facility’s limiting unit as described by the technical data in the NOI.”*

The NOI Technical Report in its Appendix F identifies that the maximum average monthly effluent to the ponds was 2,598 bbls in August of 2007, which corresponds to a daily rate of 83.8 bbls of wastewater per day being discharged to the Ponds.

The NOI Technical Report provided a water balance showing excess capacity for historical discharges to the ponds. Produced wastewater discharged to the ponds must not overtop and flow outside of the ponds. General Order Three requires that a minimum of two feet of freeboard must be maintained at all times. The monthly

discharges, up to and including the above noted maximum monthly volume of 2,598 bbls cannot be used to justify a violation of the General Order’s requirements. The General Order prohibits all produced wastewater discharges outside of the ponds. Produced wastewater is not permitted for use as dust control on the Lease.

Well Stimulation Treatment Fluids

General Order Three, Prohibition A.5 states: “The discharge of produced wastewater from wells containing well stimulation treatment fluids is prohibited except as provided by Provision E.8.”

The NOI Technical Report states there is no planned discharge of wastewater from wells that have had a “well stimulation treatment” (WST) as defined by California Code of Regulations (CCR), title 14, section 1761 (including hydraulic fracturing, acid fracturing, and acid matrix stimulation).

If the ponds accept wastewater from wells that have undergone a WST, then Ballard must comply with the requirements and compliance schedule in General Order Three, Provision E.8.

Waste Constituents

The 13267 Report contained analytical results from a produced wastewater sample collected on 12 May 2015. The results of these sampling events are summarized in **Table 2**, below. Units of measurement are milligrams per liter (mg/L) and microohms per centimeter ($\mu\text{mhos/cm}$).

Table 2: Selected produced wastewater analytical data from the Overland Anderson Lease. Sample collected on 12 May 2015.

Constituent	Wastewater Analytical Results	Basin Plan Salinity Limits	Units
Electrical Conductivity (EC):	not reported	1,000	$\mu\text{mhos/cm}$
Total Dissolved Solids (TDS):	18,000		mg/L
Chloride:	8,400	200	mg/L
Boron:	87	1	mg/L

With regards to chemicals or additives used in oil exploration and production, the NOI Technical Report states that Ballard may use an emulsion breaker. The NOI Technical Report States “*Emulsion breakers are typically oil-soluble and while not expected to enter the wastewater stream, they may. There have been no emulsion breakers used in the wastewater stream for at least the prior 6 years.*” The NOI Technical report states the anticipated volume of emulsion breaker to be used is 1 quart per day or 0.18 bbls

per month. A safety data sheet for a typical emulsion breaker is included in Appendix G of the NOI Technical Report.

Prohibitions, Item A.6., of General Order Three states that, *“acceptance, treatment, or discharge of ‘hazardous waste,’ as defined in the CCR, title 22, section 66261.1 et seq., is prohibited.”* The NOI Technical Report states, *“Crude oil, a hazardous material, is processed through the wastewater treatment facilities. Any and all hazardous wastes will be disposed of in accordance with State and federal laws and will not be comingled with wastewater or discharged to the ponds.”*

Dust Control

Provision E.6 of General Order Three states: *“Dischargers wishing to use produced wastewater at the Facility for dust control or in construction activities shall provide a proposed management plan for such activities.”* The Provision also states: *“The management plan must be submitted to the Executive Officer at least **90 days** prior to the anticipated discharges. Discharges shall not occur without Executive Officer written approval of the management plan.”*

The NOI Technical Report states that, *“There are no plans to apply produced wastewater for dust control.”*

Solid Waste

Regarding the disposal of solid wastes, the NOI Technical Report states: *“There are no solid wastes generated at the facility. In the event any solids are generated a solids management plan will be provided within 180 days.”*

Discharge Specifications, Item B.16., of General Order Three requires that the Discharger monitor the accumulation of solids within the ponds and as necessary remove them to maintain adequate treatment storage and capacity. General Order Three’s Section D., titled *“Solids Disposal Specifications”* includes handling and storage requirements for solids removed.

HYDROGEOLOGIC CHARACTERIZATION

The March 2016 Work Plan states, *“The ponds are located overlying the Sheep Springs rea of the Cymric Oil Field. The shallow surface sediments consist of Plio-Pleistocene non-marine sediments and Quaternary Great Valley Fan Deposits (Division of Mines and Geology, 1965). The South Belridge anticline is located to the east of the Sheep Springs Area; the sediments within the Tulare Formation and overlying deeper recent alluvium were deposited during growth of the anticline which resulted in a hydrologically isolated synclinal basin between the east side of the Belridge Anticline and the Sheep Springs Area.*

Further isolating the Sheep Springs Area is the Bacon Hills fault. The Bacon Hills fault forms a sealing trap on the northeast side of the oil producing Carneros formation. The Bacon Hills fault extends upwards towards the shallow subsurface sediments, cutting the Tulare Formation and likely extending to the surface. The Bacon Hills fault prevents eastward fluid migration in the shallow sediments.”

The NOI Technical Report states that “*There is no groundwater in this area of the San Joaquin Valley.*” However, the nearby Sheep Springs Lease, GeoTracker Global ID: T10000006964, with ponds located about 1,650 feet north of the Overland Anderson Ponds, has shallow groundwater and monitoring wells installed in 2017 and 2018. The monitoring well installation report for the Sheep Springs Lease dated November 2018 provides the depth to first encountered groundwater and groundwater quality information. Selected analytical results and groundwater elevation data above mean sea level (amsl) from the monitoring wells is summarized in Table 3, below. The sampling data shows that constituents of concern are present.

Table 3: Selected data from the Sheep Springs Lease monitoring well sampling on 20 November 2017 and 24 May 2018.

Well ID Lab No.	MW-1 1733218-01	MW-1 1816768-02	MW-3 1816768-01	
Sample Date	11/20/2017	5/24/2018	5/24/2018	
Groundwater Elevation (ft. amsl)	692.01	697.97	682.67	
Concentration				Units
Constituents of Salinity				
TDS	4,200	--	19,000	mg/L
Chloride	1,500	--	7,600	mg/L
Boron	20	--	64	mg/L
Petroleum Hydrocarbons				
Total Petroleum Hydrocarbons	<5.0	--	<5.0	mg/L
VOCs				
Benzene	0.28 J	--	0.83	µg/L
Toluene	0.30 J	--	0.69	µg/L
1,2,4-Trimethylbenzene	0.38 J	--	<0.5	µg/L
p- & m-Xylenes	<0.28	--	<0.28	µg/L
o-Xylene	<0.082	--	0.15 J	µg/L
PAHs				
Naphthalene	--	<0.025	0.16	µg/L
Radioactivity				

Gross Alpha	28.0 ± 19.4	--	27.0 ± 57.2	pCi/L
Gross Beta	12.6 ± 13.0	--	15.9 ± 69.6	pCi/L
Radium-226	7.73 ± 5.88	--	1.73 ± 0.719	pCi/L
Radium-228	3.21 ± 4.00	--	2.06 ± 0.688	pCi/L
Uranium	9.0	--	24.0	pCi/L

PROVISION 4 OF GENERAL ORDER THREE

Provision 4 of General Order Three requires that Ballard either: 1) demonstrate that *“...there is no groundwater beneath the Facility discharge areas and that produced wastewater and constituents associated with other approved wastes discharged at the Facility will not migrate into areas that there is groundwater with designated beneficial uses,”* or 2) comply with the timeline outlined in General Order Three Provision 4.b. and obtain a Basin Plan amendment to de-designate the beneficial uses of underlying groundwater.

Based on the available shallow groundwater information and monitoring well sampling described above, Ballard will have to comply with the timeline outlined in General Order Three Provision 4.b. and obtain a Basin Plan amendment to de-designate the beneficial uses of underlying groundwater.

SUMMARY

Based on information submitted in the NOI, coverage under General Order Three appears appropriate for the ponds on the Overland Anderson Lease.

Provision 4.b of General Order Three must still be satisfied. Specifically, Ballard must comply with the timeline outlined in General Order Three Provision 4.b. and obtain a Basin Plan amendment to de-designate the beneficial uses of underlying groundwater.

Based on these conditions, as per Title 23, California Code of Regulations, section 2200, the discharge shall be given a TTWQ (threat to water quality) and CPLX (complexity rating) of 3C. Ballard is responsible for annual fees associated with this rating unless conditions or regulatory policies change.