

YOU, ECOLOGY, AND DRYWELLS



EPA, the Clean Water Act and groundwater



What are drywells?



WAC 173-218
Underground
Injection
Control Program
becomes effective

1/3/06





WAC 173-218

- **Covers all UIC wells defined by WAC**
- **All infiltration trenches except single family roofs**
- **Class V Underground Injection Well**

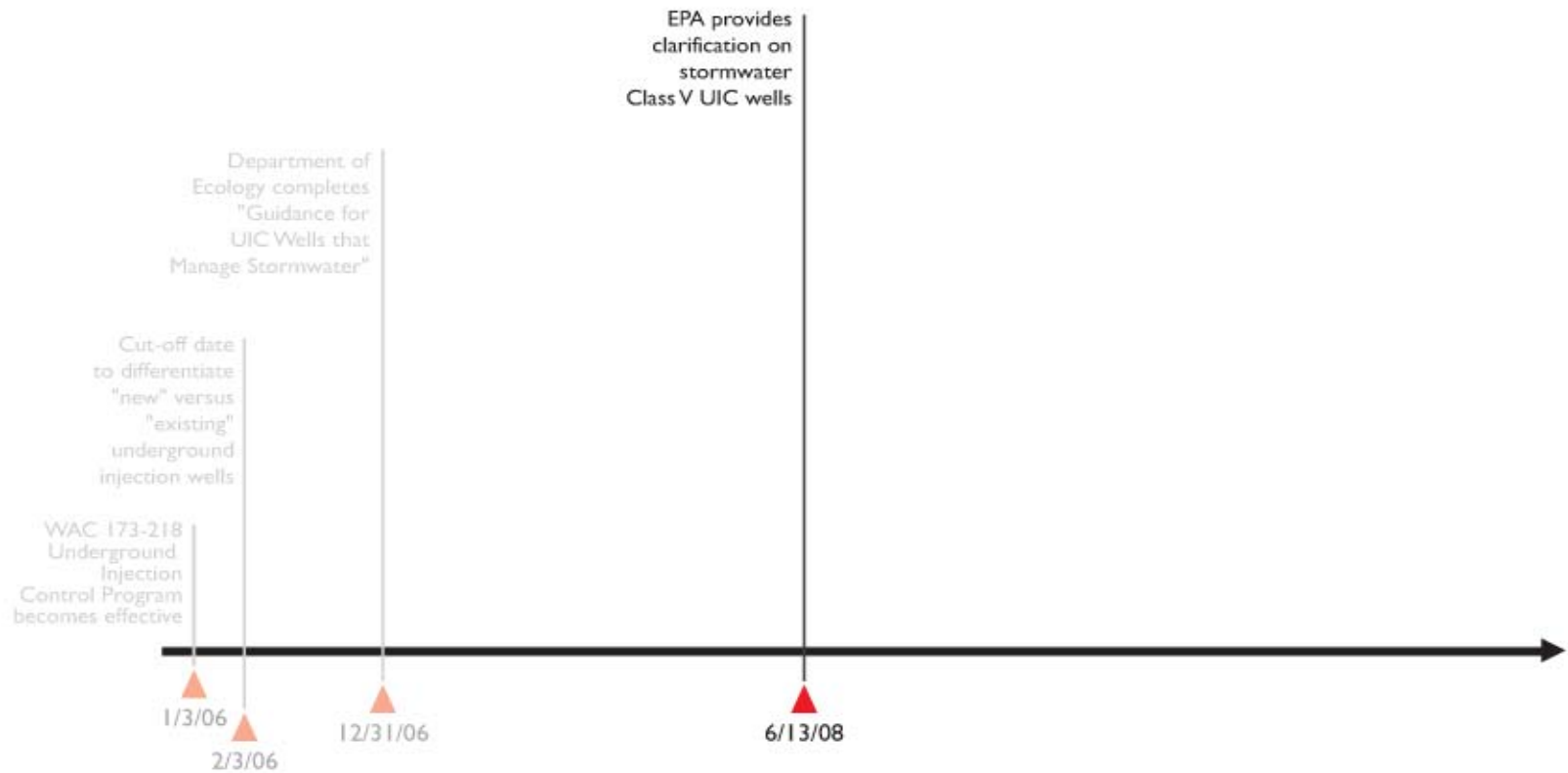
EXISTING

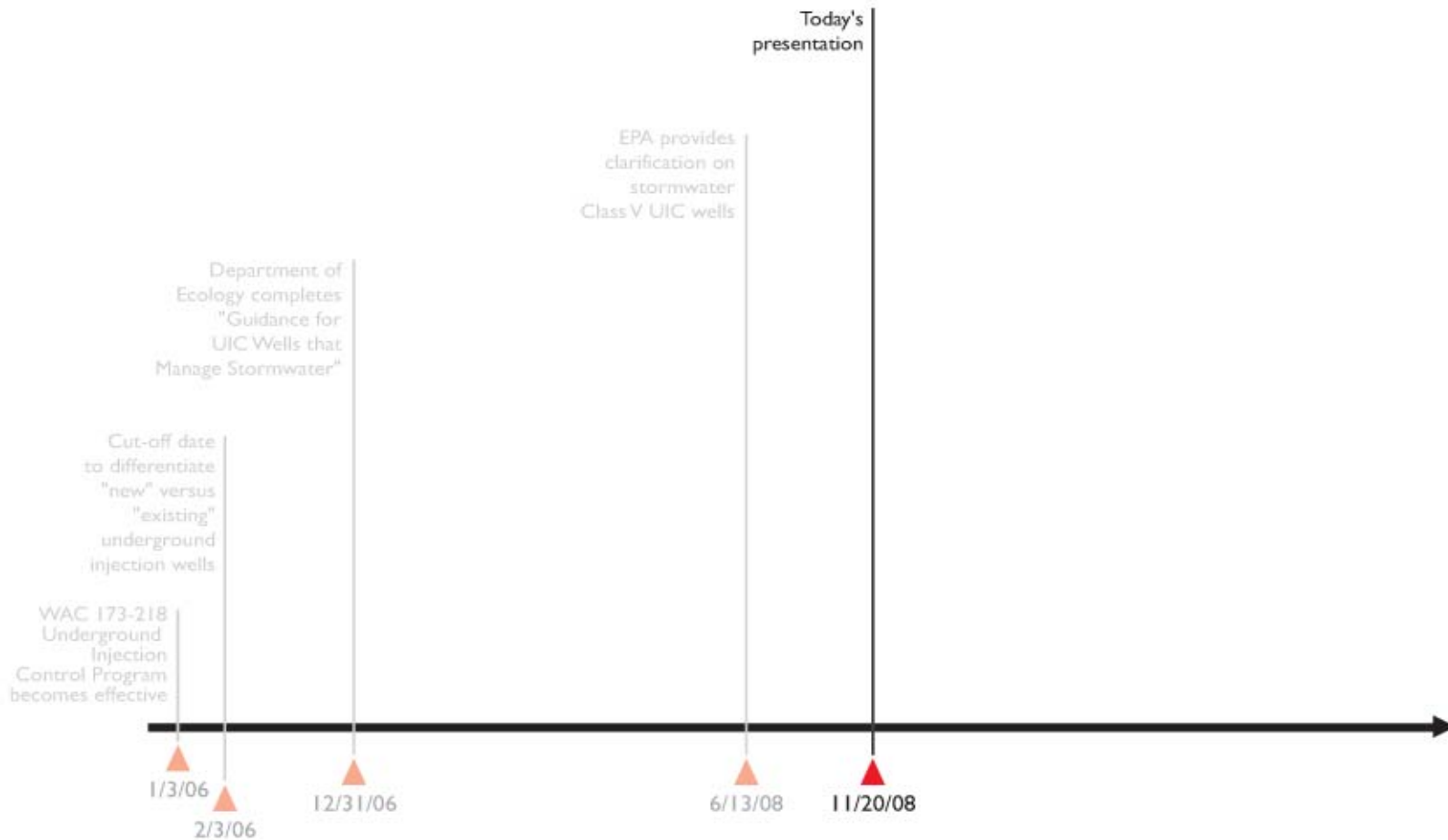
Before February 2006

NEW

After February 2006







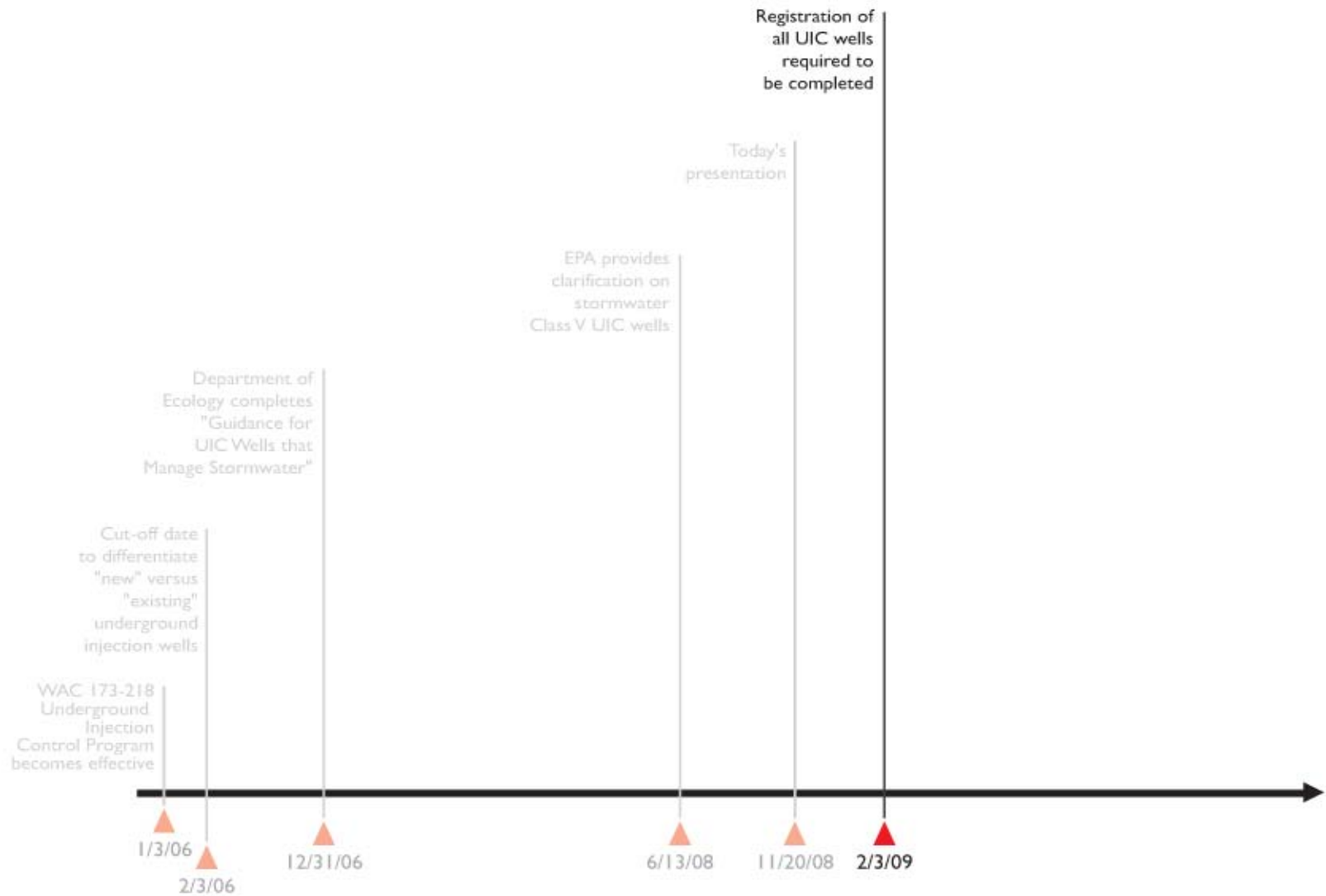
Short story

- **Existing wells**

- Registration by Feb 2009
- Assessment by Feb 2011
- Rule authorization is presumed if not a high threat to groundwater
- Must operate per current DOE rules

- **New wells**

- Registration by Feb 2009
- DOE Evaluation
- Must operate per current DOE rules



Owners are required to act

- **All UIC wells must be registered by February 2009**
- **DOE evaluation of new wells**
- **“Rule-authorization” is the goal, all wells**
- **“Non-endangerment” standard is the criteria**
- **Retrofit if not rule-authorized**

Well Registration

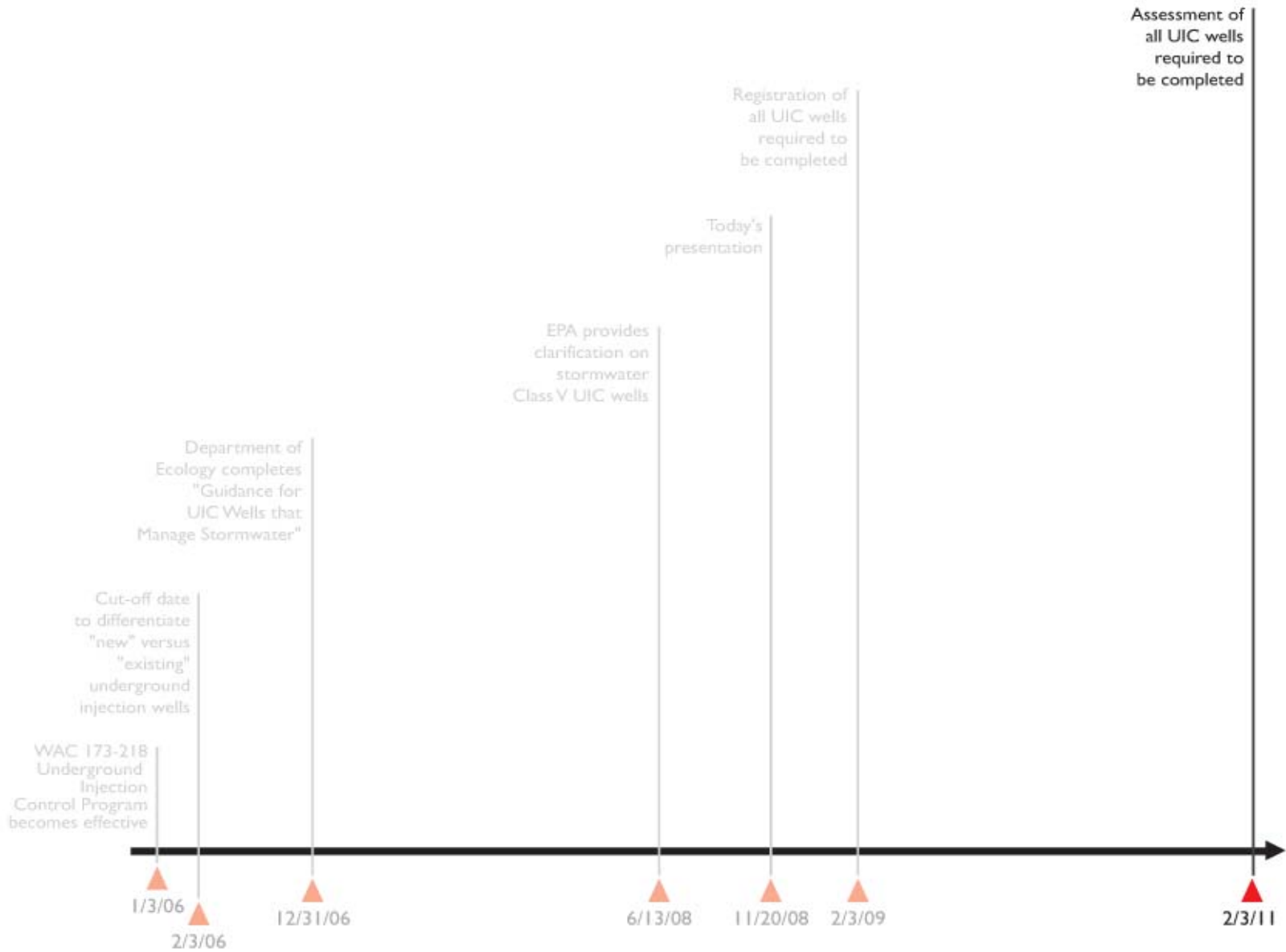
- **Forms provided by DOE**
 - Available online
 - Fairly straightforward
- **New wells slightly more technical**
 - DOE evaluates new wells

DOE Evaluation

- **Will respond within 60 days**
- **May conduct site visit**
- **May request additional info**
- **May approve or deny**
- **May approve with conditions**

Non-endangerment standard

- **Drywell cannot be located in groundwater**
- **Generally figure more than 3 feet separation**
- **May have to improve source control or modify operations**
- **Older systems may need pre-treatment for solids removal**
- **New systems may require retrofitting**



Assessment required prior to Feb. 2011

- Required for existing UIC wells
- Grandfathered, unless assessment yields “high threat to groundwater”
- High threat to groundwater:
 - A well that collects a prohibited discharge
 - Has a high pollutant load and soil with poor treatment potential
 - Or, is situated in groundwater

Enforcement and Penalties

- **For “violations of this chapter”** look to provisions of the Water Pollution Control Act, RCW 90.48
- **RCW 90.48.080:** “It shall be unlawful for any person to throw, drain, run, or otherwise discharge....that shall cause or tend to cause pollution....”
- **RCW 90.48.140**a gross misdemeanor, and upon conviction thereof shall be punished by a fine of up to ten thousand dollars and costs of prosecution, or by imprisonment in the county jail for not more than one year, or by both....
- **Each day or occurrence represents a separate violation**

Future considerations

- **All future infiltration facilities must be designed according to DOE or technically equivalent guideline**
 - Locate 100 feet from drinking water wells
 - 100 feet upslope and 20 feet down slope of building foundations
 - Minimum 5 feet separation to groundwater
- **Registration prior to construction**

Key points

- **All Drywells and infiltration trenches on non-single family residences are Underground Injection Wells**
- **Wells must be registered with DOE by Feb 2009**
- **Existing wells must complete an assessment by Feb 2011**
- **DOE will grant approval or require upgrades**
- **Application forms in handout**
- **UIC well guidance available online**
 - <http://www.ecy.wa.gov/biblio/0510067.html>



Q & A

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