



Central Valley Regional Water Quality Control Board

27 September 2024

Stephen Griffin, Owner
Griffin Resources, LLC
1695 Mesa Verda Ave., Ste. 210
Ventura CA, 93003

CERTIFIED MAIL
7020 2450 0000 6785 4590

ORDER PURSUANT TO CALIFORNIA WATER CODE SECTION 13267, GRIFFIN RESOURCES, LLC, KCL LEASE, FRUITVALE OIL FIELD, KERN COUNTY

You are legally obligated to respond to this Order. Please read this Order carefully.

Griffin Resources, LLC (Griffin) is an operator on the KCL Lease in the Fruitvale Oil Field. Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff conducted inspections related to complaints and spill reports at the KCL Lease on 27 May 2022, 30 August 2023, 1 May 2024, and 5 June 2024. Attached are copies of the inspection reports. Griffin operates the "KCL Tank Setting" (Facility) at 5401 Office Park Drive, Bakersfield on a portion of the KCL Lease. A review of public records indicates that Griffin owns the property that the Facility is located on.

Central Valley Water Board staff conducted an inspection on 27 May 2022 in response to a resident complaint who lives at 4904 Durham Avenue, Bakersfield. The residence at 4904 Durham Avenue abuts a well pad with an active pumping oil well owned by Griffin. According to the complaint, the resident observed in his backyard a dark fluid and soil staining, tree roots that had a dark staining, and gas bubbles in standing water. At the time of the inspection Central Valley Water Board staff did not observe dark fluids in the resident's backyard soil and the roots of trees appeared normal (not darkened). Staff observed areas where the soil appeared darkened underneath grass. The inspection did not occur after a rain event. California Geologic Energy Management (CalGEM) staff in an email dated 7 June 2024 conveyed to Central Valley Water Board staff a KCL Lease pipeline figure that showed the presence of a pipeline from the well pad adjacent to the residence that has been used by Griffin to convey crude oil and which is connected to a pipeline network on the KCL Lease used by Griffin. Records available show the Griffin pipeline at other locations has leaked resulting in crude oil spills.

On 30 August 2023, Central Valley Water Board staff inspected the location of a spill on the KCL Lease after receiving the Governor's Office of Emergency Services (Cal OES) Hazardous Materials Spill Report #23-4643 on 19 July 2023. The cause of the spill was

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from a leak in an underground pipeline under a paved alley behind a strip mall just southwest of the intersection of Lennox and California Avenues in Bakersfield. Based on the inspection and information provided by Griffin and CalGEM staff, Griffin representatives exposed the pipeline that leaked, cleaned up the spill, repaired the pipeline, backfilled an excavated area, and repaved the area. Feedback provided by a Griffin representative indicated that they would dispose of waste generated during the cleanup at a permitted facility after first moving the waste to Griffin's "yard." At the time of preparation of this Order it is not known if the "yard" is the Facility. Staff requested an update regarding waste disposal status multiple times. Griffin has not provided updates or waste manifests documenting that Griffin disposed of the waste at a properly permitted facility.

On 1 May 2024, Central Valley Water Board staff inspected the Facility for a spill associated with Cal OES Spill Report #24-2442 that was reported on 26 April 2024. During the inspection, Central Valley Water Board staff observed numerous unauthorized discharges to land at the Facility.

On 5 June 2024, Central Valley Water Board staff inspected the Facility and nearby areas. On 4 June 2024 Staff had received Cal OES Spill Report #24-3219, which indicated that backpressure from a crude oil pipeline connected to a municipal water line at the Facility caused releases of crude oil into the municipal drinking water main line.

The KCL Lease is in an urban setting and is known to have high quality groundwater under the Facility. Central Valley Water Board staff is concerned about the potential impacts to water quality and threats to human health posed by the migration of crude oil impacted fluids containing oil field related constituents of concern (COCs), such as total petroleum hydrocarbons and volatile organic compounds, into high quality groundwater. This California Water Code Section 13267 Order (Order) requires Griffin to: provide documentation of any cleanup work completed at the Facility; provide documentation that the material removed from the leak behind the strip mall was disposed of at a properly permitted disposal facility; conduct a soil assessment of the well pad near the residence at 4904 Durham Avenue and at the Facility to determine the lateral and vertical extent of COCs; and assess and evaluate potential impacts and/or threatened impacts to water quality by the past discharges of fluids containing COCs.

The Central Valley Water Board's authority to require additional information is derived from Section 13267 of the California Water Code, which specifies, in part, that:

(a) A regional board ... in connection with any action relating to any plan or requirement authorized by this division, may investigate the quality of any waters of the state within its region.

(b)(1) In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region ... that could affect

the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.

The technical information and reports required by this Order are necessary to evaluate the scope and extent of waste discharges at the Facility, to identify impacts, or threatened impacts, to water quality, and to determine the need for further evaluation and/or remediation. The need to understand the potential threat to human health and potential impacts to water quality justifies the need for the information and reports required by this Order. Based on the nature and possible consequences of the discharges of waste, the burden of providing the required information, including reporting costs, bears a reasonable relationship to the need for the report, and the benefits to be obtained. Griffin is required to submit this information and reports because it is the owner/operator of the KCL lease and the Facility that is subject to this Order.

Central Valley Water Board staff estimates that completion of initial work required by this Order may cost up to \$180,000 and is dependent on approved work plans. This cost is based upon conveyance of information associated with corrective action work at the Facility completed by Griffin, and the development and implementation of work plans and technical reports for the needed soil investigation work at the Facility and the well pad near the residence on Durham Avenue. This cost burden is reasonable when compared to the potential costs associated with mitigating the effects of polluted beneficial use groundwater, and other costs that could be incurred by property owners and downgradient users of groundwater and surface water.

Under the authority of California Water Code section 13267, the Central Valley Water Board hereby orders Griffin Resources, LLC to:

1. **Within 60 days from the date of this Order**, submit a technical report that includes the following:
 - a. Documentation of the completion of any cleanup of materials associated with spills of crude oil and produced wastewater at the Facility. This includes cleanup of waste piles containing COCs, stockpiled drilling mud, unpermitted and/or unlabeled storage barrels and containers with stored chemicals. The report must also include available analytical data for samples previously collected, and waste manifests documenting that materials containing COCs removed from the Facility were disposed of at properly permitted disposal facilities.

- b. Documentation of the quantity of waste materials removed and copies of waste manifests verifying that Griffin disposed of the waste generated during the cleanup at a permitted disposal facility for material removed during the cleanup of the spill associated with Cal OES Spill Report #23-4643.
2. **Within 90 days from the date of this Order** a Site Assessment Workplan that includes the following:
 - a. A materials inventory of all products handled, stored, or used at the Facility and other materials present at the Facility.
 - b. Basis and methodology for determining the lateral and vertical extent of COCs due to waste discharges at the Facility.
 - c. Proposed scope of work for assessment of soil (and, as necessary, groundwater) to determine the lateral and vertical extent of COCs at the Facility and for assessing any existing or threatened impact to surface water or groundwater.
 - d. Proposed scope of work for assessment of soil for determining if COCs are present on or below the parcel at 4904 Durham Avenue, Bakersfield and on or below the well pad that abuts the parcel. This is needed for assessing any existing or threatened impacts to surface water, groundwater, and human health.
 - e. The proposed scopes of work for assessment of soil must include plans for collecting near surface (such as from 0 to 0.5 ft below ground surface) and subsurface sludge/soil samples. The plans need to indicate that all samples will be collected and analyzed discretely and will be analyzed for the following: polynuclear aromatic hydrocarbons (PAHs) using U.S. EPA Method 8270-SIM, volatile organic compounds (VOCs) using U.S. EPA Method 8260-full scan, total petroleum hydrocarbons (TPH) using U.S. EPA Method 8015-B, Title 22 metals, chromium VI using U.S. EPA Method 7196, and other potential COCs that may be present.
 - f. Proposed schedule for completion of the assessment and submittal of a Comprehensive Site Assessment Report.
3. **Within 30 days of Staff concurrence with the Site Assessment Work Plan**, commence implementation of the Work Plan in accordance with the task descriptions and time schedule described therein.
4. **Within no more than 120 days of Staff concurrence with the Site Assessment Work Plan (work plan schedule notwithstanding)**, submit a Comprehensive Site Assessment Report, providing investigation procedures,

sample results, findings, conclusions, and recommendations for further assessment and/or potential remedial efforts needed for protection of water quality and human health.

The technical reports and information required by this Order must be uploaded to the State Water Resources Control Board's (State Water Board's) GeoTracker database (<https://geotracker.waterboards.ca.gov/esi/login.asp>) in an electronic format that follows the requirements of California Code of Regulations, title 23, section 3893 (http://www.waterboards.ca.gov/ust/electronic_submittal/docs/text_regs.pdf). Central Valley Water Board staff has provided a unique GeoTracker identifier (Global ID number **T10000022722**). Your state-certified laboratory will need the assigned Global ID number to upload to GeoTracker the certified analytical results for each well.

Based on the information submitted in the work plan and/or technical reports, additional information or action may be required. All required technical information must be submitted to the attention of:

Michael Pfister
Central Valley Water Board
1685 E Street
Fresno, CA 93706

Submissions pursuant to this Order need to include the following statement signed by an authorized representative of Griffin:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

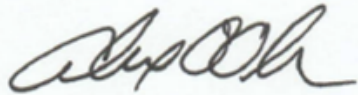
Please note that the information produced in response to this Order will be used to ascertain the extent of COCs from the discharge of waste, as well as the impacts and any necessary future actions. Investigative orders are iterative in nature, and subsequent orders may be narrower and more precise in scope.

The failure to furnish the required reports by the due dates herein or in a time schedule approved by the Executive Officer, or the submission of a substantially incomplete report or false information, is a misdemeanor, and may result in additional enforcement actions, including issuance of an Administrative Civil Liability Complaint pursuant to California Water Code section 13268. Liability may be imposed pursuant to California Water Code section 13268 in an amount not to exceed one thousand dollars (\$1,000) for each day in which the violation occurs.

In accordance with California Business and Professions Code sections 6735, 7835, and 7835.1, engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. All technical reports specified herein that contain workplans for investigations and studies, that describe the conduct of investigations and studies, or that contain technical conclusions and recommendations concerning engineering and geology shall be prepared by or under the direction of appropriately qualified professional(s), even if not explicitly stated. Each technical report submitted by the operator shall bear the professional's signature and stamp.

Any person aggrieved by this Order of the Central Valley Water Board may petition the State Water Board to review the action in accordance with California Water Code section 13320. The State Water Board must receive the petition by 5:00 p.m., within 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, and instructions applicable to filing petitions are available at the [State Water Board's Website](http://www.waterboards.ca.gov/public_notices/petitions/water_quality/index.shtml) or will be provided upon request.
(http://www.waterboards.ca.gov/public_notices/petitions/water_quality/index.shtml).

Any questions regarding this matter should be directed to Michael Pfister at (559) 444-2418 or at Michael.Pfister@Waterboards.ca.gov.



FOR Patrick Pulupa
Executive Officer

Enclosures: 5 June 2024 Inspection Report
1 May 2024 Inspection Report
30 August 2023 Inspection Report
27 May 2022 Inspection Report

cc: Chris Jones, District Deputy, Central District, Department of Conservation, California Geologic Energy Management Division, Bakersfield (via email)
Cameron Campbell, P.G., Supervising Oil and Gas Engineer, Central District, Department of Conservation, California Geologic Energy Management Division, Bakersfield (via email)
David Cookey-Gam, Senior Oil and Gas Engineer, Central District, Department of Conservation, California Geologic Energy Management Division, Bakersfield (via email)
Jonathan Fielder, Fish and Wildlife Officer, Department of Fish and Wildlife, Bakersfield (via email)
David Mosley, Oil Spill Prevention Specialist, California Department of Fish and Wildlife, Office of Spill Prevention and Response, Bakersfield (via email)
Stephen Griffin, Owner, Griffin Resources, LLC (via email)
Robert Prater, Resident, Bakersfield (via mail)