

**NPDES PERMIT NO. OK0044784
STATEMENT OF BASIS**

FOR THE DRAFT NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
(NPDES) PERMIT TO DISCHARGE TO WATERS OF THE UNITED STATES

APPLICANT

Keystone Pipeline Project (Cushing Extension)
717 Texas Street, Suite 2400
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ISSUING OFFICE

U.S. Environmental Protection Agency
Region 6
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PREPARED BY

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DATE PREPARED

February 17, 2010

PERMIT ACTION

It is proposed that the facility be issued a first-time NPDES permit for a 5-year term in accordance with regulations contained in 40 Code of Federal Regulations (CFR) 122.46(a).

40 CFR CITATIONS: Unless otherwise stated, citations to 40 CFR refer to promulgated regulations listed at Title 40, Code of Federal Regulations, revised as of February 12, 2010.

DOCUMENT ABBREVIATIONS

For brevity, Region 6 used acronyms and abbreviated terminology in this Statement of Basis document whenever possible. The following acronyms were used frequently in this document:

BAT	Best Available Technology Economically Achievable
BOD ₅	Biochemical oxygen demand (five-day unless noted otherwise)
BPJ	Best professional judgment
CFR	Code of Federal Regulations
cfs	Cubic feet per second
COD	Chemical oxygen demand
COE	United States Corp of Engineers
CPP	Continuing Planning Process
CWA	Clean Water Act
DMR	Discharge monitoring report
ELG	Effluent limitation guidelines
EPA	United States Environmental Protection Agency
ESA	Endangered Species Act
F&WS	United States Fish and Wildlife Service
HT	Hydrostatic Testing
IP	Procedures to Implement the Oklahoma Surface Water Quality standards
mg/L	Milligrams per Liter (one part per million)
MGD	Million gallons per and Intrastate Surface Waters
ML	Minimum quantification level
NPDES	National Pollutant Discharge Elimination System
OAC	Oklahoma Administrative Code
ODEQ	Oklahoma Department of Environmental Quality
O&G	Oil and grease
OWQS	Oklahoma Surface Water Quality Standards
OWRB	Oklahoma Water Resources Board
RP	Reasonable potential
SIC	Standard industrial classification
s.u.	Standard units (for parameter pH)
SWQB	Surface Water Quality Bureau
TMDL	Total maximum daily load
TRC	Total residual chlorine
TSS	Total suspended solids
µg /L	Micrograms per Liter (one part per billion)
WET	Whole effluent toxicity
WQMP	Water Quality Management Plan
WQS	Water Quality Standards

I. APPLICANT ACTIVITY

Under the SIC code 4612, Crude Petroleum Pipelines, the applicant plans to operate a crude oil pipeline and related facilities from Hardisty, Alberta in Canada, to an existing terminal in the United States. The project will have the nominal capacity to deliver 435,000 barrels per day of crude oil from an oil supply hub near Hardisty to existing terminals and refineries in Wood River and Patoka, Illinois (Mainline).

The length of the mainline in the U.S. is approximately 1,082 miles, from the Canada/U.S. border to Patoka, Illinois. The pipeline will have the capacity for expansion to 591,000 bpd. As part of this expansion, Keystone plans to construct an extension in the U.S. to deliver crude oil to Cushing, Oklahoma. The Cushing extension will consist of an additional 296 miles of pipeline in Nebraska, Kansas, and Oklahoma. Approximately 83 miles of pipeline will be constructed in Oklahoma in Kay, Payne, Noble, and Lincoln Counties. It is pertinent to note that the Project enters Lincoln County; however there will be no discharge points in Lincoln County. This permit is for the Oklahoma discharges only.

II. DISCHARGE LOCATION

As described in the application, there are 15 discharge locations in the State of Oklahoma. The discharge points showing outfall number, discharge coordinates: latitude and longitude, county, average flow rate in millions gallons per day (MGD), receiving water, and the waterbody identification numbers are shown in the following table:

Outfall Reference Number	Discharge Coordinates Latitude Deg° Min' Sec'' Longitude Deg° Min' Sec''	County	Average Flow MGD	Receiving Water	Waterbody ID #
001	36° 48' 25" N 97° 6' 53" W	Kay	5.76	Unnamed Pond	Unlisted
002	36° 44' 3" N 97° 6' 56" W	Kay	5.76	Bois d'Arc Creek	OK621000030010
003	36° 41' 9" N 97° 6' 56" W	Kay	5.76	Bois d'Arc Creek	OK621000030010
004	36° 40' 15" N 97° 7' 27" W	Kay	5.76	Bois d'Arc Creek	OK621000030010
005	36° 39' 49" N 97° 7' 49" W	Kay	5.76	Bois d'Arc Creek	OK621000030010
006	36° 36' 40" N 97° 7' 41" W	Kay	5.76	Salt Fork of the Arkansas River	OK621000010010
007	36° 35' 35" N 97° 7' 32" W	Noble	5.76	Trib. To Salt Fork of the Arkansas River	OK621000010010
008	36° 35' 25" N 97° 7' 24" W	Noble	5.76	Salt Fork of the Arkansas River	OK621000010010
009	36° 29' 14" N 97° 6' 34" W	Noble	5.76	Red Rock Creek	OK621200050010
010	36° 21' 3" N 97° 3' 39" W	Noble	5.76	Unnamed Pond 2	OK631200030208
011	36° 19' 8" N 97° 3' 4" W	Noble	5.76	Black Bear Creek	OK621200030010
012	36° 15' 52" N 97° 1' 58" W	Noble	5.76	Long Branch Creek	OK621200030200
013	36° 14' 4" N 97° 0' 59" W	Payne	5.76	Unnamed Pond 3	Unlisted

Outfall Reference Number	Discharge Coordinates Latitude Deg° Min' Sec'' Longitude Deg° Min' Sec''	County	Average Flow MGD	Receiving Water	Waterbody ID #
014	36° 1' 13" N 96° 50' 19" W	Payne	5.76	Cimmarron River	OK620930000010
015	35° 58' 29" N 96° 47' 33" W	Payne	5.76	Unnamed Pond 4	OK620900020090

III. STREAM STANDARDS

The general criteria and numerical criteria which make up the stream standards are provided in the Oklahoma Water Quality Standards (Title 785, Chapter 45) promulgated by the Oklahoma Water Resources Board including all amendments which are effective as of May 27, 2008.

IV. DISCHARGE DESCRIPTION

This will be a new facility and no discharge has occurred. Therefore, no effluent data are available. However, the proposed discharges from each outfall are described as follows:

Outfalls 001 and 013 are to unlisted stream segments. In accordance with OAC 785:45-5-3, beneficial uses of an unlisted stream segment are Agriculture, Aesthetic, Fish & Wildlife Propagation/Warm Water Aquatic community, and primary body contact recreation.

Discharges from Outfalls 002 through 005 are to receiving waters in waterbody identification number, OK6210030010, Bois d' Ark Creek of the Upper Arkansas River Basin. The designated uses for waterbody identification number, OK6210030010 are Public and Private Water Supply (PPWS), Warm Water Aquatic Community (WWAC), Primary Body Contact Recreation (PBCR), Aesthetics, and Agriculture.

Discharges from Outfalls 006 through 008 are to receiving waters in waterbody identification number, OK621000010010, Salt Fork of the Arkansas River in the Upper Arkansas River Basin. The designated uses for waterbody identification number, OK621000010010 are Public and Private Water Supply, Warm Water Aquatic Community, Primary Body Contact Recreation, Aesthetics, and Agriculture.

Discharges from Outfall 009 are to receiving waters in waterbody identification number, OK621200050010, Red Rock Creek of the Upper Arkansas River Basin. The designated uses for waterbody identification number, OK621200050010 are Aesthetics, Agriculture, Warm Water Aquatic community, fish consumption, and primary body contact recreation.

Discharges from Outfall 010 are to receiving waters in waterbody identification number, OK621200030208, unnamed pond 2 flows to Black Bear Creek of the Upper Arkansas River Basin. The designated uses for waterbody identification number, OK621200030208 are Aesthetics, Agriculture, Warm Water Aquatic community, and primary body contact recreation.

Discharges from Outfall 011 are to receiving waters in waterbody identification number, OK621200030010, Black Bear Creek of the Upper Arkansas River Basin. The designated uses for waterbody identification number, OK621200030010 are Aesthetics, Agriculture, Warm Water Aquatic community, and primary body contact recreation.

Discharges from Outfall 012 are to receiving waters in waterbody identification number, OK621200030200, Long Branch Creek of the Upper Arkansas River Basin. The designated uses for waterbody identification number, OK621200030200 are Aesthetics, Agriculture, Warm Water Aquatic community, fish consumption, and primary body contact recreation.

Discharges from Outfalls 014 are to receiving waters in waterbody identification number, OK620930000010, Cimarron River of the Upper Arkansas River Basin. The designated uses for waterbody identification number, OK620930000010 are Aesthetics, Agriculture, Warm Water Aquatic community, and primary body contact recreation.

Discharges from Outfall 015 are into receiving waters in waterbody identification number, OK620900020090, unnamed pond 4 flows to Cabin Creek of the Upper Arkansas River Basin. The designated uses for waterbody identification number, OK620900020090 are Aesthetics, Agriculture, Warm Water Aquatic community, fish consumption, and primary body contact recreation.

V. TENTATIVE DETERMINATION

The EPA has made a tentative determination, after consultation with the ODEQ to issue a first – time permit to the applicant for the activities described.

VI. DRAFT PERMIT RATIONALE

The proposed effluent limitations for those pollutants proposed to be limited are based on regulations promulgated at 40 CFR 122.44. The draft permit limits are based on either technology-based effluent limits pursuant to 40 CFR 122.44(a), on best professional judgment (BPJ) in the absence of guidelines, and/or requirements pursuant to 40 CFR 122.44(d), whichever are more stringent.

A. REASON FOR PERMIT ISSUANCE

An NPDES Application for a Permit to Discharge (Form 1 & 2D) dated November 12, 2009, was received on November 16, 2009, and was deemed administratively complete on February 05, 2010. In an email dated February 01, 2010, an authorized representative of the facility submitted supplemental discharge information.

B. OPERATION AND REPORTING

The permittee must submit DMR's quarterly, beginning on the effective date of the permit, lasting through the expiration date of the permit or termination of the permit, to report on all limitations and monitoring requirements in the permit.

C. TECHNOLOGY-BASED EFFLUENT LIMITATIONS/CONDITIONS

Regulations promulgated at 40 CFR 122.44 (a) require technology-based effluent limitations to be placed in NPDES permits based on ELG's where applicable, on BPJ in the absence of guidelines, or on a combination of the two. There are no published ELG's for this type of activity. Permit limits are proposed based on BPJ. Since hydrostatic test water discharges are

batch discharges of short term duration, limits in this Permit will be expressed in terms of daily maximum concentrations rather than in terms of mass limitations, as allowed by 40 CFR 122.45(e) and (f). Limitations for Oil & Grease, TSS, and pH are proposed in the permit. The proposed limitations for TSS are 45 mg/l maximum, and Oil & Grease is 15 mg/l maximum. The draft permit will not propose mass limits since the flow is variable and intermittent. Concentration limits will be protective of the stream uses.

D. WATER QUALITY SCREENING

1. General Comments

The Clean Water Act in Section 301 (b) requires that effluent limitations for point sources include any limitations necessary to meet water quality standards. Federal regulations found at 40 CFR 122.44(d) state that if a discharge poses the reasonable potential to cause an in-stream excursion above a water quality criterion, the permit must contain an effluent limit for that pollutant. If the discharge poses the reasonable potential to cause an in-stream violation of narrative standards, the permit must contain prohibitions to protect that standard.

The narrative and numerical stream standards are provided in OWQS, as amended (OAC 785:45), and implementation criteria contained in OACs 785:46 and 252:690, promulgated by the OWRB, effective as of May 27, 2008, and Department of Environmental Quality (DEQ), respectively. This is to ensure that no point-source will be allowed to discharge any wastewater which: (1) results in instream aquatic toxicity; (2) causes a violation of an applicable narrative or numerical state water quality standard; (3) results in the endangerment of a drinking water supply; or (4) results in aquatic bioaccumulation which threatens human health.

2. Reasonable Potential

EPA develops draft permits to comply with State WQS, and for consistency, attempts to follow OWQS, OWQS implementation criteria in OAC 785:46 and OAC 252:690, and the CPP document where appropriate. However, EPA is bound by the State's WQS, not State guidance, including the OWQS implementation, in determining permit decisions. EPA performs its own technical and legal review for permit issuance, to assure compliance with all applicable State and Federal requirements, including State WQS, and makes its determination based on that review.

In the RP screening process, the 95th percentile effluent concentration, or estimate thereof if the effluent data set is not sufficiently large to determine it directly, is used to compute an instream concentration according to the regulatory mixing zone equations defined in OAC 785:46. The computed instream concentrations are then compared with the applicable criteria to determine whether RP is exhibited. If RP is exhibited, in accordance with 40 CFR 122.44(d)(1)(vi) and OAC 252:690, a wasteload allocation and criterion long term average is computed for each applicable criterion. Water quality-based permit limitations are calculated for each pollutant exhibiting RP for all applicable criteria. The most stringent of the resulting monthly average permit limitations is established in the draft permit for each pollutant requiring such limitations.

The applicant proposes to draw water from various Creeks to conduct its hydrostatic testing. Hydrostatic test water will contact only new pipe, and no chemicals will be added. As a result,

no contaminants are expected to be present in the hydrostatic test water discharge at amounts that would pose a reasonable potential to exceed State WQS.

The hydrostatic test water is to be discharged back into the same water body from which it was taken for all the outfalls. As a result, intake credits are authorized for all outfalls to account for in-situ waterbody conditions for only TSS.

3. Reasonable Potential-Calculations

a. pH

The daily minimum and daily maximum permit limits of 6.0 standard units to 9.0 standard units on hydrostatic test general permits developed by other EPA Regions and States. OAC 785:45-5-12(f)(3) states, "pH values shall be between 6.5 and 9.0 in waters designated for fish and wildlife propagation; unless pH values outside that range are due to natural conditions." The water quality-based daily minimum pH limit of 6.5 is more stringent than the technology-based daily minimum pH limit of 6.0 standard units. As a result, the Oklahoma Water Quality Based limits of 6.5 standard units to 9.0 standard units are established in the proposed permit.

b. Narrative Limitations

1. Aesthetic Standards

According to OWQS, OAC 785:45-5-12(f) (4) which states that narrative protection for aesthetic standards will propose that surface waters shall be maintained so that oil, grease, or related residue will not produce a visible film or globules of grease on the surface or coat the banks or bottoms of the watercourse; or cause toxicity to man, aquatic life, or terrestrial life. A narrative condition prohibiting the discharge of any visible sheen of oil or globules of oil or grease will be included in the proposed permit. In addition, the technology-based limit of 15 mg/l for Oil and Grease should assure that the narrative criterion is maintained.

2. Public and Private Water Supplies (OAC 785:45-5-10)

Test water being discharged from hydrostatic testing should not contain substances listed in Raw Water Numerical Criteria (785:45-5-10(1)) and Water Column Criteria to protect for the consumption of fish, flesh and water (785:45-5-10(6)) at levels which would have reasonable potential to violate numerical criteria.

3. Fish and Wildlife Propagation (OAC 785:45-5-12)

Test water being discharged from hydrostatic testing should not contain substances listed in Toxic Substances (785:45-5-12(f)(6)) and Water Column Criteria to protect for the consumption of fish, flesh and water (785:45-5-10(6)) at levels which would have reasonable potential to violate numerical criteria.

4. Agriculture/Livestock and Irrigation (OAC 785:45-5-13)

The levels of chloride, sulfate and total dissolved solids in the test water should be the same as in the receiving water. Hydrostatic testing should not result in significant increases in levels of chloride, sulfate or total dissolved solids in the test water above levels contained in the fill water.

5. Primary Body Contact Recreation (OAC 785:45-5-16)

Hydrostatic test wastewater should not contain coliform bacteria, *Escherichia coli*, and *Enterococci* at significant levels.

E TECHNOLOGY BASED VERSUS WATER QUALITY STANDARDS BASED EFFLUENT LIMITATIONS AND CONDITIONS

Following regulations promulgated at 40 CFR122.44(l)(2)(ii), 122.44(d), and 130.32(b)(6), the draft permit limits are based on either technology-based effluent limits pursuant to 40 CFR122.44(a), on the results of or on State Water Quality Standards and requirements pursuant to 40 CFR122.44(d), or on the results of an established and EPA approved Total Maximum Daily Load (TMDL), whichever are more stringent. These limitations are also found in TX0127540, and TX0127515, NPDES Permits that were recently issued for a similar type of discharge.

Numerical water quality based limitations have been placed in the permit for pH. Narrative standards for oil, grease, or related residue have been placed in the proposed permit. A technology-based limit of 15 mg/l for Oil and Grease should assure that the narrative criterion is maintained

F. WHOLE EFFLUENT TOXICITY LIMITATIONS

There are no chemical specific limitations in the draft permit and the applicant has stated that no chemical additives such as corrosion inhibitors are being added to the HT water. There does not appear that the discharge will have a potential for toxicity. The draft permit does not propose any biomonitoring of the HT water.

G. FINAL EFFLUENT LIMITATIONS

See the draft permit for limitations.

H. MONITORING FREQUENCY

Regulations require permits to establish monitoring requirements to yield data representative of the monitored activity 40 CFR 122.48(b) and to assure compliance with permit limitations 40 CFR 122.44(i)(1). The monitoring frequencies are based on BPJ, taking into account the nature of the discharge.

For ALL outfalls, monitoring for flow, TSS, Oil & Grease, and pH shall be daily by grab sample, when discharging.

VII. IMPAIRED WATER - 303(d) LIST AND TMDL

According to the 2008 edition of the 303(d) list of impaired waters, the receiving stream for Outfalls 002 through 005, Bois d'Ark Creek (OK6210030010) is listed for *Enterococcus*, turbidity, sulfates, *Escherichia coli*, and Fecal Coliform. Outfall 009, Red Rock Creek, (OK621200050010) is listed for *Enterococcus*, *Escherichia coli*, Dissolved Oxygen, sulfates, and turbidity. Outfall 011, Black Bear Creek (OK621200030010), is listed for lead, turbidity,

Enterococcus, Fishes Bioassessments, Escherichia coli, and Fecal Coliform. In light of the nature of the discharge, the discharger is not likely to contribute to lead, turbidity, Enterococcus, Fishes Bioassessments, Escherichia coli, fecal coliform and sulfates to the receiving water. Therefore, no additional requirements beyond the previously described technology-based or water quality-based effluent limitations and monitoring requirements, are established in the proposed permit.

VIII. ANTIDEGRADATION

The Oklahoma Water Quality Standards, Antidegradation, OAC 785:45:3-1, sets forth the requirements to protect designated uses through implementation of the State WQS, OAC 785:46, Subchapter 13. There are no antidegradation restrictions listed in Appendix A of the OWQS for all the receiving waters to which the facility proposes to discharge (see Discharge Description in Section IV). As a result, no special requirements beyond Tier 1 protection (maintenance and protection of designated uses, as herein described) are necessary as described in OAC 785:46, Subchapter 13, implementation of the state's antidegradation policy.

The limitations and monitoring requirements set forth in the proposed permit are developed from the State WQS and are protective of those designated uses. Furthermore, the policy sets forth the intent to protect the existing quality of those waters, whose quality exceeds their designated use. The proposed permit requirements are protective of the assimilative capacity of the receiving waters, which is protective of the designated uses of that water.

IX. ANTIBACKSLIDING

The proposed permit is a first-time issuance.

X. ENDANGERED SPECIES

According to the most recent county listing available at US Fish and Wildlife Service (USFWS), Southwest Region 2 website, <http://www.fws.gov/southwest/es/EndangeredSpecies/lists/ListSpecies.cfm>, four species in Kay County, five species in Noble County, and four species in Payne County, are listed as Endangered or Threatened. American Peregrine Falcon (*Falco peregrinus anatum*), Piping Plover (*Charadrius melodus*), and Least tern (*Sterna antillarum*) are the species listed in the three Counties. Bald eagle (*Haliaeetus leucocephalus*) is listed in both Noble and Kay Counties and has been delisted. American Peregrine Falcon, listed in all the counties has also been delisted. Whooping crane (*Grus americana*) is listed in both Payne and Noble County. Based on the following discussion, EPA has determined that the issuance of this permit will have no effect on these federally listed threatened or endangered species.

AMERICAN PEREGRINE FALCON (*Falco peregrinus anatum*)

On August 25, 1999, the American peregrine falcon was removed from the List of Endangered and Threatened Wildlife and Plants (64 FR 46541) due to its recovery.

BALD EAGLE (*Haliaeetus leucocephalus*)

On August 9, 2007, the bald eagle was removed from the federal list of threatened and endangered species. After nearly disappearing from most of the United States decades ago, the bald eagle is now flourishing across the nation and no longer needs the protection of the Endangered Species Act.

LEAST TERN (*Sterna antillarum*)

The Least tern populations have declined due to habitat destruction by permanent inundation, destruction by reservoir releases, channelization projects, alterations of Natural River or lake dynamics resulting in vegetational succession of potential nesting sites, and recreational use of potential nesting sites. Reissuance of this permit is found to have no impact on the habitat of this species, as none of the aforementioned listed activities is authorized by this permitting action.

PIPING PLOVER (*Charadrius melodus*)

A small plover has wings approximately 117 mm; tail 51 mm; weight 46-64 g (average 55 g); length averages about 17-18 cm. Inland birds have more complete breast band than Atlantic coast birds. The nonbreeding plovers lose the dark bands. In Laguna Madre, Texas, non-breeding home ranges were larger in winter than in fall or spring. The breeding season begins when the adults reach the breeding grounds in mid- to late-April or in mid-May in northern parts of the range. The adult males arrive earliest, select beach habitats, and defend established territories against other males. When adult females arrive at the breeding grounds several weeks later, the males conduct elaborate courtship rituals including aerial displays of circles and figure eights, whistling song, posturing with spread tail and wings, and rapid drumming of feet. The plovers defend territory during breeding season and at some winter sites. Nesting territory may or may not contain the foraging area. Home range during the breeding season generally is confined to the vicinity of the nest. Plovers are usually found in sandy beaches, especially where scattered grass tufts are present, and sparsely vegetated shores and islands of shallow lakes, ponds, rivers, and impoundments.

Food consists of worms, fly larvae, beetles, crustaceans, mollusks, and other invertebrates. The plovers prefer open shoreline areas, and vegetated beaches are avoided. It also eats various small invertebrates. It obtains food from surface of substrate, or occasionally probes into sand or mud.

Destruction of habitat, disturbance and increased predation rates due to elevated predator densities in piping plover habitat are described as the main reasons for this species' endangered status and continue to be the primary threats to its recovery. The remaining populations, whether on the breeding or wintering grounds, mostly inhabit public or undeveloped beaches. These populations are vulnerable to predation and disturbance.

Research of available material finds that the primary cause for the population decreases leading to threatened or endangered status for these species is destruction of habitat. Issuance of the permit will have no effect on this species, in that the discharge is not expected to contain these chemicals.

WHOOPING CRANE (*Grus americana*)

The tallest bird in North America, the Whooping Crane breeds in the wetlands of Wood Buffalo National Park in northern Canada and spends the winter on the Texas coast at Arkansas National Wildlife Refuge near Rockport. Cranes live in family groups made up of the parents and 1 or 2 offspring. In the spring, Whooping Cranes perform courtship displays (loud calling, wing flapping, and leaps in the air) as they get ready to migrate to their breeding grounds. Whooping Cranes are endangered because much of their wetland habitat has been drained for farmland and pasture. Whooping Cranes are nearly 5 feet tall. They eat Blue crabs, clams, frogs, minnows, rodents, small birds, and berries. They are found in large wetland areas. Cranes are considered sacred in many parts of the world. In China, they are a symbol of long life.

Based on information available, EPA believes that the issuance of Permit No. OK0044784 will have no effect on the federally listed species or will it adversely modify designated critical habitats.

XI. CERTIFICATION

The permit is in the process of certification by the Oklahoma Department of Environmental quality following regulations promulgated at 40 CFR 124.53. A draft permit and draft public notice will be sent to the District Engineer, Corps of Engineers; to the Regional Director of the U.S. Fish and Wildlife Service and to the National Marine Fisheries Service prior to the publication of that notice.

XII. FINAL DETERMINATION

The public notice describes the procedures for the formulation of final determinations.

XIII. ADMINISTRATIVE RECORD

The following information was used to develop the proposed permit:

A. APPLICATION

NPDES Application for Permit to Discharge, Form 1 & 2D, dated November 12, 2009, and received on November 16, 2009 and was deemed administratively complete on February 05, 2010.

A. REFERENCES

"Implementation of the Oklahoma Water Quality Standards," Oklahoma Water Resources Board, Title 785, Chapter 46, effective as of May 27, 2008

Oklahoma Water Quality Standards, (Title 785, Chapter 45) promulgated by the Oklahoma Water Resources Board including all amendments which are effective as of May 27, 2008.
<http://www.fws.gov/southwest/es/EndangeredSpecies/lists/ListSpecies.cfm>

B. 40 CFR CITATIONS

Sections 122, 124, 125, 133, and 136

D. MISCELLANEOUS CORRESPONDENCE

Letter from Dorothy Brown, EPA, to Mr. Vern Meier, Vice President, TransCanada Keystone Pipeline, LP, dated February 05, 2010, informing applicant that its' NPDES application received November 16, 2009, is administratively complete.

E-mails from Lindsey Hart, Environmental Scientist at AECOM Environment to Maria Okpala, EPA, 2/01/2010 & 1/14/2010 Keystone Cushing Extension Project Waterbody IDs, and other additional facility information.