**Environmental Protection Agency Injection Well Compliance/Remediation Project**

**FY2014 Request:** **$1,200,000**
**Reference No:** **50790**

**AP/AL:** Allocation
**Category:** Transportation
**Location:** Statewide
**Impact House District:** Statewide (HD 1-40)
**Estimated Project Dates:** 07/01/2013 - 07/01/2017
**Appropriation:** Regulatory Compliance

**Project Type:** Life / Health / Safety
**House District:** Statewide (HD 1-40)
**Contact:** Pat Kemp
**Contact Phone:** (907)465-3900

**Brief Summary and Statement of Need:**
This project provides funding for the U.S. Environmental Protection Agency (EPA) penalty and required decommissioning and remediation of Class V injection wells in the State. The EPA recently took enforcement action against the State in Southeast Region for violating Pact C of the Safe Drinking Water Act (SDWA) and is preparing to take action against both the Northern Region (NR) and Central Region (CR). EPA enforcement action in Southeast Region resulted in a civil penalty of $67,000 for two Class V Injection Wells plus an administrative consent agreement that the existing wells be legally decommissioned and remediated.

| **Funding:** | FY2014 | FY2015 | FY2016 | FY2017 | FY2018 | FY2019 | Total |
|---|---|---|---|---|---|---|---|
| Gen Fund | $1,200,000 | $6,200,200 | | | | | $7,400,200 |
| Total: | $1,200,000 | $6,200,200 | $0 | $0 | $0 | $0 | $7,400,200 |

☐ State Match Required ☐ One-Time Project ☑ Phased - new ☐ Phased - underway ☐ On-Going
0% = Minimum State Match % Required ☐ Amendment ☐ Mental Health Bill

**Operating & Maintenance Costs:**

| | Amount | Staff |
|---|---|---|
| Project Development: | 0 | 0 |
| Ongoing Operating: | 0 | 0 |
| One-Time Startup: | 0 | |
| Totals: | 0 | 0 |

**Prior Funding History / Additional Information:**

No prior funding history

**Project Description/Justification:**
Underground Injection Control (UIC) regulations at 40 C.F.R Part 144 classify motor vehicle waste disposal wells as Class V Injection Wells. In 2000, the EPA banned motor vehicle waste disposal wells and required that all such wells be closed throughout Alaska no later than January 1, 2005. The continuing operation and/or maintenance of motor vehicle waste disposal wells at approximately 51 remaining locations is a violation of the UIC regulations and subject to civil action for each violation. Penalties for violations are up to $32,500 per day of violation. This can be applied to each of the 51 remaining injection wells individually. The department has been put on notice by the EPA that enforcement action will be initiated against both NR and CR. The FY2014 request funds the decommissioning/remediation of approximately 8 wells in CR and NR.

The Underground Injection Control (UIC) program at the EPA regulates underground disposal activities to ensure that fluids injected or percolated underground do not endanger underground sources of drinking water. Specifically, UIC regulation 40 C.F.R. §§ 144.12(a) and 144.82 prohibits

"the movement of fluid containing any contaminant into underground sources of drinking water, if the presence of that contaminant may cause a violation of the primary drinking water standards, other health based standards, or may otherwise adversely affect the health of persons". Federal regulation bans motor vehicle waste disposal wells throughout the nation and requires closure because they pose a threat to drinking water resources. Approximately 51 remaining DOT&PF facilities route liquids collected on the floors into floor drains leading directly into the ground. The EPA's regulations consider these "dry wells" or leach fields to be Class V Injection Wells. Where motor vehicle maintenance is done, EPA considers these facilities to be out of compliance and potential sources of drinking water contamination. These injection wells are no longer authorized and must be capped, sampled, and the underlying soils remediated when necessary. Alternative systems must be designed & installed to dispose of the accumulating floor drainage flows in accordance with EPA requirements.

A motor vehicle waste disposal well is a shallow disposal system that receives fluids from vehicle repair or maintenance activities conducted in a vehicle maintenance shop. Typical motor vehicle waste disposal wells are floor drains in service bays that connect to a septic system or drywell. However, *any* underground system that receives motor vehicle waste is considered to be a motor vehicle waste disposal well. During normal vehicle repair and maintenance, fluids such as engine oil or solvents may drip or spill into floor drains in service areas. Motor vehicle wastes include engine oil, transmission fluid, power steering fluid, brake fluid, antifreeze, solvents, and degreasers. If the floor drains are connected to a septic system, dry well, log crib, drain tank, or any other type of underground disposal system, waste fluids may be entering and contaminating the drinking water system.

The U.S. Environmental Protection Agency (EPA) recently took enforcement action against the Southeast Region for violating Pact C of the Safe Drinking Water Act (SDWA) and is preparing to take action against both the Northern Region (NR) and Central Region (CR). The EPA action in Southeast Region resulted in a civil penalty of $67,000 for two Class V injection wells plus an administrative consent agreement that the existing wells be legally decommissioned and remediated.

The decommissioning process is a multi-step process. Notice of closure and a closure plan must be developed and submitted to EPA at least 30 days prior to closure. The existing well closure must permanently plug or otherwise close the well in a way that is approved by EPA and that ensures ground water protection. The next step is to dispose of or manage any soil, gravel, sludge, liquids, or other materials removed from the well and/or the area around the well. Well decommissioning requires that a qualified inspector check the contents of each septic tank, system, and surrounding soils to ensure that there is no contamination. If the soil is determined to be contaminated by oil or other products, all contaminated material must be disposed of or managed by an approved method. After the injection well is officially closed, another sample must be collected and analyzed and the motor vehicle service wastewater must still be collected and managed by an approved alternative method. The department is planning to install holding tanks at the majority of our service facilities. The tank can then be periodically pumped out for proper disposal.