

ARCTIC OIL AND GAS EXPLORATION WASTEWATER DISCHARGE PERMITS EARLY INFORMATION SHEET



Fall-Winter 2010

NPDES oil and gas exploration discharge general permits

The U.S. Environmental Protection Agency (EPA) issues individual and general National Pollutant Discharge Elimination System (NPDES) permits to authorize and control the discharge of pollutants into waters of the United States. General permits authorize one or more discharges from multiple facilities within a specific industrial category (e.g., oil and gas exploration) and within the same geographic area (e.g. Chukchi Sea). A general NPDES permit ensures regulatory consistency for similar facilities and activities within the same industrial category.

The existing Arctic NPDES General Permit will expire on June 26, 2011. EPA is working now to reissue this general permit as two separate general permits: one for oil and gas exploration discharges to the Beaufort Sea, and one for oil and gas exploration discharges to the Chukchi Sea. EPA plans to issue the new general permits by the end of 2011. Before issuing the general permits, EPA will consult with tribal governments and hold a public comment period.

Developing the new general permits

EPA is evaluating environmental and traditional knowledge data to help us develop exploration NPDES general permits that are protective of the Beaufort and Chukchi environments. The status of each activity associated with general permits development is summarized below.

Ocean Discharge Criteria Evaluation

Section 403 of the Clean Water Act requires EPA to develop an Ocean Discharge Criteria Evaluation (ODCE) to assess the environmental impacts of NPDES permits and ensure the discharges will not cause unreasonable degradation of ocean waters. Unreasonable degradation means:

- *Significant adverse changes in ecosystem diversity, productivity, and stability of the biological community within the area of discharge and surrounding biological communities; or*
- *Threat to human health through direct exposure to pollutants or through consumption of exposed aquatic organisms; or*
- *Loss of aesthetic, recreational, scientific, or economic values, which are unreasonable in relation to the benefit derived from the discharge.*

One ODCE will be developed for each general permit. EPA will share the preliminary findings of the ODCEs with North Slope communities.

EPA Permit and Communications Schedule	
Activities	Dates
Send permit project updates to North Slope communities	Ongoing
Traditional Knowledge interview workshops	Fall 2010
Share preliminary ODCE findings with North Slope communities, stakeholders	Fall-Winter 2010
Consult with State of Alaska for Coastal Zone Management Act consistency	Fall 2010 – Spring 2011
Consult with National Marine Fisheries Service, U.S. Fish & Wildlife Service per Endangered Species Act, Marine Mammal Protection Act	Fall 2010 – Spring 2011
Share early draft permits, fact sheet with tribal governments for 30-day review	Early Winter 2010
Request draft Clean Water Act Section 401 certification from Alaska Dept. of Environmental Conservation	Early Winter 2010
Release draft permits and a fact sheet for 60-day public review	Late Winter 2011
Public hearings and informational meetings with North Slope communities	Early Spring 2011
Respond to comments. Revise permits, fact sheet	Spring 2011
Share preliminary final permits with tribal governments	Summer 2011
Issue final permits and response to comments	Fall 2011

Discharges allowed by the general permits

After the general permits are issued, individual operators seeking coverage under the permits must demonstrate to EPA that they can meet the permit limits, requirements, and conditions. EPA will also plan and conduct compliance activities to ensure that the permits are being followed. The following oil and gas exploration discharges and waste streams may be authorized by the general permits:

- Drilling fluids, drilling cuttings
- Fire Control System Test Water
- Deck Drainages
- Non-contact Cooling Water
- Sanitary Wastes
- Uncontaminated Ballast Water
- Domestic Wastes
- Bilge Water
- Desalination Unit Wastes
- Excess Cement Slurry
- Blowout Preventer Fluid
- Mud, Cuttings, Cement at Sea Floor
- Boiler Blowdown
- Test Fluids

Dilution modeling

EPA is conducting dilution modeling to evaluate the dispersion and disposition of pollutants from each of the waste streams listed above. The modeling results will be incorporated into the ODCEs.

Traditional Knowledge

EPA hired Stephen R. Braund and Associates (SRB&A) to collect Traditional Knowledge (TK) information this year from four coastal North Slope communities: Point Lay, Barrow, Nuiqsut, and Kaktovik. The TK interviews will be conducted with individuals during community workshops. The interviews will focus on knowledge of physical and biological environments; subsistence activities; and knowledge, observations, and concerns about waste water discharges from offshore oil and gas activities. Protection of confidential traditional information will be discussed and addressed directly between SRB&A and the participating tribal communities. The TK report will be reviewed by the participating Tribes before it is submitted to EPA. TK information will provide valuable local knowledge that will assist the environmental analyses in the ODCEs.

General Permit limits

NPDES permits for the oil and gas industry must meet the numeric limits and requirements in the Code of Federal Regulations (40 CFR Part 435), and if available, more stringent limits to control pollutants to meet the water quality standards of the receiving waters. EPA will also use the results of the ODCE, dilution modeling, and TK data to establish additional permit monitoring requirements and restrictions.

U.S. and Norway petroleum industry discharge regulations

EPA heard questions from the North Slope communities about the differences in discharge regulations for oil and gas activities between the U.S. and Norway. EPA developed a fact sheet comparing the different ways that the U.S. and Norway manage waste water discharges from petroleum exploration and development in coastal and offshore waters. EPA's draft fact sheet, *Regulating Petroleum Industry Discharges in the United States and Norway*, will be shared with North Slope communities and stakeholders this fall.

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More information on the general permits:

<http://yosemite.epa.gov/R10/WATER.NSF/NPDES+Permits/General+NPDES+Permits>