

# Rethinking Class V Wells: Improving Efficiency and Effectiveness

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UTAH DEPARTMENT of  
ENVIRONMENTAL QUALITY  
**WATER  
QUALITY**

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# Outline

- Class V Research
  - Existing Research
- Priority
  - Existing Priority Documents
- Implementation
  - Existing Implementation Documents
- GWPC Class V Workgroup
  - Purpose
  - Questionnaire
  - Anticipated Outcome

# **Class V Research**

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## **1987 Report to Congress**

Was mandated by the 1986 Amendments to the Safe Drinking Water Act, requiring USEPA to submit a report to Congress summarizing State surveys on Class V well injection.

## **1999 Class V Study**

Was conducted to develop background information for USEPA to use in evaluating the risk that these wells pose to underground drinking water supplies and if additional federal regulation was warranted.

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# Both Documents Revealed:

- **Class V inventory is large in number, diverse in well type, and variable in geographic distribution around the country.**
- **Class V construction types vary greatly from shallow, 'low-tech' designs like 'rock pits' to deep, 'high-tech' designs approaching those of Class I wells.**
- **Class V potential for contaminating USDWs ranges from low to high.**

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# Both Documents Revealed:

- **Class V regulatory authority and systems vary greatly from State to State.**

And, quoting from the Executive Summary of the Class V Study:

- **“State UIC programs are generally resource-constrained.”**
  - **“the states are often not able to implement UIC programs as vigorously as they would like”**
  - **“lack of resources typically manifests itself in a state program that is more reactive than proactive.”**

# **Class V Priorities**

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## Permitting Priorities – 40 CFR 146.9

- (a) Injection wells known or suspected to be **contaminating USDW**
- (b) Injection wells known to be injecting fluids containing **hazardous contaminants**;
- (c) **Likelihood of contamination** of USDW;
- (d) Potentially affected **population**;
- (e) Injection wells **violating** existing State requirements;
- (f) **Coordination** with the issuance of permits required by other State or Federal permit programs;
- (g) **Age and depth** of the injection well; and
- (h) **Expiration dates** of existing State permits, if any.



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# Class V Enforcement Priorities – UICP Guidance #62

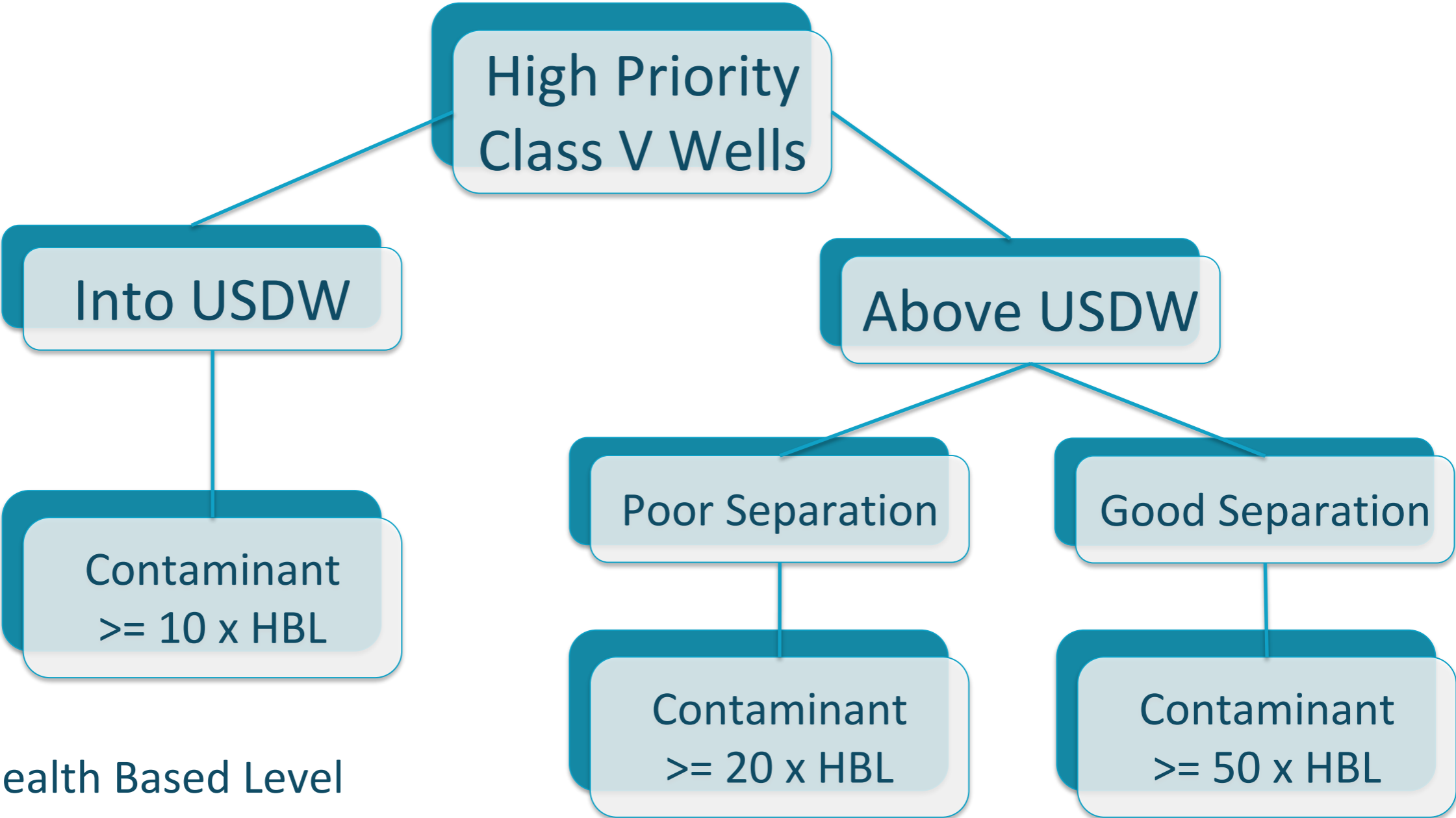
- Issued April 28, 1988 for use by EPA Regions for Direct Implementation of UIC Program
- Purpose - to offer prioritization scheme for enforcement actions against Class V wells that may adversely affect or imminently and substantially endanger human health.
- Identified for immediate investigation to determine violations - **industrial drainage wells, industrial waste disposal wells, motor vehicle facility disposal wells, and EPA Region priority wells.**

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# **Class V Enforcement Priorities – UICP Guidance #62**

- Presented screening criteria for prioritizing enforcement action against Class V wells
- Listed available enforcement options – Emergency Administrative Powers, Civil Administrative Order, Civil Judicial Referral, and Criminal Judicial Referral.

# UICP Guidance #62 – Screening Criteria



HBL = Health Based Level

Environmental Fate of Contaminants, Quantity, Hydrogeology, Water Wells within Radius of Influence

← High Priority



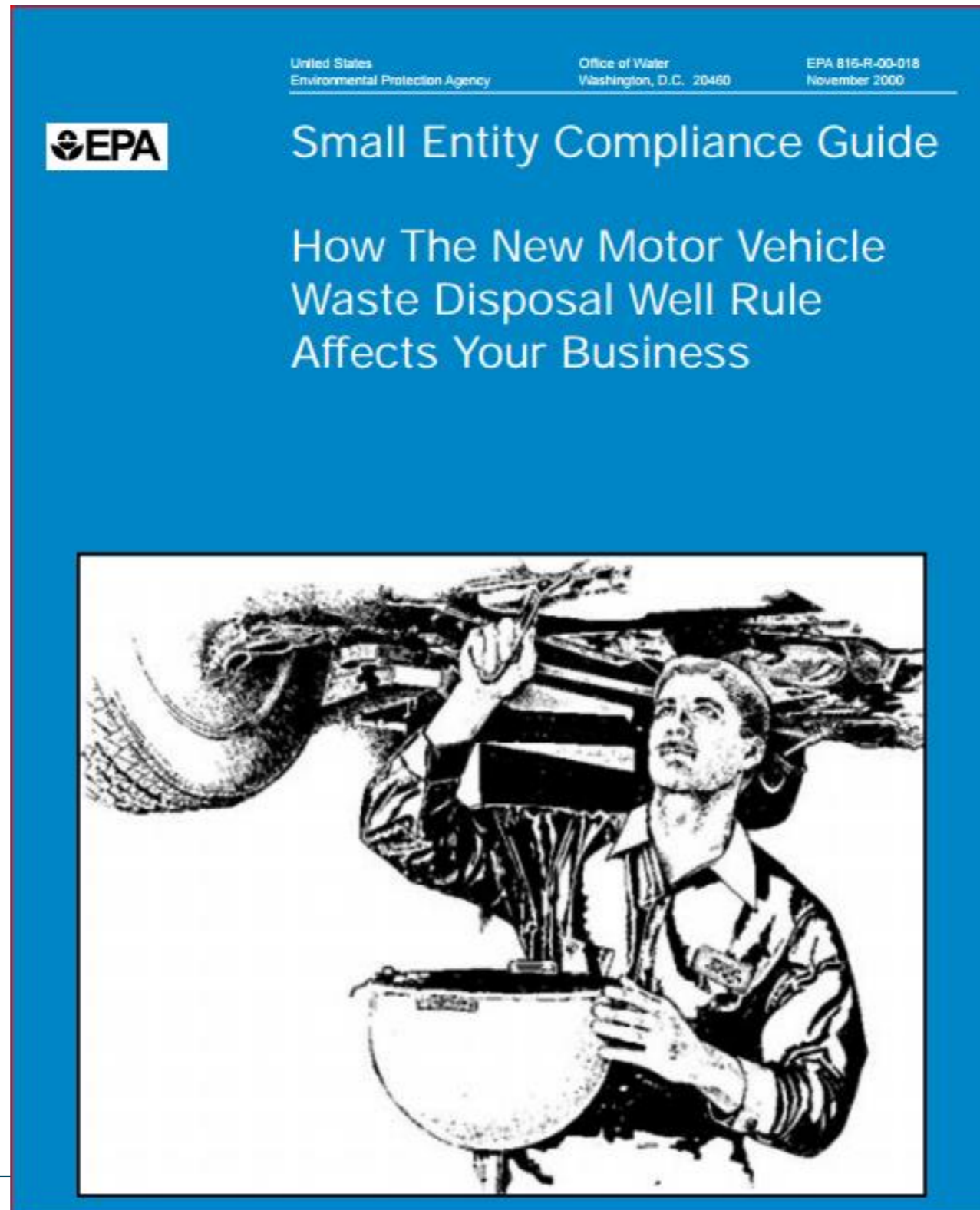
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# High Priority MVWDWs and LCCs

December 7, 1999 – EPA Revised Class V Regulations banning Motor Vehicle Waste Disposal Wells (MVWDWs) and Large Capacity Cesspools (LCCs)

# **Class V Implementation**

# Some Implementation Documents for MVWDWs



# Some Implementation Documents for MVWDWs

United States  
Environmental Protection  
Agency

Office of Water  
(4606)

EPA 816-R-00-008  
September 2000



## State Implementation Guide

### Revisions to the Underground Injection Control Regulations for Class V Injection Wells

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## Some Implementation Documents for MVWDWs

“This document.....may not apply to a particular situation based upon the circumstances. EPA and State decision makers retain the discretion to adopt approaches on a case by case basis that differ from this guidance where appropriate. Any decisions regarding a particular facility will be made based on the applicable statutes and regulations.”



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# **An Embarrassing, Yet Revealing, Personal Experience Regarding Motor Vehicle Waste Disposal Wells**

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# What if we could create a knowledge pool of Class V Subclass-specific information and State regulatory schemes from which all UIC Class V Programs could draw?

- Eliminate redundant research effort.
- States could choose schemes they could customize and integrate into their own regulatory systems.
- Improve overall efficiency and effectiveness of Class V Programs; move us from being reactive to proactive

# **GWPC Class V Workgroup**

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# GWPC Class V Workgroup Purpose

- GWPC approved the formation of the Class V Workgroup to focus on Class V issues and to interact with EPA as needed but especially on well prioritization issues.

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# GWPC Class V Workgroup Current Membership

Brianna Ariotti – UtDEQ

Candace Cady, Co-Chair – UtDEQ

Lorrie Council, Co-Chair – TCEQ

Ben Grunewald - GWPC

Sonja Massey - AlabamaDEM

Mary Musick – GWPC

Steve Musick – GWPC

Bryan Smith - TCEQ

Dan Yates - GWPC

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## Identifying Class V Issues

- First task for the Class V Workgroup is to identify Class V issues
- We have developed a questionnaire that will be discussed in detail at the Class V Open Forum later this afternoon.
- Purpose of questionnaire is to identify the issues Class V regulators are still having in implementing their Class V Program

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# Anticipated Outcomes

- Based on questionnaire results, develop products that will enable more EFFICIENT and EFFECTIVE implementation of Class V Program!

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?? Questions ??