

A QUICK REFERENCE GUIDE to the UNDERGROUND INJECTION CONTROL (UIC) CLASS V RULE

<u>WHAT</u>	Revisions to the Federal Regulations addressing Class V wells were published on December 7, 1999 and effective April 5, 2000.
<u>PURPOSE</u>	To prevent contamination of underground sources of drinking water (USDW) by limiting injection of wastes through Class V wells.
<u>DESCRIPTION</u>	Added requirements for two sub-categories of Class V wells, large-capacity cesspools and motor vehicle waste disposal wells, links the Class V program to source water assessment program and added new definitions. The remaining types of Class V wells were addressed in EPA's notice of final determination of rulemaking in June 2002, which stated that existing regulations are adequate to protect USDWs.
<u>REGULATION</u>	Regulation 17 (Arkansas Underground Injection Control Code) and the Code of Federal Regulations (CFR) Title 40, Parts 144, 145, 146, and 124.

WHAT IS A CLASS V WELL?

A Class V well is typically a shallow injection well into or above a formation containing an Underground Source of Drinking Water (USDW).

RULE REQUIREMENTS:

MOTOR VEHICLE WASTE DISPOSAL WELLS

Definition: wells that receive or have received fluids from vehicular repair or maintenance facilities, such as auto body repair shop..."

- New motor vehicle waste disposal wells banned nationwide as of April 5, 2000
- Existing motor vehicle waste disposal wells banned in regulated areas. States may allow owners and operators to seek a waiver from the ban and obtain a permit.
- Minimum permit requirements include meeting MCLs at point of injection and injectate monitoring
- Owners or operators notify the UIC Program Director 30 days prior to closing their well.

LARGE CAPACITY CESSPOOLS

Definition: typically dry wells that receive sanitary waste from multiple dwellings and community or regional establishments or other devices that receive sanitary wastes,..., which have an open bottom and sometimes perforated sides. This does not apply to single family residential cesspools or non-residential cesspools which have the capacity to serve fewer than 20 persons per day

- New large-capacity cesspools banned nationwide as of April 5, 2000.
- Existing large-capacity cesspools closed by April 5, 2005.
- Owners or operators notify the UIC Program Director 30 days prior to closing their large-capacity cesspool.

Requirements for existing motor vehicle waste disposal wells would be phased-in as follows:

- First, in source water protection areas for community and non-transient non-community water systems that use ground water as a source of drinking water. These areas are being delineated and assessed as required by 1453 of the Safe Drinking Water Act and are called ground water protection areas. These are completed by the Arkansas Department of Health.
- Second, in other sensitive ground water areas (OSGWAs) that States identify as being crucial for protecting underground sources of drinking water. If a State does not complete its assessments for ground water protection areas or delineate OSGWAs by January 1, 2004, the rule requirements apply statewide. Arkansas did not delineate OSGWAs.

THE REVISIONS:

CHANGES TO THE UIC REGULATIONS:

- Consolidates Class V requirements into Subpart G
- Reclassifies Class V radioactive waste disposal wells that inject below the lowermost USDW as Class I wells.
- Allows States to 'authorize by rule' Class IV wells used for CERCLA and RCRA cleanup sites.

NEW OR MODIFIED DEFINITIONS:

- Point of injection
- Improved sinkhole
- Septic system
- Sanitary waste
- Drywell
- Well
- Subsurface fluid distribution system
- Well injection

The definition of a well is a "bored, drilled or driven shaft whose depth is larger than the largest surface dimension; or, a dug hole whose depth is greater than the largest surface dimension; or, an improved sinkhole; or, a subsurface distribution system".

WHAT DOES THIS MEAN TO ARKANSAS:

- The Arkansas Department of Health (ADH) bans large-capacity cesspools
- The ADEQ closes or permits motor vehicle waste disposal wells, under authority of Act 472 OF 1949, Ark. Code Ann. § 8-4-101 et seq. - the Arkansas Water and Air Pollution Control Act.
- The new Regulations will enhance the existing regulatory requirements and the Class V program.
- All other Class V wells are "authorized by rule" as long as they do not endanger USDWs and

EXAMPLES OF CLASS V WELLS:

air conditioning return flow wells
cooling water return flow wells
septic systems for a multiple dwelling
aquifer recharge and remediation wells
motor vehicle waste disposal wells
wells used in experimental technology
wells associated with geothermal energy
industrial wells

storm water drainage wells
salt water intrusion barrier wells
sand backfill wells
dry wells
subsidence control wells
large capacity cesspools
spent brine disposal wells

See the following links for more information:

<http://www.epa.gov/safewater/uic/classv.html>
<http://www.epa.gov/safewater/uic/c5fin-fs.html>
<http://www.epa.gov/safewater/uic/c5quickguide.pdf>
<http://www.epa.gov/safewater/uic/smallcompliance.pdf>
http://www.epa.gov/safewater/uic/pdfs/fact_class5_stormwater.pdf
http://www.epa.gov/safewater/uic/pdfs/fact_class5_septicsystems.pdf

For additional information, please contact:

Water Division, State Permits Branch
UIC Section (501)682-0648
http://www.adeq.state.ar.us/water/branch_permits/default.htm