

EPA Announces New Regulations for Certain Class V Underground Waste Disposal Systems

What is a Class V underground disposal system?

Class V underground disposal systems are usually shallow dry wells or septic tank-drain field systems used to place a variety of fluids below the land surface. Systems that dispose of any type of commercial or industrial wastes in this manner are regulated by the Underground Injection Control (UIC) Program. Small-volume systems that only dispose of sanitary or household waste are not included in the regulations.

Why are Class V underground disposal systems a concern?

Class V disposal systems pose a risk to underground sources of drinking water. Eighty-nine percent of America's public water systems use ground water as a source.

The Environmental Protection Agency estimates that there are more than 600,000 Class V disposal systems currently in the United States. Class V disposal systems are located in every state, especially in unsewered areas where the population is also likely to depend on ground water for its drinking water source. There are many types of Class V disposal systems including motor vehicle waste disposal systems, large-capacity cesspools, storm water drainage wells, aquifer remediation wells and large-capacity septic systems. The fluids released by certain types of these wells have a high potential to contain elevated concentrations of contaminants that may endanger drinking water.

Are Class V disposal systems currently regulated?

In North Dakota, Class V disposal systems have been regulated by the UIC Program since 1984, under the authority of the Safe Drinking Water Act. The UIC Program is administered by the North Dakota Department of Environmental Quality (NDDEQ).

Under the existing regulations, Class V systems are "authorized by rule." This means that most Class V disposal systems do not require a permit if they do not endanger underground sources of drinking water and they comply with other UIC program requirements.

These program requirements include (1) mandatory reporting of the use of, the intent to use, or the intent to close a Class V system; and (2) constructing, operating and closing Class V systems in a manner that protects underground sources of drinking water. The NDDEQ's Division of Water Quality may ask for additional information or require a permit to ensure the protection of ground water quality.

What are the new regulatory requirements?

The new requirements protect public health and the environment by eliminating or reducing disposal of wastes from large-capacity cesspools and motor vehicle waste disposal systems.

Large-capacity Cesspools

These are typically "dry wells" that receive sanitary waste from multiple dwellings or community establishments. Generally, these are capable of containing waste for 20 or more people per day.

- New cesspools are prohibited nationwide as of April 2000.
- Existing cesspools will be phased out nationwide by April 2005.

Motor Vehicle Waste Disposal Systems

These systems receive fluids from vehicular repair or maintenance activities, such as auto body repair, engine repair, motor vehicle service or other motorized vehicle work. Commonly, a floor drain in a shop or garage is connected to a dry well or a septic tank-drain field system.

- New systems that receive motor vehicle waste fluid are prohibited as of April 2000.
- Existing wells in regulated areas will be phased out (details below), but operators may seek a permit. Permit conditions include (1) monitoring of injected fluids and sludge to meet Maximum Contaminant Levels (MCLs) and other health-based standards, and (2) implementation of best management practices, such as recycling and waste minimization.

Where are the new rules effective?

The ban on new large-capacity cesspools and motor vehicle waste disposal systems is nationwide. The phase-out of existing motor vehicle waste disposal systems will apply in ground water protection areas, as identified by the NDDEQ Source Water Assessment Program. The requirements also will be applied in other sensitive ground water areas where hydro-geologic conditions would allow contaminants to migrate readily to underground sources of drinking water.

What are the compliance schedules for owners and operators in the affected areas?

Within Source Water Protection Areas

Owners and operators of motor vehicle waste disposal systems must close their system within one year of designation as a source water protection area. The Division of Water Quality is required, under the Safe Drinking Water Act, to designate all source water protection areas in the state by Jan. 1, 2004.

Within Other Sensitive Ground Water Areas

The Division of Water Quality expects the designation of other sensitive ground water areas to be finalized by July 1, 2001. Owners and operators of motor vehicle waste disposal systems in these areas must close their systems by January 1, 2007.

In the interim, all motor vehicle waste disposal systems in these areas must meet MCLs or other health-based water quality standards.

These rules apply only to the motor vehicle waste portion of the waste stream. Sanitary or domestic wastes still are authorized for underground disposal.

How do I get more information?

Call the NDDEQ, Division of Water Quality, at 701.328.5210 for additional information or to report the use of a Class V waste disposal system.

For additional information, call the Safe Drinking Water Hotline at 800.426.4791 (email: hotline-sdwa@epamail.epa.gov).

Division of Water Quality website:
<https://deq.nd.gov/>

EPA's UIC website: <https://www.epa.gov/uic>

