ANNUAL MONITORING WORKPLAN FOR FEDERAL FISCAL YEAR 2019
BETWEEN
ENVIRONMENTAL PROTECTION AGENCY, REGION 9
AND
DEPARTMENT OF THE INTERIOR,
BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT
PACIFIC OUTER CONTINENTAL SHELF REGION

This annual workplan is developed pursuant to the 1989 Memorandum of Agreement (MOA) between the U. S. Environmental Protection Agency (EPA) Region 9 and the U.S. Department of the Interior (DOI), Bureau of Safety and Environmental Enforcement (BSEE), Pacific Outer Continental Shelf (OCS) Region. The MOA establishes a cooperative effort by EPA and the Pacific OCS Region to monitor activities related to oil and gas exploration, development and production on OCS offshore southern California. This annual workplan establishes the roles and responsibilities and the inspection and sampling activities to assess compliance with the National Pollutant Discharge Elimination System (NPDES) permit in place during Federal Fiscal Year 2019.

A. SCOPE OF WORK

Currently, 23 platforms are covered by one general NPDES permit and are subject to this agreement. Our mutual objective is to complete the listed inspections and sampling within the Fiscal Year. While circumstances offshore and availability of personnel may impact this objective, every effort will be made to honor it.

1. INSPECTIONS

   Records

   a. The Pacific OCS Region will conduct NPDES-related records review for each of the 23 platforms at least once during FY 2019. Such inspections will be conducted on a random basis.

   b. The Pacific OCS Region will note any piping modifications that could affect NPDES-related discharges (e.g., water treatment, sewage treatment, cuttings chutes, etc.) indicated on the logs and note any identified changes on the EPA inspection form.

   c. The Pacific OCS Region will check for compliance with requirements of the facility's current NPDES permit. Any potential permit violations will be noted on the EPA inspection form and evidence will be collected, such as records or photographs, documenting the violation.

   d. The Pacific OCS Region will note the produced water flow-rate from the previous month in barrels per day on the inspection form, if produced water is discharged from that facility.

   e. The EPA and the Pacific OCS Region will modify the existing inspection forms, as necessary, to reflect changes in any new NPDES permit or EPA regulatory requirements.

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Equipment

f. The Pacific OCS Region will issue notices of Incidences of Noncompliance (INCs) if violations under BSEE regulations are detected during an NPDES inspection.

g. The Pacific OCS Region environmental compliance officer will conduct visual checks of the platforms to look for piping modifications and inspect all seals that have been placed on any lines leading to the discharge points. Piping changes noted in 1.b. will be verified visually.

2. SAMPLING

a. Each platform discharging produced water will be sampled by the Pacific OCS Region once during the year for whole effluent toxicity analysis (see Section F). Samples will be taken as "grab" on a single day on the platform; sampling will be included in Pacific OCS Region's routine inspection activities offshore that day. The samples will be analyzed by the EPA laboratory.

b. Six (6) OCS facilities discharging produced water will be sampled once during the year by Pacific OCS Region and/or the EPA for chemical analysis identified in Section E, below. The sampling of the six platforms will be scheduled as determined by the Pacific OCS Region and EPA. Samples will be taken as "grab" and will be analyzed by the EPA or by an EPA-designated contract laboratory. Toxicity samples may be taken during these events and will be included in the toxicity samples noted above in Section 2a.

c. If requested in advance by the EPA, the Pacific OCS Region will collect a sample of drilling mud from wells drilled from an OCS facility, if the mud is to be discharged into the ocean. The mud will be tested for toxicity by the EPA. Samples will be collected as close to the maximum well depth as possible, with a target of collecting at least 80% of depth. Prior to the first toxicity test sampling, the EPA will notify the Pacific OCS Region of any special procedures required by the lab for handling and shipping of the samples. Samples should not be collected by the operator unless a Pacific OCS Region representative is present to witness the collection of samples.

d. Permittees are required to notify the EPA's Enforcement Division (ENF-3-1) of impending mud dumps. The Enforcement Division will determine if testing is required. If testing is required, the Enforcement Division will promptly notify the EPA Region 9 Lab, which will promptly contact the Pacific OCS Region California District Office in Camarillo to make arrangements for the collection and shipment of mud samples. The EPA anticipates sampling and toxicity analysis of two (2) drilling muds this fiscal year.

e. Inspection and sampling schedules will be kept confidential from the operators (to the extent permitted by law), and the inspections will be unannounced.

B. RESPONSIBILITIES

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1. The Pacific OCS Region will conduct the NPDES records inspections and sample collection.

2. The Pacific OCS Region will contact the EPA Region 9 Laboratory Regional Sample Control Coordinator (RSCC) to schedule toxicity testing and chemical analyses a minimum of 1 week prior to sampling.

3. The EPA will prepare the Sampling Plan and provide a copy to the Pacific OCS Region.

4. The EPA will coordinate all sampling inspections with the Pacific OCS Region at least 4 weeks in advance of the inspections.

5. The EPA will provide all sampling equipment, bills-of-lading, chains-of-custody, sampling bottles, paperwork, shipping forms, packaging materials and coolers for all sample collections.

6. Each agency will send the other agency copies of final reports (inspections, lab results, INCs, etc.) as described in the 1989 MOA. Inspection reports completed by the Pacific OCS Region will be transmitted to EPA within 30 days after being deemed "final."

7. The EPA is the lead agency for public inquiries on the lab analysis, and BSEE is the lead agency for facility inspections and general facility information.

8. The EPA is the lead agency for compliance determinations and enforcement follow up.

9. If the EPA and/or the Pacific OCS Region are unable to conduct the activities outlined in A.1 or 2 above (due to budgetary constraints or for other reasons), the EPA will request the Central Coast Regional Water Quality Control Board (CCRWQCB) to conduct these activities (as the CCRWQCB's resources allow) in place of the EPA and/or the Pacific OCS Region. (See letter from Roger Briggs, Executive Officer, CCRWQCB to Alexis Strauss, Director, Water Division dated October 4, 1999.) The EPA, the CCRWQCB, and the Pacific OCS Region will coordinate these inspections.

C. FUNDING TRANSFER

1. As required by the Antideficiency Act, 31 U.S.C. 1341 and 1342, all commitments made by the EPA and DOI in this workplan are subject to the availability of appropriated funds and budget priorities. Nothing in this workplan, in and of itself, obligates the EPA to expend appropriations or to enter into any contract, assistance agreement, interagency agreement, or incur other financial obligations. Any transaction involving transfers of funds between the EPA and DOI will be handled in accordance with applicable laws, regulations, and procedures under a separate interagency agreement.

D. OTHER CONSIDERATIONS

1. This workplan does not create any right or benefit, substantive or procedural, enforceable by law or equity, by persons who are not party to the 1984 MOA or the 1989 MOU,

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against the EPA or DOI, their officers or employees, or any other person. This workplan does not direct or apply to any person outside of the EPA or DOI.

2. To carry out the joint activities described in the workplan, DOI or the EPA may need to disclose proprietary information to each other. Proprietary information is defined as information that an affected business claims to be confidential and is not otherwise available to the public. DOI and the EPA agree to clearly identify confidential business information disclosed to each other in writing; and to clearly memorialize in writing, within a reasonable time, any confidential information initially disclosed orally. DOI and the EPA agree not to disclose, copy, reproduce or otherwise make available in any form whatsoever to any other person, firm, corporation, partnership, association or other entity information designated as proprietary or confidential information without each other's consent except as such information may be subject to disclosure under the Freedom of Information Act (5 U.S.C. §552) or as otherwise authorized by law.

E. RESPONSIBLE STAFF

1. Inspection reports and INCs completed by the Pacific OCS Region will be transmitted to the EPA at the following address:

   US EPA, Region 9
   Enforcement Division (ENF-3-1)
   75 Hawthorne Street
   San Francisco, CA 94105
   Attention: Eric Magnan

2. Collected samples will be sent to, and laboratory analyses will be conducted at, the following address:

   EPA Laboratory
   1337 S. 46th St., Bldg. 201
   Richmond, CA 94804-4698
   Attention: Sample Custodian

3. Laboratory results completed by the EPA laboratory will be transmitted to the Pacific OCS Region at the following address:

   James Salmons
   Bureau of Safety and Environmental Enforcement
   Pacific OCS Region
   760 Paseo Camarillo, Suite 102
   Camarillo, CA 93010

4. Sampling supplies for the drilling mud assays and produced water sampling will be transmitted by the EPA to the Pacific OCS Region at the following address:

   James Salmons

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Bureau of Safety and Environmental Enforcement
Pacific OCS Region
760 Paseo Camarillo, Suite 102
Camarillo, CA 93010

5. To the extent that the Central Coast RWQCB substitutes for the activities of the EPA and/or the Pacific OCS Region following address shall be used:

   Harvey C. Packard
   Central Coast RWQCB
   895 Aerovista Place, Suite 101
   San Luis Obispo, CA 93401

6. FY 2019 staff and phone numbers

EPA		
Amy Wagner	EPA Region 9 Laboratory-toxicity testing	510-412-2329
Susan Sturges	EPA Region 9 Laboratory RSCC – scheduling toxicity tests and chemical analyses	510-412-2383
Greg Nagle	EPA Region 9 Laboratory-chem sampling	510-412-2334
Eric Magnan	Enforcement Division	415-947-4179
Elizabeth Aubuchon	Enforcement Division	415-972-3327
Eugene Bromley	NPDES Permits Section	415-972-3510
BSEE		
James Salmons	Environmental Compliance Officer	805-384-4708
Theresa Bell	Compliance Chief, Pacific OCS Region	805-384-6327
CA RWQCB		
Harvey C. Packard	Central Coast RWQCB	805-542-4639

F. SAMPLING AND INSPECTION PARAMETERS

Platform	Frequency	Parameters
Six Platforms Discharging Produced Water	Once each per year	Oil and grease, and other parameters by platform as set forth in Appendix B of general permit No. CAG280000
Each Platform Discharging Produced Water	Once each per year	Red abalone (larval development) toxicity testing
All Platforms	Once each per year	Records and equipment checks (see Section A.1)

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G. SIGNATURES

Peter Husby, Laboratory Director, Region 9
U. S. Environmental Protection Agency

4/15/19
Date

Amy Miller, Acting Director, Enforcement Division, Region 9
U.S. Environmental Protection Agency

4/10/19
Date

Theresa Bell, Compliance Chief
Bureau of Safety and Environmental Enforcement
Pacific OCS Region

4/24/19
Date

James J. Salmons, Environmental Compliance Officer
Bureau of Safety and Environmental Enforcement
Pacific OCS Region

4/24/19
Date

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