**Section 1100.103 Definitions**

Except as stated in this Section, or unless a different meaning of a word or term is clear from the context, the definition of words or terms in this Part will be the same as that applied to the same words or terms in the Environmental Protection Act [415 ILCS 5]:

"10-year, 24-hour precipitation event" means a precipitation event of 24-hour duration with a probable recurrence interval of once in 10 years.

"100-year, 24-hour precipitation event" means a precipitation event of 24-hour duration with a probable recurrence interval of once in 100 years.

"Acceptable Detection Limit" or "ADL" means the detectable concentration of a substance that is equal to the lowest appropriate Practical Quantitation Limit (PQL) as defined in this Section.

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

*"Agency" is the* Illinois *Environmental Protection Agency established by* the *Act.* [415 ILCS 5/3.105]

"Applicant" means the person submitting an application to the Agency for a permit for a CCDD fill operation.

*"Aquifer" means saturated (with groundwater) soils and geologic materials which are sufficiently permeable to readily yield economically useful quantities of water to wells, springs, or streams under ordinary hydraulic gradients* and whose boundaries can be identified and mapped from hydrogeologic data. (Section 3 of the Illinois Groundwater Protection Act [415 ILCS 55/3])

*"Board" is the Pollution Control Board established by* the *Act.* [415 ILCS 5/3.105]

"CCDD" means clean construction or demolition debris.

"CCDD fill operation" means *a current or former quarry, mine, or other excavation where clean construction or demolition debris is used as fill material.* [415 ILCS 5/22.51(e)(3)]

*"Clean construction or demolition debris" means uncontaminated broken concrete without protruding metal bars, bricks, rock, stone, reclaimed or other asphalt pavement, or soil generated from construction or demolition activities.* For purposes of this Part, CCDD may include uncontaminated broken concrete without protruding metal bars, bricks, rock, stone, or reclaimed or other asphalt pavement that has been painted (painted CCDD) if the painted CCDD is used as fill material at a CCDD fill operation in accordance with Section 1100. 212. *Clean construction or demolition debris does not include uncontaminated soil generated during construction, remodeling, repair, and demolition of utilities, structures, and roads provided the uncontaminated soil is not commingled with any clean construction or demolition debris or other waste.* For purposes of this Part, uncontaminated soil may include incidental amounts of stone, rock, gravel, roots, and other vegetation. [415 ILCS 5/3.160(b)

]

"Documentation" means items, in any tangible form, whether directly legible or legible with the aid of any machine or device, including but not limited to affidavits, certificates, deeds, leases, contracts or other binding agreements, licenses, permits, photographs, audio or video recordings, maps, geographic surveys, chemical and mathematical formulas or equations, mathematical and statistical calculations and assumptions, research papers, technical reports, technical designs and design drawings, stocks, bonds, and financial records, that are used to support facts or hypotheses.

"Facility" means the areas of a site and all equipment and fixtures on a site used for a CCDD fill operation or uncontaminated soil fill operation. A facility consists of an entire fill operation. All structures used in connection with or to facilitate the fill operation will be considered a part of the facility.

"Filled area" means areas within a unit where CCDD or uncontaminated soil has been placed as fill material.

"Fill operation" means a CCDD fill operation or an uncontaminated soil fill operation, as the context requires.

"Mine" means an excavation created for the purpose of extracting ore or minerals, including, but not limited to, coal.

"National Pollutant Discharge Elimination System" or "NPDES" means the program for issuing, modifying, revoking and reissuing, terminating, monitoring, and enforcing permits and imposing and enforcing pretreatment requirements under the Clean Water Act (33 USC 1251 et seq.), Section 12(f) of the Act, Subpart A of 35 Ill. Adm. Code 309, and 35 Ill. Adm. Code 310.

"NPDES permit" means a permit issued under the NPDES program.

*"Operator" means a person responsible for the operation and maintenance of a fill operation.* [415 ILCS 5/22.51(e)(1)]

"Other excavation" means a pit other than a quarry or mine created primarily for the purpose of extracting resources, including, but not limited to, clay or other soil and does not include holes, trenches, or similar earth removal created as part of normal construction, removal, or maintenance of a structure, utility, or transportation infrastructure.

*"Owner" means a person who has any direct or indirect interest in a fill operation or in land on which a person operates and maintains a fill operation. A "direct or indirect interest" does not include the ownership of publicly traded stock. The "owner" is the "operator" if there is no other person who is operating and maintaining a fill operation.* [415 ILCS 5/22.51(e)(2)]

*"Person" is any individual, partnership, co-partnership, firm, 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 5/3.115]

"Potentially impacted property" means property on which a historical or current use, or contaminant migration from a proximate site, increases the presence or potential presence of contamination at the source site. "Potentially impacted property" is intended to identify soil that is more likely to be contaminated and in need of professional evaluation and certification before placement in a fill site. Source site owners are encouraged to coordinate with the receiving facility on soil certifications. The following should be considered when determining whether property is "potentially impacted property": the current use of the property, the prior uses of the property, and the prior and current uses of adjoining property. For example, for transportation rights of way or utility easements, the current use of the property as a right of way or easement, the prior and current uses of the property prior to its use as a right of way or easement, and the uses of adjoining property should be considered. One or more of the following environmental site assessment standards or policies, which are incorporated by reference at Section 1100.104, may be used for determining whether a property is "potentially impacted property":

ASTM E 1527-05 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, approved November 1, 2005.

ASTM E 1528-06 Standard Practice for Limited Environmental Due Diligence: Transaction Screen Process, approved February 1, 2006.

Illinois Department of Transportation, Bureau of Design and Environment Manual, Part III Environmental Procedures, Chapter 27 Environmental Surveys, February 2011.

Illinois Department of Transportation, Local Roads and Street Manual, Chapter 20.

Illinois Department of Transportation, "A Manual for Conducting Preliminary Environmental Site Assessments for Illinois Department of Transportation Infrastructure Projects", Second Edition.

Illinois State Toll Highway Authority, "Environmental Studies Manual", Section F, July 2001.

"Practical Quantitation Limit" or "PQL" means the lowest concentration that can be reliably measured within specified limits of precision and accuracy for a specific laboratory analytical method during routine laboratory operating conditions in accordance with "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods", EPA Publication No. SW-846, incorporated by reference in Section 1100.104 of this Part.

"Professional engineer" or "PE" means a person who has registered and obtained a seal pursuant to the Professional Engineering Practice Act of 1989 [225 ILCS 325].

"Professional Geologist" or "PG" means a person licensed to practice as a professional geologist pursuant to the Professional Geologist Licensing Act [225 ILCS 745].

"Quarry" means an open surface excavation or pit created for the purpose of extracting stone, rock, sand and gravel.

"Runoff" means water resulting from precipitation that flows overland before it enters a defined stream channel, any portion of such overland flow that infiltrates into the ground before it reaches the stream channel, and any precipitation that falls directly into a stream channel.

"Salvaging" means the return of CCDD to use other than use as fill at a CCDD fill operation.

*"Setback zone" means a geographic area, designated pursuant to* the *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 of origin" means the site where the CCDD or uncontaminated soil was generated from construction or demolition activities.

"Source site operator" means a person responsible for the operation of the site of origin of the CCDD or uncontaminated soil.

"Source site owner" means a person having an ownership interest in the site of origin of the CCDD or uncontaminated soil.

"Uncontaminated soil" *means soil* generated during construction, remodeling, repair or demolition of utilities, structures and roads *that does not contain contaminants in concentrations that pose a threat to human health and safety and the environment.*  [415 ILCS 5/3.160(c)] Subpart F of this Part establishes standards for soil that is considered uncontaminated for purposes of this Part.

"Uncontaminated soil fill operation" means a current or former quarry, mine, or other excavation where uncontaminated soil is used as fill material but does not include a clean construction or demolition debris fill operation. [415 ILCS 5/22.51a(a)(2)].

"Unit" means a contiguous area within a facility where CCDD or uncontaminated soil is placed as fill material.

"Working face" means any part of a unit where CCDD or uncontaminated soil is being placed as fill.

(Source: Amended at 36 Ill. Reg. 13892, effective August 27, 2012)