

BAT—The best available technology economically achievable, under section 304(b)(2)(B) of the Clean Water Act.
 bbl—barrel, 42 U.S. gallons.
 bpd—barrels per day.
 bpy—barrels per year.
 BCT—Best conventional pollutant control technology under section 304(b)(4)(B) of the Clean Water Act.
 BMP—Best management practices under section 304(e) of the Clean Water Act.
 BOD—Biochemical oxygen demand.
 BOE—Barrels of oil equivalent.
 BPT—Best practicable control technology currently available, under section 304(b)(1) of the Clean Water Act.
 CFR—Code of Federal Regulations.
 Clean Water Act—Federal Water Pollution Control Act Amendments of 1972 (33 U.S.C. 1251 *et seq.*).
 Conventional pollutants—Constituents of wastewater as determined by section 304(a)(4) of the Clean Water Act, including, but not limited to, pollutants classified as biochemical oxygen demanding, suspended solids, oil and grease, fecal coliform, and pH.
 CWA—Clean Water Act.
 Direct discharger—A facility which discharges or may discharge pollutants to waters of the United States.
 EIA—Economic Impact Analysis.
 EPA—Environmental Protection Agency.
 Indirect discharger—A facility that introduces wastewater into a publicly owned treatment works.
 IRR—Internal Rate of Return.
 LC50—The concentration of a test material that is lethal to 50 percent of the test organisms in a bioassay.
 mg/l—milligrams per liter.
 Nonconventional pollutants—Pollutants that have not been designated as either conventional pollutants or priority pollutants.
 NORM—Naturally Occurring Radioactive Materials.
 NPDES—The National Pollutant Discharge Elimination System.
 NPV—Net Present Value.
 NSPS—New source performance standards under section 306 of the Clean Water Act.
 OCS—Offshore Continental Shelf.
 OMB—Office of Management and Budget.
 POTW—Publicly Owned Treatment Works.
 ppm—parts per million.
 Priority pollutants—The 65 pollutants and classes of pollutants declared toxic under section 307(a) of the Clean Water Act.
 PSES—Pretreatment standards for existing sources of indirect discharges, under section 307(b) of the Clean Water Act.
 PSNS—Pretreatment standards for new sources of indirect discharges, under sections 307 (b) and (c) of the Clean Water Act.
 SIC—Standard Industrial Classification.
 SPP—Suspended particulate phase.
 TSS—Total Suspended Solids.
 Coastal Technical Development Document—Development Document for Proposed Effluent Limitations Guidelines and New Source Performance Standards for the Coastal Subcategory of the Oil and Gas Extraction Point Source Category.
 Offshore Technical Development Document—Development Document for

Effluent Limitations Guidelines and New Source Performance Standards for the Offshore Subcategory of the Oil and Gas Extraction Point Source Category.
 U.S.C.—United States Code.

List of Subjects in 40 CFR Part 435

Environmental protection, Oil and gas extraction, Pollution prevention, Waste treatment and disposal, Water pollution control.

Dated: January 31, 1995.

Carol M. Browner,
Administrator.

For the reasons set forth in the preamble, 40 CFR part 435 is proposed to be amended as follows:

PART 435—OIL AND GAS EXTRACTION POINT SOURCE CATEGORY

1. The authority citation for part 435 is revised to read as follows:

Authority: 33 U.S.C. 1311, 1314, 1316, 1317, 1318 and 1361.

2. Subpart A is proposed to be amended by revising § 435.10 to read as follows:

Subpart A—Offshore Subcategory

§ 435.10 Applicability; description of the offshore subcategory.

The provisions of this subpart are applicable to those facilities engaged in field exploration, drilling, well production, and well treatment in the oil and gas industry which are located in waters that are seaward of the inner boundary of the territorial seas ("offshore") as defined in section 502(g) of the Clean Water Act.

3. Subpart G consisting of § 435.70 is proposed to be added to read as follows:

Subpart G—General Provisions

§ 435.70 Applicability.

(a) *Purpose.* This subpart is intended to prevent oil and gas facilities subject to this part from circumventing the effluent limitations guidelines and standards applicable to those facilities by moving effluent produced in one subcategory to another subcategory for disposal under less stringent requirements than intended by this part.

(b) *Applicability.* The effluent limitations and standards applicable to an oil and gas facility shall be determined as follows:

(1) An oil and gas facility, operator, or its agent or contractor may move its wastewaters from a facility located in one subcategory to another subcategory for treatment and return it to a location covered by the original subcategory for disposal. In such case, the effluent limitations guidelines, new source

performance standards, or pretreatment standards for the original subcategory apply.

(2) An oil and gas facility, operator, or its agent or contractor may move its wastewaters from a facility located in one subcategory to another subcategory for disposal or treatment and disposal, provided:

(i) If an oil and gas facility, operator or its agent or contractor moves wastewaters from a wellhead located in one subcategory to another subcategory where oil and gas facilities are governed by less stringent effluent limitations guidelines, new source performance standards, or pretreatment standards, the more stringent effluent limitations guidelines, new source performance standards, or pretreatment standards applicable to the subcategory where the wellhead is located shall apply.

(ii) If an oil and gas facility, operator or its agent moves effluent from a wellhead located in one subcategory to another subcategory where oil and gas facilities are governed by more stringent effluent limitations guidelines, new source performance standard, or pretreatment standards, the more stringent effluent limitations guidelines, new source performance standards, or pretreatment standards applicable at the point of discharge shall apply.

4. Subpart D is proposed to be amended by revising §§ 435.40 and 435.41 to read as follows:

Subpart D—Coastal Subcategory

§ 435.40 Applicability; description of the coastal subcategory.

The provisions of this subpart are applicable to those facilities engaged in field exploration, drilling, well production, and well treatment in the oil and gas industry in areas defined as "coastal." The term *coastal* means:

(a) Any oil and gas facility located in or on a water of the United States landward of the territorial seas; or

(b)(1) Oil and gas facilities in existence on April 13, 1979 or thereafter and are located landward from the inner boundary of the territorial seas and bounded on the inland side by the line defined by the inner boundary of the territorial seas eastward of the point defined by 89°45' W. Longitude and 29°46' N. Latitude and continuing as follows west of that point:

Direction to west longitude	Direction to north latitude
West, 89°48'	North, 29°50'.
West, 90°12'	North, 30°06'.
West, 90°20'	South, 29°35'.
West, 90°35'	South, 29°30'.
West, 90°43'	South, 29°25'.