

**R18-9-C304.2.04 General Permit: Drywells that Drain Areas at Motor Fuel Dispensing Facilities Where Motor Fuels are Used, Stored, or Loaded**

- A. A 2.04 General Permit allows for a drywell that drains an area at a facility for dispensing motor fuel, as defined in A.A.C. R20-2-701(19), including a commercial gasoline station with an underground storage tank.
1. A drywell at a motor fuel dispensing facility using hazardous substances is eligible for coverage under this general permit.
  2. A drywell at a vehicle maintenance facility owned or operated by a commercial enterprise or by a federal, state, county, or local government is not eligible for coverage under this general permit, unless the facility design ensures that only motor fuel dispensing areas will drain to the drywell. Areas where hazardous substances other than motor fuels are used, stored, or loaded, including service bays, are not covered under this general permit.
  3. For purposes of this Section, “hazardous substances” means substances that are components of commercially packaged automotive supplies, such as motor oil, antifreeze, and routine cleaning supplies such as those used for cleaning windshields, but not degreasers, engine cleaners, or similar products.
- B. Notice of Intent to Discharge.
1. An applicant shall provide design information to demonstrate that the requirements in subsection (C) are met.
  2. In addition to the requirements in R18-9-A301(B), an applicant shall submit:
    - a. The Department registration number for the drywell or documentation that a drywell registration form was submitted to the Department; and
    - b. For a drywell constructed more than 90 days before the Notice of Intent to Discharge is submitted, a certification signed and sealed by an Arizona-registered professional engineer or geologist that a site investigation concluded that the drywell is marked “Stormwater Only” on the surface grate or manhole cover; and
      - i. The settling chamber does not contain sediment for characterizing and comparison of results to soil remediation levels and the chamber has not been cleaned out within the last six months; or
      - ii. Analytical results from sampling of the settling chamber sediment for pollutants reasonably expected to be present do not exceed the residential soil remediation levels or groundwater protection levels; or
      - iii. Soil-borings indicate that neither a soil remediation level nor groundwater protection level is exceeded in soil beneath the drywell.
- C. Design requirements.
1. An applicant shall:
    - a. Include a flow control or pretreatment device, or both, that removes, intercepts, or collects spilled motor fuel or hazardous substances before stormwater enters the drywell injection pipe;
    - b. Calculate the volume of runoff generated in the design storm event and anticipate the maximum potential contaminant release quantity to design the treatment and holding capacity of the drywell;
    - c. Follow local codes and regulations to meet retention periods for removing standing water;
    - d. Locate the drywell at least 100 feet from a water supply well and 20 feet from an underground storage tank; and
    - e. Locate the bottom of the drywell injection pipe at least 10 feet above the groundwater table. The applicant shall seal off any zone of perched water above the groundwater table from the drywell injection pipe following the requirements in R12-15-816(I)(1) and (2).
  2. An applicant that cannot meet the design requirements in subsections (C)(1)(d) and (e) shall provide the Department with the date of drywell construction, the distance from the drywell to the nearest water supply well and from the drywell to the underground storage tank, and the depth to the groundwater from the bottom of the drywell injection pipe.
- D. A permittee shall ensure that motor fuels and other hazardous substances are not discharged to the subsurface. A permittee may use any of the following flow control or pretreatment technologies:
1. Flow control. The permittee shall ensure that motor fuel and hazardous substance spills are removed before allowing stormwater to enter the drywell.
    - a. Normally closed manual or automatic valve. The permittee shall leave a normally closed valve in a closed position except when stormwater is allowed to enter the drywell;
    - b. Raised drywell inlet. The permittee shall:
      - i. Raise the drywell inlet at least six inches above the bottom of the retention basin or other



6. Remove sludge from the oil/water separator and replace the filtration or adsorption materials to maintain treatment capacity;
7. Remove sediment from the catch basin inlet filters and retention basins to maintain required storage capacity;
8. Remove accumulated sediment from the settling chamber annually or when 25 percent of the effective settling capacity is filled, whichever occurs first; and
9. Provide new employee training within one month of hire and annual employee training on how to maintain and operate flow control and pretreatment technology used in the drywell.

G. Closure Requirements.

1. A permittee shall comply with the following closure requirements:
  - a. Retain a drywell drilling contractor, licensed under 4 A.A.C. 9, to close the drywell;
  - b. Remove sediments and any drainage components, such as stand pipes and screens from the drywell's settling chamber and backfill the injection pipe with cement grout;
  - c. Remove the top of the drywell, including the upper settling chamber to a depth of at least six feet below the ground surface. The permittee may use a backhoe or other excavation equipment;
  - d. Fill the remaining settling chamber with clean, mechanically compacted silt, clay, similar engineered material, or ABC slurry;
  - e. Place a cement grout plug at least two feet thick with the top set at four feet below the ground surface;
  - f. Backfill the remainder of the drywell to the land surface with clean silt, clay, or engineered material. Materials containing hazardous substances are prohibited from use in backfilling the drywell; and
  - g. Mechanically compact the backfill.
2. If a permittee uses procedures other than those listed in subsection (G)(1) in closure, the permittee shall demonstrate to the Department that those procedures are equivalent to the procedures listed in subsection (G)(1) and will prevent any fluid migration from the ground surface to an aquifer and obtain approval before implementation;
3. Within 30 days of closure, the permittee shall submit written verification of the closure procedures the permittee used to the Department with the drywell registration number or a completed registration form. The written verification shall specify:
  - a. The reason for the closure;
  - b. The materials and methods used to abandon the drywell;
  - c. The name of the contractor who performed the closure;
  - d. The completion date;
  - e. Any sampling data collected from the drywell investigation if performed or if required by the Department; and
  - f. Sump construction details, if a sump is constructed to replace the abandoned drywell.
4. The Department may require additional investigations or corrective actions if any of the following conditions exist:
  - a. The permittee has not satisfied the closure requirements in R18-9-A306,
  - b. The permittee provided incorrect or inaccurate information or there is relevant information missing from the permit application or closure reports,
  - c. The permittee has not eliminated discharges from the facility through closure activities, or
  - d. Closure and decommissioning activities have not demonstrated or achieved compliance with aquifer water quality standards.
5. If no motor fuel or hazardous substance spill enters the drywell, the permittee complies with the closure requirements under R18-9-A306 by satisfying the requirements in subsections (G)(1) or (2).
6. If a motor fuel or hazardous substance spill has entered the injection pipe, the permittee shall comply with the requirements in A.R.S. § 49-252, R18-9-A306, and subsection (H)(1)(c) to close the drywell.

H. Spills.

1. A permittee shall:
  - a. Notify the Department within 24 hours of any spill of motor fuel or hazardous substances that enters into the drywell or exceeds the treatment capacity of the pretreatment system;
  - b. Contain, cleanup, and dispose of, according to local, state, and federal requirements, any spill or leak of motor fuel and hazardous substance in the drywell drainage area and basin drainage area; and
  - c. If the spill reaches the injection pipe, drill a soil boring within five feet of the drywell inlet chamber

and sample in five-foot increments to a depth extending at least 10 feet below the base of the injection pipe to determine whether a soil remediation level or groundwater protection level has been exceeded in the subsurface.

2. The Department may require additional investigations or corrective actions based on its assessment of whether an exceedance of a soil remediation level or groundwater protection level in the soil boring poses a risk of noncompliance with human health or water quality standards.
- I. Recordkeeping. A permittee shall maintain for at least 10 years, the following documents on-site, or at the closest practical place of work, and make the documents available to the Department upon request:
1. A log book that documents drywell maintenance, inspections, employee training, and sampling activities;
  2. A site plan showing surface drainage patterns and the location of floor drains, water supply wells, monitor wells, underground storage tanks, and places where motor fuel and hazardous substances are used, stored, or loaded;
  3. A design plan showing details of drywell design and drainage design, including one or a combination of the pre-approved flow control and pretreatment technologies; and
  4. An operations and maintenance manual that includes:
    - a. Procedures to prevent and contain spills and minimize discharges to the drywell and a list of actions and specific methods that will be used for motor fuel and hazardous substance spills or leaks;
    - b. A method and procedures for inspection and operation and maintenance activities;
    - c. The procedure for spill response; and
    - d. A description of the employee training program.

**Historical Note**

New Section made by final rulemaking at 8 A.A.R. 4096, effective September 15, 2002 (Supp. 02-3).