**Section 728.102 Definitions**

When used in this Part, the following terms have the meanings given below. All other terms have the meanings given under 35 Ill. Adm. Code 702.110, 720.110, or 721.102 through 721.104.

"Agency" means the Illinois Environmental Protection Agency.

"Board" means the Illinois Pollution Control Board.

"CERCLA" means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 USC 9601 et seq.)

"Debris" means solid material exceeding a 60 mm particle size that is intended for disposal and that is a manufactured object; plant or animal matter; or natural geologic material. However, the following materials are not debris: any material for which a specific treatment standard is provided in Subpart D, namely lead acid batteries, cadmium batteries, and radioactive lead solids; process residuals, such as smelter slag and residues from the treatment of waste, wastewater, sludges, or air emission residues; and intact containers of hazardous waste that are not ruptured and that retain at least 75 percent of their original volume. A mixture of debris that has not been treated to the standards provided by Section 728.145 and other material is subject to regulation as debris if the mixture is comprised primarily of debris, by volume, based on visual inspection.

"Halogenated organic compounds" or "HOCs" means those compounds having a carbon-halogen bond that are listed under Appendix C.

"Hazardous constituent" or "constituents" means those constituents listed in Appendix H to 35 Ill. Adm. Code 721.

"Hazardous debris" means debris that contains a hazardous waste listed in Subpart D of 35 Ill. Adm. Code 721 or that exhibits a characteristic of hazardous waste identified in Subpart C of 35 Ill. Adm. Code 721. Any deliberate mixing of prohibited waste with debris that changes its treatment classification (i.e., from waste to hazardous debris) is not allowed under the dilution prohibition in Section 728.103.

"Inorganic metal-bearing waste" is one for which USEPA has established treatment standards for metal hazardous constituents that does not otherwise contain significant organic or cyanide content, as described in Section 728.103(b)(1), and which is specifically listed in Appendix K.

"Land disposal" means placement in or on the land, except in a corrective action management unit or staging pile, and "land disposal" includes, but is not limited to, placement in a landfill, surface impoundment, waste pile, injection well, land treatment facility, salt dome formation, salt bed formation, underground mine or cave, or placement in a concrete vault or bunker intended for disposal purposes.

"Land disposal restriction" or "LDR" is a restriction imposed on the land disposal of a hazardous waste pursuant to this Part or 35 Ill. Adm. Code 738. The land disposal of hazardous waste is generally prohibited, except where the activity constituting land disposal is specifically allowed, pursuant to this Part or 35 Ill. Adm. Code 738.

BOARD NOTE: The Board added this definition based on the preamble discussions at 51 Fed. Reg. 40572, 40573-74 (November 7, 1986) and 53 Fed. Reg. 28118, 28119-20 (July 26, 1988). The USEPA publication "Terms of Environment Glossary, Abbreviations, and Acronyms" (December 1997), USEPA, Communications, Education, and Public Affairs, EPA 175/B-97-001, defines "land disposal restrictions" as follows: "Rules that require hazardous wastes to be treated before disposal on land to destroy or immobilize hazardous constituents that might migrate into soil and ground water."

"Nonwastewaters" are wastes that do not meet the criteria for "wastewaters" in this Section.

"Polychlorinated biphenyls" or "PCBs" are halogenated organic compounds defined in accordance with federal 40 CFR 761.3 (Definitions), incorporated by reference in 35 Ill. Adm. Code 720.111(b).

"ppm" means parts per million.

"RCRA corrective action" means corrective action taken under 35 Ill. Adm. Code 724.200 or 725.193, federal 40 CFR 264.100 or 265.93, or similar regulations in other states with RCRA programs authorized by USEPA pursuant to 40 CFR 271.

"Soil" means unconsolidated earth material composing the superficial geologic strata (material overlying bedrock), consisting of clay, silt, sand, or gravel size particles, as classified by the United States Natural Resources Conservation Service, or a mixture of such materials with liquids, sludges, or solids that is inseparable by simple mechanical removal processes and which is made up primarily of soil by volume based on visual inspection. Any deliberate mixing of prohibited waste with debris that changes its treatment classification (i.e., from waste to hazardous debris) is not allowed under the dilution prohibition in Section 728.103.

"Underlying hazardous constituent" means any constituent listed in Table U, "Universal Treatment Standards (UTS)", except fluoride, selenium, sulfides, vanadium, and zinc, that can reasonably be expected to be present at the point of generation of the hazardous waste at a concentration above the constituent-specific UTS treatment standard.

"USEPA" or "U.S. EPA" means the United States Environmental Protection Agency.

"Wastewaters" are wastes that contain less than one percent by weight total organic carbon (TOC) and less than one percent by weight total suspended solids (TSS).

(Source: Amended at 42 Ill. Reg. 24924, effective November 19, 2018)