

US EPA ARCHIVE DOCUMENT

**Recovered Oil, Contaminated Materials and Liquid and Solid Wastes
Management Directive
June 29, 2010**

This Directive is issued by the Federal On-Scene Coordinator ("FOSC") for the response to the spill at the offshore oil and gas exploration, drilling and production facility identified as the Mississippi Canyon 252 ("MC-252") facility, located in the western portion of the Outer Continental Shelf in the Gulf of Mexico, with the concurrence of the Environmental Protection Agency ("EPA"), to BP Exploration and Production, Inc. ("BP") pursuant to Section 311 of the Clean Water Act, 33 U.S.C. § 1321, to address oil, contaminated materials and liquid wastes recovered in cleanup operations from the MC-252 facility.

1. Implementation of June 14, 2010 Waste and Materials Management Plan. BP shall immediately implement and comply with the "Recovered Oil / Waste Management Plan – Houma Incident Command," approved on June 14, 2010 (attached, and online at http://www.epa.gov/bpspill/waste/r6_waste_plan_kmr20100615_1524.pdf), any amendments thereto (hereinafter, the "Waste and Materials Management Plan"), and any Deliverable required by this Directive, for the identification, characterization, handling, management and disposal of oil, contaminated materials and liquid wastes recovered in cleanup operations resulting from the discharge of oil from the MC-252 facility.
2. EPA Access to Facilities. In order to enhance the ongoing inspections being performed by the State of Louisiana, BP shall allow EPA, its representatives (including duly authorized state agencies) and/or contractors to perform any activities necessary to assess, sample, inspect or otherwise evaluate any oil, contaminated materials and liquid wastes recovered in cleanup operations subject to this Directive, including access to any staging area, transfer station, decontamination areas and recycling, re-use or disposal facility, and any other facility or location where oil, contaminated materials and liquid wastes recovered in cleanup operations are or will be temporarily or permanently located or placed. Where such facilities or locations are in areas owned by or in possession of someone other than BP, BP shall use best efforts to obtain all necessary access agreements. Any such access agreement shall provide for access by EPA and its representatives and/or contractors to move freely in order to conduct activities that EPA determines to be necessary.
3. Compliance with Applicable Federal, State and Local Requirements. BP shall perform all actions required pursuant to this Directive and the Waste and Materials Management Plan in accordance with all applicable local, state, and federal laws and regulations. BP shall ensure that all facilities where any oil, contaminated materials and liquid wastes subject to this Directive are or will be temporarily or permanently located or placed have obtained all permits and approvals necessary under such laws and regulations.
4. Waste and Materials Management Plan Deliverables.
 - a. BP shall submit the following reports, plans or other submissions ("Deliverables") to implement the Waste and Materials Management Plan to the FOSC, with a copy by e-mail to Nancy Jones, On-Scene Coordinator, U.S. EPA Region 6, by no later than the dates indicated below:


<u>Plan Section and Page Number</u>	<u>Name of Deliverable</u>	<u>Due Date</u>
1. Section II, Page 5	Waste Sampling Plan (to include, but not be limited to: methods and protocols for periodic (weekly, or other period specified by EPA) sampling and analysis of each category of solid and liquid wastes specified in the Waste and Materials Management Plan sufficient to adequately identify and characterize the constituents present in recovered wastes; procedures for appropriate waste handling and disposal based on the results of the periodic sampling and analysis; and on-line posting of sampling results within 1 day of receipt Copies of the Waste Sampling Plan shall be provided to the State of Louisiana.	Interim plan by 1 day of Directive; Final plan by 5 days of Date of Directive
2. Section III, Page 6 and Section VIII, Page 10	Tracking System/Reporting Plan (to include, but not be limited to: development of a uniform tracking system covering all affected states for recoverable product and liquid and solid wastes, specifying quantity or volume handled at each location where such product or waste is temporarily (<i>e.g.</i> , staging area) or permanently located (<i>e.g.</i> , disposal site, recovery facility); reporting of such information to EPA on a daily basis; and on-line posting of flow charts showing, for each category of recoverable products, and liquids and solid wastes, how such products or wastes are handled and locations where such products or wastes are temporarily (<i>e.g.</i> , staging areas) or permanently (<i>e.g.</i> , disposal sites, recovery facilities) located, and updated within 24 hours of any changes)	5 days of Date of Directive
3. Section XI, Page 11 and Appendix A to this Directive	Community Outreach Plan (to include, but not be limited to: measures to engage local communities (<i>e.g.</i> , widely publicized public meetings) regarding planned and ongoing waste handling and disposition activities; public availability of information and community outreach activities (including a process for response to public complaints or concerns); measures to minimize impacts on local communities from the operation of all staging areas, transfer stations, decontamination areas, recycling, re-use and disposal facilities, and any other facility or location where recovered wastes will be temporarily or permanently located or placed, as well as transportation of wastes to and from such locations; on-line posting of such locations and transportation routes; and other measures identified in Appendix A)	5 days of Date of Directive
4. Appendix B to this Directive	Liquid Wastes and Materials Management Plan (to include, but not be limited to: provisions addressing the criteria, specifications and other matters identified in Appendix B, including monitoring, covering all affected states)	5 days of Date of Directive

b. Following BP's submission of each Deliverable, the FOSC, with the concurrence of EPA may require BP to revise the Deliverable(s) in response to USCG and EPA comments. In addition, the FOSC, with EPA concurrence, may periodically require, or BP may request, a Deliverable to be revised or updated on an as-needed basis. BP shall revise or update the Deliverable only as specified by the FOSC, with concurrence by EPA in writing. Upon receipt of the FOSC, comment(s) to revise a Deliverable, BP shall have a maximum of seven (7) calendar days or a time period prescribed in the FOSC's comments, to revise the Deliverable unless the FOSC with the concurrence of EPA agree in writing to an extension of time if requested by BP. Such revisions or updates shall become subject to this Directive and shall be immediately implemented by BP.

c. Each Deliverable submitted pursuant to this Directive, or report, plan or other submission pursuant to the Waste and Materials Management Plan, shall be signed by an authorized and knowledgeable BP official, who shall certify to the truthfulness, accuracy and completeness of the data and information submitted.

All Deliverables will be provided to pertinent states and will be approved by the FOSC, with the concurrence of EPA and the State of Louisiana.

5. Modification. BP shall comply immediately with the terms of this Directive, until cancelled or modified in writing by the FOSC, with the concurrence of EPA.


James Watson
Rear Admiral, USCG
Federal On-Scene Coordinator

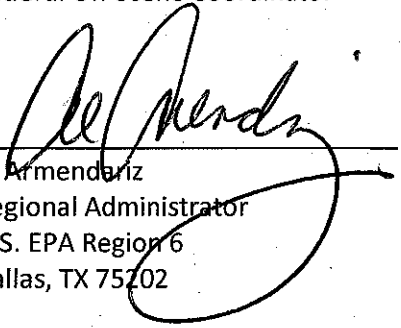
Date: 6/29/10

Al Armendariz
Regional Administrator
U.S. EPA Region 6
Dallas, TX 75202

Date: _____

James Watson
Rear Admiral, USCG
Federal On-Scene Coordinator

Date: _____



Al Armendariz
Regional Administrator
U.S. EPA Region 6
Dallas, TX 75202

Date: 6/29/10

APPENDIX A

Community Outreach Plan: Guidelines for Community Engagement Activities

Section 1: Community Meetings

- Conduct community meetings for impacted populations and interested parties (to include populations within a 3 mile radius of each staging area)
- Hold periodic meetings (monthly, biweekly, etc.) to keep all parties informed of project activities, status updates, etc. (meeting frequency will be determined after consultation with the community, other relevant agencies, entities)
- Community meetings may be part of existing meetings being held by BP. However, if this approach is chosen, a portion of the meeting agenda will be reserved to address “waste management” status update/concerns.
- Identify meeting ***date, time and location*** that is easily accessible and acceptable to the community.
- Provide participants with information on the waste management activities that are taking place in their community during each meeting.
- Develop project fact sheets/handouts to address project activities. At a minimum, the fact sheet must include the information in Section 2 below.
- Each meeting will include a “Question and Answer” segment on the agenda to permit community dialogue.
- Ensure that information provided is presented in plain language and easy to understand for the general public.
- Ensure that information is provided in language(s) spoken in the impacted community.

Section 2: Written Materials/Handouts/Electronic/web-based communications

- At a minimum, meeting handouts/fact sheets will include and be approved by the State of Louisiana

For Disposal Facilities/Landfills:

- Type of waste being accepted, overview of facility operations
- Quantity of waste accepted to date, facility capacity, future expansion consideration
- Environmental safeguards (liners & leachate collection systems, environmental monitoring, buffers)
- Hours of operation
- Transportation routes

Appendix A – Community Outreach Plan

- Best management practices (e.g., dust, odor, noise control)
- Source of waste
- How to report concerns (contact information including, name, phone number, and email address)
- How to get additional information (e.g., website address, contact information, etc.)
- Emergency procedures, contact information
- Site security, control of illegal dumping
- Wastewater, storm water management
- Information provided in plain language and easy to understand for the general public
- Information provided in language(s) spoken in the impacted community
- Inclusion of each disposal facility/landfill into Google Earth Application

For Staging and Decontamination Areas:

- Type of waste handled, staging area capacity, future expansion consideration
- Quantity of waste handled to date, overview of staging area operations
- Environmental safeguards (secondary containment, roll off liners, environmental monitoring, buffers)
- Hours of operation
- Transportation routes
- Source of waste
- Destination of waste
- Best management practices (e.g. dust, odor, noise control)
- How to report concerns (contact information including, name, phone number, and email address)
- How to get additional information (e.g., website address, contact information, etc.)
- Emergency procedures, contact info
- Site security, control of illegal dumping
- Wastewater, storm water management
- Information provided in plain language and easy to understand for the general public
- Information provided in language(s) spoken in the impacted community
- Inclusion of each staging area into Google Earth Application

Section 3: Public Concerns and Complaint Tracking

- Develop a process to address and respond to public concerns and complaints on the management of waste generated from cleanup operations in consultation with pertinent states. The process should include a web-based method for the public to submit its concerns and any complaints on waste management.
- Publish on BP's public website a spreadsheet that includes the following information for each complaint received:
 - Complaint number
 - Description of complaint
 - Response and outcome of complaint
 - Timeline, which includes date of the receipt of complaint, dates of response to complaint or action taken as a result of complaint

APPENDIX B

Liquid Wastes and Materials Management Plan

To facilitate a coordinated and expedited response to the issues related to liquid wastes, BP shall develop one comprehensive "Liquid Wastes and Materials Management Plan," (Liquids Plan) and submitted as provided in Paragraph 4 of the Recovered Oil, Contaminated Materials and Liquid Wastes Management Directive ("Waste Management Directive"). The Liquids Plan must cover all liquid wastes generated or anticipated to be generated from the spill at the MC-252 facility and recovery or cleanup response activities. The Liquids Plan must be more comprehensive than the requirements of the "Recovered Oil / Waste Management Plan – Houma Incident Command," as approved on June 14, 2010, and shall require BP to: identify all liquid waste streams from generation to final waste disposal; identify and describe the methods for characterizing each liquid waste stream; identify treatment options for the waste streams; and evaluate all reasonable disposal options, including available existing and proposed disposal facilities.

The following outlines several criteria, specifications and matters that must, at a minimum, be addressed in the Liquids Plan. In addition, the Liquids Plan may be further refined or updated, as provided by Paragraph 4.b of the Waste Management Directive. Section 1 covers general requirements that encompass all stages of liquid management from on shore collection/staging areas, including docked barges to final disposal. The remaining sections include specific requirements for each stage of liquid wastes management.

1) General. The Liquids Plan must:

- a) Address all liquid wastes generated or anticipated to be generated during the entire cleanup response;
- b) Describe the decision criteria, and estimate volumes anticipated, for how the different liquid waste streams (i.e., skimming, decontamination, etc.) will be handled from generation of waste to final disposal (i.e., UIC wells, pre-treatment facilities, direct discharges, etc.);
- c) Describe the tracking and reporting method for volumes, types, and fates of liquid wastes handled;
- d) Describe ongoing monitoring and reporting approach (protocols for sampling and characterizing all waste streams) for physical and chemical composition of liquid wastes handled (i.e. concentrations of pollutants in the liquid waste);
- e) Identify all existing and proposed facilities that are/can receive any liquid wastes and explain their respective processes and waste streams associated;
- f) Identify and describe all storage options available for all liquid wastes prior to treatment/disposal, including locations;
- g) For each method of liquid waste disposal proposed, (1) specify the proposed treatment method, (2) the criteria to be used to ensure that the liquid waste is compatible with the identified treatment option(s) and will not cause adverse impacts; and (3) identify any chemical dispersants, flocculants, chemical, or other additives to be used in the treatment process (include Material Data Safety Sheets);
- h) Specify all permit applications (new or modifications) that will be required for disposal options per state (e.g. Apex, Aaron Oil) and estimate dates of submission to appropriate agencies if known;

Appendix B -- Liquid Wastes Management Plan

- i) Discuss oil/emulsion/water separation methodologies (include in your description what emulsion breaking chemical constituents have or will be added; in all waste streams, what other chemical additives are being or anticipated to be used or generated as a result of the oil/emulsion/water treatment and provide a complete listing of all chemicals and/or other materials that could be added) The MSDS for emulsions breaking chemical added during skimming operations ; and
 - j) Discuss any analysis of removed liquid wastes, at any stage between the on-shore collection/staging areas,(including docked barges), and final disposal, (including volumes, chemical addition, physical observations, chemical analysis, etc) that has been conducted or is planned.
- 2) Skimming/Treatment of Barge Liquid. The Liquids Plan must:**
- a) Identify and discuss whether emulsion breaking chemical constituents or any other constituents are being added when the skimming process is underway on the skimmer barge vessels that decant components of the oil/emulsion/water at sea; and
 - b) Address waste streams associated with vessel/contaminated boom/etc. decontamination.
- 3) On-Shore Treatment/Disposal.**
- a) **UIC. The Liquids Plan must:**
 - i) Identify the current estimated volume in barrels or gallons of wastes to be handled as RCRA Exploration & Production ("E & P") wastes (decant water/oily brine) that BP's skimming operations will collect and that will need to be injected via Class II and/or Class I non-hazardous injection wells or otherwise disposed of;
 - ii) Based on current and projected/future volumes of liquid waste, etc., include a discussion of all existing and proposed "commercial" Class I and II injection facilities;
 - iii) In conjunction with liquid storage options, identify: (1) the total capacities of all existing and proposed injection facilities to dispose of E & P wastes in states that currently permit injection; and (2) the quantity currently being injected (i.e., how much capacity would be available for BP to use at these locations), and include documentation of capacity available at the disposal facility for BP use;
 - iv) Identify and discuss other injection well options; and
 - v) Include a sampling plan for all E & P wastes (i.e., decant water/oily brine) and identify the lag time between when the samples are taken and when BP receives the results of the analyses.
 - b) **Pretreatment and discharge to existing NPDES-permitted facility or direct discharge. The Liquids Plan must:**
 - i) Identify the amount of liquid waste that currently needs to be treated, where such waste was or will be sent to be treated, and what the volumes are anticipated to be sent to each facility used for final disposal;
 - ii) Estimate when the barge can be used to characterize and analyze the wastewater;
 - iii) Identify the maximum volume of decanted wastewater BP anticipates will need to be sent from centralized waste treatment systems to POTWs for further treatment, and identify each wastewater treatment facility that is anticipated to be used;

Appendix B -- Liquid Wastes Management Plan

- iv) Describe the anticipated effluent characteristics for the modular processing facility being constructed in Theodore, AL, that will provide treatment of the oil/emulsion/water;
 - v) For each treatment facility that you are using, list: (1) the daily treatment capacity; (2) the pretreatment permit limits (e.g., flow and salinity limits);
 - vi) For any treatment/disposal facilities proposed or approved, describe how salinity will be addressed; and
 - vii) If direct discharges to surface water are proposed, identify all proposed outfall locations and receiving waters.
- 4) **Ocean Discharging.**
- a) **The Liquids Plan must address the fact that transporting liquid wastes from the shore for discharge in the Ocean will ONLY be considered an option after ALL on-shore disposal options have been depleted. If this occurs, BP must submit a request within a reasonable amount of time to allow for a comprehensive evaluation of this option, including an evaluation of the need for an emergency MPRSA permit for the proposed activity, while disposal continues. The request must address the following questions (and additional questions as necessary) regarding facts relevant to MPRSA issues:**
 - i) Describe any potential effects of discharges or dumping of the processed decant water on the marine environment, especially water quality, sediment quality, and aquatic life and provide information on (1) volume/constituents in discharge, (2) relevant sampling results or monitoring data, and (3) WET tests, etc;
 - ii) Discuss in detail all of BP's land-based storage and disposal options that have been/are in use and why they are no longer available;
 - iii) Discuss whether BP has considered the placement of the modular decanted water (from oil/water separation) treatment facilities on abandoned and/or active oil and gas platforms; and
 - iv) Identify the sites/locales being contemplated for open water disposal of decant liquid and note whether such sites/locales are near skimming operations.
 - b) The Liquids Plan must also address all liquid wastes collected and disposed of at sea in accordance with the Act to Prevent Pollution from Ships and MARPOL. All such waste disposed of at sea must be documented and reported to FOOSC. The Liquids Plan must also address the question set forth in paragraph 4)a)i) of this Appendix.