To: Taheri, Diane[Taheri.Diane@epa.gov]
Cc: Honker, William[honker.william@epa.gov]; Bowlin, Rashida[bowlin.rashida@epa.gov]; Lawrence, Sherry[lawrence.sherry@epa.gov]; Davis, Suea[davis.suea@epa.gov]
From: Garcia, David
Sent: Wed 2/8/2017 6:55:40 PM
Subject: Action Items: WQ input

Diane,

Per your request. Please refer below for action items anticipated to go out through the week of February 17th. Please call me if you have questions are need additional information.

Entergy Louisiana, LLC - Ninemile Point Electric Generating Plant, (LPDES Permit No. LA0003093, AI No. 2841), State Permit Review

NPDES Permits and TMDL Branch proposes to issue a letter with comments to LDEQ regarding the proposed reissuance of the Louisiana Pollutant Discharge Elimination System (LPDES) permit by the regulatory due date of February 9, 2017.

Jefferson Parish Department of Sewerage, East Bank Wastewater Treatment Plant, (LPDES Permit No LA0066630, AI No. 19537), State Permit Review

NPDES Permits and TMDL Branch proposes to issue a letter with comments to LDEQ regarding the proposed reissuance of the Louisiana Pollutant Discharge Elimination System (LPDES) permit by the regulatory due date of February 10, 2017.

Louisiana Offshore Oil Port (LOOP), LLC, Deepwater Port Complex (LPDES Permit No. LA0049492, AI No. 4634), State Permit Review

The existing wastewater permit which was jointly issued by EPA & LDEQ expired September 30, 2013. EPA and LDEQ are continuing to work together on the proposed reissuance of the permit regarding appropriate permit requirements for brine discharges. This situation is similar to the Strategic Petroleum Reserves under the U.S. Department of Energy, (Big Hill Oil Storage, TX0092827, and Bryan Mound Oil Storage, TX0074012) which EPA reissued with permit requirements for brine discharges in Nov. 2014.

TX WQMP Final Approval for Oct 2016 Updates, Approval of State Water Quality Management Plan

The week of February 13-17, 2017, the Water Division plans to approve updates to the Texas Water Quality Management Plan (TX WQMP) submitted by TCEQ. This document is a waste treatment plan required under the Texas Water Code and the federal Clean Water Act that provides information on limits needed in TPDES and NPDES permits, including those necessary to implement Total Maximum Daily Loads (TMDLs).

Issuance of Final NPDES Permits – EPA Permits

The weeks of February 6-17, 2017, the following permits are expected to be issued/reissued by EPA following signature of the final permit and transmittal letters by the Water Division Director. Should issues arise, the permit issuance dates could be delayed, which could affect the permit effective date for authorization to discharge for new permits.

NPDES Number	Facility Name
TX0124024	Plains All American Pipeline, L.P.
TX0134020	J.B. Bomba – Guinn Operating (west of the 98th meridian oil and gas produced water discharge)
TX0134032	CMR Energy, L.P.
TX0134043	Delek Logistics Operating, LLC
TX0134044	Beckville Gas Processing Plant
LA0050971	Chitimacha Tribe of LA WWTP No 1

Proposed Reissuance of General Permit for Oil and Gas Exploration and Production Discharges in Texas Coastal Waters (TXG330000), Proposal of NPDES Permit, Publication in Federal Register

The week of February 13-17 or February 21-24, 2017, the Water Division plans to submit a Federal Register Package announcing proposed reissuance of the Texas Coastal Oil and Gas General Permit. This permit covers a relatively small universe of oil and gas exploration and production dischargers to waters along the Texas Coast (about 15 operators under the current permit coverage). The current permit will expire on July 30, 2017, and no new operations will be authorized after the expiration date if the final permit is not signed by July 30, 2017. We propose to provide a 45-day public comment period. For this reissuance, coverage of the Category of discharges from stripper wells (those producing 10 or less barrels of oil per day), is being spilt off into a separate general permit. This action will involve signature of a Federal Register notice

by the Water Division Director, publication of a notice announcing a public comment period on the proposed permit, request for CWA 401 Certification and Coastal Zone Consistency determination by the Texas Railroad Commission, and uploading of draft permit documents to the Web after publication of the Federal Register Notice.

Proposed Reissuance of General Permit for Oil and Gas Production Discharges from Stripper Wells in Texas (TXG350000), Proposal of NPDES Permit, Publication in Federal Register

The week of February 13-17 or February 21-24, 2017, the Water Division plans to submit a Federal Register Package announcing proposed reissuance of a new general permit for Stripper Wells in Texas. Stripper wells are those, typically older, wells that are only capable of producing 10 or less barrels of oil per day. This new permit is actually the result of splitting this class of dischargers out of the existing Coastal Oil and Gas General Permit, and providing coverage via a separate permit. The Texas Coastal GP TXG330000 currently covers about 40 stripper well discharges from East of the 98th meridian. The current permit will expire on July 30, 2017, and no new operations will be authorized after the expiration date if the final permit is not signed by July 30, 2017. We propose to provide a 45-day public comment period. We also propose to authorize discharges from stripper wells from the West of the 98th meridian. The total number of operators affected by this permit may exceed 100. This action will involve signature of a Federal Register notice by the Water Division Director, publication of a notice announcing a public comment period on the proposed permit, request for CWA 401 Certification and Coastal Zone Consistency determination by the Texas Railroad Commission, and uploading of draft permit documents to the Web after publication of the Federal Register Notice.

Possible Interim Objection to Louisiana Short Term and Emergency General Permit – Review of State Permit

EPA R6 is coordinating with EPA HQs (OWM, OECA) regarding the review of the proposed reissuance of the Louisiana Short-Term and Emergency General Permit, (ST&E GP). EPA's regulatory action is due to LDEQ by Wednesday, 2/8/17, per an agreed extension. HQs has recommended that R6 issue an Interim Objection (i.e., to request additional information) and include a discussion of EPA's concerns about LDEQ's "Emergency Declaration and Administrative Order(s)." EPA has been working to closeout an old Louisiana NPDES Program Withdrawal Petition which references concerns about the state's Emergency Orders. LDEQ has an ongoing practice of issuing Emergency Order which authorize wastewater discharges outside the scope of the Clean Water Act after very significant weather-related events. LDEQ has verbally agreed to work with R6 to resolve the Emergency Order language concerns. It is R6's typical procedure that the Associate Director of the NPDES Permits & TMDL's Branch sign Interim Objections issued to LDEQ. HQs and R6 have a follow-up call planned for Thursday, 2/2/17.

Large Scale Flood and Water Quality Controls - Sediment Retention Presentation – Announcement of Webinar

The Water Environment Association in Texas (WEAT) Stormwater and Watershed Committee, in cooperation with EPA Region 6, will host a Webinar on March 1, 2017. Brad Sumrall, Weston Solutions, Inc. will present a sediment management and flood control strategies that will be implemented in the Middle Rio Grande Watershed, New Mexico. Stormwater designers and modelers, consultants, river authorities, stormwater managers, among others will be invited. Invitation e-mails are planned for Monday February 13, 2017, with Web announcements of the Webinar the same week.

Site Monitoring Assessment Report (SMART) – Report to HQ: This report covers monitoring conducted July 2015 on Corpus Christi Maintenance Ocean Dredged Material Disposal Sites Trend Assessment & Tissue Survey. The Report contains technical information such as sediment chemistry, benthic community analysis, and sediment profile images. The Office of Wetlands, Oceans, &Watershed (OWOW) compiles all regions SMART reports into final report to congress. If report is not completed and forwarded to OWOWHQ may withhold future monitoring funds, preventing R6 from conducting surveys in accordance with 40 CFR 228.13

FY 16 Ocean Dumping Evaluation (ODE) – Letter to New Orleans District: This letter concurs on the New Orleans FY16 ODE in the Southwest Pass sediment of the Mississippi River. New Orleans District must re-test the proposed sediment from the navigation channel every 5 years to determine if it is suitable for ocean disposal. New Orleans conducted the required monitoring and produced an ODE for EPA's review and concurrence. If EPA does not concur, then the New Orleans District may not use the ODMDS for disposal operations.

FOIA EPA R6-2017-002546 RESPONSE TO NRDC ON STATE REPORTS

EPA Region 6 intends to respond to the FOIA request from NRDC regrading two state (OK and TX) drinking water program end of year (EOY) reports and annual compliance (ACR) reports, and correspondence regarding these reports per the FOIA. The FOIA for OK, requested and was provided the EOY reports, ACR reports and correspondence relating to these reports from 2010 to present. The FOIA for TX, requested and was provided, similar reports but for the period from 2010 to 2014. Goal date to send letter: Feb. 17, 2017

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FOIA R6-2016-003483 Response to Clean Water Action on Oklahoma UIC Program Delegation

A response has been prepared to a FOIA from Clean Water Action requesting records related to UIC program delegation for the Oklahoma Corporation Commission, EPA's annual UIC evaluation reports, etc., including OCC's original 1981 application for delegation. Although ORC agrees no exemptions are applicable to this material, release of the response is on hold awaiting a courtesy check with HQ by ORC as to whether they wish to review the materials before release.

FOIA R6-2016-001377 Response to the *Dallas Morning News* on UIC Disposal Wells in Texas

A response has been prepared to a FOIA request from the *Dallas Morning News* requesting copies of correspondence related to Texas disposal wells. However, the response is on hold while being reviewed by ORC.

FOIA R6-2016-003375 Response for NPR Reporter (Joe Wertz, OKC Affiliate) on Oklahoma Earthquakes

A voluminous response is being finalized. This reporter has done several segments on Oklahoma earthquakes over the last few years. Due date 2-24-17.

FOIA R7-2016-008159 response for Oklahoma City Law on Information Related to Oklahoma and Kansas Earthquakes

A voluminous response is being finalized. The requesting firm has been associated with some of the litigation against oil and gas operators over seismicity. Due date 2-24-17.

FOIA R6-2017-002625 Request from Texas Consultant on Injection Well No Migration Petition for ExxonMobil

Anticipate sending FOIA response related to approved exemption to the land disposal restrictions for hazardous waste injection wells operated by ExxonMobil at a fertilizer plant in

Pasadena, Texas. Consultant is working on a no migration petition for a facility in the vicinity of ExxonMobil. Transmittal letter signed on 1-31-17. **Received approval to send from 6XA on 2-8-17.**

LETTER TO MESCALERO ACKNOWLEDGING CLOSURE OF SPRING SOURCES

EPA Region 6 intends to notify the President of Mescalero Apache Tribe that we have acknowledged the closure of their spring sources of public drinking water. Their springs have been disconnected and two public water systems have been combined into one, the Mescalero Community Water System.

Goal date to send letter: Feb. 17, 2017

LETTER TO IOWA NATION ON LEVEL 2 ASSESSMENT

EPA Region 6 intends to notify the Iowa Nation of our findings from the Level 2 Assessment that was conducted during January 12-13, 2017. The assessment was completed by EPA Region 6 in response to two consecutive Level 1 triggers under the Revised Total Coliform Rule for drinking water systems. Since the Level 2 assessment was completed, the water system has been communicating with EPA, correcting findings, and responding to follow up activities including a schedule for addressing the remaining findings.

Goal date to send letter: Feb. 17, 2017

LETTER TO JICARILLAR APACHE NATION ON MULTIPLE VIOLATIONS UNDER THE SURFAC WATER TREATMENT RULES

EPA Region 6 intends to notify the Jicarilla Apache Tribe of the recent issues found and a summary of violations at Jicarilla Dulce Water System, pertaining to the Surface Water Treatment Rules. A recent review of their monthly operating reports (MOR) going back in time, shows turbidity excursions and highlights the need for the water system to address the surface water treatment issues before they negatively impact public health.

Goal date to send letter: Feb. 17, 2017

Presentations:

Brian Graves and Phil Dellinger are on the agenda (see link below), as requested by GWPC, to

provide an update on the Region 6 land ban program for hazardous waste disposal wells. Specific topics include status of workload and streamlining measures for processing petitions. Dates: Feb. 21-23-2017

http://www.gwpc.org/sites/default/files/files/Agenda%20with%20Speakers-WEB.pdf

Response to Senator Heinrich

Letter to Senator Heinrich responding to his December 16, 2016, letter to the U.S. Environmental Protection Agency (USEPA) regarding an inquiry from the New Mexico Environmental Law Center on behalf of the Eastern Navajo Diné Against Uranium Mining.

The inquiry concerns an exemption granted in 1989 at the request of the State of New Mexico under the Safe Drinking Water Act (SDWA).

Invista Chemical, Victoria, Texas – UIC No Migration Petition Reissuance

The proposed approval package was signed on 1-31-17, for the Invista chemical plant reissuance of an exemption to the land disposal restrictions for their 9 hazardous waste injection wells at their chemical facility in Victoria, Texas. The INVISTA Victoria plant produces adiponitrile, hexamethylene diamine, and adipic acid which are intermediates used in the production of nylon. Public notice issued on 2-3-17, with comment period thru 3-21-17.

No Migration Petition Deficiency Notification

Anticipate email to the Vopak, Deer Park, Texas chemical facility transmitting deficiencies on the request for reissuance of an exemption to the land disposal restrictions for its haz waste injection wells.

UIC Permit Modification Approval for Chaparral Energy, Osage County, Oklahoma

Region 6 administers the Underground Injection Control (UIC) program for Osage County, Oklahoma, with an inventory of approximately 2300 oil and gas related injection wells. There is an upcoming proposed approval package for a modification to an injection well area permit (multiple wells) for a CO2 enhanced recovery oil field in Osage County, Oklahoma. The modification was requested by the operator, Chaparral Energy, to reduce burden and improve effectiveness of ground water monitoring. The package has been processed and is pending issuance of public notice on 2-22-17, the next available date for publication in the Pawhuska

Journal Capital. (UIC permit 6273)

UIC Permits for Oil and Gas Operators in Osage County, Oklahoma – Final Approval

Final approval letters were sent to two small independent oil and gas operators for their requested UIC Class II (oil and gas waste) disposal injection well permits. The permits are needed as part of oil production operations to dispose of the salt water that comes up with the oil.

UIC Permit for Oil and Gas Operators in Osage County, Oklahoma – Final Approval

Anticipate final approval letter authorizing injection into a Class II injection well in Osage County, Oklahoma as part of an enhanced oil recovery operation for Northcote Energy (UIC permit 5675).

UIC Permit for Oil and Gas Operators in Osage County, Oklahoma – Final Approval

Anticipate final approval letter authorizing injection of salt water into a Class II injection well in Osage County, Oklahoma as part of an enhanced oil recovery operation for White Palace Energy (UIC permit 6465).

UIC Permit for Oil and Gas Operators in Osage County, Oklahoma – Final Approval

Anticipate final approval letter authorizing injection into a Class II injection well in Osage County, Oklahoma as part of an enhanced oil recovery operation for Warren American Oil Company (UIC permit 5936).

UIC Permit for Oil and Gas Operators in Osage County, Oklahoma – Final Approval

Anticipate final approval letter authorizing injection into three Class II injection wells in Osage County, Oklahoma as part of the CO2 enhanced oil recovery operation for Chaparral Energy under the area permit mentioned above (UIC permit 6273).

Sole Source Aquifer Letters

Anticipate approximately 15 letters to various requesting governmental agencies clearing federally funded projects from ground water protection provisions under the Sole Source Aquifer program of the Safe Drinking Water Act. This program requires all federally funded projects located on recharge areas for Sole Source Aquifers to obtain EPA approval for the funded project, in an effort to assure protection of the drinking water aquifer.

David F. Garcia, P.E.

Deputy Director

Water Division

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