

NOTICE OF PROPOSED ACTION

by the

U.S. Environmental Protection Agency, Region 9
NPDES Permits Office (WTR-5)
75 Hawthorne Street
San Francisco, CA 94105
(415) 972-3510

Public Notice #: CA-09-W-07

Public Notice Date: April 2, 2009

Comment Period Closes: May 4, 2009

The Environmental Protection Agency (EPA), Region 9, San Francisco, California is proposing certain modifications of its general NPDES permit (permit No. CAG280000) for discharges from offshore oil and gas exploration, development and production facilities located in Federal waters off the coast of Southern California. The permit, which was issued on September 22, 2004 (69 FR 56761), required a one-year monitoring study for discharges of produced water, cooling water and fire control system test water to evaluate whether these discharges would have reasonable potential to cause or contribute to exceedances of marine water quality criteria.

The monitoring study has now been completed and Region 9 is proposing to modify the permit to include additional effluent limitations and monitoring requirements for those discharges for which the monitoring study showed a reasonable potential to cause or contribute to exceedances of marine water quality criteria.

For produced water discharges, Region 9 is also proposing to modify the water quality criterion for undissociated sulfide in the permit based on the results of a new study submitted by the permittees concerning the toxicity of this material to marine organisms. The proposed effluent limitations for undissociated sulfide in the modified general permit would be based on the modified water quality criterion.

There are currently 22 production platforms which are authorized to discharge by general permit No. CAG280000. The discharges are authorized within 83 lease parcels from previous Federal lease sales; these lease parcels are located in the Santa Maria Basin, the Santa Barbara Channel and the San Pedro Channel. These receiving waters are classified for the following beneficial uses: aesthetic enjoyment; propagation and sustenance of marine life; scientific research and training; sport fishing; commercial fishing; pleasure boating; commercial and naval shipping; and industrial water supply.

The following types of discharges are authorized by the permit (subject to the terms and conditions of the permit): drilling fluids and drill cuttings; produced water; well treatment, completion and workover fluids; deck drainage; domestic and sanitary waste; blowout preventer fluid; desalination unit discharge; fire control system test water; non-contact cooling water; ballast and storage displacement water; bilge water; boiler blowdown; test fluids; diatomaceous earth filter media; bulk transfer material overflow; uncontaminated freshwater; water flooding discharges; laboratory wastes; excess cement slurry; hydrotest water; and hydrogen sulfide gas processing waste water.

EPA invites all interested persons to submit written comments on the proposed permit modification and fact sheet and all supporting evidence by the close of the comment period which ends on May 4, 2009. Written comments should be sent to Lisa Honor at the EPA address shown above postmarked no later than midnight, May 4, 2009.

Requests for a public hearing, pursuant to 40 CFR 124.12 must be sent or delivered in writing to Lisa Honor at the address shown above for EPA prior to close of the comment period. Requests for a public hearing must state the nature of the issues proposed to be raised in the hearing. Pursuant to 40 CFR 124.12, the Regional Administrator shall hold a public hearing if he finds, on the basis of requests, a significant degree of public interest in the proposed permit modification. If the Regional Administrator decides to hold a public hearing, a public notice of the date, time and place of the hearing will be made at least 30 days prior to the hearing. Any person may provide written or oral statements and data pertaining to the proposed permit modification at the public hearing.

The proposed permit modification, fact sheet and other related documents in the administrative record are on file and may be inspected any time between 8:30 a.m. and 4:00 p.m., Monday through Friday, excluding legal holidays, at the address shown above. A copy of the proposed permit modification and fact sheet may be obtained by calling Lisa Honor, Permit Records Controller at (415) 972-3413 or by writing to the above address, Attn: Lisa Honor. The proposed permit modification and fact sheet are also available at EPA, Region 9's website at <http://www.epa.gov/region09/water/npdes>.

A final decision to issue the permit modification, or to deny the permit modification, shall be made after all comments have been considered. Notice of the final decision shall be sent to each person who has sent or delivered written comments or requested notice of the final permit decision.

Within 120 days following notice of EPA's final decision for the permit modification, any interested person may appeal the permit in the Federal Court of Appeals in accordance with 509(b)(1) of the Clean Water Act. Persons affected by a general permit may not challenge the conditions of a general permit as a right in further Agency proceedings. They may instead either challenge the general permit in court, or apply for an individual permit as specified at 40 CFR 122.21 (as authorized at 40 CFR 122.28), and then petition the Environmental Appeals Board to review any condition of the individual permit.

Please bring this notice to the attention of all persons who would be interested in this matter.