**Section 615.102 Definitions**

Except as stated in this Section, and unless a different meaning of a word or term is clear from the context, the definitions of words or terms in this Part are the same as those used in the Act or the Illinois Groundwater Protection Act [415 ILCS 55]:

"Above-ground storage tank" means a storage tank that is not an underground storage tank.

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

"Agency" means the Illinois Environmental Protection Agency.

"Board" means the Illinois Pollution Control Board.

"Certification" means a statement of professional opinion based upon knowledge and belief.

"Community water supply" means *a public water supply which serves or is intended to serve at least 15 service connections used by residents or regularly serves at least 25 residents.* [415 ILCS 5/3.145]

"Commencement of construction" means that *all necessary federal,* *State*, *and local approvals have been obtained, and work at the site has been initiated and proceeds in a reasonably continuous manner to completion.* [415 ILCS 5/3.350]

"Compliance point" means any point in groundwater designated at 35 Ill. Adm. Code 620.Subpart B as a Class I through III groundwater at which a contaminant released from the unit could pass underneath the unit boundary. There may be more than one compliance point for a particular unit.

"Container" means any portable device (including 55-gallon drums) in which material is stored, treated, disposed of, or otherwise handled. The term "container" does not include a vehicle used to transport material.

"Containerized" means being in a container.

"Contaminant" means *any solid, liquid, or gaseous matter, any odor, or any form of energy, from whatever source.* [415 ILCS 5/3.165]

"Contamination" or "contaminate"*, when used in connection with groundwater,* means *water pollution of such groundwater.* [415 ILCS 5/3.170]

"Date of first applicability" means January 10, 1992, for any unit located within a minimum setback zone, except that:

If a unit is first incorporated into any setback zone by an ordinance or regulation that establishes a maximum setback zone, the date of first applicability is January 10, 1992, or the effective date of the ordinance or regulation that establishes the maximum setback zone, whichever is later; or

If a unit is located in a part of a regulated recharge area that was not previously part of a setback zone, the date of first applicability is the effective date of the regulation that establishes the regulated recharge area.

"De-Icing agent" means a chemical used for de-icing, including sodium chloride and calcium chloride. Sand, ashes, or other abrasive materials that do not alter the freezing point of water are not de-icing agents.

"Detection" means the identification of a contaminant in a sample at a value equal to or greater than the:

"Method Detection Limit" or "MDL", which means the minimum measured concentration of a substance that can be reported with 99 percent confidence that the measured concentration is distinguishable from the method blank results under 40 CFR 136, Appendix B, incorporated by reference at Section 615.103; or

"Method Quantitation Limit" or "MQL", which means the minimum concentration of a substance that can be measured and reported according to "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods", incorporated by reference at Section 615.103.

"Dike" means an embankment or ridge of either natural or manmade materials used to prevent the movement of liquids, sludges, solids, or other materials.

"Discharge" means the accidental or intentional spilling, leaking, pumping, pouring, emitting, emptying, or dumping of any material onto or on any land or water.

"Disposal" means *the discharge, deposit, injection, dumping, spilling, leaking, or placing of any waste or hazardous waste into or on any land or water or into any well so that such waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.* [415 ILCS 5/3.185]

"Existing unit" means a unit that was in operation or for which there is commencement of construction on or before the date of first applicability, except that a unit is not an existing unit if the unit:

Expands laterally beyond the currently permitted boundary, or the unit boundary if the unit is not permitted, in existence after the date of first applicability; or

Is part of a facility that undergoes major reconstruction after the date of first applicability; or

Reopens at any time after having submitted a certification of closure to the Agency.

"Facility" means all contiguous land and structures, other appurtenances, and improvements on the land used for the treating, storing, handling, or disposal of any material which causes that unit to be regulated under this Part. A facility may consist of one or more units.

"Freeboard" means the vertical distance between the top of a tank or dike and the surface of the material contained therein.

"Free liquids" means liquids that readily separate from the solid portion of a waste under ambient temperature and pressure. To demonstrate the absence or presence of free liquids in either containerized or bulk waste, the following test must be used: Method 9095 (Paint Filter Liquids Test) as described in "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods", incorporated by reference at Section 615.103.

"Groundwater" means *underground water which occurs within the saturated zone and geologic materials where the fluid pressure in the pore space is equal to or greater than atmospheric pressure.* [415 ILCS 5/3.210]

"Groundwater standards" means the water quality standards for groundwater adopted by the Board under Section 8 of the Illinois Groundwater Protection Act [415 ILCS 55] and found at 35 Ill. Adm. Code 620.

"Hazardous waste" means *a waste, or combination of wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious, irreversible, or incapacitating reversible, illness; or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed, and which has been identified, by characteristics or listing, as hazardous pursuant* *to Section 3001 of the Resource Conservation and Recovery Act of 1976, P.L. 94-580, or pursuant to Board regulations*. [415 ILCS 5/3.220]

"Incompatible material" means a material that may:

Cause corrosion or decay of containment materials (e.g., container inner liners or tank walls); or

When commingled with another material, produces heat or pressure, fire, explosion, violent reaction, toxic dusts, mists, fumes or gases, or flammable fumes or gases.

"Landfill" means a unit or part of a facility in or on which waste is placed and accumulated over time for disposal, and which is not a land application unit, a surface impoundment, or an underground injection well.

"Landscape waste" means *all accumulations of grass or shrubbery cuttings, leaves, tree limbs, and other materials accumulated as the result of the care of lawns, shrubbery, vines, and trees.* [415 ILCS 5/3.270]

"Land application unit" means an area where wastes are agronomically spread over or disked into land or otherwise applied so as to become incorporated into the soil surface.

"Land treatment" means the application of waste onto or incorporation of waste into the soil surface. For the purposes of this Part, a land application unit is a land treatment unit.

"Leachate" means any liquid, including suspended components in the liquid, that has percolated through or drained from a material.

"Licensed water well contractor" means a person licensed under the Water Well and Pump Installation Contractor's License Act [225 ILCS 345].

"Liner" means a continuous layer of natural or manmade materials beneath or on the side of a surface impoundment, landfill, landfill cell, waste pile, or storage pile that restricts the downward or lateral escape of waste, waste constituents, leachate, or stored materials.

"Major reconstruction" means commencement of construction at a facility where the fixed capital cost of the new components constructed within two years exceeds 50% of the fixed capital cost of a comparable entirely new facility. New components do not include any new components necessary for compliance with this Part.

"New unit" means a unit that is not an existing unit.

"Non-community water supply" means *a public water supply that is not a community water supply.* [415 ILCS 5/3.145]

"Non-special waste" means a waste that is not a special waste.

"Off-site" means not on-site.

"On-site", "on the site", or "on the same site" means the same or geographically contiguous property which may be divided by public or private right-of-way if the entrance and exit between the properties is at a crossroads intersection and access is by crossing as opposed to going along the right-of-way. Noncontiguous properties owned by the same person but connected by a right of way controlled by that person and to which the public does not have access are also considered on-site property.

"Operator" means the person responsible for the operation of a site, facility, or unit.

"Owner" means the person who owns a site, facility, or unit or part of a site, facility, or unit, or who owns the land on which the site, facility, or unit is located.

"Pesticide" means *any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest or any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant.* [415 ILCS 5/3.320]

"Pile" means any noncontainerized accumulation of solid, non-flowing material that is used for treatment, storage, or disposal.

"Potable" means *generally fit for human consumption in accordance with accepted water supply principles and practices.* [415 ILCS 5/3.340]

"Practical Quantitation Limit" or "PQL" means the lowest concentration or level that can be reliably measured within specified limits of precision and accuracy during routine laboratory operating conditions in compliance with "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," incorporated by reference at Section 615.103.

"Public water supply" means *all mains, pipes, and structures through which water is obtained and distributed to the public, including wells and well structures, intakes and cribs, pumping stations, treatment plants, reservoirs, storage tanks, and appurtenances, collectively or severally, actually used or intended for use for the purpose of furnishing water for drinking or general domestic use and which serve at least 15 service connections or which regularly serve at least 25 persons at least 60 days per year. A public water supply is either a "community water supply" or a "non-community water supply".* [415 ILCS 5/3.365]

"Reactive material" means a material that meets one or more of the following criteria:

It is normally unstable and readily undergoes violent change without detonating;

It reacts violently with water;

It forms potentially explosive mixtures with water;

When mixed with water, it generates toxic gases, vapors, or fumes in a quantity sufficient to present a danger to human health or the environment;

It is capable of detonation or explosive reaction if it is subject to a strong initiating source, or if heated under confinement;

It is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure; or

It is a forbidden explosive as defined in 49 CFR 173 incorporated by reference at Section 615.103, a Class A explosive as defined in 49 CFR 173.53, or a Class B explosive as defined in 49 CFR 173.88.

"Registered land surveyor" means a person registered under the Illinois Professional Land Surveyors Act of 1989 [225 ILCS 330].

"Registered professional engineer" means a person registered under the Professional Engineering Practice Act of 1989 [225 ILCS 325].

"Regulated recharge area" means *a compact geographic area, as determined by the Board* pursuant to Section 17.4 of the Act, *the geology of which renders a potable resource groundwater particularly susceptible to contamination.* [415 ILCS 5/3.390]

"Road oil" means slow-curing asphaltic oils that show no separation on standing and are used for road construction, maintenance, or repair.

"Runoff" means any rainwater, leachate, or other liquid that drains over land from any part of a facility.

"Run-on" means any rainwater, leachate, or other liquid that drains over land onto any part of a facility.

"Secondary containment structure" means any structure or basin intended to contain spills and prevent runoff or leaching from piles, containers, or tanks and related piping.

"Setback zone" means *a geographic area, designated pursuant to this Act, containing a potable water supply well or a potential source or potential route, having a continuous boundary, and within which certain prohibitions or regulations are applicable in order to protect groundwaters.* [415 ILCS 5/3.450]

"Site" means *any location, place, tract of land, and facilities, including buildings, and improvements used for purposes subject to regulation or control by this Act or regulations thereunder.* [415 ILCS 5/3.460]

"Sludge" means *any solid, semi-solid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility or any other such waste having similar characteristics and effects.* [415 ILCS 5/3.465]

"Special waste" means *any industrial process waste, pollution control waste or hazardous waste except as determined pursuant to* Section 22.9 of the Act and 35 Ill. Adm. Code 808. [415 ILCS 5/3.475]

"Storage" means the holding or containment of a material, either temporarily or for years, in a manner as not to constitute disposal of the material.

"Surface impoundment" means a natural topographical depression, man-made excavation, or diked area that is designed to hold liquid wastes or wastes containing free liquids.

"Surface water" means all waters that are open to the atmosphere.

"Tank" means a stationary device, designed to contain an accumulation of material that is constructed of non-earthen materials (e.g., wood, concrete, steel, plastic) that provide structural support. The term "tank" does not include areas used to accumulate materials before pumping to tanks or containers (e.g., sump pits) or associated piping. The term "tank" does not include vehicles used to transport material.

"Treatment" means any method, technique, or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any material so as to neutralize such material, or so as to recover energy or material resources from the material or so as to render such material nonhazardous or less hazardous, safer to transport, store or dispose of, or amenable for recovery, amenable for storage or reduced in volume.

"Underground storage tank" means a storage tank as defined at 35 Ill. Adm. Code 731.101(f).

"Unit" means *any device, mechanism, equipment, or area (exclusive of land utilized only for agricultural production).* *This term includes secondary containment structures and their contents at agrichemical facilities.* [415 ILCS 5/3.465]

"Unit boundary" means a line at the land's surface circumscribing the area on which, above which, or below which waste, pesticides, fertilizers, road oils, or de-icing agents will be placed during the active life of the facility. The space taken up by any liner, dike, or other barrier designed to contain waste, pesticides, fertilizers, road oils, or de-icing agents falls within the unit boundary.

"Waste" means *any garbage, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility or other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities, but does not include:*

*industrial discharges subject to* NPDES permits issued pursuant to 35 Ill. Adm. Code 309*;*

*source, spent nuclear, or by-product materials as defined by the Atomic Energy Act of 1954* (42 U.S.C. 2014);

*any solid or dissolved material from any* material subject to 62 Ill. Adm. Code 1700 through 1850*.* [415 ILCS 5/3.535]

"Waste pile" means a pile consisting of waste that has a total volume greater than 10 cubic yards or within which the waste remains for more than 90 days.

"Waters" means *all accumulations of water, surface and underground, natural and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon this State.* [415 ILCS 5/3.550]

"Well" means *a bored, drilled, or driven shaft, or dug hole, the depth of which is greater than the largest surface dimension.* [415 ILCS 5/3.555]

(Source: Amended at 47 Ill. Reg. 7581, effective May 16, 2023)