

GLOSSARY

ILLINOIS ENVIRONMENTAL PROTECTION ACT ILLINOIS GROUNDWATER PROTECTION ACT

“Agency” means the Illinois Environmental Protection Agency.

“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.

“Board” means the Illinois Pollution Control Board

“Committee” means the Interagency Coordinating Committee on Groundwater.

“Community water system” means a public water supply which serves or is intended to serve at least 15 service connections used by residents of regularly serves at least 25 residents.

“Construction” means all acts necessary to obtaining groundwater by any method, for human consumption including without limitation the location of and the excavation for the well, but not including prospecting, surveying or other acts preparatory thereto, nor the installation of pumps and pumping equipment.

“Contamination” or “Contaminate”, when used in connection with groundwater, means water pollution of such groundwater.

“Contaminant” means any physical, chemical, biological, or radiological substance or matter in 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.

“Council” means the Groundwater Advisory Council.

The term “facility” means:

- (a) any building, structure, installation, equipment, pipe or pipeline including but not limited to any pipe into a sewer or publicly owned treatment works, well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, or aircraft; or
- (b) any site or area where a hazardous substance has been deposited, stored, disposed of, or placed, or otherwise come to be located.

“Owner or Operator” means:

- (a) any person owning or operating a vessel or facility; or
- (b) in the case of an abandoned facility, any person owning or operating the abandoned facility or any person who owned, operated, or otherwise controlled activities at the abandoned facility immediately prior to such abandonment.

“Garbage” is waste resulting from the handling, processing, preparation, cooking, and consumption of food, and wastes from the handling, processing, storage, and sale of produce.

“Generator” when used in connection with hazardous waste means any person whose act or process produces a hazardous waste.

“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.

“Hazardous Substance” means (A) any substance designated pursuant to Section 311(b)(2)(A) on 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 subparagraphs (A) through (F) of this paragraph, and the term does not include natural gas, natural gas liquids, liquefied natural gas, or synthetic gas useable for fuel or mixture of natural gas and such synthetic gas.

“Hazardous Hospital Wastes” means waste generated in connection with patient care that is contaminated with or may be contaminated with an infectious agent that has the potential of inducing an infection and has not been rendered innocuous by sterilization or incineration.

“Hazardous Waste” means a waste, or contamination 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.

“Hazardous Waste Disposal Site” is a site at which hazardous waste is disposed.

“Industrial Process Waste” means any liquid, solid, semi-solid, or gaseous waste generated as a direct or indirect result of the manufacture of a product or the performance of a service. Any such waste which would pose a present or potential threat to human health or to the environment or with inherent properties which make the disposal of such waste in a landfill difficult to manage by normal means is an industrial process waste. “Industrial Process Waste” includes but is not limited to spent pickling liquors, cutting oils, chemical catalysts, distillation bottoms, etching acids, equipment cleanings, paint sludges, incinerator ashes, core sands, metallic dust sweepings, asbestos dust, hospital pathological wastes and off-specification, contaminated or recalled wholesale or retail products. Specifically excluded are uncontaminated packaging materials, uncontaminated machinery components, general household waste, landscape waste and construction or demolition debris.

“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.

“Modification” means any change, replacement or other alteration of any water well which shall be contrary to the rules and regulations regarding the construction of a well.

“Municipal Waste” means garbage, general household and commercial waste, landscape waste and construction or demolition debris.

“Municipality” means any city, village or incorporated town.

“Non-community water system” means a public water supply that is not a community water supply.

“Pollution Control Waste” means any liquid, solid, semi-solid or gaseous waste generated as a direct or indirect result of the removal of contaminants from the air, water or land, and which pose a present or potential threat to human health or to the environment or with inherent properties which make the disposal of such waste in a landfill difficult to manage by normal mean. “Pollution Control Waste” includes but is not limited to water and wastewater treatment plant sludges, baghouse dusts, scrubber sludges and chemical spill cleanings.

“Potable” means generally fit for human consumption in accordance with accepted water supply principles and practices.

“Potential route” means abandoned and improperly plugged wells of all kinds, drainage wells, all injection wells, including closed loop heat pump wells, and any excavation for the discovery, development or production of stone, sand or gravel.

A new potential route is:

- (1) a potential route which is not in existence or for which construction has not commenced at its location as of January 1, 1988, or

- (2) a potential route which expands laterally beyond the currently permitted boundary or, if the potential route is not permitted, the boundary in existence as of January 1, 1988.

Construction shall be deemed commenced when 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.

“Potential primary source” means any unit at a facility or site not currently subject to a removal or remedial action which:

- (1) is utilized for the treatment, storage, or disposal of any hazardous or special waste not generated at the site; or
- (2) is utilized for the disposal of municipal waste not generated at the site, other than landscape waste and construction and demolition debris; or
- (3) 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
- (4) 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.

A new potential primary source is:

- (i) a potential primary source which is not in existence or for which construction has not commenced at its location as of January 1, 1988; or
- (ii) a potential primary source which expands laterally beyond the currently permitted boundary, or if the primary source is not permitted, the boundary in existence as of January 1, 1988; or
- (iii) a potential primary source which is part of a facility that undergoes major reconstruction. Such reconstruction shall be deemed to have taken place where the fixed capital cost of the new components constructed within a 2-year period exceed 50% of the fixed capital cost of a comparable entirely new facility.

Construction shall be deemed commenced when 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.

“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:

- (1) 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
- (2) 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 substances; or
- (3) 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
- (4) stores or accumulates pesticides, fertilizers, or road oils for purposes of commercial application or for distribution to retail sales outlets; or
- (5) stores or accumulates at any time more than 50,000 pounds of any de-icing agents; or
- (6) 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".

A new potential secondary source is:

- (i) a potential secondary source which is not in existence or for which construction has not commenced at its location as of July 1, 1988; or
- (ii) a potential secondary source which expands laterally beyond the currently permitted boundary or, if the secondary source is not permitted, the boundary in existence as of July 1, 1988, other than an expansion for handling of livestock waste or for treating domestic wastewaters; or
- (iii) a potential secondary source which is part of a facility that undergoes major reconstruction. Such reconstruction shall be deemed to have taken place where the fixed capital cost of the new components constructed within a 2-year period exceed 50% of the fixed capital cost of a comparable entirely new facility.

Construction shall be deemed commenced when 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.

"Private waste system" means any supply which provides water for drinking, culinary, and sanitary purposes and serves an owner-occupied single family dwelling.

“Public water system” 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”.

“Regulated recharge area” means a compact geographic area, as determined by the Board, the geology of which renders a potable resource groundwater particularly susceptible to contamination.

“Release” means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, but excludes (a) 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; (b) emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel, or pipeline pumping station engine; (c) 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 (d) the normal application of fertilizer.

“Resource groundwater” means groundwater that is presently being or in the future capable of being put to beneficial use by reason of being of suitable quality.

“Sanitary landfill” means a facility permitted by the Agency for the disposal of waste on land meeting the requirements of the Resource Conservation and Recovery Act, P.L. 94-580, all regulations thereunder, and without creating nuisances or hazards to public health or safety, confining the refuse to the smallest practical volume and covering it with layer of earth at the conclusion of each day’s operation, or by such other methods at intervals as the Board may provide by regulation.

“Semi-private water system” means a water supply which is not a public water system, yet which serves a segment of the public other than an owner-occupied single family dwelling.

“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.

“Sewage works” means individually or collectively those constructions or devices used for collecting, pumping, treating, and disposing of waste, industrial waste or other wastes or for the recovery of by-products from such wastes.

“Site” means any location, place, tract of land, facilities, including but not limited to buildings, improvements used for purposes subject to regulation control by this Act or regulations thereunder.

“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 special waste having similar characteristics and effects.

“Special waste” means any industrial process waste, pollution control waste or hazardous waste.

“Storage” when used in connection with hazardous waste, means the containment of hazardous waste, either on a temporary basis or for a period of years, in such manner as not to constitute disposal of such hazardous waste.

“Storage site” is a site at which hazardous waste is stored.

“Supplier of water” means any person who owns or operates a water system.

“Treatment” when used in connection with hazardous waste means any method, technique or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any hazardous waste so as to neutralize such waste or so as to render such waste nonhazardous, safer for transport, amenable for recovery, amenable for storage, or reduced in volume. Such term includes any activity or processing designed to change the physical form or chemical composition of hazardous waste so as to render it nonhazardous.

“Underground injection” means the subsurface emplacement of fluids by well injection.

“Underground water” means all water beneath the land surface.

“Unit” means any device, mechanism, equipment, or area (exclusive of land utilized only for agricultural production).

“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 solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under Section 402 of the Clean Water Act or source, special nuclear, or by-product materials as defined by the Atomic Energy Act of 1954, as amended (68 Stat. 921) or any solid or dissolved material from any facility subject to the Federal Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87) or the rules and regulations thereunder or any law or rule or regulation adopted by the State of Illinois pursuant thereto.

“Waste disposal site” is a site on which solid waste is disposed.

“Water well” means any excavation that is drilled, cored, bored, washed, driven, dug, jetted or otherwise constructed when the intended use of such excavation is for the location, diversion, artificial recharge, or acquisition of groundwater, but such term does not include an excavation

made for the purpose of obtaining or prospecting for oil, natural gas, minerals or products of mining or quarrying or for inserting media to repressure oil or natural gas bearing formation or for storing petroleum, natural gas or other products or for observation or any other purpose in connection with the development or operation of a gas storage.