

Oil and Gas Wastewater General Permits Status Update

Water Quality/Stormwater Seminar



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General Overview

Three TCEQ general permits have been developed for the regulation of oil and gas discharges into surface waters in the state

- Definitions
- Background for implementing House Bill 2771
- Details of each General Permit
- Estimated timelines



Hydrostatic Test Discharges

A method of determining the hydraulic and structural integrity of a vessel by either introducing water into the vessel or submerging the empty vessel in water.

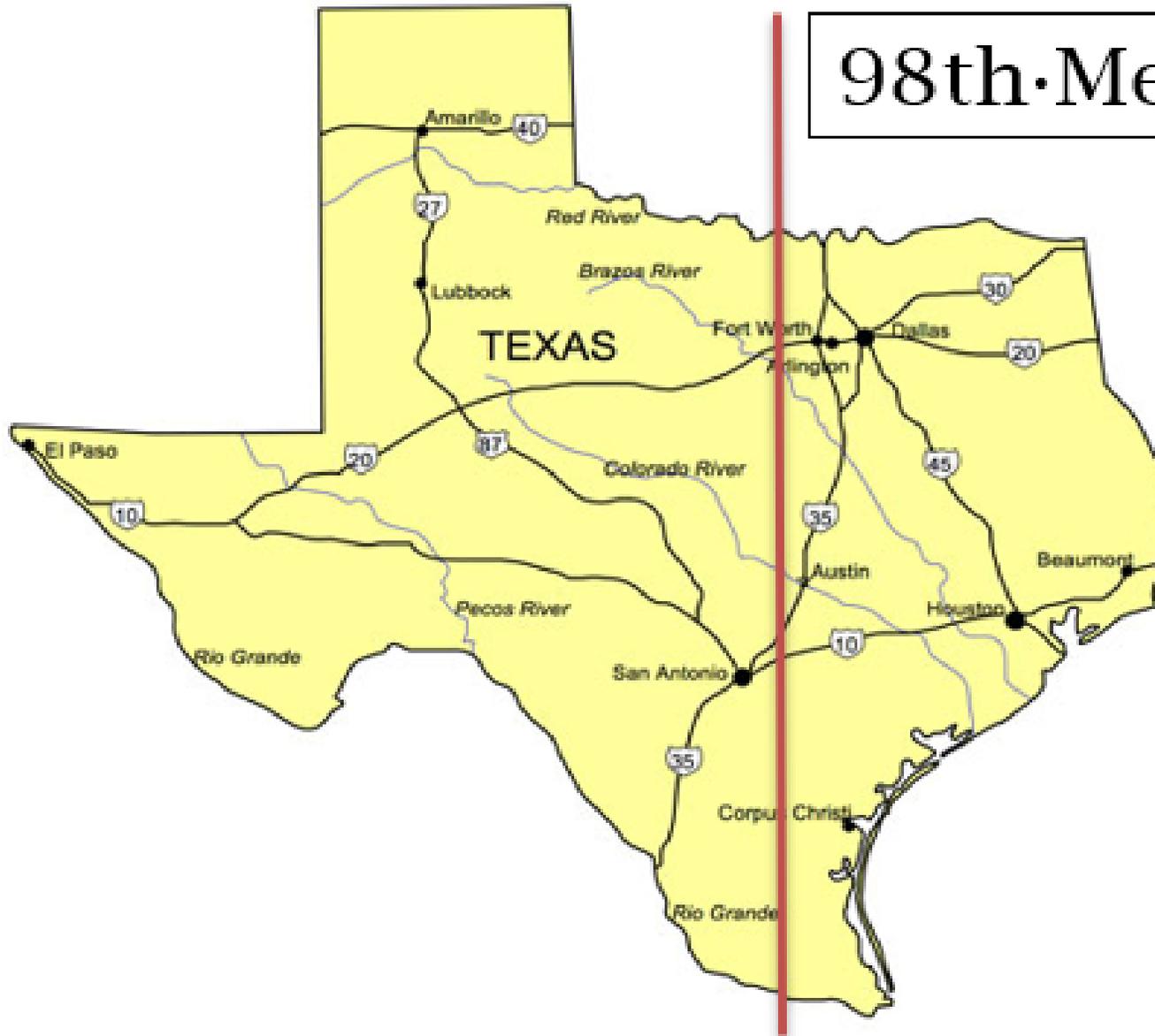


Stripper Well Facilities

An oil and gas extraction operation located on land (not in or on water) east of the 98th meridian which only includes wells that produce 10 barrels per calendar day or less of crude oil and that are operating both at the maximum feasible rate of production and in accordance with recognized conservation practices.



98th Meridian



Coastal Facilities

Any oil and gas extraction operation located in or on a water in the State of Texas landward of the inner boundary of the territorial seas; or located landward of the inner boundary of the territorial seas and bounded on the inland side by latitude and longitude coordinates established in 40 CFR Section 435.40(b).



Territorial Seas Facilities

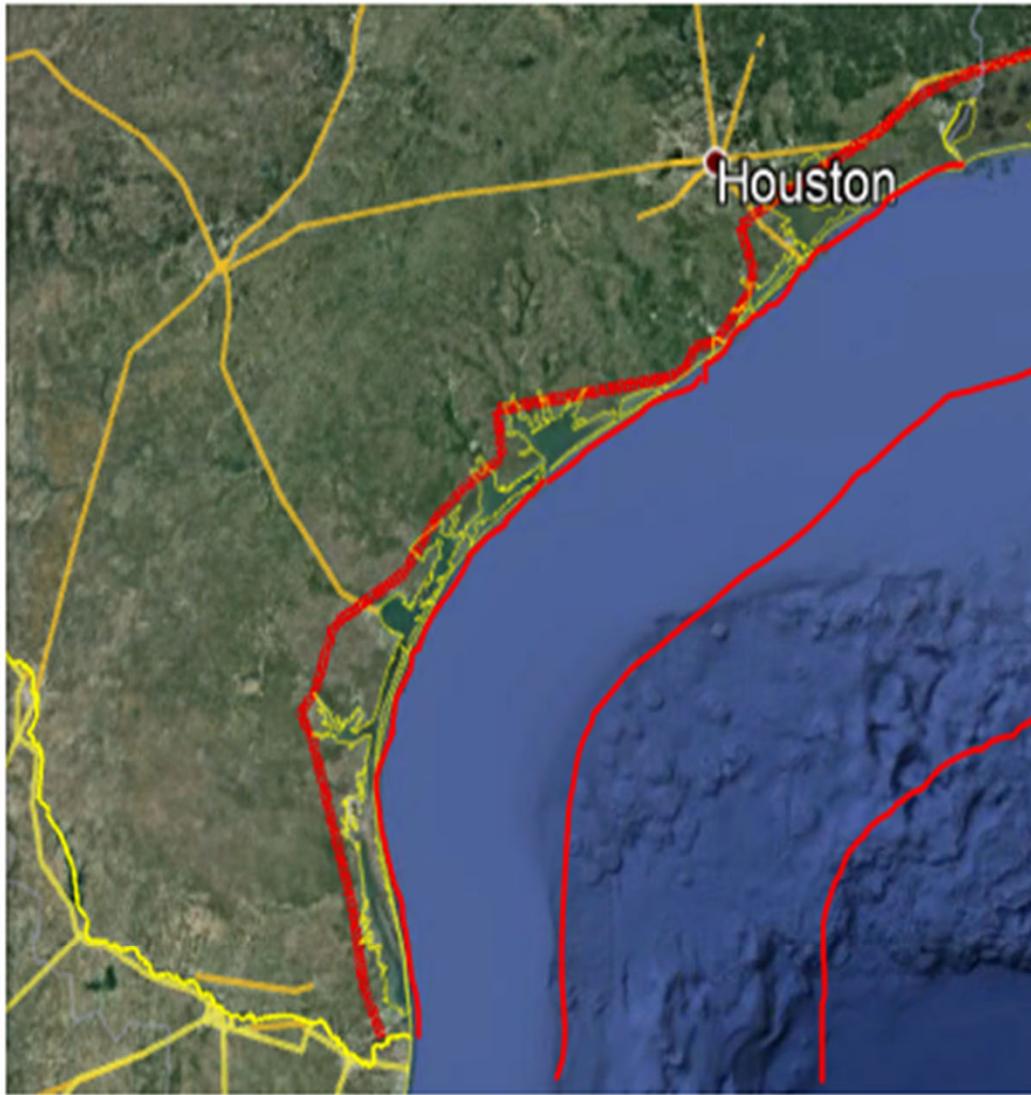
An oil and gas extraction operation located in waters that are seaward of the inner boundary of the territorial seas and extending seaward a distance of three statute miles from the coastline. Territorial seas are defined in Section 502(8) of the Clean Water Act(CWA).



Outer Continental Shelf Facilities

An oil and gas extraction operation located in waters that are seaward of the inner boundary of the territorial seas and extending seaward a distance between three statute miles from the coastline to 10.2 statute miles from the coastline. Territorial seas are defined in Section 502(8) of the Clean Water Act(CWA).





Coastal

Territorial Seas

Outer Continental Shelf

Not to Scale



Background

HB 2771, 86th Legislative Session, transfer of oil and gas permitting authority to TCEQ for discharges to surface water in the state.

Land application activities were not transferred to TCEQ via HB 2771 and remain under the Texas Railroad Commission (RRC) permitting authority.

Prior to HB 2771, oil and gas extraction operations were required to obtain separate NPDES authorization via EPA under the NPDES program and state authorization from the RRC to discharge to surface waters in the state.

Background

TCEQ obtained TPDES authorization from EPA in January 2021 via a revised Memorandum of Agreement.

- TXG670000 was amended and reissued to authorize hydrostatic test discharges.
- TPDES TXG310000 has been developed to replace expired TXG260000 and TXG330000 and individual RRC authorizations.
- State-only WQG280000 has been developed to replace individual RRC permit authorizations.

TXG670000 (Hydrostatic Test Discharges)

Prior to transfer of permitting authority to TCEQ, hydrostatic test discharges required individual permit authorizations from both EPA and RRC.

TXG670000 was amended and re-issued with an effective date of October 21, 2020.

TXG670000 authorizes crude oil and natural gas hydrostatic discharges via a streamlined general permit process.



TXG670000 – Hydrostatic Test Discharges

New crude oil and natural gas pipelines and vessels are automatically authorized to discharge under the TPDES general permit without the requirement to submit a permit application.

Existing crude oil and natural gas pipelines and vessels (which contained crude oil or natural gas product) are required to submit a streamlined electronic administrative Notice of Intent.



TXG310000 (Onshore Stripper Well Facilities, Coastal Facilities, and Territorial Seas Facilities (within 3-miles of the Texas Coastline)

Combines and replaces NPDES General Permit No. TXG260000 which expired on 2/17/2017, and NPDES General Permit No. TXG330000 which expired on 7/30/2017.

Replaces individual permit authorizations required by RRC.



TXG310000 - Onshore Stripper Well Facilities, Coastal Facilities, and Territorial Seas Facilities (within 3-miles of the Texas Coastline)

The draft TPDES TXG310000 general permit package was shared with stakeholders for a 30-day informal review period which concluded in April 2022.

The draft TPDES TXG310000 general permit package was submitted to EPA Region 6 and TCEQ received a no objection letter from EPA on September 14, 2022, allowing TCEQ to proceed for future issuance.

TXG310000 - Onshore Stripper Well Facilities

The draft TPDES general permit proposes to authorize discharges to surface waters for the following waste streams:

Produced wastewater (historically referred to as produced water).

Well treatment fluids (with the exception of hydraulic fracturing fluids) and workover fluids.

TXG310000 - Onshore Stripper Well Facilities

The draft TPDES general permit proposes to prohibit discharges to surface waters for the following waste streams which in general are not associated with these operations:

- Drilling fluids
- Drill cuttings
- Produced sand
- Dewatering effluent
- Formation test fluids
- Well completion fluids

TXG310000 - Onshore Stripper Well Facilities

The draft TPDES general permit proposes to prohibit discharges to surface waters for the following waste streams (continued):

- Hydrate control fluids
- Domestic waste
- Sanitary waste
- Contaminated miscellaneous discharges and uncontaminated miscellaneous discharges
- Contaminated stormwater

TXG310000 – Coastal Facilities

The draft TPDES general permit proposes to authorize discharges to surface waters for the following waste streams:

- Deck drainage
- Domestic waste
- Sanitary waste (M10 and M9IM)
- Uncontaminated miscellaneous discharges
- Contaminated miscellaneous discharges



TXG310000 – Coastal Facilities

The draft TPDES general permit proposes to prohibit discharges to surface waters for the following waste streams:

- Drilling fluids
- Drill cuttings
- Produced wastewater
- Produced sand
- Dewatering effluent
- Formation test fluids



TXG310000 – Coastal Facilities

The draft TPDES general permit proposes to prohibit discharges to surface waters for the following waste streams (continued):

- Well treatment, completion, and workover fluids
- Hydrate control fluids
- Contaminated stormwater from inland facilities (located on land and not located in a bay, estuary, or wide tidal river where such discharges are considered deck drainage)

TXG310000 – Territorial Seas Facilities (within 3-miles of the Texas Coastline)

The draft TPDES general permit proposes to authorize discharges to surface waters in the Gulf of Mexico for the following waste streams:

- Produced wastewater
- Hydrate control fluids
- Well treatment, completion, and workover fluids
- Deck drainage
- Domestic waste
- Sanitary waste (M10 and M9IM)

TXG310000 – Territorial Seas Facilities (within 3-miles of the Texas Coastline)

The draft TPDES general permit proposes to authorize discharges to surface waters in the Gulf of Mexico for the following waste streams:

- Uncontaminated miscellaneous discharges
- Contaminated miscellaneous discharges



TXG310000 – Territorial Seas Facilities (within 3-miles of the Texas Coastline) – continued 2

The draft TPDES general permit proposes to prohibit discharges to surface waters in the Gulf of Mexico for the following waste streams:

- All drilling fluids
- All associated drill cuttings
- Produced sand
- Dewatering effluent
- Formation test fluids



WQG280000 – Outer Continental Shelf Facilities (between 3 and 10.2 miles of the Texas coastline)

- The general permit replaces the need for individual RRC permit authorizations.
- The draft general permit was shared with stakeholders for an informal 30-day comment period which concluded in January 2023.
- This general permit is not under the TPDES program, and separate EPA authorization is required under NPDES general permit GMG290000.
- Beyond 10.2 miles TCEQ has no regulatory authority, and permitting is only administered by EPA.

WQG280000 – Outer Continental Shelf Facilities (between 3 and 10.2 miles of the Texas coastline)

The TCEQ state-only general permit proposes to authorize discharges to surface waters in the Gulf of Mexico for the following waste streams:

- Produced wastewater
- Hydrate control fluids
- Well treatment, completion, and workover fluids
- Deck drainage
- Domestic waste
- Sanitary waste (M10 and M9IM)



WQG280000 – Outer Continental Shelf Facilities (between 3 and 10.2 miles of the Texas coastline)

The TCEQ state-only general permit proposes to authorize discharges to surface waters in the Gulf of Mexico for the following waste streams:

- Uncontaminated miscellaneous discharges
- Contaminated miscellaneous discharges
- Water-based drilling fluids and associated drill cuttings
- Drill cuttings associated with non-aqueous drilling fluids

WQG280000 – Outer Continental Shelf Facilities (between 3 and 10.2 miles of the Texas coastline)

The TCEQ state-only general permit proposes to prohibit discharges to surface waters in the Gulf of Mexico for the following waste streams:

- Non-aqueous drilling fluids
- Produced sand
- Dewatering effluent
- Formation test fluids



Process moving forward:

Both TXG310000 and WQG280000 are proceeding on a parallel path forward for issuance.

Consideration of approval by the TCEQ commissioners is expected in November 2023.



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Questions