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July 19, 2019

Eugene Bromley
NPDES Permits Section (WTR-2-3)
EPA Region 9
75 Hawthorne Street
San Francisco, CA 94105

SUBJECT: Beta Offshore Comments to Pre-Public Notice Draft OCS General Permit CAG 280000 and Fact Sheet EPA Region 9

Dear Mr. Bromley,

Thank you for the opportunity to provide comments on the draft OCS General Permit CAG 280000. Pursuant to your email sent July 3, 2019, extending the public comment period to July 26, 2019, the following constitutes Beta Operating Company's comments on the new proposed draft permit:

1. **Part II C.4. Well Treatment, Completion, and Workover Fluids (Discharge 003) - WORKPLAN**

This section requires a workplan submittal within 12 months to characterize well stimulation fluids discharged. Please clarify these questions / comments:

a. If there are no plans to use Discharge 003 is a workplan still required?
b. Does this section intend to require the chemical and toxicity analysis on WTCW fluids utilized in the wells *but not discharged* during the first year of the new permit or does the workplan just outline what will be tested for and estimate volumes of returns for the first year?
c. We would like to recommend waiving the requirement for testing the produced water prior to commingling since it is already being monitored annually (Part II B.2).
d. Could the EPA please verify what is included in this "final workplan report" as it relates to this part of the section: "Upon approval of a workplan (submitted individually or jointly) by Region 9, implementation of the workplan becomes a requirement of this permit. Interim progress reports shall be submitted with quarterly DMR reports subsequent to the approval of a workplan. A *final workplan report* shall be submitted within four years of the effective date of this permit".

2. **Part II C.4. Well Treatment, Completion, and Workover Fluids (Discharge 003) - WET Tests**

This section guides the operator to conduct WET tests on grab samples of WTCW fluids that are discharged with produced water. Please clarify these questions / comments:

a. If there are no plans to use Discharge 003 are the WET tests still required?
b. Well Stimulation fluids (as well treatment fluids) commingled with produced water require daily sampling for WET 3 species toxicity and chemicals expected to be present in the stimulation fluids for 7 days immediately following a stimulation job flow back. As the EPA is aware, the hold time for toxicity samples is limited to 36 hours. It will be very difficult to obtain, ship, and have the toxicity lab prepare the 3 different test species for 7 straight days. Logistics and weather delays are common issues that could affect this. We would like the EPA to consider collecting one or two samples instead during the peak flow back of the stimulation fluids return.

3. **Part II C.5. Well Treatment, Completion, and Workover Fluids (Discharge 003) - WET Tests**

This section guides the operator to conduct WET tests on grab samples of WTCW fluids that are "Discharged Alone" (without produced water). Please clarify these questions / comments:

a. If there are no plans to use Discharge 003 or if there are no plans to discharge WTCW Fluids are the quarterly chronic WET tests on undiluted WTCW fluids still required?
b. If the quarterly 3-species toxicity tests are still required regardless of discharge plans, we recommend allowance for factoring in the Plumes UM dilution at the 100m mixing zone as it is allowed for produced water.

4. **Part II F.1. Miscellaneous Discharges (Discharges 006-0023) – Discharge 0023**

Pipeline preservation fluids were added to the permit as Discharge 0023. We recommend adding "Pipeline Preservation Fluids" to the Definitions section in Part V of the new permit. The same language that is in the fact sheet (page 11) should also be used in the permit.

5. **Fact Sheet Table 1 and Permit Appendix B – Platform Specific Requirements for Produced Water**

Table 1 in the Fact Sheet lists the new Water Quality Criteria for Benzo (a) Pyrene and Dibenzo (a,h) Anthracene are 0.00013 µg/l which is more than 100 times lower than the 2014 permit and 10 times less than the test method's detection limit (MDL). We would encourage the EPA to raise the level of the criteria for these two constituents to at least match the MDL value for EPA Method 625 which is 2 µg/l.

Beta Offshore would like to thank the EPA for allowing us to present our comments and we look forward to working with the EPA on developing the final NPDES Permit CAG 280000. If you have any questions, please contact me at (562) 628-1529.

Sincerely,

Diana Lang

Diana Lang
Beta Offshore HSE Manager

cc: Bruce Berwager, VP of Operations, Beta Offshore (via email)
Eric Willis – VP and General Counsel, Amplify Energy Corp. (via email)
Steve Lawry – LTS Environmental, Inc. (via email)