

# Sump Water Disposal

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# Rulemaking Process

- New rules require sump testing
- Regulated community needed disposal guidance *before* implementation of the rules
- Start early - coordination takes time

# It Takes a Village...

- Will need to involve multiple programs
  - Water permitting (site permits and water treatment facility permits)
  - Resource Conservation & Recovery Act (RCRA)
    - Hazardous Waste Determinations
    - Hazardous Waste Disposal
    - Hazardous Waste Storage
    - Hazardous Waste Treatment
    - Transportation (may involve Department of Transportation)

## RCRA- 40 CFR 261.4(b)(10)

- Benzene exemption-

(b) *Solid wastes which are not hazardous wastes.* The following solid wastes are not hazardous wastes:

(10) Petroleum-contaminated media and debris that fail the test for the Toxicity Characteristic of §261.24 (Hazardous Waste Codes D018 through D043 only) and are subject to the corrective action regulations under part 280 of this chapter.

# Benzene Exemption

- Is this impacted media from a leak or release under underground storage tank (UST) rules 40 CFR 280?
- Missouri decided yes, if it is outside the primary system, it is a leak.
- Require action to resolve leaks.
- You must clean it up, even in a sump.



## Benzene Exemption (cont.)

- Just for benzene
- Not exempt from ignitability
- Also applies to absorbent materials
  - Once dry, likely not hazardous waste
  - Dry in protected area or container
  - Should not dry in sumps

# Water Program - Questions to Ask

- Can I use oil-water separator on-site?
- Onsite disposal if “clean” water?
  - Where? How? Limitations?
- Sanitary sewer disposal?
- What is “clean”?



# Missouri's Discussion Points

- Gas Stations - known substances
- Clean sumps before testing
- Sumps are typically “standing” water - not moving or flowing
- Petroleum on water identifiable
- Using petroleum absorbent pads
- No visible product or sheen





# The Water is “Clean,” What Options?

- Land applied (no run-off or drainage)
- Sanitary sewer, if allowed by city wastewater authority
- Run through oil-water separator (as long as not mixed with soap/surfactant)
- Store, label, transport and dispose as hazardous waste

# “Test” Water

- Re-using water
- It is a product, not a waste, as long as it can continue to be used
- Owner/operators (O/O) should be consulted
- Contractor has many of the same options



# Test Water Tanker

- Does your state have transporter requirements?
  - Petroleum impacted water
- Can you include a cleaning mechanism on the tanker?
  - Is this treatment?
  - Does it change the RCRA determination?



# Factors to Consider

- Environmental protection/Benefit
  - It is an operating station (with surface drips, leaks and spills)
  - Rainwater, washing dispensers - routine
- Cost effective
  - For O/O - disposal more expensive than test?
  - For regulators - How many inspectors will oversee your stations?



# Factors to Consider

- They have been disposing of water - How?
- Assume they want to do the right thing.
  - Are you making it too hard?
- Keep it simple.
- Big picture - does it make sense?





## Consider This

- How much oversight do you want to add?
- If they dispose onsite “the wrong way,” how will you know?
- Tailor it different for gas stations vs. hazardous substance facilities?
- Don’t make “doing it right” so cost - prohibitive that even the best do not want to.
- Step back and think logically and practically.

# What is Your Goal?

- Prevent petroleum from entering the environment.
- Does your answer meet that goal *when implemented in the real world?*



# Missouri's Guidance

[dnr.mo.gov/pubs/pub2640.htm](http://dnr.mo.gov/pubs/pub2640.htm)

# ASTSWMO

- Association of State and Territorial Solid Waste Management Officials
- White Paper in development
- UST Workshop
  - Two sessions on sump testing and water disposal
  - Louisville, Ky
  - May 23-25, 2017