

Region 6 - Enforcement & Compliance Assurance Division
INSPECTION REPORT

Inspection Date(s):	August 26 – 28, 2024	
Media Program:	Clean Water Act	
Regulatory Program(s)	National Pollutant Discharge Elimination System (NPDES)	
Company Name:	BP Exploration and Production, Inc.	
Facility Name:	BP	
Facility Physical Location:	501 Westlake Park Blvd.	
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County/Parish:	Harris County	
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FRS Number:	110063982347	
Identification/Permit Number:	GMG290110	
Media Identifier Number:	N/A	
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SIC:	1311	
Personnel participating in inspection:		
Mitty Garcia	U.S. EPA Region 6	Inspector/Enforcement Officer
Kenneth Aubuchon	U.S. EPA Region 6	Inspector/Enforcement Officer
Uma Lad	U.S. EPA Region 6	Inspector/Enforcement Officer
Brenda Linster	BP	GOM P&O Environmental Discipline Lead
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EPA Inspector Signature/Date		
	Uma Lad	Date
Supervisor Signature/Date		
	Jeanne Eckhart	Date

Section I – INTRODUCTION

United States Environmental Protection Agency (U.S. EPA) Region 6 inspectors Mitty Garcia, Kenneth Aubuchon, and Uma Lad arrived at the BP Exploration and Production, Inc. (BP) corporate office, located in Houston, Texas, at 9:00 am on August 26, 2024, for an announced Compliance Evaluation Inspection (CEI). We met with Brenda Linster, BP Environmental & Social Discipline Lead; Caitlyn Mitts, Environmental and Social Advisor – Water; and Alexia Dos Santos, Environmental and Social Advisor – Water, at the opening conference. Bradley Koskovich, Environment and Social Advisor - Water, joined via teleconference. Mitty Garcia presented her credentials to Brenda Linster and informed her that EPA was conducting this inspection to determine compliance with the National Pollutant Discharge Elimination System (NPDES) Outer Continental Shelf General Permit (GMG29000).

This report is based on information supplied by the BP representatives (the permittee), observations made by the U.S. EPA inspectors, and records and reports maintained by the permittee and the U.S. EPA.

FACILITY DESCRIPTION

At the time of the inspection, BP had active Notices of Intents (NOIs) with EPA for 55 permitted features, consisting of seven (7) platforms and 48 subsea structures in the Gulf of Mexico under GMG290110. Table 1 lists the platforms with NOIs under BP's permit.

Table 1: BP Platforms with NOIs

No.	Permitted Feature (PF) Name	PF ID	Lease Block	
1	Mad Dog Facility	0019	Green Canyon	782
2	Na Kika Facility	0074	Mississippi Canyon	474
3	Thunder Horse Facility	0109	Mississippi Canyon	778
4	Atlantis Facility	0166	Green Canyon	787
5	Argos Facility	2126	Green Canyon	780
6	Eugene Island 307 A	2137	Eugene Island, South Addition	307
7	Eugene Island 307 B	2138	Eugene Island, South Addition	307

Section II – OBSERVATIONS

II.A. Platforms

During the inspection, EPA interviewed BP personnel assigned to each platform about platform operations, standard operating procedures, and training. EPA also reviewed the following records:

- Notice of Intents (eNOIs)
- Discharge Monitoring Reports (DMRs)
- Lab reports and sampling logs
- Observation logs
- Incident reports
- Marine Sanitation Device (MSD) certifications and annual inspections
- Best Management Practices (BMP)
- Standard Operating Procedures (SOPs)
- Information on any third-party equipment located on offshore facilities

- EPA reviewed the daily observation reports for August 25, 2024, at five (5) platforms and observed the following in multiple reports:
 - Visual observation times were the same for multiple discharges in each daily report. In the daily report for Mad Dog, the same visual observation time for presence of a sheen or floating solids was 6:40 am for deck drainage, sanitary waste, domestic waste, and produced water. The miscellaneous discharge observation times was 6:35 am and chemically treated miscellaneous discharges were observed at 6:30 am. **(Area of Concern (AOC) #1)**
 - Visual observation times were recorded when no discharge occurred in multiple daily reports. In the daily report for Argos, BP did not have a produced water discharge on August 25, 2024. An observation time was recorded in the report when there was no observation to make. **(AOC #2)**
- EPA also reviewed monthly discharge monitoring reports for May 2024 and observed the following in multiple reports:
 - Visual observation times were the same for multiple discharges in each monthly report. At Thunder Horse, the same observation time is reported for each day for daily pollution inspection, deck drainage discharge, domestic waste discharge, and sanitary waste discharges. Only four (4) of the 31 days in May showed different observation/recording times for these discharges. **(AOC #1)**
 - Visual observation times for sheens, foam, or floating solids occurred at times not ideal for observation. At Argos, 30 of 31 visual observations for floating solids from sanitary waste and domestic waste discharges were recorded between 9:00 pm and 6:00 am, or non-daylight hours. **(AOC #3)**
- The discharge locations are organized as sections in the daily observation reports; BP provided a list of a discharge locations for each platform. However, some discharge locations in the daily reports were not found or categorized in the outfall list. **(AOC #4)**
 - In the daily report for Na Kika, the deck drainage discharge location is labeled “Section B (SE drain collector),” but this discharge location is not on the outfall list. The only outfall associated with deck drainage is for the “NW column.”
 - For Thunder Horse, the discharge location “Section C (SE, SW- Drain Collectors)” for sanitary waste is not in the outfall list. When compared to the outfall lists for the other platforms, the outfall list for Thunder Horse is incomplete; many of the discharge points were not assigned sections or a “NPDES classification” (e.g. sanitary waste, miscellaneous discharge).
- EPA examined the facility maps attached filed with each platform NOI. The facility maps only showed the drill centers. **(AOC #4)**
- All platforms operate marine sanitation devices (MSDs). Argos, Mad Dog, and Na Kika each operate one (1) MSD, while Atlantis and Thunder Horse each operate three (3) MSDs on their platforms. BP provided annual inspection reports for the MSDs.
 - A backup chlorine unit was also listed as an MSD in each August 25, 2024, daily observation report for Atlantis, Argos, Na Kika, and Thunder Horse. BP personnel stated that a backup unit is present at Argos and Nakika only. **(AOC #5)**
 - The August 25, 2024, daily report shows different inspection dates for the MSD than the annual inspection reports. At Thunder Horse, the two (2) OmniPure units had annual inspections on July 22, 2024, but the inspection dates in the daily report were July 10 and 18, 2023. The Red Fox unit

at Thunder Horse was inspected on April 25, 2024, but the inspection date on the daily report was July 18, 2023. These date differences were observed for MSDs for all platforms. **(AOC #6)**

- Environmental Enterprises USA, Inc. and Element Materials Technology provide BP platforms the sampling kits and testing services required under the General Permit, such as toxicity testing and monthly oil and grease sampling for produced water.
 - EPA observed incomplete chain of custody forms. Missing information included names when sample custody was released or received, custody transfer dates and times, and temperature. In multiple COC forms, the lab indicated that the samples did not have custody seals. **(AOC #7)**
- EPA reviewed cooling water intake structures annual report for Argos, which included the calculated daily intake velocities for 2023.
 - Intake velocities exceeded the 0.5 ft/s limit for multiple days between April 20 and July 13, 2023, and on August 4, 2023. BP indicated in the CWIS report to EPA that the velocity collector issues resulted in the exceedances from April to July 2023. **(AOC #8)**
- BP provided incident reports on 43 sheen events beginning January 1, 2024. Of the 43 events, one (1) was at Argos, 14 at Atlantis, nine (9) at Mad Dog, 12 at Na Kika, and seven (7) at Thunder Horse. EPA is currently reviewing the incident reports. **(AOC #9)**
- BP provided incident reports for 14 releases between November 2023 and August 2024, with two (2) releases at Atlantis, one (1) release at Na Kika, and one (1) release at Thunder Horse. EPA is currently reviewing the incident reports.
- Third-party equipment is present at Atlantis, Argos, Mad Dog, and Thunder Horse. EPA is currently reviewing documents provided by BP about third-party equipment at their platforms.
- BP shared the Best Management Practices (BMP) Plan for painting and blasting activities, which applies to all BP-owned platforms. The platform personnel for Thunder Horse further indicated that a physical copy of the BMP plan is maintained on their platform. The plan was revised on March 26, 2024. No AOCs were identified in this review for the BMP plan.

II.B. Decommissioned Platforms

Eugene Island 307 A and Eugene Island 307 B are platforms undergoing decommissioning. BP is the current owner of both platforms and has NOI coverage for both platforms on behalf of Guardian Decommissioning, Inc. (Guardian). Guardian is the agent that has contracted decommissioning activities for both platforms, and BP will eventually transfer ownership to Guardian. Guardian provided EPA with discharge monitoring reports for both platforms from May to June 2024, which are currently under review.

II.C. Mobile Offshore Drilling Units (MODUs)

Between January 2023 and August 2024, BP contracted the following MODUs: Black Hornet, Black Lion, Stena IceMax, West Auriga, and West Vela. BP indicated that the discharges at the MODUs are divided between BP and the MODU company.

- Out of the 14 releases with incident reports between November 2023 and August 2024, six (6) releases were observed at the MODUs or associated with MODU activities. EPA is currently reviewing the incident reports.
- EPA reviewed the active NOIs under GMG290110 and found no NOIs for the MODUs. According to a log showing MODU locations beginning January 2023, BP appears to cover discharges from the MODU by using the NOI for the subsea structure on which the MODU is performing a drilling job (**AOC #10**).

II.D. Training

BP requires employees at platforms to complete a NPDES training developed by BP every two years. EPA verified training completion by spot checking personnel conducting daily observations at the platforms with BP's Learning Delivery Manager. BP also provided EPA with training materials developed for BP personnel, including sheen reporting and sampling guidances and a user guide for SEMPCheck, a software used by BP to record daily observations. No areas of concern were identified during this review regarding training.

Section III – AREAS OF CONCERN

Requirements A through G are permit conditions cited from the [2023 NPDES General Permit \(GMG29000\)](#). The corresponding AOCs identified during this review are listed with each requirement.

Requirement A: The following are limitations and monitoring requirements related to visual observations of sheens and floating solids for certain discharge types.

[I.B.3.a] 3. Deck Drainage

a. Limitations: Free Oil. No free oil shall be discharged, as determined by the visual sheen method on the surface of the receiving water. Monitoring shall be performed daily when discharging, during conditions when an observation of a visual sheen on the surface of the receiving water is possible in the vicinity of the discharge, and the facility is manned.

[I.B.4.b] 4. Produced Water

b.) **Monitoring Requirements:** Visual Sheen. The permittee shall monitor free oil using the visual sheen test method on the surface of the receiving water. Monitoring shall be performed daily when discharging, during conditions when observation of a sheen on the surface of the receiving water is possible in the vicinity of the discharge, and when the facility is manned.

[I.B.7.a] 7. Sanitary Waste

a.) Prohibitions: Solids. No floating solids may be discharged to the receiving waters. Observation must be made daily during daylight in the vicinity of Sanitary Waste outfalls.

[I.B.9.a-b] 9. Domestic Waste

a.) **Prohibitions.** Solids. No floating solids or foam shall be discharged.

b.) **Monitoring Requirements.** Solids. Observation must be made daily during daylight in the vicinity of Domestic Waste outfalls.

- **AOC #1:** Visual observations in daily and monthly observation reports had the same observation times for the presence of sheen or floating solids for multiple discharge locations. The General Permit

requires personnel to make visual observations near the discharge location or outfall. The discharge locations at the platforms are unknown, so EPA cannot confirm if the correct times are reported.

- **AOC #2:** A visual observation time was recorded in daily observation reports even when there was no discharge at a location. The General Permits requires monitoring to be performed when discharging.
- **AOC #3:** Visual observation times for sheens or floating solids occurred at times not ideal for observation (i.e. non-daylight hours). The General Permit requires monitoring of visual sheens and floating solids during daylight.

Requirement B: [I.A.2] A facility map that delineates authorized discharge locations and type must be submitted, as an attachment, when filing the eNOI.

- **AOC #4:** The discharge locations in the daily reports were not found in the outfall lists provided by BP for multiple platforms. The permit requirement above indicates that BP should have documentation of all discharge locations for their facilities when filing their NOI.

Requirement C: [II.B.8] 8. Sanitary Waste. a.) [Exception] Any facility operator which properly operates and maintains a marine sanitation device (MSD) that complies with pollution control standards and regulations under section 312 of the Act shall be deemed in compliance with permit prohibitions and limitations for Sanitary Waste...The MSD shall be tested yearly for proper operation and the test results maintained for three years at the facility or at an alternate site if not practicable.

- **AOC #5:** The daily reports for Atlantis and Thunder Horse listed backup chlorine units that were not present at the platforms.
- **AOC #6:** The inspection dates for MSDs in the daily reports were different from the dates on the inspection reports provided by BP at multiple platforms.

Requirement D: [II.B. Notes 1 & 2] B. Effluent Limitations and Monitoring Requirements

Note 1: EPA published the final rule "Guidelines Establishing Test Procedures for the Analysis of Pollutants Under the Clean Water Act; Analysis and Sampling Procedures" on Federal Register, Vol. 77, No. 97, May 18, 2012. Any recent or future changes or incorporation of new testing protocol or methods in the Effluent Limitations Guideline at 40 CFR Part 435 supersede the applicable requirements in this permit.

Note 2: All monitoring under this permit is required to comply with the approved test method procedure as described in 40 CFR Part 136, 40 CFR Part 435, and any protocol specified in this permit. This includes sample collection, preparation, preservation, and analysis protocol and use of sufficiently stringent test methods. Any changes to methods or protocol must be approved through the alternate test method procedures in accordance with 40 CFR Part 136.

- **AOC #7:** Multiple chain-of-custody forms were incomplete at each platform.

Requirement E: [II.B.12.b.2.i] b.) Cooling Water Intake Structure Operation Requirements. 2.) New Fixed Facilities that Employ Sea Chests as Intake Structures. i.) Velocity monitoring. The operator must monitor intake flow velocity across the intake screens to ensure the maximum intake flow velocity does not exceed 0.5 ft/s.

- **AOC #8:** Daily intake velocities for cooling water intake structures at Argos exceeded the 0.5 ft/s limit on multiple days in 2023.

Requirement F: The General Permit has prohibitions on the discharge of free oil from drilling fluids [II.B.1.b]; drill cuttings [II.B.2.b]; deck drainage [II.B.3.a]; well treatment, completion, and workover fluids; and miscellaneous discharges. The discharge of free oil from produced water is not prohibited, but the permittee must collect samples for oil and grease, which has a 42 mg/l daily maximum (effluent limitation) [II.B.4.a-b].

- **AOC #9:** BP facilities had multiple sheen events.

Requirement G: [I.A.2] 2. Notice of Intent. The primary operator must file an electronic Notice of Intent (eNOI) for discharges directly associated with oil/gas exploration, development, or production activities to be covered by this permit. A separate eNOI is required for each facility and that eNOI shall include all discharges controlled by the primary operator. Other operators or vessel operators must file an eNOI to cover discharges which are directly under their control but are not covered by eNOIs filed by the primary operator. In a case-by-case circumstance, the primary operator may require day-to-day or vessel operators to file their own eNOIs for dual coverage.

[I.A.2] Note 1: A separate eNOI is required for each facility, and that eNOI shall include all discharges associated with that facility controlled by the primary operator.

- **AOC #10:** BP does not have NOIs to cover discharges from the MODUs they contract and instead use the NOI for the subsea structure on which the MODU is performing a drilling job to cover discharges under their responsibility.

EPA Region 6 inspectors Mitty Garcia, Kenneth Aubuchon, and Uma Lad conducted a closing conference at BP Exploration and Production, Inc. at 3:00 pm on August 28, 2024.

Section IV – FOLLOW UP

EPA continues to review documents provided by BP during the inspection. EPA will have follow-up discussions with BP regarding their operations in the Gulf of Mexico and compliance with the Offshore General Permit.

Section V – LIST OF APPENDICES

BP claims the documents attached in the Appendices as CBI. EPA is currently reviewing the CBI claims.

CBI Appendices:

Appendix A: Daily Observation Reports – Selected Pages – All Platforms

Appendix B: Monthly Observation Reports – Selected Pages - Argos and Thunder Horse

Appendix C: NPDES Outfall List – Thunder Horse

Appendix D: NOI Facility Map - Atlantis

Appendix E: MSD Inspection Report – Selected Pages – Thunder Horse

Appendix F: Cooling Water Intake Structure Velocities – Selected Pages - Argos