

**§ 435.61**

in production, and well treatment in the oil and gas extraction industry.

**§ 435.61 Specialized definitions.**

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations, and methods of analysis set forth in 40 CFR part 401 shall apply to this subpart.

(b) The term "onshore" shall mean all land areas landward of the inner boundary of the territorial seas as defined in 40 CFR 125.1(gg).

(c) The term "well" shall mean crude oil producing wells and shall not include gas wells or wells injecting water for disposal or for enhanced recovery of oil or gas.

(d) The term "gas well" shall mean any well which produces natural gas in a ratio to the petroleum liquids produced greater than 15,000 cubic feet of gas per 1 barrel (42 gallons) of petroleum liquids.

**Subpart G—General Provisions**

**§ 435.70 Applicability.**

(a) *Purpose.* This subpart is intended to prevent oil and gas facilities, for which effluent limitations guidelines and standards, new source performance standards, or pretreatment standards have been promulgated under this part, from circumventing the effluent limitations guidelines and standards applicable to those facilities by moving effluent produced in one subcategory to another subcategory for disposal under less stringent requirements than intended by this part.

(b) *Applicability.* The effluent limitations and standards applicable to an oil and gas facility shall be determined as follows:

(1) An Oil and Gas facility, operator, or its agent or contractor may move its wastewaters from a facility located in one subcategory to another subcategory for treatment and return it to a location covered by the original subcategory for disposal. In such case, the effluent limitations guidelines, new source performance standards, or pretreatment standards for the original subcategory apply.

(2) An Oil and Gas facility, operator, or its agent or contractor may move its wastewaters from a facility located

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in one subcategory to another subcategory for disposal or treatment and disposal, provided:

(i) If an Oil and Gas facility, operator or its agent or contractor moves wastewaters from a wellhead located in one subcategory to another subcategory where oil and gas facilities are governed by less stringent effluent limitations guidelines, new source performance standards, or pretreatment standards, the more stringent effluent limitations guidelines, new source performance standards, or pretreatment standards applicable to the subcategory where the wellhead is located shall apply.

(ii) If an Oil and Gas facility, operator or its agent moves effluent from a wellhead located in one subcategory to another subcategory where oil and gas facilities are governed by more stringent effluent limitations guidelines, new source performance standards, or pretreatment standards, the more stringent effluent limitations guidelines, new source performance standards, or pretreatment standards applicable at the point of discharge shall apply.

[61 FR 66129, Dec. 16, 1996]

**PART 436—MINERAL MINING AND PROCESSING POINT SOURCE CATEGORY**

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