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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL 18 1974

OFFICE OF
ENFORCEMENT AND GENERAL COUNSEL

MEMORANDUM

PAED #1974-8

n-74-1

TO : All Regional Enforcement Directors
NFIC, Denver
NFIC, Cincinnati

FROM : Acting Director, Permit Assistance & Evaluation Division

SUBJECT: Additional Guidance for Petroleum Marketing Terminals and Oil Production Facilities

The purpose of this memorandum is two-fold. First, it is to provide guidance for establishing monitoring for petroleum marketing terminals and second, it is to establish a categorization within that industry and the oil production industry.

1. At the time of writing the March 18, 1974 memorandum on Oil and Grease Limitations for Petroleum Marketing Terminals, litigation was underway in Region I wherein Texaco was appealing the "instantaneous maximum of 15 mg/l oil and grease" contained in one of their permits. This case has been resolved and the sampling procedure stipulated in the settlement should be adopted in all future terminal permits. The key effluent limitation for oil and grease remains a daily maximum concentration of 15 mg/l, with a monthly measurement frequency. The sample type is four grabs during a forty-five minute period, once per month during discharge.

The daily maximum is defined as the arithmetic average of a minimum of four representative samples collected at equal intervals during any forty-five minute period.

Due to the variability of the sampling and analysis of oil and grease from petroleum marketing terminals, a maximum of ten percent of the samples taken during the course of one permit-year, but not more than one sample during any discharge, may be excluded from the calculation of the daily maximum, if these samples are not representative. In the event that a permittee excludes a sample from the calculation of the maximum as defined he must submit the results of the analysis of that sample to the Regional Administrator

with a written explanation of the exclusion of that particular value. His reported maximum value then becomes the arithmetic mean of the remaining three representative samples. For the purposes of these permits it is presumed that each sample is representative. It should be noted that the daily average (monthly) of 10 mg/l is still applicable to large terminals which have a continuous discharge.

2. Due to the relatively small size and insignificance of their discharges certain petroleum marketing facilities and oil production (stripper) facilities have been set aside as a separate sub-category within each of these industrial categories. The following criteria should be used in determining if a facility fits this sub-category:

a. If an onshore, non-transportation related production and/or storage facility, and

b. Is generally manned eight hours per day or less, and

c. Has no discharge from any part of the facility subject to Section 402 of the Act, except periodic discharge of accumulated rainfall, and

d. Holds a valid, certified SPCC plan in accordance with 40 CFR Part 112.

Until effluent guidelines are established for these facilities, best practicable control technology may be defined as "No Treatment." The implementation of a certified SPCC plan in accordance with 40 CFR Part 112 will assure the Agency that there will be no harmful discharge of oil.

It is suggested that writing of these permits be deferred until a later date.

Robert B. Schaffer

Attachment

cc: R.H. Johnson
A.C. Printz, Jr.
C.J. Schafer
K.E. Biglane
A. Cywin
All Regional Permit Branch Chiefs
State NPDES Program Directors
C. Corkin

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

BOSTON, MASSACHUSETTS

IN THE MATTER OF: National Pollutant Discharge Elimination System Permit No. ME0002267 Texaco, Inc~~orporated~~, Permittee.	)	STIPULATION FOR REGIONAL ADMINISTRATOR'S APPROVAL

STIPULATION

The permittee herein above named and the Enforcement Division of the Environmental Protection Agency, Region I, stipulate and agree as follows:

1. The permittee hereby withdraws its request for an adjudicatory hearing.

2. The permit involved in this proceeding shall be modified in the following respect:

A. The attached permit form shall be used.

B. The "flow" provision shall read as follows: The discharge shall consist only of stormwater and washwater runoff which is collected and discharged through an efficiently operated oil/water separator.

C. Effluent limits and monitoring requirements for suspended solids shall be deleted.

D. Effluent limitations and monitoring requirements shall include:

	DISCHARGE LIMITATIONS	MONITORING REQUIREMENTS	
Oil and Grease	Maximum 15 mg/l	Measurement Frequency Monthly	Sample Type Four Grabs during a forty-five minute period, once per month during discharge

Maximum is defined and measured as follows:

The arithmetic average of a minimum of four representative* samples collected at equal intervals during any 45 minute period.

* Due to the variability of the sampling and analysis of oil and grease from bulk storage facilities, a maximum of ten percent of the samples taken during the course of one permit-year, but not more than one sample during any discharge, may be excluded from the calculation of the maximum as defined above, if said samples are not representative. In the event that the permittee has excluded a sample from the calculation of the maximum so defined in regard to its compliance monitoring schedule under this section, it must: 1.) submit the results of the analysis of such sample to the Regional Administrator; 2.) submit a written explanation of the exclusion of such sample to the Regional Administrator; and 3.) report a maximum value for the reporting period based on the arithmetic mean of four representative samples exclusive of the sample excluded. For all purposes associated with this permit there shall be a presumption that each sample is representative.

3. There are no parties to these proceedings other than the parties making this stipulation.

4. This stipulation shall not bind the Environmental Protection Agency or the applicant until the permit, as modified in paragraph 2 above, is signed by the Regional Administrator.

Dated by the last signatory hereto: May 31, 1974

Texaco Incorporation, Permittee

BY: H. E. Phillips

U. S. Environmental Protection Agency, Region I

BY:

Catherine L. Farrell, Attorney
Enforcement Division

Charles Corkin II
Counsel for Administrative Litigation

The Honorable Thomas B. Yost
Administrative Law Judge

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