changes to the wording of Part I.A and Part II of the permits reflect these produced water discharge authorization; e.g., notices of intent to be covered and Discharge Monitoring Reports are now required for facilities allowed to discharge. In response to comments on potential ambiguities, clarifying wording changes and additions are also included in the final permits. Produced water discharges derived from Stripper Subcategory and Offshore Subcategory wells into the main deltaic passes of the Mississippi River, or to the Atchafalaya River below Morgan City including Wax Lake Outlet, have been excluded from coverage under Permit No. LAG290000 and may be the subject of future regulatory actions. These changes are discussed in greater detail in the written Response to Comments.

The Region is also issuing an administrative order requiring permittees discharging produced water from existing Coastal, Stripper or Offshore Subcategory wells which must meet the No Discharge requirement for produced water, to comply with that requirement no later than January 1, 1997 unless an earlier compliance date is required by the State. Many discharges in Louisiana are required to cease sooner than January 1, 1997. As explained in the Fact Sheet for the Draft Permits, Region 6 was not required to publish its proposed administrative order nor is the final order subject to judicial review before its enforcement. **Region 6 nevertheless solicited** comments on a draft order and responses proved helpful in formulating the final order.

Other Legal Requirements

A. State Certification

Under Section 401(a)(1) of the Act, EPA may not issue a NPDES permit until the State in which the discharge will occur grants or waives certification to ensure compliance with appropriate requirements of the Act and State law. The State of Louisiana, after review of the permit, has certified that the Louisiana permit will comply with applicable state water quality standards or limitations. The State of Texas has waived certification.

B. The Endangered Species Act

The Endangered Species Act (ESA), 16 USC 1536, requires Federal agencies to insure that their actions, such as permit issuance, are unlikely to jeopardize the continued existence of any listed endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. In informal consultation under ESA Section 7(a)(2), the U. S. Fish and Wildlife Service has concurred with EPA's determination that issuance of these permits is unlikely to adversely affect any federally-listed species or designated critical habitats.

C. The Coastal Zone Management Act

In accordance with Section 307(c)(3) of the Coastal Zone Management Act, the Louisiana Coastal Zone Management Division of Louisiana Department of Natural Resources has reviewed NPDES permit LAG290000 and found its issuance consistent with the Louisiana Coastal Zone Management Program.

D. The Paperwork Act

The information collection requirements of these general permits have been approved by OMB under provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 et.seq. in prior submissions made for the NPDES permit program.

E. Regulatory Flexibility Act

The Regulatory Flexibility Act requires that federal agencies prepare a regulatory flexibility analysis for regulations that will have a significant impact on a substantial number of small entities. The impact on small entities was discussed in some detail in the Fact Sheet (57 FR 60943) for the current permits. Because certain groups of wells are now allowed by these final permits to discharge produced water and, for the Louisiana permit, compliance with produced water No Discharge limits will in many cases be required by state regulations sooner than required by this permit, the impact on small entities will be even less than anticipated for the proposed permits.

NPDES Permits LAG290000 and TXG290000 are hearby issued. In addition, the General Administrative Order which applies to those permits is hereby issued and appears following NPDES Permits LAG290000 and TXG290000.

Signed this 22nd day of December, 1994. Myron O. Knudson,

Director, Water Management Division, EPA Region 6.

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq: the "Act"), these permits prohibit the discharge of produced water and produced sand derived from Oil and Gas Point Source Category facilities to "coastal" waters of Louisiana and Texas, as described below, in accordance with effluent limitations and other conditions set forth in Parts I and II. Facilities covered by these permits include those in the Coastal Subcategory (40 CFR part 435, subpart D), the Stripper Subcategory (40 CFR part 435, subpart F) that discharge to "coastal" waters of Louisiana and Texas, and the Offshore Subcategory (40 CFR part 435, subpart A) which discharge to "coastal" waters of Louisiana and Texas.

These permits do not apply to "new sources" as defined in 40 CFR 122.2.

These permits, except for certain portions listed in Part I.B., shall become effective February 8, 1995, and expire at midnight on February 8, 2000.

Part I

Section A. General Permit Coverage and Notification Requirements

1. Operations Covered

a. Facilities in the Coastal Subcategory (40 CFR part 435, subpart D) located in Louisiana and Texas. Location of a Coastal Subcategory facility is determined by the location of the wellhead associated with that facility.

b. Facilities in the Offshore Subcategory (40 CFR part 435, subpart A) and the Stripper subcategory (40 CFR part 435, subpart F) which discharge to "coastal" waters of Louisiana or Texas. Note that facilities in the Stripper Subcategory and the Offshore Subcategory that discharge directly to a major deltaic pass of the Mississippi River or to the Atchafalaya River, including Wax Lake Outlet, below Morgan City are not covered by Permit No. LAG290000.

c. Facilities which dispose of produced water or produced sand derived from Coastal Subcategory facilities located in Louisiana or Texas.

d. Facilities which dispose of produced water or produced sand derived from Stripper or Offshore Subcategory facilities by discharge to coastal waters of Louisiana or Texas.

2. Permittees Covered

Operators of facilities listed in Part I.A.1 of these permits.

3. Notification Requirements

a. Operators of facilities whose discharge of produced water and produced sand is prohibited by these permits are automatically covered; a written notification of intent to be covered by these permits is not required.

b. Operators of facilities whose produced water discharge is allowed (See Part I.B.2.a of these permits) are required to submit a written notification of intent to be covered by these permits.

Written notification of intent to be covered, including the legal name and address of the operator, the lease (or