**Section 325.110 Definitions**

a) Unless specified otherwise in this Section, all terms shall have the meanings set forth in the Environmental Protection Act [415 ILCS 5].

b) For purposes of this Part, the following definitions apply:

"Act" means the Environmental Protection Act [415 ILCS 5].

"Agency" means the Illinois Environmental Protection Agency.

"Applicant" means a person who applies for coverage under a National Pollutant Discharge Elimination System permit to discharge stormwater or wastewater or to generate or use sludge.

"Board" means the Illinois Pollution Control Board.

"Design Average Flow" means the average of the daily volumes to be received for a continuous 12-month period of the design year, expressed as a volume per unit of time (35 Ill. Adm. Code 370.211). For purposes of calculating the fee due under this Part for intermittent discharges, Design Average Flow is calculated using only the daily volume values for the number of days the discharge values will be greater than zero.

"Fiscal Year" means the 12 month period beginning July 1 and ending June 30 of the following calendar year.

"Fee" means the fees prescribed under Section 12.5 of the Act.

"Industrial Activity" means those industries identified in Section 502(18) of the Clean Water Act (33 USC 1362(18)) and in 40 CFR 122, appendix D (2007).

"Major Discharge" means the discharge from a source that has been designated as a major facility by USEPA pursuant to the definition in 40 CFR 122.2.

"NPDES" means National Pollutant Discharge Elimination System.

"Permit Holder" means a person who has obtained coverage under an NPDES permit to discharge stormwater or wastewater or to generate or use sludge.

*"Person" means any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity, or their legal representative, agent or assigns.* [415 ILCS 5/3.315]

"School District" means any public school district in this State established under the Illinois School Code [105 ILCS 5].

"Sewage Sludge" means any solid, semi-solid, or liquid residue removed during the treatment of municipal waste water or domestic sewage.

"Toxic" or "Toxics" means any pollutant listed as toxic pursuant to section 307(a)(1) of the Clean Water Act (33 USC 1317(a)(1)) or in 40 CFR 122, appendix D, Tables II, III and V (2007).

"Tributary Population" means the number of individuals served by the treatment works or sewer system with combined sewer overflow outfalls based on the most recent census data.

"USEPA" means the United States Environmental Protection Agency.

"Where Toxic Substances are Regulated" means an industrial facility whose NPDES permit contains numeric effluent limitations for one or more toxic pollutant parameters.