



OFFICE OF ENVIRONMENTAL SERVICES
Water Discharge Permit

GENERAL PERMIT NUMBER LAG260000
Agency Interest Number 123766

OIL & GAS EXPLORATION, DEVELOPMENT, & PRODUCTION FACILITIES LOCATED
WITHIN TERRITORIAL SEAS OF LOUISIANA

In compliance with the Clean Water Act, as amended (33 U.S.C. 1251 et seq.), and the Louisiana Environmental Quality Act, as amended (La. R. S. 30:2001 et seq.), rules and regulations effective or promulgated under the authority of said Acts, and in reliance on statements and representations heretofore made in the application, a Louisiana Pollutant Discharge Elimination System permit is issued. This permit authorizes persons who meet the requirements of Part I.A herein, and who have been approved by this Office to discharge into waters of the State the following: deck drainage; produced water; well treatment, completion, and workover fluids; treated sanitary waste; domestic waste; hydrostatic test wastewater; and other miscellaneous discharges from oil and gas exploration, development, and production facilities located in the Territorial Seas of Louisiana in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I, II, and III of this permit.

This permit shall become effective on 01 January 2010

This permit and the authorization to discharge shall expire five (5) years from the effective date of the permit.

Issued on 13 October 2009

Cheryl Sonnier Nolan
Assistant Secretary

PART I

SECTION A. APPLICABILITY

This permit establishes effluent limitations, prohibitions, reporting requirements, and other requirements for discharges associated with oil and gas facilities and independent wells (wells that do not or will not tie into an existing production facility, wildcat wells, or wells that tie into an existing production facility that are operated by a different operator) engaged in production, field exploration, development drilling, well completion, and well treatment operations.

The permit authorizes discharges from New Sources and Existing Sources in the Offshore Subcategory of the Oil and Gas Extraction Point Source Category (40 CFR Part 435 Subpart A) involved in exploration, development, and production located in and discharging to the Territorial Seas of Louisiana, which as defined in CWA Section 502 (8) consist of the area in which "the belt of seas measured from the line of ordinary low water along that portion of the coast which is in direct contact with the open sea and the line marking the seaward limit of inland waters, and extending seaward a distance of three miles." In addition, permit coverage consists of discharges of produced water made to the Territorial Seas of Louisiana from Offshore Subcategory facilities located in the Outer Continental Shelf (OCS) water off Louisiana. This permit does not authorize discharges from facilities located in "onshore", "coastal subcategories," or "stripper" (see 40 CFR Part 435. Subparts C, D, and F) subcategories.

Oil & Gas Exploration, Development, and Production facilities desiring authorization to discharge under this general permit must submit a written Notice of Intent (NOI) by using form TSOGF-G, which may be obtained by calling (225) 219-3400 or on the LDEQ website www.deq.state.la.us/permits/lpdes/index.htm.

Existing facilities and existing independent oil and gas wells eligible for coverage under this general permit must submit an NOI within ninety (90) calendar days of the effective date of this permit. Proposed facilities and proposed independent oil and gas wells desiring coverage under this permit, subsequent to its effective date, must submit a properly completed NOI at least fourteen (14) calendar days prior to commencement of discharge.

Unless otherwise notified in writing by the Office of Environmental Services (Office), all persons operating a source or conducting an activity within the Territorial Seas of Louisiana that results in a discharge as described above are eligible for coverage under this general permit. Upon submittal of a properly completed NOI to this Office, such persons will become permittees and will be authorized to discharge under this general permit after fourteen (14) calendar days of a hand delivered NOI to LDEQ or 14 calendar days after the postmark date on the envelope that contained the NOI. Operators who fail to notify this Office of their intent to be covered are not authorized to discharge under this general permit.

After obtaining coverage under this general permit, the permittee shall submit in writing any changes in facility information [i.e., the establishment of a new tank battery, the drilling of new wells (exploration and/or development facilities) in relation to the permitted production facility, and/or the plug and abandonment of wells etc.], to this Office, which shall include the legal name and address of the operator, the general permit authorization number issued, the lease area and block number assigned by the State or, if none, the name commonly assigned to the lease area,

the name of each new facility (i.e. reference name of individual wells or facility), the estimated date of operation commencement for the new facilities and all supporting documentations such as site maps, plot plans, coordinate locations, plugging and abandonment reports, etc. within fourteen (14) calendar days prior to commencement of discharge. For facilities that are authorized under this general permit, the operator must provide a verbal or faxed notification to the appropriate regional office at least twenty-four (24) hours prior to drilling a new well, or moving a rig to perform work on the production facility and/or the facility's well and appurtenances.

In addition, the establishment of a new production facility shall require submittal of an NOI for separate coverage.

All wells (existing and proposed) owned and/or operated by the permitted production facility that are tied into or will tie into such production facility are covered under its permit authorization. **Contractors** performing drilling or other activities on any existing or proposed wells owned and/or operated by the permitted production facility are not required to obtain a separate permit authorization since the discharges associated with those activities are covered under the production facility's general permit authorization.

In the event one operator's independent oil and gas wells are tied into a permitted production facility owned and/or operated by another operator, the discharge from such independent oil and gas wells is **AUTOMATICALLY** covered under the authorization issued to the production facility, provided that a notification letter to corroborate such an **arrangement** is submitted to this Office and the appropriate Regional Office within thirty (30) calendar days or within thirty (30) calendar days from the permit authorization date, whichever is appropriate. If the permitted production facility does not wish to extend permit authorization to another operator's independent oil and gas wells, the operator of the independent wells must obtain a separate permit authorization for those independent wells.

The discharge of produced water is prohibited onto any intermittently exposed sediment surface; within the boundaries of any state or federal wildlife management area, refuge, or park or into any water body determined to be of special ecological significance; within 1,300 feet of an active oyster lease, live natural oyster or other molluscan reef, designated oyster seed bed; or sea grass bed; or in any manner which facilitates the incorporation of significant quantities of hydrocarbons or radionuclides into sediment or biota.

In the event of a Reportable Quantity (RQ) release in storm water of oil or a hazardous substance for which notification is required pursuant to either 40 CFR 110.6 or 40 CFR 302.6 occurs at the permitted facility or well, the operator must prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) as required in Part II, Section U within sixty (60) calendar days after first knowledge of a reportable quantity discharge. During this interim period while the SWPPP is being prepared and implemented, the operator shall take all appropriate measures to limit the discharge of pollutants in the facility's storm water.

Any permittee covered by an individual or other general permits may request in the NOI that those permits be canceled if the permitted sources or activities are also eligible for coverage by

this general permit. Upon approval by this Office, the permittee will be concurrently notified of coverage by this general permit and of cancellation of the previous permit(s) *except* in the case when the permittee has separate authorization under the Multi-Sector General Permit (MSGP), LAR050000, issued on May 1, 2006. Facilities which had obtained separate authorization under that permit must submit the MSGP Notice of Termination form to terminate that separate coverage.

Discharges covered by this general permit include the following types of wastewaters from oil and gas exploration, development, and production facilities within the Territorial Seas of Louisiana, as further specified in this permit:

1. discharges of deck drainage,
2. discharges of produced water, (including Outer Continental Shelf Produced Waters)
3. discharges of well treatment, completion, and **workover** fluids (includes packer fluids) where the 126 priority pollutants are prohibited, except in trace amounts,
4. discharges of treated sanitary waste and domestic waste,
5. discharges of hydrostatic test wastewater,
6. discharges of the following miscellaneous discharges: desalinization unit discharge; diatomaceous earth filter media; blowout preventer fluid; uncontaminated ballast water; uncontaminated bilge water; mud, cuttings, and cement at the seafloor; uncontaminated freshwater; uncontaminated seawater; boiler blowdown; source water and sand; and excess cement slurry,
7. discharges of the following miscellaneous discharges of seawater and freshwater which have been chemically treated: excess **seawater/freshwater** which permits the continuous operation of fire control and utility lift pumps; excess **seawater/freshwater** from pressure maintenance and secondary recovery projects; water released during training of personnel in fire protection; ballast water; once through non-contact cooling water; desalinization unit discharge, and
8. discharges of any combination of the above wastewaters.

This general permit shall not apply to:

1. discharges from facilities classified as "Majors" in the LPDES permitting system,
2. discharges other than those listed above (items 1 through 8),
3. discharges listed above (items 1 through 8) that are mixed with other, non-covered discharge types unless those other discharges are in compliance with another LPDES permit,
4. discharges, or the potential for discharge, of substances that are not addressed by or would not be adequately detected by the effluent limitations in this permit, including any of the Organic Toxic Pollutants, Other Toxic Pollutants (Metals and Cyanide) Total Phenol (with the exception of Outfall 002), Toxic Pollutants and Hazardous Substances listed in Tables II, III, and V of LAC 33:IX.7107 Appendix D,

5. discharges of wastewaters, which have limits assigned to them in the Louisiana Water Quality Management Plan, an approved Waste Load Allocation or TMDL that are more stringent than those in this permit for the same parameter,
6. discharges of wastewater determined by this Office to present an environmental risk or potential risk of discharging pollutants other than is intended to be regulated by this permit,
7. discharges resulting from' the decontamination of equipment involved in remediation type activities,
8. discharges associated with the disposal, storage, or treatment of hazardous (RCRA non-exempt) **oilfield** waste,
9. discharges of washwaters from the interior cleaning of tanks and vessels associated with oil and gas exploration, development, and production facilities,
10. discharges which will cause or contribute to the violation of state water quality standards,
11. discharges in Areas of Biological Concern, including marine sanctuaries,
12. facilities which are located in an environmentally sensitive area,
13. new facilities, as one which commenced construction after July 17, 2006, with a design intake flow threshold of greater than 2 million gallons per day, with at least 25 percent of the intake water used exclusively for cooling purposes and meet the requirements under 40 CFR parts 9, 122, 123, et al. of the **316 (b)** Phase III Rule, and
14. discharges into water bodies which have been designated by the State as Outstanding Natural Resource Waters (in accordance with LAC33:IX.1111 and 1123).

At the discretion of the Department this general permit may not apply to:

1. facilities not in compliance with a previously issued individual or general waste water discharge permit,
2. facilities which have previously been in violation of state water quality regulations,
3. discharges which are likely to have adverse effects upon threatened or endangered species, or on the critical habitat for these species as determined by the U.S. Fish and Wildlife Service,
4. discharges into subsegments designated by the State pursuant to Section 303(d) of the Clean Water Act, and
5. discharges from facilities which owe any outstanding fees or fines to the Department.

This general permit **prohibits** the following:

1. discharges of drilling fluids and drill cuttings, (De **minimis** discharge of drilling fluids shall be contained to the extent practicable to prevent discharge. Allowable de **minimis** discharges may include wind blown drilling fluids from the pipe rack and minor drips and splatters around mud handling and solids control equipment. Such de **minimis** discharges are not likely to be measurable),
2. discharges of produced sand,
3. discharges of produced water into freshwater areas, and intermediate, brackish, and saline water areas inland of the territorial seas,
4. discharges of produced water directly onto any intermittently exposed sediment surface,
5. discharges of produced water within the boundaries of any state or federal wildlife management area, refuge, or park or into any water body determined by the department to be of special ecological significance,
6. discharges of produced water within 1,300 feet (via water) of an active oyster lease, live natural oyster or other molluscan reef, designated oyster seed bed, or sea grass bed,
7. discharges of produced water in a manner **that**, at any time, facilitates the incorporation of significant quantities of hydrocarbons or radionuclides into sediment or biota,
8. discharge of halogenated phenolic compounds as a part of any waste stream authorized in this permit,
9. excessive discharges of dispersants, surfactants, and detergents, which the facility operator shall minimize, except as necessary to comply with the safety requirements of the Occupational Safety and Health Administration. This restriction applies to tank cleaning and other operations that do not directly involve the safety of workers, and
10. discharge of **garbage** (See Permit Part II.A.33).

The Department may deny coverage under this permit and require submittal of an (SCC-2) application for an individual LPDES permit based on a review of the NOI or other information. This Office reserves the right to issue such facilities an individual LPDES permit with more appropriate limitations and conditions.

TERMINATIONS

Operators shall submit a **Request for Termination** (RFT) form to the state administrative authority within sixty (60) calendar days after the permanent termination of all discharges from their facility. The RFT must include the date the discharges were terminated.

TRANSFER OF OWNERSHIP

Coverage under this general permit is not transferable to any person except after **notifying** this Office. The new owner or operators shall submit a written Louisiana Notification of Change of Ownership/Operator or Name Change (NOC-1) form and a 1701 Addendum to Permit Application Form (for the new operator) to the Office of Environmental Services, Environmental Assistance Division, within forty-five (45) calendar days after any transfer of ownership. Operators shall submit a **written agreement** between the existing and new permittee containing a specific date for transfer of permit responsibility, coverage, and liability between the previous and new permittee. The agreement shall be attached to the NOC-1 form. The department may initiate action to terminate or revoke an existing permit for a failure to disclose a change of ownership or operational control within forty-five (45) calendar days after the change. A responsible official from each operator that is involved in the transaction must sign this agreement (LAC 33:I.1907).

SECTION B. EFFLUENT LIMITATIONS

Permittees shall not discharge nor shall they cause or allow the discharge of pollutants regulated under this general permit except in compliance with its limitations and terms. Operators of facilities generating pollutants regulated under this permit shall take reasonable positive steps to assure said pollutants are not unlawfully discharged to waters of the State by third parties and shall maintain documentation of those steps for no less than three years.

Beginning with automatic coverage under this general permit (14 calendar days of a hand delivered NOI to LDEQ or 14 calendar days after the postmark date on the envelope that contained the NOI) and lasting through the expiration date of this general permit, all permittees covered by this general permit are authorized to discharge: deck drainage, produced water, well treatment, completion, and **workover** fluids, treated sanitary waste, domestic waste, hydrostatic test wastewater, and miscellaneous wastewaters in accordance with the conditions that follow.

**OUTFALL 001: EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS
FOR DISCHARGES OF DECK DRAINAGE**

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS ¹	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (MGD) 50050	Report	Report	1/month	Estimate
Free Oil 49498	No free oil ²		1/day	Observance (visual sheen)

1. When discharging and facility is manned.
2. **No discharge of Free Oil** as determined by the visual sheen method on the surface of the receiving water. Monitoring shall be performed once per day, during conditions when observation of a visual sheen on the surface of the receiving water is possible in the vicinity of the discharge. The number of days that a visual sheen is observed must be recorded.

There shall be no discharge of floating solids or visible foam in other than trace amounts, or of free oil or other oily materials, or of toxic materials in quantities such as to cause acute toxicity to aquatic organisms. Furthermore, there shall be no accumulation of solids in the receiving stream, which has the potential to negatively impact aquatic life or hinder natural drainage. The use of dilution (Permit Part III.A.13) or flow augmentation (LAC 33:IX.3705.F) to achieve effluent concentration limitations is prohibited.

Additional Requirements:

1. All washing shall be conducted either without soaps and detergents or with biodegradable soaps used in minimal amounts. The use of non-biodegradable or **emulsifying** soaps and detergents, cleaners containing potentially hazardous chemicals, and solvents is prohibited.
2. If the washing activity takes place on an impermeable surface (such as concrete or asphalt paving), the area where the washing operation is to be conducted and the subsequent drainage path shall be swept clean of dirt and other dry substances immediately prior to commencing the washing operation.
3. Any spills, drips of fluids, or other contamination to the washing area and the subsequent drainage area shall be picked up by dry means prior to the beginning of the washing operation. The use of detergents, emulsifiers, or dispersants to clean up spilled contaminants is prohibited except where necessary to comply with State and Federal safety regulations (e.g., requirement for a non-slippery work surface). In all such cases, initial cleanup shall be done by physical removal, where practical, and chemical usage shall be minimized.

**OUTFALL 002: EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS
FOR DISCHARGES OF PRODUCED WATER**

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (MGD) 50050	Report	-----	1/month	Estimate
Oil & Grease 03582	29 mg/L	42 mg/L	1/month ¹	Grab ¹
Toxicity	See Footnote 2		See Footnote 4	Grab ²
Benzene, 34030 Total Lead, 01051 Total Phenol, & 32730 Total Thallium 01059	See Footnote 3	See Footnote 3	See Footnote 4	Grab
Radium 226 & 228 ⁵ , pCi/L 11500	Report		See Footnote 4	Grab

1. Sample type may be based on average of four grab sample results collected in the 24-hour period that are analyzed separately or one composite sampling. Samples shall be collected prior to the addition of any seawater to the produced water waste stream. The analytical method is that specified at 40 CFR 136. If only one sample is taken for any one month, it must meet both the daily and monthly limits.
2. **7-day Chronic Toxicity.** Produced water discharges must show no observed effect for the toxicity (lethal or sublethal) endpoint portion of the tests on a 7-day average minimum and monthly average minimum basis as measured by the 7-day chronic toxicity test. The No Observable Effect Concentration (NOEC) must be equal to or greater than the critical dilution concentration specified in Part II, Section B, Table 1 of this permit. The critical dilution shall be **determined** using Table 1 in Part II, Section B of this permit and is based on the highest monthly average discharge rate most recently reported on the Discharge Monitoring Report (DMR), discharge pipe diameter, and water depth between the discharge pipe and the seafloor or between the surface and the seafloor if the discharge is made above the water's surface. For **determining** critical dilution from Table 1 of Part II, Section B of this permit, facilities which have not previously reported produced water flow on the DMR report shall use the highest monthly average flow measured during the previous three months. For new facilities, testing should be based on actual flow data. The monthly average minimum NOEC value is defined as the arithmetic average of all 7-day average NOEC values determined during the month.

3. Benzene, Total Lead, Total Phenol, and Total Thallium. The required limitations shall be determined from the limits calculated from the critical dilution obtained from Table 1 in Part II, Section B, as follows:

$$\begin{aligned} \text{Benzene}^\dagger: & \quad \text{Daily Max.} = (220.8 \mu\text{g/l} / \text{Critical Dilution})^* 100 \\ & \quad \text{Monthly Avg.} = (93 \mu\text{g/l} / \text{Critical Dilution})^* 100 \\ \text{Total Lead}^\dagger: & \quad \text{Daily Max.} = (36.7 \mu\text{g/l} / \text{Critical Dilution})^* 100 \\ & \quad \text{Monthly Avg.} = (15.5 \mu\text{g/l} / \text{Critical Dilution})^* 100 \\ \text{Total phenol}^\dagger: & \quad \text{Daily Max.} = (478 \mu\text{g/l} / \text{Critical Dilution})^* 100 \\ & \quad \text{Monthly Avg.} = (201 \mu\text{g/l} / \text{Critical Dilution})^* 100 \\ \text{Total Thallium}^\dagger: & \quad \text{Daily Max.} = (19.6 \mu\text{g/l} / \text{Critical Dilution})^* 100 \\ & \quad \text{Monthly Avg.} = (8.3 \mu\text{g/l} / \text{Critical Dilution})^* 100 \end{aligned}$$

† If any individual analytical test result is less than the minimum quantification level listed below, a value of zero (0) may be used for that individual result for DMR calculations and reporting requirements:

Benzene - 10 µg/L
Lead (Total) - 5 µg/L
Total Phenol (4AAAP Method) - 5 µg/L
Thallium (Total) - 10 µg/L

Methods to Increase Dilution for Compliance with Limits for Toxicity and Benzene, Total Lead, Total Thallium, and Total Phenol. Permittees wishing to increase mixing may use a horizontal diffuser, multiple port discharges, or add seawater as follows:

Permittees currently using a horizontal diffuser shall upgrade the design of the diffuser based on CORMIX2 version 5.0 GT within one year of the effective date of this permit. Permittees installing horizontal diffusers after the effective date of this permit, shall design the diffusers using CORMIX2 version 5.0 GT. Both the numeric water quality-based limits and the critical dilution for chronic toxicity testing shall be based on the modeled dilution for the diffuser. The following input parameters shall be used in modeling the critical dilution:

Density Gradient = 0.182 sigma-t/m
Ambient seawater density at diffuser depth = 1017 kg/m³
Produced water density = 1070 kg/m³
Current speed = 10 cm/sec.

Permittee shall calculate the critical dilution corresponding to that diffuser and report whether the facility passed or failed on the quarterly Discharge Monitoring Report (DMR) with a certification that the diffuser is installed. The CORMIX2 model runs shall be retained by the permittee as part of its LPDES records.

Permittee using vertically aligned multiple discharge ports shall provide vertical separation between ports (See Minimum Vertical Port Separation Distance to Avoid Interference, Part II, Section B, Table 1-F). When multiple discharge ports are installed, the depth difference between the discharge port closest to the sea floor and the sea floor shall be the depth difference used to determine the critical dilution from Table 1 of this permit. The critical dilution value shall be based on the port flow rate (total flow rate divided by the number of discharge ports) and based on the diameter of the discharge port (or smallest discharge port if they are of different styles).

When seawater is added to the produced water waste stream prior to discharge, the total produced water flow, including the added seawater, shall be used in determining the critical dilution from Table 1.

4. Monitoring Frequency

Benzene, Total Lead, Total Phenol, and Total Thallium. The required monitoring frequency shall be determined from the calculated limits calculated as follows:

<u>Parameter</u>	<u>Monthly Avg. Limit (µg/l)</u>	<u>Monitoring Frequency[†]</u>
Total Thallium	> 1,044	1 per quarter
	≤ 1,044 and > 490	1 per month
	≤ 490	1 per 2 weeks
Benzene	> 12,600	1 per quarter
	≤ 12,600 and > 5,900	1 per month
	≤ 5,900	1 per 2 weeks
Total Lead	> 65,000	1 per quarter
	≤ 65,000 and > 30,600	1 per month
	≤ 30,600	1 per 2 weeks
Total Phenol	> 26,400	1 per quarter
	≤ 26,400 and > 12,400	1 per month
	≤ 12,400	1 per 2 weeks

Samples for monitoring these parameters shall be collected after addition of any substances including seawater that is added prior to discharge.

If the permittee has been compliant with limits for benzene, total lead, total phenol, and total thallium, for one full year (twelve consecutive months); the required testing frequency shall be reduced to once per quarter for the parameter or parameters in compliance as long as the discharge remains in compliance.

For permittees required to monitor once per quarter or once per month as stated above for benzene, total lead, total phenol or total thallium, the monitoring frequency shall increase to once per two weeks for any of these parameters when the discharge has been found to exceed a limit for that parameter. After one (1) year of consecutively complying with limits, the test frequency will revert back to the prior once per quarter or once per month frequency.

If the operator adds a diffuser, multiple discharge ports, or seawater to increase dilution to ensure compliance with the limits as described above, the operator may decrease the monitoring frequency to once per quarter after they have taken the action to increase dilution and have demonstrated compliance with the limits for three consecutive months.

Toxicity. The required frequency of toxicity testing shall be determined from Table 1 in Part II, Section B, as follows: *

<u>Toxicity Limit (Critical Dilution)</u>	<u>Monitoring Frequency[†]</u>
< 1%	1 per year
≥ 1% and < 2.25%	1 per quarter
≥ 2.25 %	1 per month

* Additional sampling frequency may be required (see Part II, Section C.1.b).

Sample for monitoring produced water toxicity shall be collected after addition of any added substances including seawater that is added prior to discharge. Samples for monitoring produced water toxicity shall be representative of produced water discharges when scale inhibitors, corrosion inhibitors, biocides, paraffin inhibitors, well completion fluids, workover fluids, and/or

well treatment fluids are used in operations.

If permittee has been compliant for one full year (12 consecutive months), the required toxicity testing and monitoring frequencies shall be reduced to once per year for Menidia beryllina and Mysidopsis bahia.

When the testing frequency is less than monthly and the effluent fails the survival **and/or** sub-lethal endpoint, the **permittee** shall be considered in violation of this permit limit and the frequency of monitoring for the affected species will increase to monthly until such compliance with the No Observed Effect Concentration (NOEC) effluent limitation is demonstrated for a period of three consecutive months, at which time the permittee may return to the testing frequency stated in Outfall 002 of this permit (as per Part II.C.1.b).

If the operator adds a diffuser, multiple discharge ports, or seawater to increase dilution to ensure compliance with the limits as described above, the operator may decrease the monitoring frequency to once per year after they have taken the action to increase dilution and have demonstrated compliance with the limits for three consecutive months.

Radioactivity. Produced water discharges shall be monitored for Radium 226 and Radium 228 (see Part II, Section V). The required frequency of monitoring shall be determined using the critical dilutions obtained from Table 1 in Part II, Section B as follows:

<u>Critical Dilution</u>	<u>Monitoring Frequency</u> [‡]
< 1%	1 per year
≥ 1% and < 2.25%	1 per quarter
≥ 2.25 %	1 per month

[‡] When the permittee has monitored radioactivity for one continuous year the required monitoring frequency shall be reduced to once per year.

5. Refer to Part II, Section V for approved test methods.

There shall be no discharge of floating solids or visible foam in other than trace amounts, or of **free** oil or other oily materials, or of toxic materials in quantities such as to cause acute toxicity to aquatic organisms. **Furthermore**, there shall be no accumulation of solids in the receiving stream, which has the potential to negatively impact aquatic life or hinder natural drainage.

**OUTFALL 003: EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS
FOR DISCHARGES OF WELL TREATMENT, COMPLETION, AND
WORKOVER FLUIDS (Includes Packer Fluids)^{1,2}**

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (MGD) 50050	Report	Report	1/month	Estimate
Oil & Grease 03582	29 mg/L	42 mg/L	1/month	Grab ³
Free Oil 49498	No free oil ⁴		1/day ⁵	Grab (static sheen)

1. The **discharge of Priority Pollutants is prohibited** except in trace amounts. Information on the specific chemical composition of any additives containing priority pollutants shall be recorded but not reported unless requested by LDEQ. Note: If materials added **downhole** as well treatment, completion, or **workover** fluids contain no priority pollutants, the discharge is assumed not to contain priority pollutants except possibly in trace amounts.
2. This discharge shall be considered produced water for monitoring purposes when commingled with produced water. It shall be discharged under **Outfall 002** above, for monitoring requirements.
3. Sample type may be based on average of four grab sample results collected in the 24-hour period that are analyzed separately or one composite sampling. Samples shall be collected prior to the addition of any seawater to the produced water waste stream. The analytical method is that specified at 40 CFR 136. If only one sample is taken for any one month, it must meet both the daily and monthly limits.
4. **No discharge of Free Oil** as measured by the static sheen test in accordance with Appendix 1 to Subpart A of 40 CFR 435. Monitoring shall be performed once per day when discharging. The number of days that a sheen is observed must be recorded.
5. When discharging.

The discharge shall not cause accumulation of solids in the receiving stream, which has the potential to negatively impact aquatic life. The use of dilution (Permit Part III.A.13) or flow augmentation (LAC 33:IX.3705.F) to achieve effluent concentration limitations is prohibited, except for benzene, total lead, total thallium, and total phenol limits that are in accordance with the Toxicity requirements of **Outfall 002**, Part I. If effluent commingles with produced water, the discharge should be reported under **Outfall 002**.

**OUTFALL 004: EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS
FOR DISCHARGES OF SANITARY WASTE**

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS ¹	
	DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE	
Flow (MGD) 50050	Report	1/six months	Estimate	
Solids 78246	No Presence ²	1/day	Observation ³	
BOD5 00310	45 mg/L	1/ six months	Grab	
TSS 00530	45 mg/L	1/ six months	Grab	
Total Residual Chlorine ⁴ 50060	1 mg/L ⁵ (minimum)	1/ month	Grab	
pH	(6.0 S.U. min - 9.0 S.U. max) ⁶	1/six months	Grab	

1. When discharging.
2. No Floating Solids shall be discharged to the receiving waters. Visual observation must be made during the daylight on the surface of the receiving waters in the vicinity of sanitary waste **outfalls** following either the morning or midday meal at a time during maximum estimated discharge. The number of days solids are observed must be recorded.
3. Monitoring shall be accomplished during daylight by visual observation of the surface of the receiving water in the vicinity of sanitary wastewater outfalls. Observations shall be made following either the 'morning or midday meal at a time of maximum estimated discharge.
4. Total Residual Chlorine (TRC) is considered a surrogate parameter for fecal coliform with respect to sanitary waste discharges only from the facilities **covered by** this permit. However, any facility covered by this permit that properly operates and maintains a marine sanitation device (MSD) that complies with pollution control standards and regulations under Section 312 of the Clean Water Act shall be deemed to be in compliance with permit limitations for TRC. The MSD shall be tested yearly for proper operation and the test results maintained in accordance with Part I, Section C.6 of this permit.
5. Discharges of TRC must meet a Minimum of 1 **mg/L** Daily Maximum and shall be maintained as close to this concentration as possible. Analysis may be performed in the field by any EPA approved method in accordance with 40 CFR Part 136.
6. The permittee shall report on the Discharge Monitoring Reports both the minimum and maximum instantaneous pH values measured.

There shall be no discharge of **free** oil or other oily materials, or of toxic materials in quantities such as to cause acute toxicity to aquatic organisms.

**OUTFALL 005: EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS
FOR DISCHARGES OF DOMESTIC WASTE**

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS	MONITORING REQUIREMENTS	
	DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (MGD) 50050	Report	1/six months	Estimate
Solids 78246	No Presence ²	1/day	Observation ³

1. When discharging.
2. **No Floating Solids or Foam shall be discharged** to the receiving waters. An observation must be made once per day for **floating** solids or foam. The **number** of days solids or foam are observed **must** be recorded.
3. Monitoring shall be accomplished during daylight by visual observation of the surface of the receiving water in the vicinity of domestic wastewater outfalls. Observations shall be made following either the morning or midday meal at a time of maximum estimated discharge.

There shall be no discharge of **free** oil or other oily materials, or of toxic materials in quantities such as to cause acute toxicity to aquatic organisms.

**OUTFALL 006: EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS
FOR DISCHARGES OF HYDROSTATIC TEST WASTEWATER**

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	DAILY MAXIMUM		MEASUREMENT FREQUENCY ^{1,2}	SAMPLE TYPE
Flow (GPD) 50050	Report		1/discharge event	Estimate
TSS ³ 00530	90 mg/L		Once prior to proposed discharge	Grab
Oil & Grease 03582	15 mg/L		Once prior to proposed discharge	Grab
TOC ⁴ 00680	50 mg/L		Once prior to proposed discharge	Grab
Benzene ⁴ 34030	50 µg/L		Once prior to proposed discharge	Grab
Total BTEX ^{4,5} 49491	250 µg/L		Once prior to proposed discharge	Grab
Lead ⁴ 01051	50 µg/L		Once prior to proposed discharge	Grab
pH – Allowable Range (standard units) ⁶	6.0 Minimum	9.0 Maximum	Once prior to proposed discharge	Grab

1. If any discharge extends beyond one calendar week in duration, then sampling the above parameters shall continue on a weekly basis until the discharge ends.
2. For discharges of wastewater from the hydrostatic testing of new pipes, pipelines, and/or tanks, if approved by the appropriate regional office, the permittee may sample and run analysis for the required parameters at the time of discharge (i.e., not prior to discharge). All other reporting requirements in Part II, Section P must be met.
3. The background concentration of Total Suspended Solids (TSS) will be allowed in the discharge if the effluent is being returned to the same water source from which the intake water was obtained. In these cases, the permit limitations will be 90 mg/L plus the concentration of TSS in the intake water. The TSS concentration of the intake water shall be reported on the Discharge Monitoring Report (DMR) along with the concentration of TSS in the effluent.
4. Total Organic Carbon (TOC) shall be measured on discharges from pipes, pipelines, and/or tanks which have previously been in service i.e., those which are not new. Benzene, Total BTEX, and Lead shall be measured on discharges from pipes, pipelines and/or tanks that have been used for the storage or transportation of liquid or gaseous petroleum hydrocarbons. Accordingly, Flow, TSS, Oil & Grease, and pH are the only limitations and monitoring requirements for new pipes, pipelines, and/or tanks. (Flow, TSS, Oil & Grease, and pH must also be monitored on discharges from existing pipes, pipelines, and/or tanks as well.)

5. BTEX shall be measured as the sum of benzene, toluene, ethylbenzene, and total xylene (including ortho-, meta-, and para-xylene).
6. The permittee shall report on the Discharge Monitoring Reports both the **minimum** and maximum instantaneous pH values measured.

There shall be no discharge of floating solids or visible foam in other than trace amounts, or of free oil or other oily materials, or of toxic materials in quantities such as to cause acute toxicity to aquatic organisms. Furthermore, there shall be no visible sheen or stains attributable to this discharge. There shall be no accumulation of solids in the receiving stream which has the potential to negatively impact aquatic life or hinder natural drainage. The use of dilution (Permit Part III.A.13) or flow augmentation (LAC 33:IX.3705.F) to achieve effluent concentration limitations is prohibited.

No discharge shall generate a flow condition within any drainage conveyance or water body, which either alone or in concert with stormwater runoff, represents a threat to public safety by virtue of discharge velocity.

In addition to all other conditions and requirements contained within this permit, the permittee shall follow all reporting requirements in Part II, Section P.

Additives such as corrosion inhibitors, bactericides, and dyes may not be added to the test water to be discharged without prior approval from this Office. Toxicity data for each additive must be submitted to obtain approval.

There shall be no discharge of PCB's. Proof that PCB's are not present in the pipe is required for all pipelines that have been in use for transmission of natural gas. Such proof shall consist of a statement, signed by a responsible company official, stating that the pipeline has been tested for, and found to be free of PCB's, or that compressors or other equipment that contained PCB's were never used on the pipeline. If the permittee cannot furnish such certification, then the discharge water must be tested for PCB's prior to any discharge, in accordance with EPA methods prescribed by the latest approved 40 CFR 136. The results shall be submitted to the Office of Environmental Compliance. For certification purposes, analytical concentrations less than 1µg/L are considered "non-detects" and may be reported as zero (0).

**OUTFALL 007: EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS
FOR MISCELLANEOUS DISCHARGES OF WASTEWATERS:**

DESALINIZATION UNIT DISCHARGE
DIATOMACEOUS EARTH FILTER MEDIA
BLOWOUT PREVENTER FLUID
UNCONTAMINATED BALLAST WATER
UNCONTAMINATED BILGE WATER
MUD, CUTTINGS, AND CEMENT AT THE SEAFLOOR
UNCONTAMINATED FRESHWATER
UNCONTAMINATED SEAWATER
BOILER BLOWDOWN
SOURCE WATER AND SAND
EXCESS CEMENT SLURRY

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (MGD) 50050	Report	Report	1/ week ¹	Estimate
Free Oil 49498	No free oil ²		1/ week ³	Observance (visual sheen)

1. When discharging. There shall be no discharge of floating solids or visible foam.
2. **No discharge of Free Oil** as determined by the visual sheen method on the surface of the receiving water when possible unless the static sheen test in accordance with Appendix 1 to Subpart A of **40 CFR 435** is used at the operator's option. Monitoring shall be performed once per week. The number of days that a sheen is observed must be recorded.

Exceptions

Uncontaminated seawater, uncontaminated freshwater, source water and sand, uncontaminated bilge water, and uncontaminated ballast water may be discharged from platforms that are on automatic purge systems without monitoring for free oil, when the facilities are not manned. Additionally, discharges at the sea floor of muds and cuttings prior to installation of the marine riser, cement, and blowout preventer fluid may be discharged without monitoring with the static sheen test when conditions make observation of a sheen on the surface of the receiving water impossible.

3. When discharging for cement at the sea floor and blowout preventer fluid. All other miscellaneous discharges: when discharging, discharge authorized only during times when visual sheen observation is possible, unless the static sheen method is used. Uncontaminated seawater, uncontaminated freshwater, source water and source sand, uncontaminated bilge water, and uncontaminated ballast water **from** platforms on automatic purge systems may be discharged without monitoring from platforms which are not manned.

**OUTFALL 008: EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS
FOR MISCELLANEOUS DISCHARGES OF SEAWATER AND FRESHWATER
WHICH HAVE BEEN CHEMICALLY TREATED:**

**SEAWATER FROM CONTINUOUS OPERATIONS OF FIRE CONTROL AND UTILITY LIFT PUMPS
SEAWATER FROM PRESSURE MAINTENANCE AND SECONDARY RECOVERY PROJECTS
WATER RELEASED DURING FIRE PROTECTION PERSONNEL TRAINING
BALLAST WATER
ONCE THROUGH NON-CONTACT COOLING WATER
DESALINIZATION UNIT DISCHARGE**

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS		MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	DAILY MAXIMUM	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow (MGD) 50050	Report	Report	1/ month	Estimate
Treatment Chemicals	See Footnote 1		---	---
Toxicity	See Footnote 2		See Footnote 3	Grab ²
Free Oil 49498	----	No free oil ⁴	1/ week	Observance (visual sheen)

1. The concentration of the treatment chemicals in discharged seawater or freshwater **shall not exceed the most stringent** of the following three constraints:
 - a. The maximum concentrations and any other conditions specified in the EPA product registration labeling if the chemical is an EPA registered product
 - b. The maximum manufacturer's recommended concentration
 - c. 500 mg/L

2. **48-Hour Acute Toxicity**. The 48-hour average minimum and monthly average **minimum** No Observable Effect Concentration (NOEC) must be equal to or greater than the critical dilution concentration specified in Part II, Section B, Table 2. The critical dilution shall be determined using Table 2 in Part II, Section B and is based on the highest monthly average discharge rate most recently reported on the Discharge Monitoring Report (DMR), and discharge pipe diameter. For determining critical dilution **from** Table 2 of Part II, Section B of this permit, facilities which have not previously reported produced water flow on the DMR report shall use the highest monthly average flow measured during the previous three months. New facilities must use actual flow data. The monthly average minimum NOEC value is defined as the arithmetic average of all 48-hour average NOEC values determined during the month. See Part II, Section D of this permit.

3. Continuous discharges shall be monitored once per year for discharges from 0-499 **bbbl/day**, once per quarter from 500-4,599 **bbbl/day**, and once per month from 4,600 **bbbl/day** and above.

Intermittent or batch discharges shall be monitored once per discharge but are required to be monitored no more frequently than the corresponding frequencies shown above for continuous discharges.

Samples shall be collected after the addition of any added substances, including seawater that is added prior to discharge, and before the flow is split for multiple discharge ports. Samples also shall be representative of discharge. **Methods to increase dilution previously described for produced water (See Outfall 002, Footnote 3) also apply to seawater and freshwater discharges which have been chemically treated.**

If the permittee has been compliant for one full year (12 consecutive months), the required toxicity testing and monitoring frequencies shall be reduced to once per year for Menidia beryllina and Mysidopsis bahia.

When the testing frequency is less than monthly and the effluent fails the survival endpoint, the permittee shall be considered in violation of this permit limit and the frequency for the affected species will increase to monthly until such compliance with the No Observed Effect Concentration (NOEC) effluent limitation is demonstrated for a period of three consecutive months, at which time the permittee may **return** to the testing frequency stated in **Outfall 008** of this permit (as per Part II.D.1.b).

4. **No discharge of Free Oil** as determined by the visual sheen method on the surface of the receiving water when possible, unless the static sheen test in accordance with Appendix 1 to Subpart A of 40 CFR 435 is used at the operator's option. The number of days that a sheen is observed must be recorded.

There shall be no discharge of free oil. Furthermore, there shall be no accumulation of solids in the receiving stream, which has the potential to negatively impact aquatic life or hinder natural drainage.

SECTION C. MONITORING AND REPORTING REQUIREMENTS

1. The operator shall be responsible for submitting monitoring results for all discharges associated with the permitted facility.
2. Unless specified in the permit, all sampling and testing shall be conducted in accordance with the methods prescribed by 40 Code of Federal Regulations (CFR) Part 136.
3. Provisions must be made during the installation of the sanitary treatment unit for obtaining a proper sample.
4. Proper sampling techniques shall be used to ensure that analytical results are representative of pollutants in the discharge.
5. If a discharge is found to be in violation of specified limits, the permittee may be subject to enforcement action, including civil penalties, and may be required to obtain an individual permit.
6. Monitoring results must be reported on a Discharge Monitoring Report (DMR) form (EPA No. 3320-1 or an approved substitute). All monitoring records must be retained for a period of at least three (3) years from the date of the sample measurements. The permittee shall make available to this Office, upon request, copies of all monitoring data required by this permit.

Records of monitoring information shall include:

- a. The date, exact place, and time of sampling or measuring;
- b. The individual(s) who performed the sampling or measurements;
- c. The date(s) and time(s) analyses were begun;
- d. The individual(s) who performed the analyses;
- e. The analytical techniques or methods used;
- f. The results of such analyses; and
- g. The results of all Quality Control procedures.

If there is a no discharge event at any of the monitored outfall(s) during the reporting period, place an "X" in the NO DISCHARGE box located in the upper right corner of the Discharge Monitoring Report for that outfall.

The permittee must complete all empty blanks in the DMR for each outfall unless there has been absolutely no discharge from a particular outfall (discharge type) for the entire quarterly monitoring period being submitted. In these cases, LDEQ's Enforcement Division, Office of Environmental Compliance will accept a listing of these outfalls with no discharges, in lieu of submitting actual DMRs for these particular outfalls. This list must be included in the cover letter of the DMR submittal and must indicate the Facility Name, LPDES Permit Authorization Number, AI Number, Monitoring Period, and the Outfall/Discharge Number and Type of Discharge. This list must also include the certification statement presented in Part III.D.10.d of this permit and an original signature of the designated responsible official.

Monitoring results for each month shall be summarized on a DMR Form (one DMR Form per monitoring period for each **outfall**) and submitted to the Office of Environmental Compliance either hand delivered, postmarked, or electronically submitted in accordance with LAC 33:I.2101.A and B no later than the 28th day of the month following the reporting period.

1. For parameters that require a monitoring frequency of quarterly or more frequent (i.e. monthly, weekly, daily, **once/discharge** event, biweekly, bimonthly), DMRs shall be submitted in accordance with the following schedule:

<u>Monitoring Period</u>	<u>DMR Postmark Date</u>
January, February, March	April 28 th
April, May, June	July 28 th
July, August, September	October 28 th
October, November, December	January 28 th

2. For parameters that require a semiannual monitoring frequency, DMRs shall be submitted in accordance with the following schedule:

<u>Monitoring Period</u>	<u>DMR Postmark Date</u>
January 1 – June 30	July 28 th
July 1 - December 31	January 28 th

3. For parameters that require an annual monitoring frequency, DMRs shall be submitted in accordance with the following schedule:

<u>Monitoring Period</u>	<u>DMR Postmark Date</u>
January 1 – December 31	January 28 th

If not submitting electronically, duplicate copies of DMRs (one set of originals and one set of copies) signed and certified as required by LAC 33:IX.2503.B, and all other reports (one set of originals) required by this permit shall be submitted to the Permit Compliance Unit at the following address:

Department of Environmental Quality
Office of Environmental Compliance
Enforcement Division
ATTN: Permit Compliance Unit
Post Office Box 4312
Baton Rouge, Louisiana 70821-4312

For facilities authorized under this general permit, the operator must notify the appropriate regional office listed below at least twenty-four (24) hours prior to drilling a new well, or moving a rig to perform work on the production facility and/or the facility's well and appurtenances.

Mailing Addresses for Regional Offices

Acadiana Regional Office
Surveillance Division
Office of Environmental Compliance
111 New Center Drive
Lafayette, LA 70508
(337) 262-5584

Northwest Regional Office
Surveillance Division
Office of Environmental Compliance
1525 Fairfield Avenue, Room 520
Shreveport, LA 71101-4388
(318) 676-7476

Bayou Lafourche Regional Office
Surveillance Division
Office of Environmental Compliance
110 Barataria Street
Lockport, LA 70374
(985) 532-6206

Southeast Regional Office
Surveillance Division
Office of Environmental Compliance
201 Evans Road, Bldg 4, Suite 420
New Orleans, LA 70123-5230
(504) 736-7701

Capital Regional Office
Surveillance Division
Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, LA 70821-4312
(225) 219-3600

Southwest Regional Office
Surveillance Division
Office of Environmental Compliance
1301 Gadwall Street
Lake Charles, LA 70615-5176
(337) 491-2667

Surveillance Division
Northeast Regional Office
Office of Environmental Compliance
1823 Highway 546
West Monroe, LA 71292-0442
(318) 362-5439

PART II OTHER REQUIREMENTS

The Permittee must comply with all applicable provisions of the Louisiana Water Quality Regulations including all of the standard conditions listed in Part III.

SECTION A. DEFINITIONS

1. **Act**: means Act 449 of the 1979 Louisiana Legislature which established Section 2001, et seq. of Title 30 of the Louisiana Revised Statutes of 1950 and any subsequent amendment to these Sections.
2. **Activity**: any conduct, operation or process, which causes or may cause the discharge of pollutants into the waters of the state.
3. **Administrative Authority**: the secretary of the Department of Environmental Quality or his designee or the appropriate assistant secretary or his designee.
3. **Applicable Effluent Standards and Limitations**: all state and Federal effluent standards and limitations to which a discharge is subject under the Act, including, but not limited to, effluent limitations, standards of performance, toxic effluent standards and prohibitions and pretreatment standards.
4. **Applicable Water Quality Standards**: all water quality standards to which a discharge is subject under the Act.
6. **Areas of Biological Concern**: a portion of the territorial seas identified by EPA, in consultation with the Department of Interior as containing potentially productive or unique biological communities or as being potentially sensitive to discharges associated with oil and gas activities.
7. **Ballast Water**: uncontaminated surface water used to maintain proper draft or to stabilize drilling or workover vessels.
8. **Batch or Bulk Discharge**: any discharge of a discrete volume or mass of effluent from a pit, tank, or similar container that occurs on a one time or infrequent or irregular basis.
9. **Bilge Water**: water that accumulates in the bilge area of drilling or workover vessels.
10. **Blowout Preventer Control Fluid**: fluid used to actuate the hydraulic equipment on the blowout preventer or subsea production wellhead assembly.
11. **Boiler Blowdown**: discharge from boilers necessary to minimize solids build-up in the boilers, including vents from boilers and other heating systems.
12. **Bypass**: the intentional diversion of waste streams from any portion of a treatment facility.

13. **Commingled Discharges:** waste streams that are mixed prior to final discharge and can not be sampled separately as internal outfalls.
14. **Completion Fluids:** salt solutions, weighted brines, polymers or various additives used to prevent damage to the well bore during operations which prepare the drilled well for hydrocarbon production. These fluids move into the formation and return to the surface as a slug with the produced water. Drilling muds remaining in the well bore during logging, casing, and cementing operations or during temporary abandonment of the well are not considered completion fluids and are regulated by drilling fluids requirements.
15. **Daily Average:** discharge limitations means the highest allowable average of daily discharge(s) over a calendar month, calculated as the sum of all daily discharge(s) measured during a calendar month divided by the number of daily discharge(s) measured during that month.
16. **Daily Discharge:** the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the average measurement of the pollutant over the sampling day. Daily discharge determination of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the daily discharge determination of concentration shall be the arithmetic average (weighted by flow value) of all samples collected during that sampling day.
17. **Daily Maximum:** the highest allowable daily discharge during the calendar month.
18. **Deck Drainage:** all waste resulting from platform washings, deck washings, spillage, rainwater, and runoff from gutters, and drains, including drip pans and wash areas within facilities covered under this permit.
19. **Desalinization unit discharge:** wastewater associated with the process of creating freshwater from seawater.
20. **Development Drilling:** the drilling of wells required to efficiently produce a hydrocarbon formation or formations.
21. **Development Facility:** any fixed or mobile structure that is engaged in the drilling of productive wells.
22. **Diatomaceous Earth Filter Media:** Filter media used to filter seawater or other authorized completion fluids that are subsequently washed from the filter.
23. **Domestic Waste:** materials discharged from galleys, sinks, showers, and baths, safety showers, eyewash stations, hand washing stations, fish cleaning stations, and laundries. Domestic waste does not include drainage from toilets, urinals, hospitals, and cargo

spaces.

24. **Drill Cuttings**: particles generated by drilling into subsurface geological formations including cured cement carried to the surface with the drilling fluid.
25. **Drilling Fluids**: the circulating fluid (mud) used in the rotary drilling of wells to clean and condition the hole and to counterbalance formation pressure. A water-based drilling fluid is the conventional drilling mud in which water is the continuous phase and the suspending medium for solids, whether or not oil is present. An oil based drilling fluid has diesel oil, mineral oil, or some other oil as its continuous phase with water as the dispersed phase.
26. **Effluent Limitation**: any applicable state or federal quality or quantity limitation that imposes any restriction or prohibition on quantities, discharge rates, and concentrations of pollutants discharged into the waters of the State.
27. **Excess Cement Slurry**: the excess mixed cement, including additives and wastes from equipment washdown after a cementing operation.
28. **Exploratory Facility**: any fixed or mobile structure that is engaged in the drilling of wells to determine the nature of potential hydrocarbon reservoirs.
29. **Facility**: means a pollution source, or any public or private property or site and all contiguous land and structures, other appurtenances and improvements, where any activity is conducted which discharges or may result in the discharge of pollutants into waters of the State.
30. **Fecal Coliform**: means a gram negative, non-spore forming, rod-shaped bacteria found in the intestinal tract of warm-blooded animals.
31. **Free Oil**: oil that causes a sheen when discharges are released or when a static sheen test is used.
32. **GPD**: gallons per day.
33. **Garbage**: all kinds of food waste, wastes generated in living areas on the facility, and operational waste, excluding fresh fish and parts thereof, generated during the normal operation of facility and liable to be disposed of continuously or periodically, except dishwater, graywater, and those substances that are defined or listed in other Annexes to MARPOL 73/78 (Marpol, marine pollution, 1973 and 1978 is the International Convention for the Prevention of Pollution from ships).
34. **Grab Sample**: a single representative effluent sample taken at the recognized discharge point in less than 15 minutes.
35. **Graywater**: drainage from dishwater, shower, laundry, bath, and washbasin drains and does not include drainage from toilets, urinals, hospitals, and drainage from cargo spaces.

36. **Hydrostatic Test Wastewater:** a leakage determination test used to conduct a hydrostatic test on a hollow object or piece of equipment by filling the tested item with water and subjecting it to pressure.
37. **Individual Well:** a well located in an existing oil & gas production area that is not or will not tie into an existing production facility, or a well that will tie into an existing production facility, but is operated by another operator.
38. **Inverse Emulsion Drillinn:** an oil-based drilling fluid which also contains a large amount of water.
39. **Live Bottom Areas:** areas which contain biological assemblages consisting of such sessile invertebrates as seas fans, sea whips, hydroids, anemones, ascidians, sponges, bryozoans, seagrasses, or corals living upon and attached to naturally occurring hard or rocky formations with fishes and other fauna.
40. **MGD:** million gallons per day.
41. **mg/L:** means milligrams per liter; it is essentially equivalent to parts per million.
42. **Muds, Cuttings, and Cement at the Seafloor:** discharges which occur at the seafloor prior to installation of the marine riser and during marine riser disconnect and well abandonment and plugging operations.
43. **National Pollutant Discharge Elimination System:** the national program for issuing, modifying, revoking, and reissuing, terminating, monitoring, and enforcing permits, and imposing and enforcing pretreatment requirements, under, section 307, 318, 402, and 405 of the Act.
44. **New Source:** any facility or activity that meets the definition of "new source" under 40 CFR part 122.2 and meets the criteria for determination of new sources under 40 CFR part 122.29(b) applied consistently with all of the following definitions:
 - (a) The term "water area" as used in the term "site" in 40 CFR parts 122.29 and 122.2 shall mean the water area and ocean floor beneath any exploratory development, or production facility where such facility is conducting its exploratory, development, or production activities.
 - (b) The term "significant site preparation work" as used in 40 CFR part 122.29 shall mean the process of surveying, clearing, or preparing an area of the ocean floor for the purpose of constructing or placing a development or production facility on or over the site.
45. **Non-contact Cooling Water:** means that water used for the purpose of heat removal and which does not come in contact with any raw materials, intermediate or finished products, or any spilled materials in conveyances.
46. **Office:** the Office of Environmental Services within the Department of Environmental Quality.
47. **Packer Fluid:** low solids fluids between the packer, production string, and well casing. They are considered to be workover fluids.

48. ***Pollutant***: any substance introduced into the Waters of the State by any means that would tend to degrade the chemical, physical, biological, or radiological integrity of the environment.
49. ***Pollution Source***: the immediate site or location of a discharge or potential discharge, including such surrounding property as is necessary to secure or quarantine the area from access by the general public.
50. ***Priority Pollutant***: any substance listed in LAC 33:IX.7107, Appendix D, Tables II & III.
51. ***Produced Sand***: slurried particles used in hydraulic fracturing, the accumulated formation sand, and scale particles generated during production. Produced sand also includes desander discharge from produced water waste streams and **blowdown** of water phase from the produced water treating system.
52. ***Produced Water***: the water (brine) brought up from the hydrocarbon-bearing strata during the extraction of oil and gas, and can include formation water, injection water, and any chemicals added **downhole** or during the oil/water separation process.
53. ***Production Facility***: any fixed or mobile structure that is either engaged in well completion or used for active recovery of hydrocarbons from producing formations. It includes two or more well heads that flow into a common physical location.
54. ***Reportable Quantity (RO) Release***: for oil, as defined at 40 CFR Part 110.3, "the amount of oil that violates applicable water quality standards or causes a film or sheen upon or a discoloration of the surface of the water or adjoining shorelines or causes a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines." For hazardous substances, refer to 40 CFR 302.4.
55. ***Sanitary Waste***: treated wastewater that contains human metabolic waste discharged from toilets and urinals.
56. ***Sheen***: a silvery or metallic sheen, gloss, or increase reflectivity, visual color or iridescence on the water surface.
57. ***Source Water and Sand***: water from non-hydrocarbon bearing formations for the purpose of pressure maintenance or secondary recovery including the entrained solids.
58. ***Storm Water Discharge Associated with Industrial Activity***: defined at LAC 33:IX.2511.B.14.
59. ***Territorial Seas***: the belt of the seas measured from the line of ordinary low water along that portion of the coast which is in direct contact with the open sea and the line marking the seaward limit of inland waters, and extending seaward a distance of three miles.
60. ***Total Suspended Solids (TSS)***: the amount of solid material suspended in water commonly expressed as a concentration in terms of mg/L.
61. ***Trace Amounts***: means that if materials added **downhole** as well treatment, completion, or **workover** fluids that do not contain priority pollutants then the discharge is assumed not to contain priority pollutants, except possibly in trace quantity amounts.

62. **Unauthorized Discharge**: a continuous, intermittent or one-time discharge, whether intentional, anticipated, or unanticipated, from any source, permitted or unpermitted, which is in contravention of any provision of the Act or of any permit terms and conditions; or of any applicable regulation, compliance schedule, variance or exception of the administrative authority.
63. **Uncontaminated Freshwater**: freshwater which is discharged without the addition of chemicals. Included are: (1) discharges of excess freshwater that permit the continuous operation of fire control and utility lift pumps, (2) excess freshwater from pressure maintenance and secondary recovery projects, (3) water released during the training and testing of personnel in fire protection.
64. **Uncontaminated Seawater**: is seawater which is returned to the sea without the addition of chemicals. Included are: (1) discharges of excess seawater which permit the continuous operation of fire control and utility lift pumps, (2) excess seawater from pressure maintenance and secondary recovery projects, (3) water released during the training and testing of personnel in fire protection, and (4) once through, noncontact cooling water which has not been treated with biocides.
65. **Upset**: an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
66. **Visible Sheen**: a "silvery" or "metallic" sheen, gloss, or increased reflectivity, visual color, or iridescence.
67. **Waters of the State**: all surface waters within the state of Louisiana and, on the coastline of Louisiana and the Gulf of Mexico, all surface waters extending there from three miles into the Gulf of Mexico. For purposes of the Louisiana Pollutant Discharge Elimination System, this includes all surface waters which are subject to the ebb and flow of the tide, lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, natural ponds, impoundments of waters within the state of Louisiana otherwise defined as "waters of the United States" in 40 CFR 122.2 and tributaries of all such waters. "Waters of the State" does not include waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the Clean Water Act, 33 U.S.C. 1251 et seq.
68. **Well Treatment Fluid**: any fluid used to restore or improve productivity by chemically or physically altering hydrocarbon-bearing strata after a well has been drilled. These fluids move into the formation and return to the surface as a slug with the produced water. Stimulation fluids include substances such as acids, solvents, and propping agents.
69. **Wildcat Well**: a well drilled in an area where no oil or gas production exists.
70. **Workover Fluid**: salt solutions, sometimes containing specialty additives, which are used in a producing well to allow safe repair and maintenance procedures. High solids drilling fluids used during workover operations are not considered workover fluids by definition and therefore must meet drilling fluid effluent limitations before discharge may occur. Packer fluids, low solid fluids between the packer, production string and well casing, are

considered to be **workover** fluids.

71. $\mu\text{g/L}$: means micrograms per liter; it is essentially equivalent to parts per billion.

SECTION B. CRITICAL DILUTION TABLES

TABLE 1: PRODUCED WATER CRITICAL DILUTIONS

Table 1-A: Critical Dilution (Percent Effluent) for Discharges with a Depth Difference Between the Discharge Pipe and the Sea Floor 2 meters and less

Discharge Rate (bbl/day) ¹	Pipe Diameter (inches)					
	> 0" to < 4"	≥ 4" to < 6"	≥ 6" to < 8"	≥ 8" to < 10"	≥ 10" to < 13"	≥ 13" to < 18"
≤ 500	0.114	0.162	0.21	0.24	0.26	0.24
501 to 1,000	0.15	0.15	0.15	0.15	0.15	0.15
1,001 to 2,000	0.43	0.43	0.43	0.43	0.43	0.43
2,001 to 3,000	0.77	0.74	0.75	0.75	0.75	0.75
3,001 to 4,000	1.2	1.14	1.13	1.13	1.13	1.13
4,001 to 5,000	1.64	1.57	1.5	1.52	1.52	1.52
5,001 to 6,000	2.12	2.0	1.92	1.92	1.92	1.92
6,001 to 7,000	2.63	2.5	2.4	2.35	2.36	2.36
7,001 to 8,000	3.12	3.0	2.87	2.76	2.78	2.78
8,001 to 9,000	3.64	3.55	3.38	3.22	3.23	3.23
9,001 to 10,000	4.13	4.09	3.88	3.7	3.65	3.66
10,001 to 15,000	6.52	6.94	6.54	6.29	5.8	5.85
15,001 to 20,000	8.65	9.68	9.5	8.93	8.26	7.9
20,001 to 25,000	10.53	12.17	12.35	11.51	10.7	9.76
25,001 to 35,000	12	14.23	14.76	14.06	12.86	11.34
35,001 to 50,000	13.38	21.26	21.96	21.4*	20.52	18.94
50,001 to 75,000	19.43	26.79	26.8*	26.8*	26.8*	24.33

* Estimate. CORMIX will not calculate these scenarios.

¹Barrels per day

Table 1-B: Critical Dilution (Percent Effluent) for Discharges with a Depth Difference Between the Discharge Pipe and the Sea Floor Greater than 2 Meters to 4 Meters

Discharge Rate (bbl/day) ¹	Pipe Diameter (inches)					
	> 0" to < 4"	≥ 4" to < 6"	≥ 6" to < 8"	≥ 8" to < 10"	≥ 10" to < 13"	≥ 13" to < 18"
≤ 500	0.14	0.14	0.14	0.14	0.14	0.14
501 to 1,000	0.28	0.279	0.279	0.28	0.28	0.28
1,001 to 2,000	0.57	0.56	0.562	0.56	0.563	0.56
2,001 to 3,000	0.465	0.451	0.452	0.452	0.453	0.454
3,001 to 4,000	0.69	0.67	0.66	0.66	0.66	0.66
4,001 to 5,000	0.91	0.88	0.86	0.86	0.86	0.86
5,001 to 6,000	1.13	1.11	1.07	1.07	1.07	1.07
6,000 to 7,000	1.38	1.35	1.31	1.29	1.29	1.29
7,001 to 8,000	1.607	1.58	1.54	1.5	1.5	1.5
8,001 to 9,000	1.85	1.83	1.8	1.7	1.7	1.7
9,001 to 10,000	2.09	2.07	2.02	1.95	1.93	1.94
10,001 to 15,000	3.19	3.32	3.21	3.15	2.97	3.0
15,001 to 20,000	4.1	4.54	4.43	4.32	4.11	3.98
20,001 to 25,000	4.8	5.63	5.67	5.45	5.26	4.92
25,001 to 35,000	5.97	7.4	7.9	7.67	7.37	6.8
35,001 to 50,000	7.1	9.3	10.4	10.7	9.9	9.45
50,001 to 75,000	8.25	11.2	13.0	14.16	14.2	13.2

¹Barrels per day

Table 1-C: Critical Dilution (Percent Effluent) for Discharges with a Depth Difference Between the Discharge Pipe and the Sea Floor Greater than 4 Meters to 6 Meters

Discharge Rate (bbl/day) ¹	Pipe Diameter (inches)					
	> 0" to < 4"	≥ 4" to < 6"	≥ 6" to < 8"	≥ 8" to < 10"	≥ 10 " to < 13"	≥ 13" to < 18"
≤ 500	0.11	0.16	0.21	0.24	0.26	0.24
501 to 1,000	0.126	0.318	0.408	0.47	0.511	0.48
1,001 to 2,000	0.271	0.265	0.84	0.965	1.05	0.982
2,001 to 3,000	0.405	0.388	1.25	1.44	1.56	1.46
3,001 to 4,000	0.54	0.52	0.511	1.93	2.1	1.96
4,001 to 5,000	0.56	0.55	0.53	0.53	0.53	0.54
5,001 to 6,000	0.696	0.68	0.66	0.66	0.66	0.66
6,001 to 7,000	0.837	0.82	0.8	0.789	0.792	0.793
7,001 to 8,000	0.969	0.957	0.94	0.913	0.916	0.918
8,001 to 9,000	1.106	1.102	1.079	1.046	1.047	1.049
9,001 to 10,000	1.23	1.24	1.214	1.179	1.17	1.17
10,001 to 15,000	1.855	1.92	1.88	1.85	1.77	1.78
15,001 to 20,000	2.42	2.56	2.54	2.5	2.4	2.34
20,001 to 25,000	2.9	3.16	3.18	3.11	3.03	2.88
25,001 to 35,000	3.62	4.26	4.42	4.35	4.25	3.98
35,001 to 50,000	4.35	5.49	6.05	6.09	5.84	5.63
50,001 to 75,000	5.07	6.82	7.77	8.25	8.13	7.8

¹Barrels per day

Table 1-D: Critical Dilution (Percent Effluent) for Discharges with a Depth Difference Between the Discharge Pipe and the Sea Floor Greater than 6 Meters to 9 Meters

Discharge Rate (bbl/day) ¹	Pipe Diameter (inches)					
	> 0" to < 4"	≥ 4" to < 6"	≥ 6" to < 8"	≥ 8" to < 10"	≥ 10" to < 13"	≥ 13" to < 18"
≤ 500	0.112	0.163	0.21	0.24	0.26	0.24
501 to 1,000	0.069	0.322	0.413	0.475	0.52	0.483
1,001 to 2,000	0.15	0.15	0.84	0.965	1.05	0.98
2,001 to 3,000	0.23	0.22	1.25	1.44	1.56	1.46
3,001 to 4,000	0.31	0.3	0.3	1.93	2.1	1.96
4,001 to 5,000	0.4	0.37	0.36	2.4	2.61	2.44
5,001 to 6,000	0.45	0.44	0.43	0.43	0.43	0.43
6,001 to 7,000	0.55	0.54	0.52	0.52	0.52	0.52
7,001 to 8,000	0.63	0.63	0.62	0.6	0.6	0.6
8,001 to 9,000	0.72	0.72	0.71	0.69	0.69	0.69
9,001 to 10,000	0.806	0.808	0.79	0.77	0.77	0.77
10,001 to 15,000	1.21	1.25	1.23	1.21	1.165	1.17
15,001 to 20,000	1.57	1.65	1.65	1.63	1.58	1.54
20,001 to 25,000	1.9	2.03	2.05	2.02	1.97	1.89
25,001 to 35,000	2.44	3.61	3.84	3.89	3.79	3.68
35,001 to 50,000	3.01	3.61	3.84	3.89	3.79	3.68
50,001 to 75,000	3.57	4.64	5.22	5.42	5.36	5.22

¹Barrels per day

Table 1-E: Critical Dilution (Percent Effluent) for Discharges with a Depth Difference Between the Discharge Pipe and the Sea Floor Greater than 9 Meters

Discharge Rate (bbl/day) ¹	Pipe Diameter (inches)					
	> 0" to < 4"	≥ 4" to < 6"	≥ 6" to < 8"	≥ 8" to < 10"	≥ 10" to < 13"	≥ 13" to < 18"
≤ 500	0.114	0.16	0.21	0.24	0.26	0.24
501 to 1,000	0.035	0.32	0.41	0.47	0.51	0.48
1,001 to 2,000	0.076	0.075	0.84	0.97	1.05	0.98
2,001 to 3,000	0.12	0.11	1.25	1.44	1.56	1.46
3,001 to 4,000	0.16	0.156	0.15	1.93	2.1	1.96
4,001 to 5,000	0.2	0.2	0.2	2.4	2.6	2.44
5,001 to 6,000	0.24	0.23	0.23	0.23	3.12	2.92
6,001 to 7,000	0.28	0.27	0.27	0.26	3.66	3.42
7,001 to 8,000	0.31	0.31	0.3	0.3	4.17	3.9
8,001 to 9,000	0.42	0.42	0.41	0.41	0.41	0.41
9,001 to 10,000	0.47	0.47	0.47	0.46	0.45	0.46
10,001 to 15,000	0.72	0.74	0.73	0.72	0.7	0.7
15,001 to 20,000	0.94	0.99	0.98	0.97	0.95	0.93
20,001 to 25,000	1.14	1.2	1.23	1.21	1.19	1.15
25,001 to 35,000	1.5	1.6	1.67	1.67	1.64	1.58
35,001 to 50,000	1.92	2.15	2.26	2.3	2.26	2.2
50,001 to 75,000	2.38	2.92	3.15	3.26	3.28	3.2

¹Barrels per day

Table 1-F: Minimum Vertical Port Separation Distance to Avoid Interference

<u>Port Flow Rate (bbl/day)</u>	<u>Minimum Separation Distance (m)</u>
0 - 500	3.2
501 - 1,000	4.1
1,001 - 2,000	5.4
2,001 - 5,000	7.7
5,001 - 7,000	8.6
7,001 - 10,000	8.6

Table 2-A: Critical Dilutions (Percent Effluent) for Toxicity Limitations for Seawater to which Treatment Chemicals have been added (122 meter mixing zone 10x acute to chronic ratio)

Depth Difference (Meters)	Discharge Rate (bbl/day) ¹	Pipe Diameter			
		>0" to 2"	>2" to 4"	>4" to 6"	>6"
All	0 to 1,000	0.4	0.4	0.4	0.4
	>1,000 to 10,000	1.7	3.2	3.8	4
	> 10,000	2.2	3.2	4.8	5.3

Table 2-B: Critical Dilutions (Percent Effluent) for Toxicity Limitations for Freshwater to which Treatment Chemicals have been Added

Depth Difference (Meters)	Discharge Rate (bbl/day) ¹	Pipe Diameter			
		>0" to 2"	>2" to 4"	>4" to 6"	>6"
All	0 to 1,000	12.9	0.8	1.9	1.9
	>1,000 to 10,000	25	5.6	11.8	2
	>10,000	5.4	18	30	47

¹Barrels per day

* Depth Difference means the distance in water depth between the discharge pipe and the seafloor.

SECTION C. CHRONIC TOXICITY TESTING REQUIREMENTS

1. CHRONIC TOXICITY TESTING REQUIREMENTS FOR PRODUCED WATER (7-DAY CHRONIC NOEC MARINE LIMITS).

SCOPE AND METHODOLOGY

- a. The permittee shall test the effluent for toxicity in accordance with the provisions in this section.

APPLICABLE TO OUTFALL(S): **002**

REPORTED ON DMR AS OUTFALL: **TX2**

CRITICAL DILUTION: **SEE TABLE 1**

EFFLUENT DILUTION SERIES: **114 CD, 112 CD, CD, 2x CD, 4x CD**

SAMPLE TYPE: **GRAB**

TEST SPECIES/METHODS: **40 CFR PART 136**

Mysidopsis bahia (Mysid shrimp) chronic static renewal 7-day survival and growth test using Method 1007.0, EPA-821-R-02-014, or the most recent update thereof. A minimum of eight (8) replicates with five (5) organisms per replicate must be used in the control and in each effluent dilution of this test.

Menidia beryllina (Inland Silverside minnow) chronic static renewal 7-day larval survival and growth test, Method 1006.0, EPA-821-R-02-014, or the most recent update thereof. A minimum of five (5) replicates with ten (10) organisms per replicate must be used in the control and in each effluent dilution of this test.

- b. When the testing frequency is less than monthly and the effluent fails the survival **and/or** sub-lethal endpoint at the permittee shall be considered in violation of this permit limit and the frequency of monitoring for the affected species will increase to monthly until such compliance with the No Observed Effect Concentration (NOEC) effluent limitation is demonstrated for a period of three consecutive months, at which time the permittee may return to the testing frequency stated in **Outfall 002** of this permit. During the period the permittee is out of compliance, test results shall be reported on the monthly DMR for the reporting period.
- c. The NOEC (No Observed Effect Concentration) is herein defined as the greatest effluent dilution at and below which toxicity (lethal or sublethal) that is statistically different from the control (0% effluent) at the 95% confidence level does not occur. Chronic lethal test failure is defined as a demonstration of a

statistically significant lethal effect at test completion to a test species at or below the critical dilution. In the case of a test that exhibits a non-monotonic concentration response, determination of the NOEC will reply on the procedures described in Method Guidance and Recommendations for Whole Toxicity (WET) Testing 40 CFR part 136), July 2000, EPA 821-B-00-004. Chronic sub-lethal test failure is defined as a demonstration of a statistically significant sub-lethal effect (i.e. growth) at test completion to a test species at or below the critical dilution.

- d. This permit may be reopened to require chemical specific effluent limits, additional testing, and/or other appropriate actions to address toxicity.

2. **REQUIRED TOXICITY TESTING CONDITIONS**

a. Test Acceptance

The permittee shall repeat a test, including the control and all effluent dilutions, if the procedures and quality assurance requirements defined in the test methods or in this permit are not satisfied, including the following additional criteria:

1. The toxicity test control (0% effluent) must have survival equal to or greater than 80%.
- ii. The mean dry weight of surviving Mysid shrimp at the end of the 7 days in the control (0% effluent) must be 0.20 mg per Mysid or greater. Should the mean dry weight in the control be less than 0.20 mg per Mysid, the toxicity test, including the control and all effluent dilutions shall be repeated.
- iii. The mean dry weight of surviving unpreserved Inland Silverside minnow larvae at the end of the 7 days in the control (0% effluent) must be 0.50 mg per larva or greater. The mean dry weight of surviving preserved Inland Silverside minnow larvae at the end of the 7 days in the control (0% effluent) must be 0.43 mg per larva or greater.
- iv. The percent coefficient of variation (%CV) between replicates shall be 40% or less in the control (0% effluent) for: the growth and survival endpoints in the Mysid shrimp test and the Inland Silverside minnow test. The %CV for survival shall be calculated on the arc-sine-square-root transformed data. The %CV for growth shall be calculated on the growth per surviving organism.
- v. The percent coefficient of variation (%CV) between replicates shall be 40% or less in the critical dilution, unless significant lethal or non-lethal effects are exhibited for: the growth and survival endpoints in the Mysid shrimp test and the Inland Silverside minnow test.

- vi. A Percent Minimum Significant Difference (PMSD) range of 11-37 for *Mysidopsis bahia* growth shall be applied as described in Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms, Third Edition, October 2002 EPA 821-R-013, Section 10.2.8.
- vii. A PSMD range of 11-28 for Silverside minnow growth shall be applied as described in Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms, Third Edition, October 2002, EPA-821-R-02-014 or the most recent update thereof.

Test failure may not be construed or reported as invalid due to a coefficient of variation value of greater than 40%. A repeat test shall be conducted within the required reporting period of any test determined to be invalid.

b. Statistical Interpretation

For the Mysid shrimp and the Inland Silverside minnow larval survival and growth test, the statistical analyses used to determine if there is a significant difference between the control and the critical dilution shall be in accordance with the methods for determining the No Observed Effect Concentration (NOEC) as described in EPA-821-R-02-014, or the most recent update thereof.

If the conditions of Test Acceptability are met in Item 2.a above and the percent survival of the test organism is equal to or greater than 80% in the critical dilution concentration and all lower concentrations, the test shall be considered to be a passing test, and the permittee shall report an NOEC of not less than the critical dilution for the DMR reporting requirements found in Item 3 below.

c. Dilution Water

- i. Dilution water used in the toxicity tests will be synthetic water.
- ii. If the receiving water is unsatisfactory as a result of **instream** toxicity (fails to fulfill the test acceptance criteria of item 2.a), the permittee may substitute synthetic dilution water for the receiving water in all subsequent tests provided the unacceptable receiving water test met the following stipulations:
 - A. a synthetic dilution water shall fulfill the test acceptance requirements of item 2.a was run concurrently with the receiving water control;
 - B. the test indicating receiving water toxicity has been carried out to

completion (i.e., 7 days);

- C. the permittee includes all test results indicating receiving water toxicity with the full report and information required by item 3.a below; and
- D. the synthetic dilution water shall have a pH, hardness and salinity similar to that of the receiving water or closest downstream perennial water not adversely affected by the discharge, provided the magnitude of these parameters will not cause toxicity in the synthetic dilution water.

d. Grab Samples

The permittee shall collect a grab sample from Outfall 002. The permittee must have initiated the toxicity test within 36 hours after the collection of the first grab sample. Samples shall be chilled to 0-6 degrees Centigrade during shipping and storage.

3. REPORTING

- a. A valid test must be submitted during each reporting period. The permittee shall prepare a full report of the results of all tests conducted pursuant to this section in accordance with the Report Preparation Section of EPA-821-R-02-014, or the most current publication, for every valid or invalid toxicity test initiated whether carried to completion or not. The permittee shall retain each full report pursuant to the provisions of Part III.C of this permit. For any test which fails, is considered invalid, or which is terminated early for any reason, the full report must be submitted for agency review. The permittee shall submit the first full report to the following address:

Department of Environmental Quality
Office of Environmental Compliance
P.O. Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Permit Compliance Unit

- b. The permittee shall submit the results of each valid toxicity test on the DMR for that reporting period in accordance with Part III.C of this permit, as follows below. Submit retest information clearly marked as such with the following month's DMR. Only results of valid tests are to be reported on the DMR. The permittee shall submit the Table 1a and 1b summary sheet with each valid test (See attachment).

1. Menidia beryllina (Inland Silverside minnow)
 - A. If the No Observed Effect Concentration (NOEC) for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TLP6B.
 - B. Report the NOEC value for survival, Parameter No. TOP6B.
 - C. Report the NOEC value for growth, Parameter No. TPP6B.
 - D. If the No Observed Effect Concentration (NOEC) for growth is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TGP6B.
 - E. Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQP6B.
- ii. Mysidopsis bahia (Mysid shrimp)
 - A. If the NOEC for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0". Parameter No. TLP3E.
 - B. Report the NOEC value for survival, Parameter No. TOP3E.
 - C. Report the NOEC value for growth, Parameter No. TPP3E.
 - D. If the No Observed Effect Concentration (NOEC) for growth is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TGP3E.
 - E. Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQP3E.

The permittee shall submit the toxicity testing information contained in Table 1a and 1b with the DMR subsequent to each and every toxicity test reporting period. The DMR and the summary table should be sent to the address indicated in 3.a.

4. MONITORING FREQUENCY REDUCTION

If permittee has been compliant for one full year (12 consecutive months), the required toxicity testing and monitoring frequencies shall be reduced to once per year for Menidia beryllina and Mysidopsis bahia, provided the discharge remains in compliance. When the testing frequency is less than monthly and the effluent fails the survival and/or sub-lethal endpoint at the permittee shall be considered in violation of this permit limit and the frequency for the affected species will

increase to monthly until such compliance with the No Observed Effect Concentration (NOEC) effluent limitation is demonstrated for a period of three consecutive months, at which time the permittee may return to the testing frequency stated in **Outfall 002** of this permit. During the period the permittee is out of compliance, test results shall be reported on the **DMR** for that reporting period.

SECTION D. ACUTE TOXICITY TESTING REQUIREMENTS

1. ACUTE TOXICITY TESTING REQUIREMENTS FOR CHEMICALLY TREATED SEAWATER AND FRESHWATER (48-HOUR ACUTE NOEC MARINE LIMITS).

SCOPE AND METHODOLOGY

- a. The permittee shall test the effluent for toxicity in accordance with the provisions in this section.

APPLICABLE TO OUTFALL(S): **008**

REPORTED ON DMR AS OUTFALL: **TX8**

CRITICAL DILUTION: **SEE TABLE 2**

EFFLUENT DILUTION SERIES: **114 CD, 112 CD, CD, 2x CD, 4x CD**

SAMPLE TYPE: **GRAB**

TEST SPECIES/METHODS: **40 CFR Part 136**

Mysidopsis bahia (Mysid shrimp) acute static renewal 48-hour definitive toxicity test using EPA-821-R-02-012, or the latest update thereof. A minimum of eight (8) replicates with five (5) organisms per replicate must be used in the control and in each effluent dilution of this test.

Menidia beryllina (Inland Silverside minnow) acute static renewal 48-hour definitive toxicity test using EPA-821-R-02-012, or the latest update thereof. A minimum of five (5) replicates with ten (10) organisms per replicate must be used in the control and in each effluent dilution of this test.

- b. When the testing frequency is less than monthly and the effluent fails the survival endpoint, the permittee shall be considered in violation of this permit limit and the **frequency/monitoring** period for the affected species will increase to monthly until such compliance with the No Observed Effect Concentration (NOEC) effluent limitation is demonstrated for a period of three consecutive months, at which time the permittee may return to the testing frequency stated in **Outfall 008** of this permit. During the period the permittee is out of compliance, test results shall be reported on a monthly DMR for the reporting period.
- c. The NOEC (No Observed Effect Concentration) is defined as the greatest effluent dilution at and below which lethality that is statistically different from the control (0% effluent) at the 95% confidence level does not occur. Acute lethal test failure is defined as a demonstration of a statistically significant lethal effect at test

completion to a test species at or below the critical dilution. In the case of a test that exhibits a non-monotonic concentration response, determination of the NOEC will rely on the procedures described in Method Guidance and Recommendations for Whole Toxicity (WET) Testing 40 CFR part 136), July 2000, EPA 821-B-00-004.

- d. This permit may be reopened to require whole effluent toxicity limits, chemical specific effluent limits, additional testing, *and/or* other appropriate actions to address toxicity.

2. REQUIRED TOXICITY TESTING CONDITIONS

a. Test Acceptance

The permittee shall repeat a test, including the control and all effluent dilutions, if the procedures and quality assurance requirements defined in the test methods or in this permit are not satisfied, including the following additional criteria:

- i. Each toxicity test control (0% effluent) must have a survival equal to or greater than 90%.
- ii. The percent coefficient of variation between replicates shall be 40% or less in the control (0% effluent) for the Mysid shrimp survival test and the Inland Silverside minnow survival test.
- iii. The percent coefficient of variation between replicates shall be 40% or less in the critical dilution, unless significant lethal effects are exhibited for the Mysid shrimp survival test and Inland Silverside minnow survival test.

Test failure may not be construed or reported as invalid due to a coefficient of variation value of greater than 40%. A repeat test shall be conducted within the required reporting period of any test determined to be invalid.

b. Statistical Interpretation

For the Mysid shrimp survival test and the Inland Silverside minnow survival test, the statistical analyses used to determine if there is a statistically significant difference between the control and the critical dilution shall be in accordance with the methods for determining the No Observed Effect Concentration (NOEC) as described in EPA-821-R-02-012, or the most recent update thereof.

If the conditions of Test Acceptability are met in Item 2.a above and the percent survival of the test organism is equal to or greater than 90% in the critical dilution concentration and all lower dilution concentrations, the test shall be considered to

be a passing test, and the permittee shall report an NOEC of not less than the critical dilution for the DMR reporting requirements found in Item 3 below.

c. Dilution Water

- i. Dilution water used in the toxicity tests will be synthetic water.
- ii. If the receiving water is unsatisfactory as a result of **instream** toxicity (fails to fulfill the test acceptance criteria of item 2.a), the permittee may substitute synthetic dilution water for the receiving water in all subsequent tests provided the unacceptable receiving water test met the following stipulations:
 - A. a synthetic dilution water control which fulfills the test acceptance requirements of item 2.a was run concurrently with the receiving water control;
 - B. the test indicating receiving water toxicity has been carried out to completion (i.e., 48 hours);
 - C. the permittee includes all test results indicating receiving water toxicity with the full report and information required by item 3.a below; and
 - D. the synthetic dilution water shall have a pH, hardness and salinity similar to that of the receiving water or closest downstream perennial water not adversely affected by the discharge, provided the magnitude of these parameters will not cause toxicity in the synthetic dilution water.

d. Grab Samples

The permittee shall collect a minimum of one grab sample from **Outfall 008**. The permittee must have initiated the toxicity test within 36 hours after the collection of the grab sample. Samples shall be chilled to 0-6 degrees Centigrade during shipping and storage.

3. **REPORTING**

- a. A valid test must be submitted during each reporting period. The permittee shall prepare a full report of the results of all tests conducted pursuant to this section in accordance with the Report Preparation Section of EPA-821-R-02-012, for every valid or invalid toxicity test initiated, whether carried to completion or not. The permittee shall retain each full report pursuant to the provisions of Part III.C of this permit. For any test which fails, is considered invalid, or which is terminated early for any reason, the full report must be submitted for agency review. The permittee shall submit the first full report to the following address:

Department of Environmental Quality
Office of Environmental Compliance
P. O. Box 4312
Baton Rouge, Louisiana 70821-4312
Attn: Permit Compliance Unit

- b. The permittee shall submit the following results of each valid toxicity test on the DMR for that reporting period in accordance with Part III.C of this permit. Only results of valid tests are to be reported on the DMR. The permittee shall submit the Table 2a and 2b summary sheet with each valid test (See attachment).
- i. Menidia beryllina (Inland Silverside minnow)
 - A. If the No Observed Effect Concentration (NOEC) for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TEM6B.
 - B. Report the NOEC value for survival, Parameter No. TOM6B.
 - C. Report the highest (critical dilution or control) Coefficient of Variation, parameter No. TQM6B.
 - ii. Mysidopsis bahia (Mysid shrimp)
 - A. If the NOEC for survival is less than the critical dilution, enter a "1"; otherwise, enter a "0" for Parameter No. TEM3E.
 - B. Report the NOEC value for survival, Parameter No. TOM3E.
 - C. Report the highest (critical dilution or control) Coefficient of Variation, Parameter No. TQM3E.

The permittee shall submit the toxicity testing information contained in Table 2a

and 2b with the DMR subsequent to each and every toxicity test reporting period. The DMR and the summary table should be sent to the address indicated in 3.a.

4. MONITORING FREQUENCY REDUCTION

If permittee has been compliant for one full year (12 consecutive months), the required toxicity testing and monitoring frequencies shall be reduced to once per year for Menidia beryllina and Mysidopsis bahia, provided the discharge remains in compliance. When the testing frequency is less than monthly and the effluent fails the survival endpoint, the permittee shall be considered in violation of this permit limit and the frequency for the affected species will increase to monthly until such compliance with the No Observed Effect Concentration (NOEC) effluent limitation is demonstrated for a period of three consecutive months, at which time the permittee may return to the testing frequency stated in **Outfall 008** of this permit. During the period the permittee is out of compliance, test results shall be reported on a monthly DMR for the reporting period.

SECTION E. COMPLIANCE SCHEDULE

The permittee shall be in compliance with the effluent limitations and monitoring requirements specified herein on the date of authorization of coverage under this general permit. If a discharge is found to be in violation of specified limits, the permittee may be subject to enforcement action, including civil penalties, and may be required to obtain an individual permit.

SECTION F. OTHER DISCHARGES

This permit does not in any way authorize the permittee to discharge a pollutant not authorized in the permit.

SECTION G. COVERAGE UNDER SUBSEQUENT PERMITS

Should this permit expire before its reissuance, authorization shall be automatically extended, unless otherwise notified, until such time that a new permit is issued. Instructions for obtaining coverage under the reissued permit will be included in that permit.

SECTION H. TERMINATION OF AUTHORIZATION TO DISCHARGE

This Office reserves the right to revoke the authorization to discharge in accordance with this general permit as it applies to any person and/or require such person to apply for and obtain an individual permit if:

1. the covered source or activity is a significant contributor to pollution or creates other environmental problems;
2. the permittee is not in compliance with the terms and conditions of this general permit;
3. conditions or standards have changed so that the source or activity no longer qualifies for this general permit, or

4. the discharge limitations contained in this permit are not in accordance with the Water Quality Management Plan.
5. a TMDL is issued subsequent to authorization of coverage that requires additional and/or more stringent effluent limitations or requirements than allowed under this permit.

SECTION I. STATE WATER QUALITY STANDARDS

LAC 33:IX.1113 describes numerical and general criteria that apply to all water bodies of the State. Criteria are elements of the water quality, which set limitations on the permissible amounts of a substance or other characteristics of state waters. The General Criteria, as described in the Louisiana Administrative Code, limit discharges to maintain aesthetics, color, turbidity, the biologic and aquatic community integrity, and many other elements in the receiving water body. Any noncompliance with the General or Numerical Criteria is not authorized under this permit.

To comply with the requirements of LAC 33:IX.2317.A.9, this permit does not authorize any discharge from a facility which is classed as a new source or new discharge, as defined at LAC 33:IX.2313, if the discharge will cause or contribute to the violation of water quality standards. Discharges from facilities authorized under LPDES general permits typically consist of low volume flows and discharges that are intermittent in nature. This general permit is applicable to very specific types of facilities and allows very limited types of discharges that specifically occur at facilities that are eligible for coverage under this permit. The effluent limitations and other conditions established in this permit are determined to be sufficient to assure protection to state waters. New source discharges or new discharges of wastewater from a facility whose discharges are in compliance with the general permit requirements should not adversely impact the water quality of their receiving waterbodies, including 303(d) listed impaired water bodies. Permitted facilities are required to be in compliance with the general permit requirements immediately upon coverage by the permit. In accordance with Parts II.M and II.I measures can be taken by the permitting authority to prohibit any discharge that is not protective of state water quality standards.

SECTION J. COMBINED OUTFALLS

If different wastewater types that are subject to separate effluent limitations and monitoring requirements are to be discharged from a single outfall point, then that outfall shall be subject to all the effluent limitations and monitoring requirements which apply to each of the different wastewater types. If an effluent parameter is listed for more than one type of wastewater discharge, then the more stringent numerical effluent limitation for that parameter must be met.

SECTION K. PROPERTY RIGHTS

Authorization to discharge pursuant to the conditions of this permit does not relieve the permittee of any liability for damages to state waters or private property. For discharges to private land, this permit does not relieve the permittee from obtaining proper approval from the landowner for appropriate easements and rights of way.

SECTION L. REMOVED SUBSTANCES

Solids, sludges, biosolids, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be properly disposed of in compliance with applicable state laws, regulations, and permit requirements, and in a manner such as to prevent any pollutant from such materials from entering the waters of the state. The permittee may need to contact the Waste Permits Division of the Office of Environmental Services for information on regulations and permits to dispose of this material.

SECTION M. PERMIT REOPENER CLAUSE

This permit may be modified, revoked and reissued, or terminated for cause in accordance with LAC 33:IX.2903, 2907, and 6509. The filing of a request for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition. This Office reserves the right to reopen and modify this permit to conform to those standards necessary to maintain the water quality in order to support uses of the receiving water bodies.

SECTION N. WASHING PROHIBITIONS

Discharges of equipment washwater from the following sources are prohibited under this permit: 1) equipment involved in the disposal of hazardous (RCRA non-exempt) oil field waste; and 2) the interiors of tanks or cargo compartments used for storing, hauling, or dispensing chemicals of any type and waste materials such as garbage from commercial/industrial facilities, or hazardous waste.

SECTION O. OTHER BEST MANAGEMENT PRACTICES (BMPs) (ADDITIONAL PREVENTIVE CONTROL MEASURES)

There shall be no unpermitted discharges of waste oil, produced brine, drilling fluids, drill cuttings or other wastes from exploration and production sites. Control of discharges shall be obtained through use of the following measures:

1. All workover and drilling barges, and production facilities shall be equipped with adequate pollution containment devices to prevent unpermitted discharges of waste to the Waters of the State.
2. All pumps and loading/unloading areas in open waters or wetlands where the building of dikes is impossible or impracticable shall be placed on impervious decks provided with a system of curbs, gutters and sumps capable of retaining spills of oil and other materials.
3. All tanks or vessels containing hydrocarbons or other chemicals that cannot be surrounded by an impervious dike, such as those in wetlands or over open waters, shall be placed on impervious decks provided with curbs, gutters, and sumps capable of preventing discharge of free oil to Waters of the State.
4. All drains from diked areas shall be equipped with valves which shall be kept in the closed condition except during periods of supervised discharge.
5. All spilled oil and other spilled waste shall be immediately cleaned up and disposed of according to all applicable regulations. Failure to initiate cleanup

operations upon becoming aware of an unpermitted discharge or spill to the Waters of the State or uncontained areas that drain to said waters shall be a violation of this permit. Each additional day that cleanup operations are delayed shall be a separate violation. In the event that immediate cleanup is not considered to be an appropriate remedial measure, the responsible party shall notify the Office of Environmental Compliance/Surveillance Division of the alternative remedial plan and shall promptly implement said plan upon approval by the Office of Environmental Compliance/Surveillance Division. Submission of an alternate plan shall in no way relieve the responsible party of its duty to contain and mitigate the effects of the spill pending approval by the Office of Environmental Compliance/Surveillance Division.

6. The discharge of any **oilfield** waste into **manmade** or natural drainage or directly into state waters is prohibited except as provided under the terms and conditions of this general permit.
7. Use of detergents, emulsifiers, or dispersants to clean up spilled oil is prohibited except where necessary to comply with State or Federal safety regulations (i.e. requirement for a non-slippery work surface). In all such cases, initial cleanup shall be done by physical removal and chemical usage shall be minimized.

SECTION P. REPORTING TO THE REGIONAL OFFICE (Hydrostatic Testing)

The permittee must contact the appropriate regional office prior to the initial discharge from a hydrostatic testing event. At this time, the permittee must provide the regional office with:

1. the location of the proposed discharge;
2. the approximate date of the proposed discharge;
3. the effluent pathway into the receiving waters;
4. the fill water to be utilized during the hydrostatic or vessel testing;
5. the approximate volume of water to be discharged;
6. information regarding whether the discharge is to be **from** new or used equipment (pipe, tank, flowline, or other container);
7. information stating if approved additives are to be used in the test water; and
8. any additional information which the regional office representative deems **necessary**

Facilities that **conduct** hydrostatic testing at their site on a **regular** basis may submit the above information along with a schedule of testing to the regional office for their approval rather than **notifying** the regional office of each discharge if approved by the regional office.

In addition, written results of laboratory analyses conducted in accordance with the effluent limitations of **Outfall 006**, Part I.B of this permit must be submitted to the regional office for approval **prior** to commencing the discharge **from** the hydrostatic test. The sample analysis must have been performed within thirty (30) working days prior to commencement of discharge. If approved by the appropriate regional office, this prior submission of laboratory analyses will not be required for discharges from new pipes, pipelines, or tanks. In such instances, sampling shall be conducted for the purposes of DMR submittal at the time of the discharge in accordance with the effluent limitations of **Outfall 006**, Part I. B of this permit.

SECTION Q. REPORTING TO THE REGIONAL OFFICE (New Activities)

The permittee must notify the appropriate regional office at least twenty-four (24) hours prior to **drilling a well, working over a well, or moving a rig to a new location**. The regional office may be notified by phone and/or by fax. This notification must include the following:

1. the permit and AI numbers under which the discharges are covered;
2. the location of the proposed discharge (including coordinates and field name);
3. the approximate start date of the proposed activities; and
4. any additional information which the regional office representative deems necessary.

SECTION R. 24-HOUR ORAL REPORTING: DAILY MAXIMUM LIMITATION VIOLATIONS

Under the provisions of Part III.D.6.e.(3) of this permit, violations of daily maximum limitations for the following pollutants shall be reported orally to the Office of Environmental Compliance within 24 hours from the time the permittee became aware of the violation followed by a written report in five days.

Pollutants: Benzene, Total BTEX, Total Phenol, Total Lead, Total Thallium

SECTION S. MINIMUM QUANTIFICATION LEVEL (MQL)

If any individual analytical test result is less than the minimum quantification level listed below, a value of zero (0) may be used for that individual result for the DMR calculations and reporting.

<u>METALS</u>	<u>MQL (µg/L)</u>
Lead (Total)	5
Thallium (Total)	10
 <u>VOLATILE COMPOUNDS</u>	 <u>MQL (µg/L)</u>
Benzene	10
Ethylbenzene	10
Toluene	10
Xylene (Total)	10
 <u>ACID COMPOUNDS</u>	 <u>MQL (µg/L)</u>
Phenol (Total) (4AAAP Method)	5

SECTION T. FLOW MEASUREMENT "ESTIMATE" SAMPLE TYPE

If the flow measurement sample type in Part I is specified as "estimate", flow measurements shall not be subject to the accuracy provisions established at Part III.C.6 of this permit. The daily flow value may be estimated using best engineering judgement.

SECTION U. STORMWATER DISCHARGES

This section only applies to those facilities that have had a Reportable Quantity (RQ) release of oil or a hazardous substance in stormwater as defined in 40 CFR 110.3 or 40 CFR 302.6.

1. This section applies to all stormwater discharges from the facility, either through permitted outfalls or through outfalls which are not listed in the permit or as sheet flow. The purpose of the pollution prevention plan is to identify potential sources of pollution that would reasonably be expected to affect the quality of stormwater and identify the practices that will be used to prevent or reduce the pollutants in stormwater discharges.
2. In accordance with LAC 33:IX.708.C.4, any runoff leaving the developed areas of the facility, other than the permitted outfall(s), exceeding 100 mg/L COD, 50 mg/L TOC, 15 mg/L Oil and Grease, and having a pH less than 6.0 or greater than 9.0 standard units, shall be a violation of this permit. Any discharge in excess of these limitations, which is attributable to offsite contamination shall not be considered a violation of this permit. A visual inspection of the facility shall be conducted and a report made annually as described in Paragraph 4 below.
3. The permittee shall prepare, implement, and maintain a Storm Water Pollution Prevention Plan (SWP3) within 60 calendar days after the first knowledge of a discharge of a reportable quantity of oil or a hazardous substance in stormwater. The terms and conditions of the SWP3 shall be an enforceable part of the permit. If the permittee maintains other plans that contain duplicative information, that plan could be incorporated by reference into the SWP3. Examples of these type plans include, but are not limited to: Spill Prevention Control and Countermeasure Plan (SPCC), Best Management Plan (BMP), Response Plans, etc. EPA document 833-R-92-006 (Storm Water Management for Industrial Activities) may be used as a guidance and may be obtained by writing to the Water Resource Center (RC_4100), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington D.C. 20460 or by calling (202) 566-1729 or via the Wetlands Helpline (800) 832-7828.
4. The following conditions are applicable to all facilities and shall be included in the SWP3 for the facility.
 - a. The permittee shall conduct an annual inspection of the facility site to identify areas contributing to the storm water discharge from developed areas of the facility and evaluate whether measures to reduce pollutant loadings identified in the SWP3 are adequate and have been properly implemented in accordance with the terms of the permit or whether additional control measures are needed.
 - b. The permittee shall develop a site map which includes all areas where stormwater may contact potential pollutants or substances which can cause pollution. Any locations where reportable quantity leaks or spills have previously occurred are to be documented in the SWP3. The SWP3 shall contain a description of the potential pollutant sources, including, the type and quantity of material present and what action has been taken to assure stormwater precipitation will not directly contact the substances and result in contaminated runoff.
 - c. Where experience indicates a reasonable potential for equipment failure (e.g. a tank overflow or leakage), natural condition (e.g. precipitation), or other

circumstances which result in significant amounts of pollutants reaching surface waters, the SWP3 should include a prediction of the direction, rate of flow and total quantity of pollutants which could be discharged from the facility as a result of each condition or circumstance.

- d. The permittee shall maintain for a period of three years a record summarizing the results of the inspection and a certification that the facility is in compliance with the SWP3, and identifying any incidents of noncompliance. The summary report should contain, at a minimum, the date and time of inspection, name of inspector(s), conditions found, and changes to be made to the SWP3.
- e. The summary report and the following certification shall be signed in accordance with LAC 33:IX.2503. The summary report is to be attached to the SWP3 and provided to the Department upon request.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Signatory requirements for the certification may be found in Part III, Section D.10 of this permit.

- f. The permittee shall make available to the Department, upon request, a copy of the SWP3 and any supporting documentation.
5. The following shall be included in the SWP3, if applicable.
- a. The permittee shall utilize all reasonable methods to minimize any adverse impact on the water body including but not limited to:
 - i. maintaining platforms/structures to ensure areas are cleaned of petroleum hydrocarbons or other substances that are likely to cause harm to the marine environment;
 - ii. removing materials capable of creating floating debris that could adversely impact safety, human health or ecological or aesthetic value of the marine environment.
 - iii. cleaning up immediately any spill by sweeping, absorbent pads, or other appropriate methods.
 - b. All spilled product and other spilled wastes shall be immediately cleaned up and disposed of according to all applicable regulations, Spill Prevention and Control (SPC) plans or Spill Prevention Control and Countermeasures (SPCC) plans. Use of detergents, emulsifiers, or dispersants to clean up spilled product is prohibited except where necessary to comply with State or Federal safety regulations (i.e., requirement for a non-slippery work surface). In all such cases, initial cleanup shall be done by physical removal and chemical usage shall be minimized.

- c. All equipment, parts, dumpsters, trash bins, petroleum products, chemical solvents, detergents, or other materials exposed to stormwater shall be maintained in a manner which prevents contamination of stormwater by pollutants.
- d. All waste fuel, lubricants, coolants, solvents, or other fluids used in the repair or maintenance of vehicles or equipment shall be recycled or contained for proper disposal. Spills of these materials are to be cleaned up by dry means whenever possible.
- e. All storage tank installations (with a capacity greater than 660 gallons for an individual container, or 1,320 gallons for two or more containers in aggregate within a common storage area) shall be constructed so that a secondary means of containment is provided for the entire contents of the largest tank plus sufficient freeboard to allow for precipitation. Diked areas should be sufficiently impervious to contain spills.
- f. All diked areas surrounding storage tanks or stormwater collection basins shall be free of residual oil or other contaminants so as to prevent the accidental discharge of these materials in the event of flooding, dike failure, or improper draining of the diked area. All drains from diked areas shall be equipped with valves which shall be kept in the closed condition except during periods of supervised discharge.
- g. All check valves, tanks, drains, or other potential sources of pollutant releases shall be inspected and maintained on a regular basis to assure their proper operation and to prevent the discharge of pollutants.
- h. The permittee shall assure compliance with all applicable regulations promulgated under the Louisiana Solid Waste and Resource Recovery Law and the Hazardous Waste Management Law (La.R.S. 30:2151, etc.). Management practices required under above regulations shall be referenced in the SWP3.
- i. The permittee shall amend the SWP3 whenever there is a change in the facility or change in the operation of the facility which materially increases the potential for the ancillary activities to result in a discharge of significant amounts of pollutants.
- j. If the SWP3 proves to be ineffective in achieving the general objectives of preventing the release of significant amounts of pollutants to water of the state, then the specific objectives and requirements of the SWP3 shall be subject to modification to incorporate revised SWP3 requirements.

SECTION V. RADIONUCLIDE TESTING

The approved test methods for monitoring produced water for radionuclides are:

Radium 226: Method Number 7500-Ra C, Standard Methods for the Examination of Water and Wastewater, 18th Edition, APHA, AWWA, and WPCF.

Radium 228: Method Number 7500-Ra D, Standard Methods for the Examination of Water and Wastewater, 18th Edition, APHA, AWWA, and WPCF.

SECTION W. REQUIRING AN INDIVIDUAL PERMIT OR AN ALTERNATIVE GENERAL PERMIT

1. If this Office determines coverage under the general permit is insufficient or inappropriate for a facility, this office may require any person authorized by this permit to apply for **and/or** obtain either an individual LPDES permit or an alternative LPDES general permit in lieu of this general permit. Any interested person may petition the State Administrative Authority to take action under this paragraph. Where the State Administrative Authority requires a discharger authorized to discharge under this permit to apply for an individual LPDES permit, the State Administrative Authority shall notify the discharger in writing that a permit application or an alternative general permit NOI is required. This notification shall include a brief statement for this decision, an application form, a statement setting a deadline for the discharger to file the application, and a statement that on the effective date of issuance or denial of the individual LPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. The State Administrative Authority may grant additional time to submit the application upon request of the applicant. If a discharger fails to submit the application in a timely manner as required by the State Administrative Authority, the authorization to discharge under this general permit shall automatically terminate at the end of the day specified by this Office for the application submittal.
2. Any discharger authorized by this permit may request to be excluded **from** the coverage of this permit by applying for an individual permit. In such cases, the permittee shall submit **an** individual application in accordance with the requirements of LAC 33:IX.2515.B.3.c., with reasons supporting the request, to the Louisiana Department of Environmental Quality, Office of Environmental Services, P. O. Box 4313, Baton Rouge, LA 70821-4313, ATTN: Industrial Water Permits Section, Water Permits Division. The request may be granted by issuance of an individual permit or an alternative general permit if the reasons cited by the permittee are adequate to support the request.
3. In order to appropriately cover all discharges that might occur at a facility, a permittee authorized to discharge under this general permit might also need coverage under an individual LPDES permit or alternative LPDES general permits for discharge that occur at the facility/site that are not authorized by this general permit. The permittee shall maintain appropriate permit coverage for the permitted facility/site and shall maintain compliance with all effective LPDES permits issued to the facility/site.
4. When **an** individual LPDES permit or **an** alternative general permit authorization is issued to a discharger otherwise subject to this permit, the applicability of this permit to that LPDES permittee is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be.

TABLE 1a
SUMMARY SHEET
Mysidopsis bahia SURVIVAL AND REPRODUCTION TEST

PERMITTEE: _____
 FACILITY SITE: _____
 LPDES PERMIT NUMBER: _____
 OUTFALL IDENTIFICATION: 002 _____
 OUTFALL SAMPLE IS FROM _____ SINGLE _____ MULTIPLE DISCHARGE
 BIOMONITORING LABORATORY: _____
 DILUTION WATER USED: _____ RECEIVING WATER _____ LAB WATER
 CRITICAL DILUTION _____ % DATE TEST INITIATED: _____

1. LETHALITY:

Is the mean survival at 7 days significantly less ($p=0.05$) than the control survival at the critical dilution? _____ Yes _____ No

PERCENT SURVIVAL - Mysidopsis

TIME OF READING	PERCENT EFFLUENT					
	0%	%				
24-HOUR						
48-HOUR						
7-DAY						

2. NON-LETHALITY:

Is the mean dry weight (growth) at 7 days significantly less ($p=0.05$) than the control's dry weight (growth) for the critical dilution: _____ Yes _____ No

DATA TABLE FOR GROWTH - Mysidopsis

PERCENT EFFLUENT	AVERAGE DRY WEIGHT IN MILLIGRAMS IN REPLICATE CHAMBERS								MEAN DRY WEIGHT	CV%*
	A	B	C	D	E	F	G	H		
0%										
%										

* Coefficient of variation - standard deviation x 100/mean

3. Are the test results to be considered valid? Y e s _____ No

If X no (test invalid), what reasons for invalidity?

4. Is this a retest of a previous invalid test? Yes No
Is this a retest of a previous test failure? Yes No

5. Enter percent effluent corresponding to each NOEC (No Observed Effect Concentration) for Mysidopsis:

a. NOEC SURVIVAL = _____ % effluent

b. NOEC GROWTH = _____ % effluent

TABLE 1b
SUMMARY SHEET
Menidia beryllina SURVIVAL AND GROWTH TEST

PERMITTEE: _____
 FACILITY SITE: _____
 LPDES PERMIT NUMBER: _____
 OUTFALL IDENTIFICATION: 002 _____
 OUTFALL SAMPLE IS FROM _____ SINGLE _____ MULTIPLE DISCHARGE
 BIOMONITORING LABORATORY: _____
 DILUTION WATER USED: _____ RECEIVING WATER _____ LAB WATER
 CRITICAL DILUTION _____ % DATE TEST INITIATED: _____

1. LETHALITY:

Is the mean survival at 7 days significantly less ($p=0.05$) than the control survival at the critical dilution? _____ Yes _____ No

PERCENT SURVIVAL - Menidia

PERCENT EFFLUENT	% SURVIVAL/REPLICATES					MEAN % SURVIVAL			CV %
	A	B	C	D	E	24-HR	48-HR	7 DAY	
0%									
%									

2. NON-LETHALITY:

Is the mean dry weight (growth) at 7 days significantly less ($p=0.05$) than the control's dry weight (growth) for the critical dilution? _____ Yes _____ No

DATA TABLE FOR GROWTH - Menidia

PERCENT EFFLUENT	AVERAGE DRY WEIGHT IN MILLIGRAMS IN REPLICATE CHAMBERS					MEAN DRY WEIGHT	CV%*
	A	B	C	D	E		
0%							
%							

* Coefficient of variation - standard deviation x 100

3. Are the test results to be considered valid? _____ Yes _____ No
 If X no (test invalid), what reasons for invalidity?

4. Is this a retest of a previous invalid test? _____ Yes _____ No
 Is this a retest of a previous test failure? _____ Yes _____ No

5. Enter percent effluent corresponding to each NOEC (No Observed Effect Concentration) for Menidia:

a. NOEC SURVIVAL = _____ % effluent

b. NOEC GROWTH = _____ % effluent

TABLE 2a
SUMMARY SHEET
Mysidopsis bahia ACUTE SURVIVAL TEST RESULTS

PERMITTEE: _____
 FACILITY SITE: _____
 LPDES PERMIT NUMBER: _____
 OUTFALL IDENTIFICATION: 008 _____
 OUTFALL SAMPLE IS FROM _____ SINGLE _____ MULTIPLE DISCHARGE
 BIOMONITORING LABORATORY: _____
 DILUTION WATER USED: _____ RECEIVING WATER _____ LAB WATER
 CRITICAL DILUTION _____ % DATE TEST INITIATED: _____

1. LETHALITY:

Is the mean survival at 48 hours significantly less ($p=0.05$) than the control survival at the critical dilution? _____ Yes _____ No

DILUTION SERIES RESULTS - Mysidopsis

TIME OF READING	REP	0%					
24-HOUR							
48-HOUR							
MEAN							

2. Are the test results to be considered valid? _____ Yes _____ No
 If X no (test invalid), what reasons for invalidity?

3. Is this a retest of a previous invalid test? _____ Yes _____ No
 Is this a retest of a previous test failure? _____ Yes _____ No

4. Enter percent effluent corresponding to each NOEC (No Observed Effect Concentration) for Mysidopsis:

a. NOEC _____ % effluent

TABLE 2b
SUMMARY SHEET
Menidia beryllina ACUTE SURVIVAL TEST RESULTS

PERMITTEE: _____
 FACILITY SITE: _____
 LPDES PERMIT NUMBER: _____
 OUTFALL IDENTIFICATION: 008
 OUTFALL SAMPLE IS FROM _____ SINGLE _____ MULTIPLE DISCHARGE
 BIOMONITORING LABORATORY: _____
 DILUTION WATER USED: _____ RECEIVING WATER _____ LAB WATER
 CRITICAL DILUTION _____ % DATE TEST INITIATED: _____

1. LETHALITY:

Is the mean survival at 48 hours significantly less ($p=0.05$) than the control survival at the critical dilution? _____ Yes _____ No

DILUTION SERIES RESULTS - Menidia

TIME OF READING	REP	0%					
24-HOUR							
48-HOUR							
MEAN							

2. Are the test results to be considered valid? Y e s _____ No
 If X no (test invalid), what reasons for invalidity?

3. Is this a retest of a previous invalid test? _____ Yes _____ No
 Is this a retest of a previous test failure? _____ Yes _____ No

4. Enter percent effluent corresponding to each NOEC (No Observed Effect Concentration) for Menidia:

a. NOEC _____ % effluent

PART III
STANDARD CONDITIONS FOR LPDES PERMITS

SECTION A. GENERAL CONDITIONS

1. Introduction

In accordance with the provisions of LAC 33:IX.2701, et seq., this permit incorporates either expressly or by reference ALL conditions and requirements applicable to Louisiana Pollutant Discharge Elimination System Permits (LPDES) set forth in the Louisiana Environmental Quality Act (LEQA), as amended, as well as ALL applicable regulations.

2. Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act (CWA) and the Louisiana Environmental Quality Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

3. Penalties for Violation of Permit Conditions

a. LA. R. S. 30:2025 provides for civil penalties for violations of these regulations and the Louisiana Environmental Quality Act. LA. R. S. 30:2076.2 provides for criminal penalties for violation of any provisions of the LPDES or any order or any permit condition or limitation issued under or implementing any provisions of the LPDES program. (See Section E. Penalties for Violation of Permit Conditions for additional details).

b. Any person may be assessed an administrative penalty by the State Administrative Authority under LA. R. S. 30:2025 for violating a permit condition or limitation implementing any of the requirements of the LPDES program in a permit issued under the regulations or the Louisiana Environmental Quality Act.

4. Toxic Pollutants

a. Other effluent limitations and standards under Sections 301, 302, 303, 307, 318, and 405 of the Clean Water Act. If any applicable toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under Section 307(a) of the Clean Water Act for a toxic pollutant and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, the state administrative authority shall institute proceedings under these regulations to modify or revoke and reissue the permit to conform to the toxic effluent standard or prohibition.

b. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions, or standards for sewage sludge use or disposal, even if the permit has not yet been modified to incorporate the requirement.

5. Duty to Reapply

a. Individual Permits. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The new application shall be submitted at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the state administrative authority. (The state administrative authority shall not grant permission for applications to be submitted later than the expiration date of the existing permit.) Continuation of expiring permits shall be governed by regulations promulgated at LAC 33:IX.2321 and any subsequent amendments.

- b. General Permits. General permits expire five years after the effective date. The 180-day reapplication period as defined above is not applicable to general permit authorizations. Reissued general permits may provide automatic coverage for permittees authorized under the previous version of the permit, and no new application is required. Requirements for obtaining authorization under the reissued general permit will be outlined in Part I of the new permit. Permittees authorized to discharge under an expiring general permit should follow the requirements for obtaining coverage under the new general permit to maintain discharge authorization.

6. Permit Action

This permit may be modified, revoked and reissued, or terminated for cause in accordance with LAC 33:IX.2903, 2905, 2907, 3105 and 6509. The causes may include, but are not limited to, the following:

- a. Noncompliance by the permittee with any condition of the permit;
- b. The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time;
- c. A determination that the permitted activity endangers human health or the environment and can only be regulated to acceptable levels by permit modification or termination;
- d. A change in any condition that requires either a temporary or a permanent reduction or elimination of any discharge; or
- e. Failure to pay applicable fees under the provisions of LAC 33: IX. Chapter 13;
- f. Change of ownership or operational control;

The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

7. Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege.

8. Duty to Provide Information

The permittee shall furnish to the state administrative authority, within a reasonable time, any information which the state administrative authority may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the state administrative authority, upon request, copies of records required to be kept by this permit.

9. Criminal and Civil Liability

Except as provided in permit conditions on "Bypassing" and "Upsets", nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance. Any false or materially misleading representation or concealment of information required to be reported by the provisions of the permit, the Act, or applicable regulations, which avoids or effectively defeats the regulatory purpose of the Permit may subject the Permittee to criminal enforcement pursuant to La. R.S. 30:2025.

10. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act.

11. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Clean Water Act.

12. Severability

If any provision of these rules and regulations, or the application thereof, is held to be invalid, the remaining provisions of these rules and regulations shall not be affected, so long as they can be given effect without the invalid provision. To this end, the provisions of these rules and regulations are declared to be severable.

13. Dilution

A permittee shall not achieve any effluent concentration by dilution unless specifically authorized in the permit. A permittee shall not increase the use of process water or cooling water or otherwise attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve permit limitations or water quality.

14. Facilities Requiring Approval from Other State Agencies

In accordance with La R.S.40.4(A)(6) the plans and specifications of all sanitary sewerage treatment systems, both public and private, must be approved by the Department of Health and Hospitals state health officer or his designee. It is unlawful for any person, firm, or corporation, both municipal and private to operate a sanitary sewage treatment facility without proper authorization from the state health officer.

In accordance with La R.S.40.1149, it is unlawful for any person, firm or corporation, both municipal and private, operating a sewerage system to operate that system unless the competency of the operator is duly certified by the Department of Health and Hospitals state health officer. Furthermore, it is unlawful for any person to perform the duties of an operator without being duly certified.

In accordance with La R.S.48.385, it is unlawful for any industrial wastes, sewage, septic tanks effluent, or any noxious or harmful matter, solid, liquid or gaseous to be discharged into the side or cross ditches or placed upon the rights-of-ways of state highways without the prior written consent of the Department of Transportation and Development chief engineer or his duly authorized representative and of the secretary of the Department of Health and Hospitals.

SECTION B. PROPER OPERATION AND MAINTENANCE

1. Need to Halt or Reduce not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

2. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. The permittee shall also take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with the permit, including such accelerated or additional monitoring as necessary to determine the nature and impact of the noncomplying discharge.

3. Proper Operation and Maintenance

a. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

b. The permittee shall provide an adequate operating staff which is duly qualified to carry out operation, maintenance and other functions necessary to ensure compliance with the conditions of this permit.

4. Bypass of Treatment Facilities

- a. **Bypass**. The intentional diversion of waste streams from any portion of a treatment facility.
- b. **Bypass not exceeding limitations**. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Section B.4.c. and 4.d of these standard conditions.
- c. **Notice**
 - (1) **Anticipated bypass**. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Office of Environmental Services, Water Permits Division, if possible at least ten days before the date of the bypass.
 - (2) **Unanticipated bypass**. The permittee shall submit notice of an unanticipated bypass as required in LAC 33:IX.2701.L.6, (24-hour notice) and Section D.6.e. of these standard conditions.
- d. **Prohibition of bypass**
 - (1) Bypass is prohibited, and the state administrative authority may take enforcement action against a permittee for bypass, unless:
 - (a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and,
 - (c) The permittee submitted notices as required by Section B.4.c of these standard conditions.
 - (2) The state administrative authority may approve an anticipated bypass after considering its adverse effects, if the state administrative authority determines that it will meet the three conditions listed in Section B.4.d(1) of these standard conditions.

5. Upset Conditions

- a. **Upset**. An exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
- b. **Effect of an upset**. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of Section B.5.c. are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
- c. **Conditions necessary for a demonstration of upset**. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
 - (2) The permitted facility was at the time being properly operated; and
 - (3) The permittee submitted notice of the upset as required by LAC 33:IX.2701.L.6.b.ii. and Section D.6.e.(2) of these standard conditions; and

(4) The permittee complied with any remedial measures required by Section B.2 of these standard conditions.

d. Burden of proof. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

6. Removed Substances

Solids, sewage sludges, filter backwash, or other pollutants removed in the course of treatment or wastewater control shall be properly disposed of in a manner such as to prevent any pollutant from such materials from entering waters of the state and in accordance with environmental regulations.

7. Percent Removal

For publicly owned treatment works, the 30-day average percent removal for Biochemical Oxygen Demand and Total Suspended Solids shall not be less than 85 percent in accordance with LAC 33:IX.5905.A.3. and B.3.

SECTION C. MONITORING AND RECORDS

1. Inspection and Entry

The permittee shall allow the state administrative authority or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon the presentation of credentials and other documents as may be required by the law to:

a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit.

Enter upon the permittee's premises where a discharge source is or might be located or in which monitoring equipment or records required by a permit are kept for inspection or sampling purposes. Most inspections will be unannounced and should be allowed to begin immediately, but in no case shall begin more than thirty (30) minutes after the time the inspector presents his/her credentials and announces the purpose(s) of the inspection. Delay in excess of thirty (30) minutes shall constitute a violation of this permit. However, additional time can be granted if the inspector or the Administrative Authority determines that the circumstances warrant such action; and

b. Have access to and copy, at reasonable times, any records that the department or its authorized representative determines are necessary for the enforcement of this permit. For records maintained in either a central or private office that is open only during normal office hours and is closed at the time of inspection, the records shall be made available as soon as the office is open, but in no case later than the close of business the next working day;

c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act or the Louisiana Environmental Quality Act, any substances or parameters at any location.

e. Sample Collection

(1) When the inspector announces that samples will be collected, the permittee will be given an additional thirty (30) minutes to prepare containers in order to collect duplicates. If the permittee cannot obtain and prepare sample containers within this time, he is considered to have waived his right to collect duplicate samples and the sampling will proceed immediately. Further delay on the part of the permittee in allowing initiation of the sampling will constitute a violation of this permit.

(2) At the discretion of the administrative authority, sample collection shall proceed immediately (without the additional 30 minutes described in Section C.1.a. above) and the inspector shall supply the permittee with a duplicate sample.

- f. It shall be the responsibility of the permittee to ensure that a facility representative familiar with provisions of its wastewater discharge permit, including any other conditions or limitations, be available either by phone or in person at the facility during all hours of operation. The absence of such personnel on-site who are familiar with the permit shall not be grounds for delaying the initiation of an inspection except in situations as described in Section C.1.b. of these standard conditions. The permittee shall be responsible for providing witnesses/escorts during inspections. Inspectors shall abide by all company safety rules and shall be equipped with standard safety equipment (hard hat, safety shoes, safety glasses) normally required by industrial facilities.
- g. Upon written request copies of field notes, drawings, etc., taken by department personnel during an inspection shall be provided to the permittee after the final inspection report has been completed.

2. Representative Sampling

Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. All samples shall be taken at the outfall location(s) indicated in the permit. The state administrative authority shall be notified prior to any changes in the outfall location(s). Any changes in the outfall location(s) may be subject to modification, revocation and reissuance in accordance with LAC 33:IX.2903.

3. Retention of Records

Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR 503), the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by request of the state administrative authority at any time.

4. Record Contents

Records of monitoring information shall include:

- a. The date, exact place, and time of sampling or measurements;
- b. The individual(s) who performed the sampling or measurements;
- c. The date(s) analyses were performed;
- d. The time(s) analyses were begun;
- e. The individual(s) who performed the analyses;
- f. The analytical techniques or methods used;
- g. The results of such analyses; and
- h. The results of all quality control procedures.

5. Monitoring Procedures

- a. Monitoring results must be conducted according to test procedures approved under 40 CFR Part 136 or, in the case of sludge use or disposal, approved under 40 CFR Part 136 unless otherwise specified in 40 CFR Part 503, unless other test procedures have been specified in this permit.
- b. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instruments at intervals frequent enough to insure accuracy of measurements and shall maintain appropriate records of such activities.
- c. The permittee or designated laboratory shall have an adequate analytical quality assurance/quality control program to produce defensible data of known precision and accuracy. All quality control measures shall be assessed and evaluated on an on-going basis and quality control acceptance criteria shall be used to determine the validity of the data. All method specific quality control as prescribed in the method shall be followed. If quality control requirements are not included in the method, the permittee or designated laboratory shall follow the quality control requirements as prescribed in the Approved Edition (40 CFR Part 136) Standard Methods for the Examination of Water and Wastes, Sections 1020A and 1020B. General sampling protocol shall follow guidelines established in the

“Handbook for Sampling and Sample Preservation of Water and Wastewater, 1982 ”U.S. Environmental Protection Agency. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-83-124503.

6. Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated, and maintained to insure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10% from true discharge rates throughout the range of expected discharge volumes. Guidance in selection, installation, calibration and operation of acceptable flow measurement devices can be obtained from the following references:

- a. “A Guide to Methods and Standards for the Measurement of Water Flow, 1975,” U.S. Department of Commerce, National Bureau of Standards. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number COM-75-10683.
- b. “Flow Measurement in Open Channels and Closed Conduits, Volumes 1 and 2,” U.S. Department of Commerce, National Bureau of Standards. This publication is available from the National Technical Information Service (NTIS), Springfield, VA, 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-273 535.
- c. “NPDES Compliance Flow Measurement Manual,” U.S. Environmental Protection Agency, Office of Water Enforcement. This publication is available from the National Technical Information Service (NTIS), Springfield, VA 22161, Phone number (800) 553-6847. Order by NTIS publication number PB-82-131178.

7. Prohibition for Tampering: Penalties

- a. LA R.S. 30:2025 provides for punishment of any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit.
- b. LA R.S. 30:2076.2 provides for penalties for any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non compliance.

8. Additional Monitoring by the Permittee

If the Permittee monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 (See LAC 33:IX.4901) or, in the case of sludge use and disposal, approved under 40 CFR Part 136 (See LAC 33:IX.4901) unless otherwise specified in 40 CFR Part 503, or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or sludge reporting form specified by the state administrative authority.

9. Averaging of Measurements

Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the state administrative authority in the permit.

10. Laboratory Accreditation

- a. LAC 33:I.Subpart 3, Chapters 45-59 provide requirements for an accreditation program specifically applicable to commercial laboratories, wherever located, that provide chemical analyses, analytical results, or other test data to the department, by contract or by agreement, and the data is:
 - (1) Submitted on behalf of any facility, as defined in R.S.30:2004;
 - (2) Required as part of any permit application;
 - (3) Required by order of the department;
 - (4) Required to be included on any monitoring reports submitted to the department;
 - (5) Required to be submitted by contractor
 - (6) Otherwise required by department regulations.

- b. The department laboratory accreditation program, Louisiana Environmental Laboratory Accreditation Program (LELAP) is designed to ensure the accuracy, precision, and reliability of the data generated, as well as the use of department-approved methodologies in generation of that data. Laboratory data generated by commercial environmental laboratories that are not (LELAP) accredited will not be accepted by the department. Retesting of analysis will be required by an accredited commercial laboratory.

Where retesting of effluent is not possible (i.e. data reported on DMRs for prior month's sampling), the data generated will be considered invalid and in violation of the LPDES permit.

- c. Regulations on the Louisiana Environmental Laboratory Accreditation Program and a list of labs that have applied for accreditation are available on the department website located under DIVISIONS → LABORATORY SERVICES at the following link:

<http://www.deq.louisiana.gov>

Questions concerning the program may be directed to (225) 219-9800.

SECTION D. REPORTING REQUIREMENTS

1. Facility Changes

The permittee shall give notice to the state administrative authority as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

- a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR 122.29(b); or
- b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under LAC 33:IX.2703.A.1.
- c. For Municipal Permits. Any new introduction of pollutants into the POTW from an indirect discharger which would be subject to Section 301, or 306 of the CWA if it were directly discharging those pollutants; and any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit. In no case are any new connections, increased flows, or significant changes in influent quality permitted that will cause violation of the effluent limitations specified herein.

2. Anticipated Noncompliance

The permittee shall give advance notice to the state administrative authority of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

3. Transfers

This permit is not transferable to any person except after notice to the state administrative authority. The state administrative authority may require modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the Clean Water Act or the Louisiana Environmental Quality Act. (See LAC 33:IX.2901; in some cases, modification or revocation and reissuance is mandatory.)

A permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued (under LAC 33:IX.2903. A.2.b), or a minor modification made (under LAC 33:IX.2905) to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act and the Louisiana Environmental Quality Act.

4. Monitoring Reports

Monitoring results shall be reported at the intervals and in the form specified in Part I or Part II of this permit.

The permittee shall submit properly completed Discharge Monitoring Reports (DMRs) on the form specified in the permit. Preprinted DMRs are provided to majors/92-500's and other designated facilities. Please contact the Permit Compliance Unit concerning preprints. Self-generated DMRs must be pre-approved by the Permit Compliance Unit prior to submittal. Self-generated DMRs are approved on an individual basis. Requests for approval of self-generated DMRs should be submitted to:

Supervisor, Permit Compliance Unit
Office of Environmental Compliance
Post Office Box 4312
Baton Rouge, LA 70821-4312

Copies of blank DMR templates, plus instructions for completing them, and EPA's LPDES Reporting Handbook are available at the department website located at:

<http://www.deq.louisiana.gov/portal/Default.aspx?tabid=2276>

5. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

6. Requirements for Notification

a. Emergency Notification

As required by LAC 33:I.3915, in the event of an unauthorized discharge that does cause an emergency condition, the discharger shall notify the hotline (DPS 24-hour Louisiana Emergency Hazardous Materials Hotline) by telephone at (225) 925-6595 (collect calls accepted 24 hours a day) immediately (a reasonable period of time after taking prompt measures to determine the nature, quantity, and potential off-site impact of a release, considering the exigency of the circumstances), but in no case later than one hour after learning of the discharge. (An emergency condition is any condition which could reasonably be expected to endanger the health and safety of the public, cause significant adverse impact to the land, water, or air environment, or cause severe damage to property.) Notification required by this section will be made regardless of the amount of discharge. Prompt Notification Procedures are listed in Section D.6.c. of these standard conditions.

A written report shall be provided within seven calendar days after the notification. The report shall contain the information listed in Section D.6.d. of these standard conditions and any additional information in LAC 33:I.3925.B.

b. Prompt Notification

As required by LAC 33:I.3917, in the event of an unauthorized discharge that exceeds a reportable quantity specified in LAC 33:I.Subchapter E, but does not cause an emergency condition, the discharger shall promptly notify the department within 24 hours after learning of the discharge. Notification should be made to the Office of Environmental Compliance, Surveillance Division Single Point of Contact (SPOC) in accordance with LAC 33:I.3923.

In accordance with LAC 33:I.3923, prompt notification shall be provided within a time frame not to exceed 24 hours and shall be given to the Office of Environmental Compliance, Surveillance Division Single Point of Contact (SPOC) as follows:

- (1) by the Online Incident Reporting screens found at <http://www3.deq.louisiana.gov/surveillance/irf/forms/>; or

- (2) by e-mail utilizing the Incident Report Form and instructions found at <http://www.deq.louisiana.gov/portal/Default.aspx?tabid=279>; or
 - (3) by telephone at (225) 219-3640 during office hours, or (225) 342-1234 after hours and on weekends and holidays.
- c. Content of Prompt Notifications. The following guidelines will be utilized as appropriate, based on the conditions and circumstances surrounding any unauthorized discharge, to provide relevant information regarding the nature of the discharge:
- (1) the name of the person making the notification and the telephone number where any return calls from response agencies can be placed;
 - (2) the name and location of the facility or site where the unauthorized discharge is imminent or has occurred, using common landmarks. In the event of an incident involving transport, include the name and address of the transporter and generator;
 - (3) the date and time the incident began and ended, or the estimated time of continuation if the discharge is continuing;
 - (4) the extent of any injuries and identification of any known personnel hazards that response agencies may face;
 - (5) the common or scientific chemical name, the U.S. Department of Transportation hazard classification, and the best estimate of amounts of any and all discharged pollutants;
 - (6) a brief description of the incident sufficient to allow response agencies to formulate their level and extent of response activity.
- d. Written Notification Procedures. Written reports for any unauthorized discharge that requires notification under Section D.6.a. or 6.b., or shall be submitted by the discharger to the Office of Environmental Compliance, Surveillance Division SPOC in accordance with LAC 33:IX.3925 within seven calendar days after the notification required by D.6.a. or 6.b., unless otherwise provided for in a valid permit or other department regulation. Written notification reports shall include, but not be limited to, the following information:
- (1) the name, address, telephone number, Agency Interest (AI) number (number assigned by the department) if applicable, and any other applicable identification numbers of the person, company, or other party who is filing the written report, and specific identification that the report is the written follow-up report required by this section;
 - (2) the time and date of prompt notification, the state official contacted when reporting, the name of person making that notification, and identification of the site or facility, vessel, transport vehicle, or storage area from which the unauthorized discharge occurred;
 - (3) date(s), time(s), and duration of the unauthorized discharge and, if not corrected, the anticipated time it is expected to continue;
 - (4) details of the circumstances (unauthorized discharge description and root cause) and events leading to any unauthorized discharge, including incidents of loss of sources of radiation, and if the release point is subject to a permit:
 - (a) the current permitted limit for the pollutant(s) released; and
 - (b) the permitted release point/outfall ID.
 - (5) the common or scientific chemical name of each specific pollutant that was released as the result of an unauthorized discharge, including the CAS number and U.S. Department of Transportation hazard classification, and the best estimate of amounts of any and all released pollutants (total amount of each compound expressed in pounds, including calculations);

- (6) a statement of the actual or probable fate or disposition of the pollutant or source of radiation and what off-site impact resulted;
- (7) remedial actions taken, or to be taken, to stop unauthorized discharges or to recover pollutants or sources of radiation.
- (8) Written notification reports shall be submitted to the Office of Environmental Compliance, Surveillance Division SPOC by mail or fax. The transmittal envelope and report or fax cover page and report should be clearly marked "**UNAUTHORIZED DISCHARGE NOTIFICATION REPORT.**"

Please see LAC 33:I.3925.B for additional written notification procedures.

- e. Twenty-four Hour Reporting. The permittee shall report any noncompliance which may endanger human health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and; steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The following shall be included as information which must be reported within 24hours:
 - (1) Any unanticipated bypass which exceeds any effluent limitation in the permit (see LAC 33:IX.2701.M.3.b.);
 - (2) Any upset which exceeds any effluent limitation in the permit;
 - (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the state administrative authority in Part II of the permit to be reported within 24 hours (LAC 33:IX.2707.G.).

7. Other Noncompliance

The permittee shall report all instances of noncompliance not reported under Section D.4., 5., and 6., at the time monitoring reports are submitted. The reports shall contain the information listed in Section D.6.e.

8. Other Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the state administrative authority, it shall promptly submit such facts or information.

9. Discharges of Toxic Substances

In addition to the reporting requirements under Section D.1-8, all existing manufacturing, commercial, mining, and silvicultural dischargers must notify the Office of Environmental Services, Water Permits Division as soon as they know or have reason to believe:

- a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant:
 - i. listed at LAC 33:IX.7107, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
 - (1) One hundred micrograms per liter (100 µg/L);
 - (2) Two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4 -dinitro-phenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
 - (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with LAC33:IX.2501.G.7; or
 - (4) The level established by the state administrative authority in accordance with LAC 33:IX.2707.F; or
 - ii. which exceeds the reportable quantity levels for pollutants at LAC 33:I. Subchapter E.

- b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant:
- i. listed at LAC 33:IX.7107, Tables II and III (excluding Total Phenols) which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - (1) Five hundred micrograms per liter (500 µg/L);
 - (2) One milligram per liter (1 mg/L) for antimony;
 - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with LAC 33:IX.2501.G.7; or
 - (4) The level established by the state administrative authority in accordance with LAC 33:IX.2707.F; or
 - ii. which exceeds the reportable quantity levels for pollutants at LAC 33:I. Subchapter E.

10. Signatory Requirements

All applications, reports, or information submitted to the state administrative authority shall be signed and certified.

a. All permit applications shall be signed as follows:

- (1) For a corporation - by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
 - (a) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or,
 - (b) The manager of one or more manufacturing, production, or operating facilities, provided: the manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations and initiating and directing other comprehensive measures to ensure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and the authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

NOTE: DEQ does not require specific assignments or delegations of authority to responsible corporate officers identified in Section D.10.a.(1)(a). The agency will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified the state administrative authority to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions under Section D.10.a.(1)(b) rather than to specific individuals.

- (2) For a partnership or sole proprietorship - by a general partner or the proprietor, respectively; or
 - (3) For a municipality, state, federal, or other public agency - by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a federal agency includes:
 - (a) The chief executive officer of the agency, or
 - (b) A senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).
- b. All reports required by permits and other information requested by the state administrative authority shall be signed by a person described in Section D.10.a., or by a duly authorized representative of that person. A person is a duly authorized representative only if:
- (1) The authorization is made in writing by a person described in Section D.10.a. of these standard conditions;

- (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company, (a duly authorized representative may thus be either a named individual or an individual occupying a named position; and,
- (3) The written authorization is submitted to the state administrative authority.
- c. Changes to authorization. If an authorization under Section D.10.b. is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Section D.10.b. must be submitted to the state administrative authority prior to or together with any reports, information, or applications to be signed by an authorized representative.
- d. Certification. Any person signing a document under Section D.10. a. or b. above, shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

11. Availability of Reports

All recorded information (completed permit application forms, fact sheets, draft permits, or any public document) not classified as confidential information under R.S. 30:2030(A) and 30:2074(D) and designated as such in accordance with these regulations (LAC 33:IX.2323 and LAC 33:IX.6503) shall be made available to the public for inspection and copying during normal working hours in accordance with the Public Records Act, R.S. 44:1 et seq.

Claims of confidentiality for the following will be denied:

- a. The name and address of any permit applicant or permittee;
- b. Permit applications, permits, and effluent data.
- c. Information required by LPDES application forms provided by the state administrative authority under LAC 33:IX.2501 may not be claimed confidential. This includes information submitted on the forms themselves and any attachments used to supply information required by the forms.

SECTION E. PENALTIES FOR VIOLATIONS OF PERMIT CONDITION

1. Criminal

a. Negligent Violations

The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who negligently violates any provision of the LPDES, or any order issued by the secretary under the LPDES, or any permit condition or limitation implementing any such provision in a permit issued under the LPDES by the secretary, or any requirement imposed in a pretreatment program approved under the LPDES is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than 1 year, or both. If a conviction of a person is for a violation committed after a first conviction of such person, he shall be subject to a fine of not more than \$50,000 per day of violation, or imprisonment of not more than two years, or both.

b. Knowing Violations

The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who knowingly violates any provision of the LPDES, or any permit condition or limitation implementing any such provisions in a permit issued under the LPDES, or any requirement imposed in a pretreatment program approved under

the LPDES is subject to a fine of not less than \$5,000 nor more than \$50,000 per day of violation, or imprisonment for not more than 3 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person, he shall be subject to a fine of not more than \$100,000 per day of violation, or imprisonment of not more than six years, or both.

c. Knowing Endangerment

The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who knowingly violates any provision of the LPDES, or any order issued by the secretary under the LPDES, or any permit condition or limitation implementing any of such provisions in a permit issued under the LPDES by the secretary, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine of not more than \$250,000, or by imprisonment for not more than 15 years, or both. A person which is an organization shall, upon conviction of violating this Paragraph, be subject to a fine of not more than one million dollars. If a conviction of a person is for a violation committed after a first conviction of such person under this Paragraph, the maximum punishment shall be doubled with respect to both fine and imprisonment.

d. False Statements

The Louisiana Revised Statutes LA. R. S. 30:2076.2 provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the LPDES or who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under the LPDES, shall, upon conviction, be subject to a fine of not more than \$10,000, or imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this Subsection, he shall be subject to a fine of not more than \$20,000 per day of violation, or imprisonment of not more than 4 years, or both.

2. Civil Penalties

The Louisiana Revised Statutes LA. R. S. 30:2025 provides that any person found to be in violation of any requirement of this Subtitle may be liable for a civil penalty, to be assessed by the secretary, an assistant secretary, or the court, of not more than the cost to the state of any response action made necessary by such violation which is not voluntarily paid by the violator, and a penalty of not more than \$32,500 for each day of violation. However, when any such violation is done intentionally, willfully, or knowingly, or results in a discharge or disposal which causes irreparable or severe damage to the environment or if the substance discharged is one which endangers human life or health, such person may be liable for an additional penalty of not more than one million dollars.

(PLEASE NOTE: These penalties are listed in their entirety in Subtitle II of Title 30 of the Louisiana Revised Statutes.)

SECTION F. DEFINITIONS

All definitions contained in Section 502 of the Clean Water Act shall apply to this permit and are incorporated herein by reference. Additional definitions of words or phrases used in this permit are as follows:

1. Clean Water Act (CWA) means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or the Federal Water Pollution Control Act Amendments of 1972) Pub.L.92-500, as amended by Pub.L. 95-217, Pub.L. 95-576, Pub.L. 96-483 and Pub.L. 97-117, 33 U.S.C. 1251 et. seq.).
2. Accreditation means the formal recognition by the department of a laboratory's competence wherein specific tests or types of tests can be accurately and successfully performed in compliance with all minimum requirements set forth in the regulations regarding laboratory accreditation.
3. Administrator means the Administrator of the U.S. Environmental Protection Agency, or an authorized representative.

4. Applicable Standards and Limitations means all state, interstate and federal standards and limitations to which a discharge is subject under the Clean Water Act, including, effluent limitations, water quality standards of performance, toxic effluent standards or prohibitions, best management practices, and pretreatment standards under Sections 301, 302, 303, 304, 306, 307, 308 and 403.
5. Applicable water quality standards means all water quality standards to which a discharge is subject under the Clean Water Act.
6. Commercial Laboratory means any laboratory, wherever located, that performs analyses or tests for third parties for a fee or other compensation and provides chemical analyses, analytical results, or other test data to the department. The term commercial laboratory does not include laboratories accredited by the Louisiana Department of Health and Hospitals in accordance with R.S.49:1001 et seq.
7. Daily Discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the daily discharge is calculated as the average measurement of the pollutant over the sampling day. Daily discharge determination of concentration made using a composite sample shall be the concentration of the composite sample.
8. Daily Maximum discharge limitation means the highest allowable "daily discharge".
9. Director means the U.S. Environmental Protection Agency Regional Administrator, or the state administrative authority, or an authorized representative.
10. Domestic septage means either liquid or solid material removed from a septic tank, cesspool, portable toilet, Type III marine sanitation device, or similar treatment works that receives only domestic sewage. Domestic septage does not include liquid or solid material removed from a septic tank, cesspool, or similar treatment works that receives either commercial wastewater or industrial wastewater and does not include grease removed from grease trap at a restaurant.
11. Domestic sewage means waste and wastewater from humans, or household operations that is discharged to or otherwise enters a treatment works.
12. Environmental Protection Agency or (EPA) means the U.S. Environmental Protection Agency.
13. Grab sample means an individual sample collected over a period of time not exceeding 15 minutes, unless more time is needed to collect an adequate sample, and is representative of the discharge.
14. Industrial user means a nondomestic discharger, as identified in 40 CFR 403, introducing pollutants to a publicly owned treatment works.
15. LEQA means the Louisiana Environmental Quality Act.
16. Louisiana Pollutant Discharge Elimination System (LPDES) means those portions of the Louisiana Environmental Quality Act and the Louisiana Water Control Law and all regulations promulgated under their authority which are deemed equivalent to the National Pollutant Discharge Elimination System (NPDES) under the Clean Water Act in accordance with Section 402 of the Clean Water Act and all applicable federal regulations.

17. Monthly Average, other than for fecal coliform bacteria, discharge limitations are calculated as the sum of all "daily discharge(s)" measured during a calendar month divided by the number of "daily discharge(s)" measured during that month. When the permit establishes monthly average concentration effluent limitations or conditions, and flow is measured as continuous record or with a totalizer, the monthly average concentration means the arithmetic average (weighted by flow) of all "daily discharge(s)" of concentration determined during the calendar month where C = daily discharge concentration, F = daily flow and n = number of daily samples; monthly average discharge =

$$\frac{C_1F_1 + C_2F_2 + \dots + C_nF_n}{F_1 + F_2 + \dots + F_n}$$

When the permit establishes monthly average concentration effluent limitations or conditions, and the flow is not measured as a continuous record, then the monthly average concentration means the arithmetic average of all "daily discharge(s)" of concentration determined during the calendar month.

The monthly average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar month.

18. National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of the Clean Water Act.
19. Severe property damage means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
20. Sewage sludge means a solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works. Sewage sludge includes, but is not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment processes; portable toilet pumpings, type III marine sanitation device pumpings (33 CFR part 159); and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated during preliminary treatment of domestic sewage in a treatment works.
21. Stormwater Runoff—aqueous surface runoff including any soluble or suspended material mobilized by naturally occurring precipitation events.
22. Surface Water: all lakes, bays, rivers, streams, springs, ponds, impounding reservoirs, wetlands, swamps, marshes, water sources, drainage systems and other surface water, natural or artificial, public or private within the state or under its jurisdiction that are not part of a treatment system allowed by state law, regulation, or permit.
23. Treatment works means any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage and industrial wastes of a liquid nature to implement Section 201 of the Clean Water Act, or necessary to recycle or reuse water at the most economical cost over the estimated life of the works, including intercepting sewers, sewage collection systems, pumping, power and other equipment, and their appurtenances, extension, improvement, remodeling, additions, and alterations thereof. (See Part 212 of the Clean Water Act)
24. For fecal coliform bacteria, a sample consists of one effluent grab portion collected during a 24-hour period at peak loads.
25. The term MGD shall mean million gallons per day.
26. The term GPD shall mean gallons per day.

27. The term mg/L shall mean milligrams per liter or parts per million (ppm).
28. The term SPC shall mean Spill Prevention and Control. Plan covering the release of pollutants as defined by the Louisiana Administrative Code (LAC 33:IX.9).
29. The term SPCC shall mean Spill Prevention Control and Countermeasures Plan. Plan covering the release of pollutants as defined in 40 CFR Part 112.
30. The term µg/L shall mean micrograms per liter or parts per billion (ppb).
31. The term ng/L shall mean nanograms per liter or parts per trillion (ppt).
32. Visible Sheen: a silvery or metallic sheen, gloss, or increased reflectivity; visual color; or iridescence on the water surface.
33. Wastewater—liquid waste resulting from commercial, municipal, private, or industrial processes. Wastewater includes, but is not limited to, cooling and condensing waters, sanitary sewage, industrial waste, and contaminated rainwater runoff.
34. Waters of the State: for the purposes of the Louisiana Pollutant Discharge Elimination system, all surface waters within the state of Louisiana and, on the coastline of Louisiana and the Gulf of Mexico, all surface waters extending there from three miles into the Gulf of Mexico. For purposes of the Louisiana Pollutant Discharge Elimination System, this includes all surface waters which are subject to the ebb and flow of the tide, lakes, rivers, streams, (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, natural ponds, impoundments of waters within the state of Louisiana otherwise defined as "waters of the United States" in 40 CFR 122.2, and tributaries of all such waters. "Waters of the state" does not include waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the Clean Water Act, 33 U.S.C. 1251 et seq.
35. Weekly average, other than for fecal coliform bacteria, is the highest allowable arithmetic mean of the daily discharges over a calendar week, calculated as the sum of all "daily discharge(s)" measured during a calendar week divided by the number of "daily discharge(s)" measured during that week. When the permit establishes weekly average concentration effluent limitations or conditions, and flow is measured as continuous record or with a totalizer, the weekly average concentration means the arithmetic average (weighted by flow) of all "daily discharge(s)" of concentration determined during the calendar week where C = daily discharge concentration, F = daily flow and n = number of daily samples; weekly average discharge

$$= \frac{C_1F_1 + C_2F_2 + \dots + C_nF_n}{F_1 + F_2 + \dots + F_n}$$

When the permit establishes weekly average concentration effluent limitations or conditions, and the flow is not measured as a continuous record, then the weekly average concentration means the arithmetic average of all "daily discharge(s)" of concentration determined during the calendar week.

The weekly average for fecal coliform bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.

36. Sanitary Wastewater Term(s):
- a. 3-hour composite sample consists of three effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) over the 3-hour period and composited according to flow, or a sample continuously collected in proportion to flow over the 3-hour period.
 - b. 6-hour composite sample consists of six effluent portions collected no closer together than one hour (with the first portion collected no earlier than 10:00 a.m.) over the 6-hour period and composited according to flow, or a sample continuously collected in proportion to flow over the 6-hour period.

- c. 12-hour composite sample consists of 12 effluent portions collected no closer together than one hour over the 12-hour period and composited according to flow, or a sample continuously collected in proportion to flow over the 12-hour period. The daily sampling intervals shall include the highest flow periods.
- d. 24-hour composite sample consists of a minimum of 12 effluent portions collected at equal time intervals over the 24-hour period and combined proportional to flow or a sample continuously collected in proportion to flow over the 24-hour period.