



**NOTICE TO OPERATORS
2024-09**

September 13, 2024

**REGULATORY REQUIREMENTS FOR OPERATOR COMPLIANCE WITH
PUBLIC RESOURCES CODE 3284**

The California Geologic Energy Management Division (CalGEM) in consultation with the State Water Resources Control Board (State Water Board) is issuing this notice to inform operators that **the requirements established by Senate Bill 1137 (Gonzalez, Chapter 365, Statutes of 2022) in Public Resources Code (PRC) section 3284** are only applicable to drilling related notices of intention (NOIs) within a health protection zone (HPZ) , and sidetrack activities exposing open hole, but this list is not exhaustive. These NOIs with drilling work must comply with the requirements for noticing property owners and tenants as required by PRC section 3284 and the specific requirements detailing how to perform and document the notification and water sampling and testing in California Code of Regulations, title 14 (CCR), sections 1765.4 and 1765.4.1.

If in doubt whether an NOI would be considered drilling related, contact your CalGEM district office.

The required declaration of completion of neighbor notice and the summary of water testing performed can be submitted by email to the appropriate district office below. The appropriate well or facility and the permit number should be specified in documents.

- Central District: CalGEMCentral@conservation.ca.gov
- Southern District: CalGEMSouthern@conservation.ca.gov
- Northern District: CalGEMNorthern@conservation.ca.gov

When an operator is conducting water sampling pursuant to PRC section 3284 and CCR section 1765.4, the operator must provide notification to the appropriate regional water quality board and State Water Board at least five days prior to collecting any baseline water samples. For questions regarding providing this notice and providing subsequent water quality data to the State Water Board's GeoTracker Information System, please contact WB-DWQ-HPZoneSampling@waterboards.ca.gov. Specific details for water sampling methods and testing requirements will be outlined in a forthcoming NTO.

In accordance with PRC section 3284, operators cannot commence work approved under the NOI until at least thirty days after providing notice to all property owners and tenants within a 3,200-foot radius of the wellhead and complying with other applicable requirements, even when no sampling is requested. Notice is deemed to have been provided as set forth in CCR section 1765.4.1(a)(4). The notice delivery method used, whether a request for sampling and testing is received, and the timing of operator sampling and testing documentation submittal to CalGEM may extend the time by days or weeks before work can commence; situations will vary. Operators should carefully

read all statutory and regulatory requirements for notice and water sampling and testing to ensure full compliance. Failure to adequately plan enough time to enable required notice, sampling or testing is not a basis for a waiver request under PRC section 3284(d)(7) and CCR section 1765.4(b).

It is the operator's responsibility to verify, before commencing work approved under the NOI, whether the wellhead is in an HPZ, regardless of any prior determination from CalGEM that the wellhead is not located within an HPZ. HPZs are not static and will likely expand over time.

Violations of CalGEM statutes and regulations may result in enforcement action including, but not limited to, administrative, civil or criminal action pursuant to Public Resources Code sections 3224, 3236, 3236.2, and/or 3236.5.

If you have any questions or concerns regarding compliance with this notice, please contact CalGEM Headquarters at (916) 445-9686 for referral to SB 1137 Implementation or SB1137Implementation@conservation.ca.gov.

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