

EPA issuance of a new source NPDES permit.

(t) The term *no discharge of free oil* means that waste streams may not be discharged when they would cause a film or sheen upon or a discoloration of the surface of the receiving water or fail the static sheen test defined in Appendix 1 to 40 CFR part 435, subpart A.

(u) The term *produced sand* refers to slurred particles used in hydraulic fracturing, the accumulated formation sands and scales particles generated during production. Produced sand also includes desander discharge from the produced water waste stream, and blowdown of the water phase from the produced water treating system.

(v) The term *produced water* refers to the water (brine) brought up from the hydrocarbon-bearing strata during the extraction of oil and gas, and can include formation water, injection water, and any chemicals added downhole or during the oil/water separation process.

(w) The term *production facility* means any fixed or mobile structure subject to this subpart that is either engaged in well completion or used for active recovery of hydrocarbons from producing formations. It includes

facilities that are engaged in hydrocarbon fluids separation even if located separately from wellheads.

(x) The term *sanitary waste* refers to human body waste discharged from toilets and urinals located within facilities subject to this subpart.

(y) The term *static sheen test* refers to the standard test procedure that has been developed for this industrial subcategory for the purpose of demonstrating compliance with the requirement of no discharge of free oil. The methodology for performing the static sheen test is presented in appendix 1 to 40 CFR part 435, subpart A.

(z) The term *toxicity* as applied to BAT effluent limitations and NSPS for drilling fluids and drill cuttings refers to the bioassay test procedure presented in appendix 2 of 40 CFR part 435, subpart A.

(aa) The term *well completion fluids* refers to salt solutions, weighted brines, polymers, and various additives used to prevent damage to the well bore during operations which prepare the drilled well for hydrocarbon production.

(bb) The term *well treatment fluids* refers to any fluid used to restore or improve productivity by chemically or physically altering hydrocarbon-bearing strata after a well has been drilled.

(cc) The term *workover fluids* refers to salt solutions, weighted brines, polymers, or other specialty additives used in a producing well to allow for maintenance, repair or abandonment procedures.

(dd) The term *96-hour LC50* refers to the concentration (parts per million) or percent of the suspended particulate phase (SPP) from a sample that is lethal to 50 percent of the test organisms exposed to that concentration of the SPP after 96 hours of constant exposure.

5. Section 435.42 is proposed to be amended by revising the introductory text and be in the table to paragraph (a) by adding at the end an entry for "Produced Sand" to read as follows:

§ 435.42 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available (BPT).

Except as provided in 40 CFR 125.30 through 125.32, any existing point source subject to this subpart must achieve the following effluent limitations representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

(a) * * *

BPT EFFLUENT LIMITATIONS

Pollutant parameter waste source	Maximum for any 1 day	Average of values for 30 consecutive days shall not exceed	Residual chlorine minimum for any 1 day
Produced Sand	zero discharge	zero discharge	NA

6. Sections 435.43 through 435.47 are proposed to be added to subpart D to read as follows:

§ 435.43 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT).

Except as provided in 40 CFR 125.30 through 125.32, any existing point

source subject to this Subpart must achieve the following effluent limitations representing the degree of effluent reduction attainable by the application of the best available technology economically achievable (BAT):

BAT EFFLUENT LIMITATIONS

Stream	Pollutant parameter	BAT effluent limitations
Produced Water:		
(A) All coastal areas except Cook Inlet	Oil & Grease	No discharge.
(B) Cook Inlet		The maximum for any one day shall not exceed 42 mg/l, and the 30-day average shall not exceed 29 mg/l.
Drilling Fluids and Drill Cuttings:		
Option 1:		
(A) All coastal areas except Cook Inlet	Free Oil ¹	No discharge.
(B) Cook Inlet	Diesel Oil	No discharge.
	Mercury	1 mg/kg dry weight maximum in the stock barite.