**Section 257.10 Definitions**

Definitions for this Part can be located in Section 2 of the Lawncare Products Application and Notice Act (415 ILCS 65/2), Section 3 of the Illinois Fertilizer Act of 1961 (505 ILCS 80/3), and Section 4 of the Illinois Pesticide Act (415 ILCS 60/4). The following definitions shall also apply to this Part:

"Activity" means a unit for the storage and related handling of pesticides or fertilizers at an agrichemical or lawncare facility.

"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 another within a 30-day period or a site where bulk fertilizers are stored, mixed, repackaged or transferred from one container to another.

"Agrichemical Spill" means a release outside an operational area containment or secondary containment structure involving more than 25 gallons of liquid fertilizer or 100 pounds of dry fertilizer or 5 pounds of liquid or dry active ingredient equivalent of pesticides; except that for reportable substances, it means when the amount spilled equals or exceeds the reportable quantity (RQ) for those chemical substances.

"Agrichemicals" means pesticides or commercial fertilizers at a facility, but does not include anhydrous ammonia fertilizer material.

"Alterations" means permanent changes in activities or processes at a facility or changes in stored and handled product mix which do not modify the efficiency of containment structures or systems.

"Category A Geologic Vulnerability" means the geologic material associated with a community water supply well with a 400 foot minimum setback zone deriving water from an unconfined shallow fractured or highly permeable bedrock formation or from an unconsolidated and unconfined sand and gravel formation. For any other potable water supply well, it means that Class I or III groundwater is located at or within 50 feet of the land surface and the top of such potable well screen or open interval is less than or equal to 100 feet from the land surface.

"Category B Geologic Vulnerability" means the geologic material associated with a community water supply well with a 200 foot minimum setback zone not deriving water from an unconfined shallow fractured or highly permeable bedrock formation or from an unconsolidated and unconfined sand and gravel formation. For any other potable water supply well, it means that Class I or III groundwater is located more than 50 feet from the land surface or the top of such potable well screen or open interval is more than 100 feet from the land surface.

"Central distribution facility" means a site that is not an agrichemical facility that is used for the storage and related handling of pesticides and/or fertilizers at a central location for the purpose of distribution to retail sales outlets.

"Commercial" means buying and selling agrichemicals and agrichemical services for compensation.

"Community Water Supply" means a public water supply which serves at least 15 service connections used by residents or regularly serves at least 25 residents for at least 60 days per year.

"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 concentration of a substance that can be measured as reported with 99 percent confidence that the true value is greater than zero pursuant to 56 Fed. Reg. 3526 thru 3597 (January 30, 1991); or

*Method Quantitation Limit* or MQL, which means the minimum concentration of a substance that can be measured and reported pursuant to "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods".

"Existing activity" means an activity that was in operation or for which there was commencement of construction on or before the effective date of these regulations or on or before the effective date of a regulated recharge regulation affecting such activity.

"Groundwater" means groundwater as defined in the Illinois Groundwater Protection Act (415 ILCS 55).

"Lawncare facility" means a site subject to the provisions of Section 5 of the Illinois Lawncare Products Application and Notice Act (415 ILCS 65/5).

"Load or loading" means the transfer of formulated pesticide at a facility from facility storage to application equipment resulting in use dilutions or the transfer of bulk pesticides to field nursing transportation equipment or the transfer of liquid fertilizer or dry fertilizer at facilities from facility storage to application equipment and field nursing transportation equipment.

"Mini-bulk container" means a portable container which is designed for transportation and has a capacity of not less than 100 gallons nor more than 660 gallons.

"Minimal consequence" means that an agrichemical spill has been responded to in a timely and appropriate manner and that the Department has no reason to believe that such spill will result in contamination of the vadose zone or groundwater.

"Modification" means changes in structures, processes or activities at a facility which change the efficiency or effectiveness of the containment structures or systems; i.e., changes in capacity.

"New activity" means an activity that is not an existing activity.

"Non-Community Water Supply" means a public water supply that is not a community water supply, and has at least 15 service connections used by nonresidents, or regularly serves 25 or more nonresident individuals daily for at least 60 days per year.

"Operational activity" means loading, unloading, and mixing of agrichemicals and or the cleaning of agrichemical transportation or application equipment at a facility.

"Operational area" means an area or areas at the facility where agrichemicals are loaded, unloaded, mixed, repackaged, or where agrichemicals are cleaned and washed from application, storage or transportation equipment.

"Operational area containment structure or system" means any structure or system used to intercept or prevent runoff or leaching, and contain spills and residues containing agrichemicals from operational activities such as loading, unloading, mixing, and equipment washing and rinsing.

"Packaged goods" means portable containers which are designed for transportation and have capacities of less than 100 gallons.

"Poly-materials" means any non-metallic, natural or synthetic compound or mixture of compounds created by the process of polymerization which, in its rigid form, can be used for the construction of agrichemical storage vessels (e.g., polyethylene, polyolefins, polyvinyl chloride, etc.). For the purposes of this Part, this definition shall also include all materials generally referred to as plastic or rubber.

"Regulated Recharge Area" means a compact geographic area, as determined by the Pollution Control Board, the geology of which renders a potable resource groundwater particularly susceptible to contamination.

"Reportable quantity" or "RQ" means a quantity that equals or exceeds the reportable quantity for substances listed in the Appendix to 49 CFR 172.101 (1988) or in Appendix A of 40 CFR 355 (1988).

"Reportable substance" means any substance listed in the Appendix to 49 CFR 172.101 (1988) or in Appendix A of 40 CFR 355 (1988).

"Secondary containment structure" means any structure or basin used to contain agrichemical spills and prevent runoff or leaching from bulk agrichemical containers.

"Setback Zone" means a geographic area, established under the Illinois Environmental Protection Act (415 ILCS 5), containing a potable water supply well or potential source or potential route, having a continuous boundary, and within which certain prohibitions or regulations are applicable in order to protect groundwaters.

"Underground water" means underground water as defined in the Illinois Groundwater Protection Act (415 ILCS 55).

"Unload or unloading" means the transfer at a facility of formulated pesticide in an unaltered state from the transport vehicle into facility storage or the transfer of bulk commercial fertilizer in an unaltered state from the transport vehicle into facility storage.

"Vadose Zone" means the area beneath the land surface which contains underground water that is not groundwater.