UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
1595 Wynkoop Street
Denver, Colorado 80202-1129
http://www.epa.gov/region8

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STATEMENT OF BASIS
FOR
UNDERGROUND INJECTION CONTROL
CLASS V DRAFT PERMIT
PERMIT NUMBER: CO51198-07548

Aspen Grocery, LLC
121 Aspen Airport Business Center
Aspen, Colorado 81611

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DESCRIPTION OF FACILITY AND BACKGROUND INFORMATION

On July 8, 2019, Aspen Grocery, LLC submitted to the Environmental Protection Agency Region 8, a Permit renewal application for their Class V Underground Injection Control injection well. The Permit, if re-issued, would authorize to inject stormwater runoff from the surface near the pump islands and from the area where underground fuel storage tanks are refilled into the Dry Well #1 shown on Appendix A, Figure 2 of the Class V Permit. This system is located at 121 Aspen Airport Business Center, Aspen, Colorado. Under no circumstance shall any other industrial waste product be injected by Aspen Grocery, LLC into the above-mentioned dry well. No motor vehicle maintenance of any kind shall be performed near the permitted dry well.

This gas station facility was formerly owned by Aspen Petrol, Inc. According to the Pitkin County Assessor's website, this facility was sold to Aspen Grocery, LLC on September 5, 2018. Three buildings are located on the site, along with seven other Class V dry wells (Dry Well #2 through #8) that are currently authorized by rule, as shown in Appendix A, Figure 2 of the Class V Permit. Dry Well #2 through #8 are operated in a way that does not endanger USDWs. The buildings at this facility are connected to the municipal sewer.

All eight dry wells were reportedly constructed and have been in service since 1993. The dry wells were constructed of approximate 3-foot-diameter, pre-cast, reinforced concrete rings. The lowest concrete ring was penetrated by approximately 1.5-inch holes that allow surface water to flow out of the dry wells through a gravel drain media. The maximum depth of each dry well is unknown, although the depths to gravel drain media has been recorded for each dry well.

The following describes the dry wells located at this facility:

- Dry Well #1 is located approximately 24 feet northeast of Building 1 and manages surface water from the Site's fuel islands located southeast of Building 1. Dry well 1 also includes a catch basin that collects the surface water. Surface water is then transferred to a 1,000-gallon oil/water separator, which provides treatment. The treated water is discharged to the dry well. The depth to gravel drain media was measured at 10 feet below the ground surface.

- Dry Well #2 is located approximately 30 feet north of the north corner of the car wash bay and manages surface water along the north side of the car wash. The depth to gravel drain media was measured at five (5) feet below the ground surface.

- Dry Wells #3, #4, and #5 are located along the southeast side of Building 3 and northeast of the car wash. These dry wells manage surface water from the east corner of the Site. The depths to gravel drain media were measured at 3.5, 3.5, and 4.5 feet below the ground surface, respectively.

- Dry Well #6 is located in the southwest parking area at Building 3 and manages surface water from the southeast half of the parking area southwest of Building 3. The depth to gravel drain media was measured at 5.5 feet below the ground surface.

- Dry Well #7 is located approximately 40 feet west of the west corner of Building 3 and manages surface water from the northwest half of the parking area southwest of Building 3. The depth to

gravel drain media was measured at 8.5 feet below the ground surface.

- Dry Well #8 is located in the northwest corner of the Site, approximately 22 feet north of the north corner of Building 3 and manages surface water from the northeast side of Building 3. The depth to gravel drain media was measured at 8.5 feet below the ground surface.

REQUIRED INFORMATION TO RENEW THE PERMIT

Aspen Grocery, LLC has submitted all the required information and data necessary for Permit re-issuance in accordance with Title 40 Code of Federal Regulations (40 CFR), Parts 144, 146 and 147. A Draft Permit has been prepared, and Public Notice Announcement of the Draft Permit will be published in *The Aspen Times*. The Public Notice Announcement will be posted on the EPA's website at www.epa.gov/uic/underground-injection-control-epa-region-8-co-mt-nd-sd-ut-and-wy.

Authorization to inject is issued for ten (10) years from the effective date of the Final Permit (40 CFR, Section 144.36) unless the Permit is terminated (per Part III, Section B of the Permit). In the event primary enforcement authority (primacy) for the UIC program is delegated to the State of Colorado, this Permit may be modified, reissued or terminated by the State. In the absence of such modification, reissuance or termination, all requirements of this Permit remain in full force and effect. Should this program be so delegated, the EPA UIC Director will notify the Permittee of the name and address of the State UIC Program Director, and the date that primacy is effective.

This Statement of Basis gives the site-specific Permit conditions and reasons for them. Part III of the Permit includes general Permit conditions, for which the content is mandatory and not subject to site-specific differences (based on 40 CFR, Parts 144, 146 and 147); the general Permit conditions are not included in this discussion.

REASON FOR THE PERMIT

The UIC Program, created under the authority of the Safe Drinking Water Act (SDWA), is a preventive program tasked with protecting underground sources of drinking water (USDWs). Shallow disposal systems that discharge certain types of fluids into the subsurface are known as Class V wells. These disposal systems consist of subsurface fluid distribution systems defined as an assemblage of perforated pipes, drain tiles or other similar mechanisms intended to distribute fluids below the surface of the ground (40 CFR Section 144.3). Class V wells with waste streams potentially containing constituents with Primary Drinking Water Standards or Health Advisories that have the potential to contaminate or degrade groundwater are required to operate under a permit. Permit requirements generally include monitoring the concentrations of contaminants of concern in waste fluids being released into the subsurface. The Permit also includes Best Management Practices designed to restrict or minimize the volume of contaminants released into the subsurface.

In order to demonstrate compliance with Permit limits, analytical results of fluid samples must verify that all the analyzed constituent concentrations do not exceed the values established by permit limits. The Permit limits have been established using Primary Drinking Water Standards and Health Advisories to prevent endangerment to USDWs. These constituents are included in Appendix B of the Permit.

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BEST MANAGEMENT PRACTICES

To reduce contamination of the wastewater, Aspen Grocery, LLC will use best management practices, as defined in Part II, Section D.5 of the Permit. All accidental spills of fluids in the dry well area must be absorbed with an absorbent material and disposed of as a solid waste per the requirements of the Resource Conservation and Recovery Act (RCRA). The shut-off valve in the oil water separator tank and the dry well area shall be inspected monthly to ensure that it is accessible and operational. Maintenance and monthly inspections records shall be kept on site. These best management practices will significantly reduce the amount of contaminants migrating into the ground water.

AREA HYDROLOGY

A USDW is defined by UIC regulations as an aquifer, or a portion thereof, which contains less than 10,000 milligrams per liter total dissolved solids, and which is being used or could be used as a source of drinking water. Depth to groundwater was not measured at the Site. Groundwater in the vicinity of the Site is expected to flow to the northwest towards the Roaring Fork River. Additional regional ground water information, including a discussion of registered groundwater wells within a one-mile radius is included in Section 4.0. Two registered wells in the vicinity of the Site report the water depth at 125 feet.

SAMPLING INFORMATION AND REPORTING OF RESULTS

Because, under normal operating conditions, it is unlikely that contaminants will enter the Dry Well #1 at a concentration that will cause contamination of a USDW, there are no requirements of periodic sampling and analysis. If contaminants should enter the Dry Well #1 and corrective action is required, then the results of the sampling and analysis shall be required and reported as defined in Part II, Section E.1 and Section E.3 of the Permit.

CONCLUSION

Because of the potential for spilled petroleum hydrocarbons to enter Dry Well #1 by way of the catch basin and oil/water separator, the EPA Region 8 has determined that the Dry Well #1 will continue to be regulated under a UIC Class V permit. It is unlikely that petroleum hydrocarbons would be released in enough quantity to be of concern at this location. If petroleum hydrocarbons were to be released during the filling of the underground storage tanks (USTs) or by people filling their gasoline tanks at the pump islands, the released product would flow into the catch basin, then to the 1000-gallon oil/water separator tank. The UIC Class V permit for DW-1 would require that if any releases of petroleum hydrocarbons were to occur in sufficient volume to enter the catch basin, then the outlet from the oil/water separator tank leading to the dry well would be sealed until the oil/water separator tank and the catch basin could be pumped and cleaned. The Permit would also require that the operator calls both the EPA Region 8 and the Colorado 24-hour toll free spill reporting and emergency assistance phone line to report the incident.

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