



ADMINISTRATIVE RULES OF MONTANA



17.50.814 CAR WASH SUMPS AND OTHER SUMP WASTES

- (1) A person may not remove or dispose of waste from a car wash sump or other sump unless the person is licensed by the department or is an owner, operator, or employee of the facility. The use of contract labor is prohibited unless the person performing the labor is licensed under this subchapter.
- (2) A person may not use rental equipment to pump a car wash sump or other sump unless the person is licensed by the department or is the owner, operator, or employee of the facility.
- (3) A person may not pump or dispose of wastes from any type of sump other than a car wash sump unless the person has first applied to the department and received its approval. On receipt of such an application, the department shall conduct a case-by-case evaluation to determine acceptable waste management strategies. The department shall consider the source of the waste and the possible constituents when making the determination.
- (4) Waste from an automatic car wash bay sump may be used as clean fill or, if dewatered, as cover at landfills.
- (5) Sump pumpings from attended car wash bays that prohibit the use of chlorinated solvents and are free from visible oil and grease may, if the owner provides the pumper with a written statement that the material is solvent-free, be used as clean fill or, if dewatered, as daily or intermediate landfill cover.
- (6) Sump pumpings from an attended car wash bay that contain visible oil or grease may be landfarmed in accordance with applicable department rules at a licensed landfarm facility or, if dewatered, disposed of at a licensed Class II landfill with the operator's permission.
- (7) Sump pumpings from an attended car wash bay that do not prohibit the use of chlorinated solvents must be handled in the same manner as an unattended car wash bay sump.
- (8) Sump pumpings from an unattended car wash bay must be visually examined for oil and grease and screened for chlorinated solvents or the owner must provide the pumper with a statement concerning the solvent-free status of the material. Screening may be done with commercially available field kits and test strips.
- (9) Sump pumpings from an unattended car wash bay that do not contain visible oil or grease and are known to be free of chlorinated solvents, either by testing or knowledge of the material, may be used as clean fill or, if dewatered, as daily or intermediate landfill cover.
- (10) Sump pumpings from an unattended car wash bay that contain visible oil or grease, but pass the chlorinated solvent screening or are excluded from the screening requirement by the owner's knowledge of the material, may be landfarmed in accordance with applicable department rules at

a licensed landfarm facility or, if dewatered, disposed of at a licensed Class II landfill with the landfill operator's permission.

- (11) Sump pumpings that fail the chlorinated solvents screening test or cannot be excluded from the test by the owner's knowledge of the material, must be tested for volatile organic compounds (VOCs) by a method capable of detecting and quantifying at least one part per billion VOCs in the waste, screened for petroleum hydrocarbons by a method capable of detecting at least one part per million hydrocarbons, and tested for total chromium, lead, zinc, and cadmium content by a method capable of detecting and quantifying at least one part per million of each element. If free of contaminants above department action levels, the sump pumpings may be used as clean fill or, if dewatered, as daily or intermediate cover at landfills. If contamination is detected above action levels, the operator shall notify the department, and the department shall specify further testing requirements and waste disposal options.
- (12) Wastes removed from unattended car wash sumps that must undergo further testing must be stored in a manner to prevent contamination of the environment until the operator receives testing results and disposes of the wastes. For example, storage may be in lined ponds, holding tanks, or concrete bins.
- (13) A pumper shall retain all testing results for five years and make them available to the department upon request.
- (14) Operators of facilities receiving sump waste may, before accepting waste, require additional testing.

Authorizing statute(s): 75-10-204, 75-10-1202, MCA

Implementing statute(s): 75-10-112, 75-10-204, 75-10-1202, MCA

History: NEW, 2001 MAR p. 848, Eff. 5/25/01.