**Section 670.102 Definitions**

The definitions of the Illinois Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 ½,pars. 1001 through 1056.6) [415 ILCS 5] and the Illinois Groundwater Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 7451-7459) [415 ILCS 55] apply to this Part. The following definitions also apply to this Part.

"Above Ground Tank" is a tank located entirely off the ground so that all sides and the bottom may be visually inspected externally for integrity, or such that the bottom is in contact only with a relatively impermeable base.

"Act" means the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 ½. pars. 1001 through 1056.6) [415 ILCS 5].

"Agency" means the Illinois Environmental Protection Agency.

"Agrichemical facility" means a site used for commercial purposes, where bulk pesticides are stored in a single container in excess of 300 gallons of liquid pesticide or 300 pounds of dry pesticide for more than 30 days per year or where more than 300 gallons of liquid pesticide or 300 pounds of dry pesticide are being mixed, repackaged or transferred from one container to the other within a 30 day period or a site where bulk fertilizers are stored, mixed, repackaged or transferred from one container to another.

"Board" means the Illinois Pollution Control Board.

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

"Closure" is the act of decontamination of affected areas at a facility or site.

"Container" means any portable device (including, but not limited to, 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.

"*Hazardous substance" means (A) any substance designated pursuant to Section 311(b)(2)(A) of the Federal Water Pollution Control Act (P.L. 92-500), as amended, (B) any element, compound, mixture, solution, or substance designated pursuant to Section 102 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (P.L. 96-510), as amended, (C) any hazardous waste, (D) any toxic pollutant listed under Section 307(A) of the Federal Water Pollution Control Act (P.L. 92-500), as amended, (E) any hazardous air pollutant listed under Section 112 of the Clean Air Act (P.L. 95-95), as amended, (F) any imminently hazardous chemical substance or mixture with respect to which the administrator of the U.S. Environmental Protection Agency has taken action pursuant to Section 7 of the Toxic Substances Control Act (P.L. 94-469), as amended. The term does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under (A) through (F) of this paragraph, and the term does not include natural gas, natural gas liquids, liquified natural gas, or synthetic gas usable for fuel or mixtures of natural gas and such synthetic gas.* (Section 3.14 of the Act)

"IEMA" means the Illinois Emergency Management Agency.

"Ignitable Material" is a material which:

Is a liquid, other than an aqueous solution, containing less than 24 percent alcohol by volume and has a flash point less than 60 degrees celsius (140 degrees F), as determined by Pensky-Martens Closed Cup Tester, using the test method specified in the American Society of Testing Materials (ASTM) Standard D-93-79 or D-93-80, or a Setaflash Closed Cup Tester, using the test method specified in ASTM Standard D-3278-78.

Is a liquid and is capable, under standard temperature and pressure, of causing fire through friction, absorption of moisture or spontaneous chemical changes and, when ignited, burns so vigorously and persistently that it creates a hazard.

Is an ignitable compressed gas as defined in 40 CFR 173.300 (1991) and as determined by the test methods described in that regulation.

Is an oxidizer as defined in 49 CFR 173.151 (1991).

"Incompatible Material" is a material for which the following is prohibited:

Placement in a particular device or facility because it may cause corrosion or decay of containment materials (e.g., container inner liners or tank walls); or

Commingling with another material under uncontrolled conditions because the commingling might produce heat or pressure, fire or explosion, violent reaction, toxic dusts, mists, fumes or gases or flammable fumes or gases.

*"Petroleum" shall have the meaning ascribed to* it *in Subtitle I of the Hazardous and Solid Waste Amendments of* 1984 (P.L. 98-616), *of the Resource Conservation and Recovery Act of* 1976 (P.L. 94-580). (Section 22.18(e)(1) of the Act)

*"Potential Primary Source" means any unit at a facility or site not currently subject to a removal or remedial action which:*

*Is utilized for the treatment, storage, or disposal of any hazardous or special waste not generated at the site; or*

*Is utilized for the disposal of municipal waste not generated at the site, other than landscape waste and construction and demolition debris; or*

*Is utilized for the landfilling, land treating, surface impounding or piling of any hazardous or special waste that is generated on the site or at other sites owned, controlled or operated by the same person; or*

*Stores or accumulates at any time more than 75,000 pounds above ground, or more than 7,500 pounds below ground, of any hazardous substances.* (Section 3.59 of the Act)

*"Potential Secondary Source" means any unit at a facility or a site not currently subject to a removal or remedial action, other than a potential primary source, which:*

*Is utilized for the landfilling, land treating, or surface impounding of waste that is generated on the site or at other sites owned, controlled or operated by the same person, other than livestock and landscape waste, and construction and demolition debris; or*

*Stores or accumulates at any time more than 25,000 but not more than 75,000 pounds above ground, or more than 2,500 but not more than 7,500 pounds below ground, of any hazardous substance; or*

*Stores or accumulates at any time more than 25,000 gallons above ground, or more than 500 gallons below ground, of petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance; or*

*Stores or accumulates pesticides, fertilizers, or road oils for purposes of commercial application or for distribution to retail sales outlets; or*

*Stores or accumulates at any time more than 50,000 pounds of any de-icing agent; or*

*Is utilized for handling livestock waste or for treating domestic wastewaters other than private sewage disposal systems as defined in the "Private Sewage Disposal Licensing Act".* (Section 3.60 of the Act)

"Reactive Material" is a material that:

Is normally unstable and readily undergoes violent change without detonating;

Reacts violently with water;

Forms potentially explosive mixtures with water;

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

Is capable of detonation of an explosive reaction if it is subjected to a strong initiating source or if heated under confinement;

Is readily capable of detonation of explosive decomposition or reaction at standard temperature and pressure.

Is a forbidden explosive as defined in 40 CFR 173.51 (1991), or a Class A explosive as defined in 49 CFR 173.53 (1991) or a Class B explosive as defined in 40 CFR 173.88 (1991).

*"Release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, but excludes:*

*Any release which results in exposure to persons solely within a workplace, with respect to a claim which such persons may assert against the employer of such persons;*

*Emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel, or pipeline pumping station engine;*

*Release of source, byproduct, or special nuclear material from a nuclear incident, as those terms are defined in the Atomic Energy Act of 1954, if such release is subject to requirements with respect to financial protection established by the Nuclear Regulatory Commission under Section 170 of such Act; and*

*The normal application of fertilizer.* (Section 3.33 of the Act)

*"Special waste" means any industrial process waste, pollution control waste or hazardous waste, except as determined pursuant to Section 22.9 of this Act. "Special waste" also means any potentially infectious medical waste.* (Section 3.33 of the Act)

"Tank" is a stationary device, designed to contain an accumulation of material, that is constructed of non-earthen materials (e.g., wood, concrete, steel, plastic) which provide structural support. This does not include areas used to accumulate material prior to pumping to tanks or containers (i.e., sump pits) nor associated piping. "Tank" does not include vehicles used to transport material.

"Underground Tank" is a device meeting the definition of "tank" whose entire surface area is totally below the surface of and covered by the ground.

"Waste Pile" means piles of waste, other than special or hazardous waste, that could cause groundwater contamination.