



Environmental Issues in Real Estate

Drywells on Commercial and Industrial Sites

The Arizona Department of Environmental Quality estimates that only 50% of the drywells in Arizona are registered. With only about 30,000 drywells currently registered in Arizona, many drywell owners are unaware that they even have a drywell until they are in the middle of a property transaction. ADEQ suggests that drywells be inspected annually and cleaned out when necessary. If a drywell is in an area where materials other than storm water may enter it, EPA regulatory overview likely will be required. This process may be costly and time consuming for the property owner, and fines can be significant for non-compliance. Additional information is available through [ADEQ's web site](#).

Fines can be Significant for Environmental Non-Compliance

ADEQ and the State Attorney General have levied a \$500,000.00 fine against a large Arizona employer for hazardous waste violations. Companies in Arizona have been fined hundreds of thousands of dollars for anything from accidental releases into streams and washes to intentional dumping and mismanagement of materials. More information about these fines is on [ADEQ's web site](#).

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Many drywells are located in vulnerable locations such as recessed loading docks!

Many Drywells are Unregistered

While ADEQ estimates that only 50% of drywells in Arizona are registered, we have found a much higher statistic. Approximately 75-80% of the properties we inspect that have drywells have unregistered drywells!

Storm Water is Everyone's Problem



Drywell located in a city designated retention basin

Today, some cities in the State of Arizona are directing storm water onto newly developed properties instead of community storm water systems. An example is in the City of Chandler where many retention areas on newly developed sites are very small and, therefore, require the installation of a drywell. Many other rapidly developing Arizona cities are beginning to follow suit as a means to promote development without the additional expense of a storm water infrastructure. The issues surrounding this type of storm water management have yet to be addressed. While some of these are in residential sub-divisions, many more are going into commercial and industrial areas with little regard to the types and quantity of chemicals being transported on the streets that are served by these areas. A single accident of any size could have long lasting environmental impacts if allowed to flow into a drywell. Owners of these types of properties need to be extremely vigilant in their care and maintenance of the drywells, so as to avert issues in the future.

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