

Environmentalists Take on Oil Industry and California

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SACRAMENTO (CN) — A California law on wastewater injection that has drawn the ire of the oil industry now faces objections from environmentalists. The Center for Biological Diversity is accusing the state of actually shirking its duty.

California missed its self-imposed Feb. 15 deadline to shut down 1,650 injection wells that are violating clean water laws by dumping toxic fluids into state aquifers, the Center for Biological Diversity said Wednesday.

“Governor Brown’s administration has decided not to protect our water from illegal contamination by the oil industry,” attorney Hollin Kretzmann said in a statement. “By failing to meet their own lax deadline for shutting down these polluting wells, state oil regulators have given Californians another reason not to trust a word they say.”

The Western States Petroleum Association and other trade groups sued California in late January, claiming its compliance schedule was unfeasible and would force them to shut down thousands of legally permitted wells



that pose no threat to drinking water. That lawsuit, in Kern County Court, claims that up to 20 percent of Kern County’s oil production, or 100,000 barrels a day, could be lost, costing thousands of jobs and crippling the local and state economies.

The fight stretched all the way to Washington, D.C., this week, when President Donald Trump granted Gov. Brown’s request to exempt three aquifers near oilfields in Kern County from the federal Safe Water Drinking Act.

The aquifers are near the Fruitvale, Round Mountain and Tejon oilfields. Oil companies prepared the exemption applications and submitted them to state

oil regulators, who passed them on the U.S. Environmental Protection Agency. Several more exemption applications are in the works, for aquifers in Alameda, Monterey, Ventura, Kern, and other counties, the Center for Biological Diversity says.

If the EPA approves these applications, the oil industry will be allowed to dump toxic waste fluid contaminated with benzene and other known carcinogens into drinking water supplies, the Center says.

Waste injection is similar but not identical to hydraulic fracturing, or fracking. In fracking, wastewater, often contaminated, is injected underground into shale formations to fracture the rock and release oil and natural gas for extraction. In waste injection, the waste products of oil drilling are injected underground simply to get rid of them.

The Center claims the exemption processes ignore the propensity for wastewater injection to trigger earthquakes. Studies have linked such activities in the Tejon area to a recent earthquake swarm, which could further threaten water supplies by opening more pathways for contamination, the Center said in its statement.

“Gov. Brown’s legacy will be deeply tarnished by this deplorable decision to let the most anti-environmental administration in history decide the future of California aquifers,” said Kassie Siegel, senior counsel with the Center for Biological Diversity.

She added: “Trump’s EPA is clearly eager to help state oil regulators give California’s water away to the petroleum industry.

In the dry decades to come, we’re going to bitterly regret the governor’s willingness to sacrifice this water to oil companies.”

Two years ago, the U.S. Environmental Protection Agency tasked the California Division of Oil, Gas, and Geothermal Resources with assessing 45 aquifers near injection wells after finding evidence that several wells may have contaminated drinking water, and that the division improperly granted permits for injection wells beyond the boundaries of exempted aquifers.

The division, which oversees more than 50,000 oil wells in California, then established a compliance schedule requiring the oil industry to demonstrate by Feb. 15 this year that the wells at issue were not endangering those aquifers.

Most of California’s oil wells belong to members of The Western States Petroleum Association, the California Independent Petroleum Association, and the Independent Oil Producers Agency — the three groups that sued California in January. The vast majority of those wells are in Kern County, which produces 80 to 85 percent of the state’s oil.

The county seat, Bakersfield, is the midpoint between Los Angeles and Fresno. Population 363,000, its primary industries are oil production and agriculture. Bakersfield has the dubious distinction of having some of the worst air quality in the country, thanks in no small part to oil drilling.

Though state officials told the California Senate in 2015 that they would stick to the deadline, in January this year they quietly announced there would be an indefinite delay in enforcing the law.

Oil regulators have closed only a fraction of the injection wells that threaten to drinking water supplies, the Center for Biological Diversity says. And, the Center says, the state appears to be planning to exempt up to 40 aquifers from wastewater regulation laws, which could put these aquifers permanently at the mercy of the oil industry.

“The Brown administration will go down in history for this failure to enforce the law and safeguard our water from oil industry pollution. It’s a shocking abdication of the governor’s most fundamental duty to the people and environment of this state,” Kretzmann said in the statement.