Environmental Protection Agency

§ 435.60 Applicability; description of the stripper subcategory.

The provisions of this subpart are applicable to those onshore facilities located in the continental United States and west of the 98th meridian for which the produced water has a use in agriculture or wildlife propagation when discharged into navigable waters. These facilities are engaged in the production, drilling, well completion, and well treatment in the oil and gas extraction industry.

§ 435.50 Applicability; description of the beneficial use subcategory.

The provisions of this subpart are applicable to those onshore facilities located in the continental United States and west of the 98th meridian for which the produced water has a use in agriculture or wildlife propagation when discharged into navigable waters. These facilities are engaged in the production, drilling, well completion, and well treatment in the oil and gas extraction industry.

(a) Except as provided below, the general definitions, abbreviations, and methods of analysis set forth in 40 CFR part 401 shall apply to this subpart.

(b) The term “onshore” shall mean all land areas landward of the territorial seas as defined in 40 CFR 125.1(eg).

(c) The term “use in agricultural or wildlife propagation” means that the produced water is of good enough quality to be used for wildlife or livestock watering or other agricultural uses and that the produced water is actually put to such use during periods of discharge.

Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

§ 435.52 Except as described in Section 3.2 of this appendix, a Coastal Cook Inlet operator believing that it qualifies for the exemption to the zero discharge requirement for EMO-cuttings or SBF-cuttings must apply for and obtain an individual NPDES permit prior to discharging EMO-cuttings or SBF-cuttings to waters of the United States.

3.2 Discharges occurring as the result a high risk emergency (e.g., mechanical failure of well, loss of ability to inject that risks loss of well which would cause significant economic harm or safety) may be authorized by a general NPDES permit provided that:

(a) The Coastal Cook Inlet operator satisfactorily demonstrates to EPA Region 10 the fulfillment of the other exemption requirements described in Section 2.0 of this appendix, or

(b) The general permit allows for high risk emergency discharges and provides Reporting Requirements to EPA Region 10 immediately upon commencing discharge.

Subpart E—Agricultural and Wildlife Water Use Subcategory

§ 435.51 Specialized definitions.

For the purpose of this subpart: