

United States
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Agency

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FACT SHEET

CLASS V INJECTION WELLS

**EPA Announces New Regulatory
Requirements for Certain Class V Injection
Wells**

November 1999

What is a Class V injection well?

Class V injection wells are typically shallow disposal systems that are used to place a variety of fluids below the land surface. Injection wells are regulated by EPA and the states through the Underground Injection Control (UIC) Program in order to protect underground sources of drinking water from contamination.

Why are Class V injection wells of concern?

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

EPA estimates that there are more than 600,000 Class V injection wells currently in the United States. Class V injection wells 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 wells including: motor vehicle waste disposal wells; 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 injection wells currently regulated?

Class V injection wells are currently regulated by the UIC program, under the authority of the Safe Drinking Water Act. Under the existing federal regulations, Class V injection wells are "authorized by rule" (40 CFR 144). This means that Class V injection wells 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) submitting basic information about Class V injection wells to EPA or the state primacy agency, and 2) constructing, operating, and closing Class V injection wells in a manner which protects underground sources of drinking water. EPA or a state primacy agency may ask for additional information or require a permit in order to ensure that ground water quality is adequately protected. Further, many UIC primacy state programs have additional prohibitions or permitting requirements for certain types of Class V injection wells.

What are the new regulatory requirements?

These new requirements protect public health and the environment by eliminating or reducing injection of wastes from large capacity cesspools and motor vehicle waste disposal wells.

Large-capacity Cesspools

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

Motor Vehicle Waste Disposal Wells

- ! New wells are prohibited nationwide as of April 2000.
- ! Existing wells in regulated areas will be phased out (details below), but owners and operators can seek a waiver and obtain a permit. Permits must set out minimum

requirements including: 1) meeting Maximum Contaminant Levels (MCLs) and other health based standards at the point of injection, 2) monitoring for injectate and sludge, and 3) implementing best management practices, such as recycling and waste minimization.

Where are existing motor vehicle waste disposal wells being regulated?

The requirements for existing motor vehicle waste disposal wells are being linked with State Source Water Assessment Programs. States are conducting source water assessments as required by the 1996 Amendments to the Safe Drinking Water Act (SDWA). The Amendments require states to establish Source Water Assessment Programs that, when complete, will: 1) delineate areas in the state in which one or more public drinking water systems have sources of drinking water; and 2) identify, to the extent practical, the origins of regulated and certain unregulated contaminants in the delineated area to determine the susceptibility of drinking water systems to such contaminants.

The new requirements will apply in ground water protection areas, as identified by the state's assessment for community and non-transient non-community water systems that use ground water.

The requirements will also apply in other areas that states identify as sensitive ground water areas. These areas are critical to protecting existing and future drinking water sources because hydrogeologic conditions would allow contaminants to readily migrate to drinking water sources.

What are the compliance schedules for owners and operators in ground water protection areas and other sensitive ground water areas?

The new requirements for existing motor vehicle waste disposal wells will be phased-in over approximately seven years. The first wells to be affected will be those located in ground water protection areas.

Motor vehicle waste disposal wells in Ground Water Protection Areas

- ! Owners and operators in ground water protection areas must close their well or obtain a permit within one year of completion of the state's ground water protection assessment. States could grant a one year extension under certain conditions.
- ! States must complete the ground water protection assessments by January 1, 2004. If they do not, three things could occur:
 - ▶ The rule would apply statewide, and owners and operators would have until January 1, 2005, to close their wells or obtain a permit.
 - ▶ States could apply to EPA for a one year extension to complete their assessments. Owners and operators would have one year from the completion of the ground water protection assessment to close their well or obtain a permit.
 - ▶ If states get an extension and fail to complete their assessments, the rule would apply statewide and owners and operators would have until January 1, 2006, to close their wells or obtain a permit.

Motor vehicle waste disposal wells in Other Sensitive Ground Water Areas

- ! States must designate other sensitive ground water areas by January 1, 2004. Owners and operators of existing wells in these sensitive ground water areas have until January 1, 2007, to comply with the requirements.

- ! If States do not designate sensitive ground water areas by January 1, 2004, three things could occur:
 - ▶ The rule would apply statewide and owners and operators would have until January 1, 2007, to close their wells or obtain a permit.

 - ▶ States could apply to EPA for a one year extension to complete the designation. Owners and operators in designated sensitive ground water areas would have until January 2008 to close their well or obtain a permit.

 - ▶ If States get an extension and fail to complete their designation, the rule would then apply statewide and owners and operators would have until January 2008 to close their wells or obtain a permit.

How do I get
more
information?

The *Revisions to the Underground Injection Control Regulations for Class V Injection Wells* were signed on November 23, 1999. The regulation will soon appear in the Federal Register, and will also be available on EPA's website at www.epa.gov/safewater/uic.html#classv.

For more information, contact the Safe Drinking Water Hotline at 1-800-426-4791 (email: hotline-sdwa@epamail.epa.gov) or Robyn Delehanty at (202) 260-1993 (email: delehanty.robyn@epamail.epa.gov).

To find out information about your state's UIC and source water assessment program, call the Safe Drinking Water Hotline at 1-800-426-4791 to find out who to call in your state.