

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ADMINISTRATIVE CIVIL LIABILITY ORDER R5-2013-0587
IN THE MATTER OF
VINTAGE PRODUCTION CALIFORNIA LLC
KERN COUNTY

Order of the Central Valley Water Board


1. The terms and recitals of the Stipulation signed by Pamela C. Creedon, Executive Officer of the Central Valley Water Board (acting as head of the Board's Prosecution Team) on 13 November 2013 and signed by Alan E. White, President and General Manager of Vintage Production California, LLC on 12 November 2013 are fully incorporated herein and made part of this Order.
2. In adopting this Order, Kenneth D. Landau, Assistant Executive Officer of the Central Valley Water Board, acting under authority delegated by the Central Valley Water Board pursuant to Resolution R5-2009-0027, has considered, where applicable, each of the factors prescribed in Water Code section 13327. The consideration of these factors is based upon information and comments obtained by the Central Valley Water Board's staff in investigating the allegations concerning the dischargers discussed in the Stipulation or otherwise provided to the Board by the Parties and members of the public.
3. This is an action to enforce the laws and regulations administered by the Central Valley Water Board. The method of compliance with this enforcement action consists entirely of payment of administrative civil liability. As such, the Central Valley Water Board finds that issuance of this Order is not considered subject to the provisions of the California Environmental Quality Act (CEQA) as it will not result in a direct or reasonably foreseeable indirect physical change in the environment and is not considered a "project." (Pub. Resources Code § 21065; Cal. Code Regs., tit 14, §§ 15060(c)(2),(3); 15378(a).) In addition, the Central Valley Water Board finds that issuance of this Order is also exempt from the provisions of CEQA in accordance with California Code of Regulations, title 14, section 15321(a)(2), of the as an enforcement action by a regulatory agency.
4. Kenneth Landau, acting pursuant to authority delegated by the Central Valley Water Board, has independently considered all of the Findings delineated in the Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order R5-2013-0587, as well as comments received from Mark Bradley, Diane Nygaard, the Center for Biological Diversity, and an anonymous caller.

IT IS HEREBY ORDERED by the California Regional Water Quality Control Board, Central Valley Region, that, pursuant to Water Code sections 13323 and 13350 and Government Code section 11415.60:

1. Vintage Production California LLC, shall be assessed administrative liability in the amount of sixty thousand dollars (\$60,000), payable to the State Water Pollution

Cleanup and Abatement Account and due within 30 days of the issuance of this Order.

By:



Kenneth D. Landau
Assistant Executive Officer

Date: 20 February 2014

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 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.