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INTRA-OFFICE GUIDANCE STATEMENT

GUIDANCE No.: ENV-GS-2018-01

EFFECTIVE DATE: October 9, 2018

SUBJECT: LAC 43:XIX.501 definition of "Residual" for marine supply vessel permanent cargo tanks and barges.

PURPOSE: Clarifies what is considered to be "Residual" material remaining inside of marine supply vessel permanent cargo tanks and barges for determining compliance with applicable LAC 43:XIX.Subpart 1.Chapter 5 regulations for the Off-site Storage, Treatment and/or Disposal of Exploration and Production Waste Generated from Drilling and Production of Oil and Gas Wells.

PREAMBLE:

The definition of "Residual" was included in an amendment to LAC 43:XIX.Subpart 1.Chapter 5 regulations in November 2001. "Container" as applied in the "Residual" definition was also included in the November 2001 regulatory amendment. The agency has recently received several inquiries and requests for clarification from the regulated community on the application of these definitions for marine supply vessel permanent cargo tanks and barges.

After careful examination of the regulatory definition and marine supply vessel permanent cargo tank and barge operations, it has been determined that these definitions did not contemplate to the extent practiced in today's offshore E and P Waste management operations the commonly employed waste removal practices and waste material quantities remaining thereafter in large marine tanks such as marine supply vessel permanent cargo tanks, closed-top and open barges; especially during the transportation of drilling mud and cuttings from offshore and inland water locations. Due to the large volume, internal structural design, limited access and enclosure of the cargo tanks and barges; and logistical issues such as limited dock and canal space, incoming and outgoing boat traffic, often high volume of incoming boats and limited boat availability during high demand periods requiring fast offloading and cleaning turnaround times, Conservation recognizes the need to provide both internal and external guidance on the definition of "Residual" so that the regulated community and regulatory staff can proceed with respective compliance responsibilities with confidence, in a safe and environmentally protective manner until such time the agency is able to complete promulgation of an amendment to LAC 43:XIX.501.Definitions for "Container" and "Residual".

DEFINITIONS:

Container – a sump, storage tank, process vessel, truck, barge, or other receptacle, used to store or transport E and P Waste.

Residual – the de-minimis quantity of E and P Waste (solids or liquids) remaining in a container using the practices commonly employed to remove materials from that type of container (e.g., pouring, pumping, and aspirating) and amounting to no more than one inch of residue remaining on the bottom, or no more than three percent by weight of the total capacity of the container if the container is less than or equal to 110 gallons in size, or no more than 0.3 percent by weight of the total capacity of the container if the container is greater than 110 gallons in size.

LAC – Louisiana Administrative Code

E&P Waste – as defined in LAC 43:XIX.501.

GUIDANCE:

For marine supply vessel permanent cargo tank and barge use as described above and for the reasons above, the follow clarification to the definition of “Container” and “Residual” shall be applied for regulatory compliance in accordance with LAC 43:XIX.569.Exceptions.

- 1) Barges and marine supply vessel cargo tanks shall be exempted from the definition of “Container” above.
- 2) For barges and marine supply vessel cargo tanks, the definition of “Residual” shall be the de-minimis quantity of E and P Waste (solids or liquids) remaining in a container using the practices commonly employed to remove materials from that type of container (e.g., pouring, pumping, and aspirating) and amounting to no more than the non-fluid, non-pumpable/removable material remaining in a marine supply vessel permanent cargo tank or barge after commonly employed removal practices are complete.

APPROVED BY:



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