



PRESS RELEASE

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EDC REACHES MAJOR CLEAN WATER SETTLEMENT TARGETING POLLUTION FROM OIL AND GAS FIELD IN COASTAL VENTURA COUNTY

Vintage Production California, LLC Agrees to Better Manage Stormwater Runoff from Rincon Grubb Oil Field, Provide Advance Notice and Water Quality Testing for Hydraulic Fracturing

Ventura, California—The Environmental Defense Center (EDC) announced today that it has reached an agreement with Vintage Production California LLC (a wholly-owned subsidiary of Occidental Petroleum Corporation) to significantly improve management of polluted runoff from the Rincon Grubb oil field, where it conducts oil exploration and production activities, including hydraulic fracturing (‘fracking’). The 4,236-acre Rincon Grubb oil field is located in the steep coastal mountains of northern Ventura County, with polluted runoff from the field draining directly to heavily-utilized public beaches from Hobson County Park to Solimar (the consent decree can be found [here](#)).

“The measures required in this settlement agreement will improve water quality along the miles of Ventura County beaches that receive untreated runoff from the Rincon Grubb oil field, benefiting beach residents and visitors who swim, surf, and recreate in those waters,” stated Brian Segee, EDC’s lead attorney in the lawsuit and related negotiations. “Oil and gas fields comprise large swaths of our local area and the rise of fracking means that stormwater runoff from these fields may contain additional carcinogenic chemicals and other hazardous materials that were not previously present. This settlement is an important first step towards addressing this pollution.”

Under the settlement, Vintage has agreed to comprehensively address its stormwater management at the oil field by, among other actions, implementing effective pollution control measures to better control polluted runoff from the field’s extensive road network, drill sites, well pads, chemical containers, and production facilities; expanding the locations at which it conducts water quality sampling; and increasing its water quality sampling frequency. Oil field operations commonly discharge a wide range of conventional and hazardous pollutants, including total suspended solids, oil and grease, pH, benzene, lead, arsenic, chlorides, and ethanol xylenes. The adverse impacts of these pollutants on water quality can pose risks to fish and other aquatic organisms, wildlife, and human health.

The agreement also specifically addresses fracking, requiring Vintage to provide EDC with notice prior to fracking at the Rincon Grubb oil field, and to identify and monitor for chemicals and other hazardous components present in fracking fluid.

In addition to stormwater management measures, the settlement requires Vintage to dedicate \$95,700 to fund a Supplemental Environmental Project known as the Northern Ventura County Coastal Watershed Fund. The Fund, to be administered by the Rose Foundation for Communities and the Environment, will be directed towards projects relating to the reduction, prevention, research, or mitigation of pollutants to coastal watersheds between Rincon Creek and the Ventura River.

In early 2012, EDC filed its litigation under the citizen suit provision of the federal Clean Water Act. In this case, EDC alleged that Rincon Grubb was violating the terms of California's Industrial Stormwater General Permit, which is part of the National Pollutant Discharge Elimination System at the heart of the Clean Water Act. Under the General Permit, industrial facilities are prohibited from discharging pollutants, including total suspended solids, oil and grease, and toxic chemicals, in excess of water quality standards and without applying the best available and best conventional pollution treatment technologies to their sources. EDC filed its case after Vintage consistently reported pollution levels well above applicable guidelines and benchmarks, and failed to take corrective action. Michael Lozeau of Lozeau Drury LLP, located in Oakland, was co-counsel on this case with the Environmental Defense Center's Brian Segee.

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The Environmental Defense Center, a non-profit law firm, protects and enhances the local environment through education, advocacy, and legal action and works primarily within Santa Barbara, Ventura, and San Luis Obispo counties. Since 1977, EDC has empowered community based organizations to advance environmental protection. Program areas include protecting coast and ocean resources, open spaces and wildlife, and human and environmental health. Learn more about EDC at www.EnvironmentalDefenseCenter.org.

Enforcing the Clean Water Act at the Rincon Grubb Oil Field

EDC Reaches Settlement With Vintage Production/Occidental Petroleum to Address Water Pollution at Coastal Ventura County Oil Field

OVERVIEW

The Environmental Defense Center (EDC) and Vintage Production California LLC (a wholly-owned subsidiary of Occidental Petroleum) have reached a formal Clean Water Act (CWA) settlement agreement addressing stormwater runoff at its 4,236-acre Rincon Grubb oil field, which drains directly to beaches in coastal northern Ventura County. Under the agreement,



Rincon Grubb Oil Field. Photo courtesy of Santa Barbara Channelkeeper/Lighthawk.

known as a Consent Decree, Vintage will comprehensively

address stormwater management at the oil field by, among other actions, implementing effective technologies to reduce polluted runoff from the field's extensive road network, drill sites, well pads, chemical containers, and production facilities, expanding the locations at which it conducts water quality sampling, and increasing its water quality sampling frequency. These measures will improve water quality for beach residents and visitors, making Ventura County's coastal waters safer for swimming, surfing, diving, and other activities.

ADDRESSING FRACKING

In an important precedent for our region, the Consent Decree specifically addresses fracking, requiring Vintage to provide notice prior to fracking at the oil field, and to identify and monitor for chemicals and other hazardous components present in fracking fluid.

NORTHERN VENTURA COUNTY COASTAL WATERSHED FUND

The Consent Decree requires Vintage to dedicate \$95,700 to fund a 'Supplemental Environmental Project,' to be administered by the Rose Foundation for Communities and the Environment, towards projects relating to the reduction, prevention, research, or

Enforcing the Clean Water Act at the Rincon Grubb Oil Field

mitigation or pollutants to coastal watersheds between Rincon Creek and the Ventura River.

ABOUT THE RINCON GRUBB OIL FIELD

Location

The Rincon Grubb oil field comprises a 4,236-acre area located in coastal watersheds of northern Ventura County, draining to beaches (approximately) from Hobson County Park to Solimar. The field is located between the cities of Ventura and Carpinteria, and is situated within steep coastal hills. In the spring of 2011, Vintage/Oxy disclosed that it had “fracked” an oil well in the field, the first fracking operation in Ventura County disclosed to the public.

Operation

Oil fields such as Rincon Grubb can discharge storm water runoff polluted by toxic pollutants, hazardous substances, sediment, and oil and grease. Storm water is collected and discharged from the Rincon Grubb oil field through a diverse range of point sources



Javon Creek draining from Rincon Grubb facility into the Pacific Ocean.
Photo courtesy of EDC.

dispersed throughout the field, such as well pad sites, road and well pad construction, road drainage infrastructure, erosion gullies and channels associated with roads and pads, storage and processing units, in-stream detention basins, and transportation facilities. Pollution from these sources is discharged into one of the six primary creeks (Madriano, Javon, Padre Juan, Ice Box, Amphitheater, and Diablo) within the facility’s boundaries, before flowing

untreated into the Pacific Ocean. Vintage has reported extremely high levels of pollutants from its sampling results, particularly of Total Suspended Solids (TSS), with many readings orders of magnitude above EPA’s “benchmark” level of 100 mg/l TSS value, and one TSS reading was reported at 396,000 (nearly 40,000 times higher than the benchmark level).

STORMWATER CITIZEN ENFORCEMENT ACTION

Stormwater is among the top sources of water contamination, as significant quantities of

Enforcing the Clean Water Act at the Rincon Grubb Oil Field

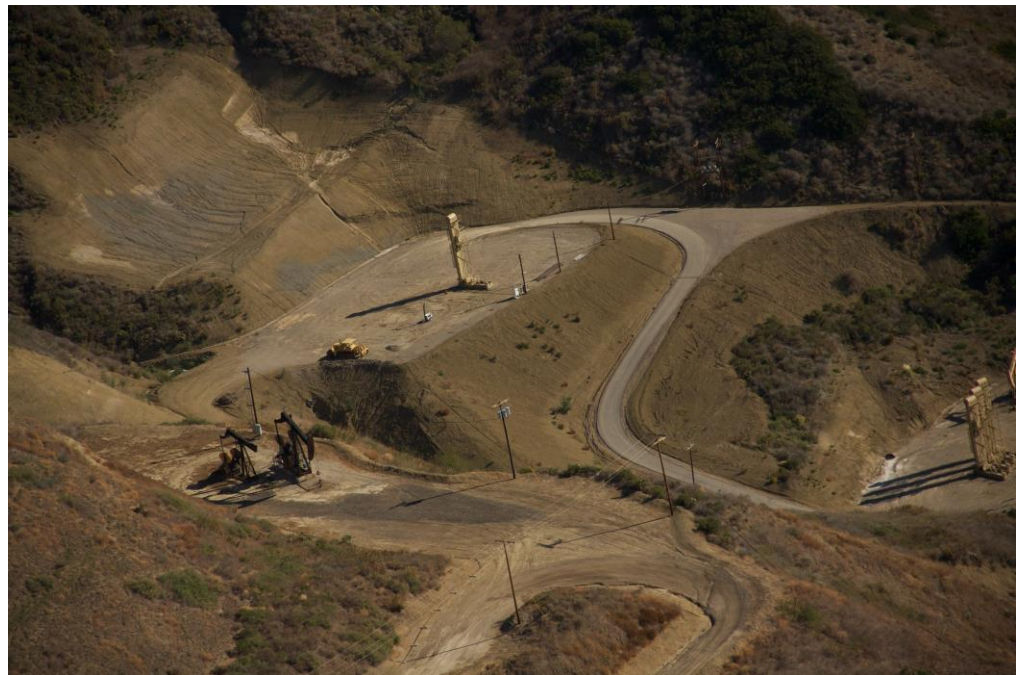
pollution enter our waterways during rain events. To combat this problem, industrial facilities like the Rincon Grubb oil field are required by the state to enroll in an applicable permit, here the Industrial Storm Water General Permit, which requires the facility to, among other things, monitor, sample and report storm water discharge. Discharges in violation of the permit are a violation of the CWA. Importantly, the CWA grants citizens the right to file a civil enforcement suit against a corporation to enforce permit conditions.

OIL AND GAS FIELDS AND THE CLEAN WATER ACT

Compared to many other industrial facilities, Clean Water Act enforcement actions against oil and gas facilities are rare. This is because in 1987 Congress amended to the law to create a *presumption* that CWA stormwater requirements do not apply to oil and gas fields, *but only so long as* runoff from those facilities is uncontaminated by field activities or operations. Although the majority of oil and gas facilities will have some contaminated runoff, the 1987 amendment is today treated as if it was a blanket *exemption*. EDC's case is the first case we are aware of in California that has enforced CWA stormwater requirements at an oil and gas field.

EDC CONTACT INFO

The Environmental Defense Center is a non-profit, public interest law firm that protects and enhances coastal and ocean resources, open space and wildlife, and human and environmental health through education, advocacy, and legal action primarily within



Rincon Grubb Oil Field. Photo courtesy of Santa Barbara Channelkeeper/Lighthawk.

Ventura, Santa Barbara, and San Luis Obispo counties. EDC was represented in this case by Staff Attorney Brian Segee and Michael Lozeau of Lozeau Drury, LLP. For information about the Rincon Grubb settlement, please contact Brian Segee, at (805) 963-1622 or visit www.EnvironmentalDefenseCenter.org .