To: Chen, Isaac[Chen.Isaac@epa.gov]; Schwab, Kay[Schwab.Kay@epa.gov]
Cc: Kaspar, Paul[kaspar.paul@epa.gov]
From: Juarez, Paul
Sent: Fri 4/4/2014 4:20:30 PM
Subject: RE: LOOP

Kay-

I agree with Isaac. The basis by which they are claiming not to biomonitor is very dated.

Paul R. Juarez
ODAFF Oversight, CAFO, and WET Coordinator
NPDES Permit Oversight Section 6WQ-PO
EPA Region 6 Water Quality Division
Phone: 214-665-7247
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-----Original Message-----
From: Chen, Isaac
Sent: Friday, April 04, 2014 7:31 AM
To: Schwab, Kay; Juarez, Paul
Cc: Kaspar, Paul
Subject: RE: LOOP

Kay,

We had used the following fact sheet language for EPA issued permit before:

2. POST THIRD ROUND POLICY AND STRATEGY

Section 101 of the Clean Water Act (CWA) states that "...it is the national policy that the discharge of toxic pollutants in toxic amounts be prohibited..." To insure that the CWA's prohibitions on toxic discharges are met, EPA has issued a "Policy for the Development of Water Quality-Based Permit Limitations for Toxic Pollutants (49 FR 9016-9019, 3/9/84)." In support of the national policy, Region 6 adopted the "Policy for Post Third Round NPDES Permitting" and the "Post Third Round NPDES Permit Implementation Strategy" on October 1, 1992. The Regional policy and strategy are designed to insure that no source will be allowed to discharge any wastewater which (1) results in instream aquatic toxicity; (2) causes a violation of an applicable narra¬tive or numerical State water quality standard resulting in nonconformance with the provisions of 40CFR122.44(d); (3) results in the endangerment of a drinking water supply; or (4) results in aquatic bioaccumulation which threatens human health.

So, we probably will require Toxicity testing for all discharges now. I am not sure that EPA's decision in 1990 would be still true because LOOP discharges much higher volume of brine than Oil&Gas produce water in the area.

-----Original Message-----
From: Schwab, Kay
Sent: Thursday, April 03, 2014 3:38 PM
To: Chen, Isaac; Juarez, Paul
Subject: FW: LOOP

Isaac & Paul J.
Do you agree with what LDEQ is proposing? Any changes/comments?
Thanks

K

-----Original Message-----
From: Jenniffer L. Sheppard [mailto:Jenniffer.Sheppard@LA.GOV]
Sent: Tuesday, April 01, 2014 5:19 PM
To: Kaspar, Paul
Subject: LOOP

Paul,

In regard to the comment concerning the addition of toxicity requirements at Outfall 004, attached is a link (http://edms.deq.louisiana.gov/app/doc/view.aspx?doc=1928310&ob=yes) to the 1990 final permit (including the fact sheet) prepared by EPA for this facility. On page 26 of this document (under Biomonitoring and Aquatic Bioaccumlation), EPA stated that "no biomonitoring or aquatic bioaccumulation requirements are recommended". Therefore, no biomonitoring requirements have been added to this outfall since this determination was made.

As for Part II language requiring the facility to request approval prior to using oxygen scavengers at Outfall 004, language regarding this condition is already included in the preliminary draft permit (see Part I, page 3 - Footnote 2 and Part II, page 2 - Section J). However, the LDEQ is proposing to add language under the TMDL section of the fact sheet to address the Dissolved Oxygen (USEPA - IRC 5) suspected cause of impairment in Subsegment 021102 which will include wording related to the condition mentioned above. Below is the proposed language that will be added under the TMDL Section of the fact sheet for Outfall 004:

"Subsegment 021102, Barataria Basin Coastal Bays and Gulf Waters to the State 3 mile limit, is listed in LDEQ's Final 2010 Integrated Report as not supporting one or more of its designated uses; the suspected cause is Dissolved Oxygen (DO) (USEPA - Category 5) . This facility's permit includes a condition that requires pre-approval by LDEQ prior to using oxygen scavengers or corrosion inhibitors. If these additives were to be added to the discharges at this outfall, this facility could potentially contribute to the standards not being met for DO. Based on information provided by the facility, these additives have not been used at this outfall in over 20 years. The condition that requires pre-approval by the LDEQ prior to using these additives will be continued in the draft permit to ensure that the facility will not cause or contribute to the waterbody not meeting its standards. See Part I of the draft permit, page 3 (Footnote 2) and Part II of the draft permit, page 2 - Section J."

Please let me know if the items above will alleviate the issues we spoke about yesterday. If you guys are ok with this approach, we'll send over the replacement pages for the TMDL section that add the additional language provided above.

Jenniffer Sheppard
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