

1 Department of Conservation, Geologic Energy Management Division  
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8 **STATE OF CALIFORNIA**  
9 **NATURAL RESOURCES AGENCY**  
10 **DEPARTMENT OF CONSERVATION**  
11 **GEOLOGIC ENERGY MANAGEMENT DIVISION**  
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14 **ORDER TO PLUG AND ABANDON WELL, DECOMMISSION ATTENDANT FACILITY, AND RESTORE WELL**

15 **SITE**

16 **NO. 1415**  
17

18 **Operator: Western Pacific Oil Co. (09149)**

19 **Field: N/A\***

20 **Southern District, San Bernardino County**  
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28 \*Not located within the administrative boundaries of an oil field

## I. Introduction

The State Oil and Gas Supervisor (**Supervisor**), acting through the Geologic Energy Management Division (**CalGEM**), and under the authority of Division 3 of the Public Resources Code (**PRC**; commencing with PRC section 3000) and California Code of Regulations, title 14 (**Regulations**), may order the plugging and abandonment of a well or the decommissioning of a production facility that has been deserted, whether or not any damage is occurring, or threatened, by reason of that deserted well. (PRC, § 3237, subd. (a).) An operator's failure to timely pay required annual fees for any idle well is conclusive evidence of desertion. (PRC, § 3206, subds. (a) & (c).)

Based on CalGEM's limited records, Western Pacific Oil Co. (**Operator**) is the "operator" (as defined in PRC section 3009) of the well identified on **Attachment A**, incorporated herein (**the Well**), and is responsible (as specified in PRC section 3237, subdivision (c)(1)) for the plugging and abandonment of the Well, the decommissioning of the production facility attendant to the Well (**the Facility**), and the restoration of the well site for the Well. CalGEM records indicate that, under applicable provisions of PRC section 3206, Operator was required to timely pay idle well fees for the Well for years 2018 through 2023, and that Operator has not done so. This failure to timely pay idle well fees is conclusive evidence of desertion. In addition, CalGEM limited records reflect that the Well appears to be and have remained non-operational since at least June 10, 1977. Based upon conclusive evidence of desertion, rebuttable presumption of desertion, and credible evidence described below, the Supervisor has determined that the Well and the Facility are deserted. Therefore, pursuant to PRC sections 3106, 3206, 3224, 3226, and 3237, and as set forth below, the Supervisor is ordering Operator to plug and abandon the Well, to decommission the Facility, and to restore the well site for the Well, consistent with all applicable requirements, including PRC sections 3208, 3228, 3229, and 3230; Regulations sections 1722, 1723 through 1723.8, 1724 through 1724.1, 1760, 1775, and 1776; and the conditions included in any permit/approval CalGEM may issue pursuant to PRC section 3229; and until that work is complete, perform remedial work and testing as necessary to prevent damage to life, health, property, and natural resources.



1 CalGEM has limited records for the Well. CalGEM records reflect that the Well appears  
2 to be and has remained non-operational since at least June 10, 1977. The operational history  
3 presents credible evidence that the Well is deserted.

4 **V. Operator's Required Actions**

5 For the reasons stated herein, CalGEM has determined that the Well and the Facility are  
6 deserted. Therefore, pursuant to PRC sections 3106, 3206, 3224, 3226, and 3237, **IT IS HEREBY**  
7 **ORDERED** that Operator plug and abandon the Well, decommission the Facility, and restore  
8 the well site for the Well consistent with all applicable requirements of PRC sections 3208, 3224,  
9 3228, 3229, and 3230; Regulations sections 1722, 1723 through 1723.8, 1724 through 1724.1,  
10 1760, 1775, and 1776; and the conditions included in any permit CalGEM may issue pursuant  
11 to PRC section 3229. Until that work is complete, Operator is ordered to perform remedial work  
12 and testing on the Well and the Facility as necessary to prevent damage to life, health,  
13 property, and natural resources.

14 **VI. Operator's Appeal Rights**

15 Operator may appeal this Order by filing a timely written notice of appeal with the  
16 Director as described in Article 6 (Appeals and Review) of Division 3 of the PRC, commencing  
17 with PRC section 3350. (PRC, §§ 3225, subd. (d); 3236.5, subd. (c); 3237, subd. (b).) If this Order  
18 is mailed to you, the Director must receive the appeal within (15) days from the date the  
19 Supervisor mails the Order. To file an appeal, a written notice of appeal may be sent via U.S.  
20 mail to:

21 Department of Conservation  
22 Director's Office of Appeals  
23 715 P Street, MS 19-06 (Legal Office, Chief Counsel)  
Sacramento, California 95814

24 Or via electronic mail:

25 [CalGEMAppeals@conservation.ca.gov](mailto:CalGEMAppeals@conservation.ca.gov)  
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1 If Operator files a timely written notice of appeal, Operator will be informed of the  
2 appeal hearing date, time, and place. Following the hearing, Operator will receive a written  
3 decision that affirms, sets aside, or modifies the appealed order.


4 If Operator does not file a timely written notice of appeal, or if the order is affirmed  
5 following an appeal, this order will become a final order and CalGEM may contract for  
6 performance of the work, pursuant to PRC section 3226, if, within 30 days of this order,  
7 Operator has not, in good faith, commenced the work ordered. Any costs incurred by  
8 CalGEM to obtain compliance with this order (which may include penalties and interest) will  
9 constitute a lien against Operator's real or personal property per PRC section 3423. (PRC, §  
10 3356.)

#### 11 **VII. Consequences of Non-Compliance**

12 Failure to comply with Section V (Operator's Required Actions) of this order could  
13 subject Operator to further enforcement action. PRC section 3236 makes it a misdemeanor  
14 for any person who violates, fails, neglects, or refuses to comply with any of the provisions of  
15 the oil and gas conservation laws commencing at PRC section 3000. PRC sections 3236.2 and  
16 3236.3 authorizes the Supervisor to refer for civil penalties and injunctive relief for failure to  
17 comply with an order or for violation of any provision in Chapter 1 of Division 3 of the PRC or  
18 any regulation that implements those statutes. PRC section 3236.5 authorizes the Supervisor to  
19 impose a civil penalty on a person who violates any provision in Chapter 1 of Division 3 of the  
20 PRC or any regulation that implements those statutes, and the Supervisor may in the future  
21 impose further civil penalties based on the facts and omissions underlying this order. PRC  
22 section 3237 authorizes the Supervisor to order the plugging and abandonment of a well or  
23 the decommissioning of a production facility if an operator has failed to comply with an order  
24 of the Supervisor within the time provided by the order or has failed to challenge the order on  
25 a timely basis. PRC section 3359 makes it a misdemeanor to fail or neglect to comply with an  
26 order of the Supervisor. Each day's further failure, refusal, or neglect is a separate and distinct  
27 offense. (PRC, § 3359.) By issuance of this Order, the Supervisor does not waive the right to  
28 take further enforcement actions. PRC sections 3236.2 and 3236.3 authorizes the Supervisor to

1 seek civil penalties and injunctive relief for failure to comply with an order or for violation of  
2 any provision in Chapter 1 of Division 3 of the PRC or any regulation that implements those  
3 statutes.

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5 DATED: July 18, 2024

DocuSigned by:  
  
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Doug Ito  
State Oil and Gas Supervisor

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