



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

MAY 23 2014

In Reply
Refer To: WTR-5

To Whom It May Concern:

Discharges from offshore oil and gas operations in Federal waters off Southern California are authorized by general NPDES permit No. CAG280000. On the basis of information provided by DCOR, LLC, Region 9 has determined that, subject to the limitations discussed below, the discharge of the following drilling mud additive would comply with the requirements of the general permit:

Mud Additive

Usage Rate

ProOne Bio-Stable Drilling Lubricant, canola
oil based drilling mud lubricant

0 – 3% by volume

The above additive may be included and discharged in "generic" drilling muds as described in Part II.A.3.b of general permit No. CAG280000, excluding mud #1 (KCl polymer mud). EPA, Region 9 has excluded mud #1 because toxicity tests at EPA's Gulf Breeze Laboratory showed that the 96 hour LC₅₀ for this mud without additives is the same as the minimum 96 hour LC₅₀ required for compliance with the general permit (which is 30,000 ppm for the suspended particulate phase (SPP)).

Over the last several years, EPA, Region 9 has provided numerous notifications that the discharge of specific mud additives would comply with the requirements of general NPDES permit No. CAG280000 (or the previous general permit No. CA0110516). However, these notifications were not intended to apply when mud #1 was used. There is too much uncertainty whether mud #1, including a miscellaneous combination of additives, would still comply with the general permit's toxicity limit. However, it may still be possible to approve mud #1 including additives prior to discharge if all the additives are specified in advance or if additional toxicity information is provided on the specific mud formulation.


Notification is hereby provided that the above mud additive may be discharged in compliance with the requirements of general NPDES permit No. CAG280000, provided the concentration limits and other conditions discussed above are observed. The reported 96 hour LC₅₀ for the additive used at its maximum usage rate in a representative mud was as follows: greater than 400,000 ppm.

The above additive could also be used in combination with other additives approved by EPA, Region 9 in the generic muds discussed above (excluding mud #1) and discharged in compliance with the requirements of general permit No. CAG280000.

It should also be pointed out that final effluent limitations guidelines were promulgated on March 4, 1993 for the Offshore Subcategory of the Oil and Gas Extraction Point Source Category (58 Fed. Reg. 12454), and we would like to clarify the effect of these regulations on EPA, Region 9's program of mud and mud additive approvals. EPA, Region 9's approval program represents the "clearinghouse" approach for regulating these discharges. Although this approach was not adopted as the framework for the national regulations, the Response to Comments accompanying the regulations clarifies that EPA Regions may adopt this approach at their discretion (58 Fed. Reg. 12496).

The above additive may be obtained from ProOne, Inc. Should you have any questions regarding this matter, please call me at (415) 972-3510.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Eugene Bromley".

Eugene Bromley
NPDES Permits Office
Water Division