

STATE OF ALASKA

**DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER
WASTEWATER DISCHARGE AUTHORIZATION PROGRAMS**

SARAH PALIN, GOVERNOR

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April 7, 2009

JR Wilcox
Pacific Energy Resources Limited
310 K Street Suite 700
Anchorage, AK 99501

ADEC File # 2339.48.025

**RE: ADEC Draft Section 401 Certification of NPDES Permit AK- 005330-9,
Pacific Energy Resources Limited Osprey Platform**

Dear Mr. Wilcox;

On August 07, 2008, EPA requested a draft 401 certification for the issuance of NPDES permit AK-005330-9 regulating wastewater discharges from the Osprey Platform in Cook Inlet. The mixing zone application associated with this permit was deemed complete October 7, 2008. The draft 401 certification was publically noticed in conjunction with the NPDES permit and fact sheet from December 22, 2008 through January 21, 2009. On February 23, 2009 EPA requested a final certification of NPDES permit AK-005330-9.

In accordance with Section 401 of the Clean Water Act and with Alaska Administrative Codes 18 AAC 15, 18 AAC 70 (Water Quality Standards) and 18 AAC 72 (Wastewater Discharge), the Alaska Department of Environmental Conservation (ADEC) has issued the enclosed 401 Certificate of Reasonable Assurance for NPDES Permit AK-005330-9.

ADEC regulations provide that any person who disagrees with this decision may request an adjudicatory hearing in accordance with 18 AAC 15.195- 18 AAC 15.340 or an informal review by the Division Director in accordance with 18 AAC 15.185. **Informal review requests** must be delivered to the Director of Water, 555 Cordova Street, Anchorage, Alaska 99501, within 15 days of receipt of the permit decision. **Adjudicatory hearing requests** must be delivered to the Commissioner of the Department of Environmental Conservation, 410 Willoughby Avenue, Suite 303, PO Box 111800 Juneau, Alaska 99811-1800, within 30 days of the permit decision. If a hearing is not requested within 30 days, the right to appeal is waived.

Be advised, pursuant to 18 AAC 15.120(c), the certification of the NPDES permit constitutes the permit required under AS 46.03.100. Also, 18 AAC 15.120(c) states, "Any rights or privileges inuring to the benefit of EPA in the NPDES

permit, including any right to enter, inspect, sample, and have access to records, also inure to the benefit of the Department. Any reports or other information filed with EPA in accordance with the NPDES permit must be contemporaneously filed with the department.”

If you have any technical questions regarding this certification, please contact Alan Kukla at 907-269-7523 or alan.kukla@alaska.gov.

Sincerely,



Shawn Stokes
Industrial Permit Manager

Enclosures: Certificate of Reasonable Assurance for NPDES Permit
AK-005330-9 Osprey Platform in Cook Inlet.

cc: Brian Nickel, EPA, Seattle
Brian Pippin, Parametrix / Bellevue, WA
Sharmon Stambaugh, ADEC/Anchorage
Shawn Stokes, ADEC/Anchorage
Alan Kukla, ADEC/ Anchorage
Kenwyn George, ADEC/Juneau

STATE OF ALASKA
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
CERTIFICATE OF REASONABLE ASSURANCE

A Certificate of Reasonable Assurance, as required by Section 401 of the Clean Water Act, has been requested by EPA for the Pacific Energy Resources Limited Osprey Platform, Redoubt Shoal Unit to discharge wastewaters to Cook Inlet at Latitude 60.69611 N, Longitude -151.66944 W, under National Pollutant Discharge Elimination System (NPDES) Permit AK-005330-9. These wastewater discharges are necessary for activities associated with the development and production of offshore oil and gas:

Discharge 002 – Deck Drainage
Discharge 003 – Sanitary Wastes
Discharge 004 – Domestic Wastes
Discharge 005 – Desalination Backwash
Discharge 007 – Boiler Blowdown
Discharge 008 – Fire Control System Test Water
Discharge 009 – Non-contact Cooling Water
Discharge 012 – Excess Cement Slurry
Discharge 021 – Filter Backwash

Public notice of the application for this certification was made in accordance with 18 AAC 15.180.

Water Quality Certification is required for the activity because the activity will be authorized by an EPA permit identified as AK-005330-9 and discharges into State waters will result from the activity authorized under this permit.

Having reviewed the permit, ADEC certifies there is reasonable assurance the activity, and the resultant discharge, is in compliance with the requirements of Section 401 of the Clean Water Act and the Alaska Water Quality Standards (18 AAC 70) as amended through June 26, 2003, provided that the terms and conditions of the final certification are adhered to.

Through this certification, in accordance with 18 AAC 15.120, the NPDES permit will constitute the permit required under AS 46.03.100, provided that the stipulations of the certification are made part of the permit.

State of Alaska Certification Stipulations:

1. Mixing Zone for Discharge 003 (Sanitary Wastes)

ADEC is authorizing a mixing zone for sanitary wastes discharged from the Osprey Platform of such size to provide mixing based on a one hundred thirty three to one (133:1) dilution. The mixing zone is thirty seven meters in axis length, sixteen meters in width, and is centered at the Osprey platform. The orientation of the mixing zone is North – South, with a bias to South – Southwest

during the ebb tides. Compliance with Alaska Water Quality Standards will be achieved at the edge of the mixing zone for Total Residual Chlorine (TRC) and Fecal Coliform Bacteria (FC).

Rationale:

In accordance with State Regulation 18AAC 70.240 as amended through June 26, 2003, the department will, in its discretion, authorize a mixing zone in a discharge permit if the department finds that the available evidence reasonably demonstrates that

- a. The applicable requirements of the chapter will be met*
- b. The mixing zone will be as small as practicable*
- c. An effluent or substance will be treated to remove, reduce, and disperse pollutants, using methods found by the department to be the most effective and technologically and economically feasible, consistent with the highest statutory and regulatory requirements.*
- d. Ongoing compliance with 18 AAC 70.240 – 18 AAC 70.270 is a condition of any permit authorizing a mixing zone.*



Signature

Sharmon Stambaugh
Printed Name

April 7, 2009

Date

Environmental Program Manager III
Title