

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
1685 E Street, Fresno, California 93706

NOTICE OF PUBLIC HEARING
concerning

**A. RESOLUTION ADOPTING NEGATIVE DECLARATION AND APPROVING AN
INITIAL STUDY, AND B. RESOLUTION ADOPTING A CONDITIONAL WAIVER OF
WASTE DISCHARGE REQUIREMENTS AND MONITORING AND REPORTING
PROGRAM
FOR
HATHAWAY, LLC
REUSE OF OIL FIELD PRODUCTION WASTEWATER FOR IRRIGATION
KERN COUNTY**

The proposed project concerns land in the Kern Front and Poso Creek Oil Fields, about seven miles north of Bakersfield. Most of the surrounding land is idle except for oil industry use, and a few irrigated parcels in the Poso Creek Oil Field. Good quality oil field wastewater produced on Hathaway, LLC's Davies Realty Co. Lease (Lease) in the Kern Front Oil Field will be blended with irrigation water for use on the Concordia Ranch in the Poso Creek Oil Field. The wastewater will be piped from tanks on the Lease to an existing irrigation reservoir on the Concordia Ranch (approximately $\frac{3}{4}$ of a mile). It will be blended with groundwater from an irrigation well and used to irrigate approximately 120 acres of citrus. The site is not on the Hazardous Waste and Substances Sites (Cortese) List.

A public hearing concerning this matter will be held during the Regional Board meeting scheduled for:

DATE: 12, 13, 14, October 2011
TIME: 8:30 a.m.
PLACE: Central Valley Water Quality Control Board
11020 Sun Center Dr, #200
Rancho Cordova, CA

The designated party for this hearing is:

- HATHAWAY, LLC

Designated parties but not interested persons will have these rights: to call and examine witnesses; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. Central Valley Water Board staff will prepare the administrative record, and may present evidence, make an oral presentation and cross-examine opposing witnesses.

Interested persons may not cross examine witnesses, and will not be subject to cross examination. Interested persons may submit evidence if the evidence is submitted in accordance with the deadlines for submitting evidence described below. Interested persons who present evidence may be subject to cross-examination. Interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Regional Board no later than **noon 10 October 2011**. The request must explain the basis for status as a designated party and in particular how the person is directly affected by the discharge.

The Tentative Resolution was issued on 8 September 2011. Persons wishing to comment on this item must submit testimony, evidence, if any, and/or comments in writing to the Regional Board no later than **noon 10 October 2011**. Written materials or comments submitted after **noon 10 October 2011** will not be accepted and will not be incorporated into the administrative record absent a ruling by the Chair. A party requesting to submit late materials must demonstrate good cause for the late submission, and the Chair must find that the late submission would not prejudice the Central Valley Water Board or any designated party.

All designated parties and interested persons may speak at the Regional Board meeting, and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Board Chair. Both designated and interested persons may be asked to respond to clarifying questions from Board members, counsel staff or others, at the discretion of the Board.

Anyone having questions on the Resolution should contact **Ryan West at (559) 445-6188 or at rwest@waterboards.ca.gov**. Interested parties may download the Documents from the Regional Board's Internet website at

http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/.

A copy of the documents can also be obtained by contacting or visiting the Regional Board's office at 1685 E St., Fresno, California 93706, weekdays between 8:00 a.m. and 5:00 p.m.

The final meeting agenda will be available at

http://www.waterboards.ca.gov/board_info/agendas/ at least ten days before the meeting.

The agenda will provide the dates the Board meeting will be held, indicate the anticipated order of agenda items, and may include staff revisions to the proposed order(s).

The procedures governing Regional Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Regional Board are not conducted pursuant to Government Code section 11500 et seq.

The procedures may be obtained by accessing

http://www.waterboards.ca.gov/laws_regulations/. Information on meeting and hearing

procedures is also available on the Regional Board's website at

http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml/ or by

contacting any one of the Regional Board's offices. Questions regarding such procedures should be directed to Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922. Please bring the above information to the attention of anyone you know who would be interested in this matter.

Original signed by

Clay L. Rodgers, PG, CEG
Assistant Executive Officer

9 September 2011