**Section 1500.20 Definitions**

"Act" means the Drycleaner Environmental Response Trust Fund Act.

"Administrator" means the Administrator of the Drycleaner Environmental Response Trust Fund Council of Illinois.

*"Active drycleaning facility" means a drycleaning facility actively engaged in drycleaning operations and licensed under Section 60 of the Act.*

*"Agency" means the Illinois Environmental Protection Agency.*

*"Claimant" means an owner or operator of a drycleaning facility who has applied for reimbursement from the remedial account or who has submitted a claim under the insurance account with respect to a release.*

*"Council" means the Drycleaner Environmental Response Trust Fund Council.*

*"Drycleaner Environmental Response Trust Fund" or "Fund" means the fund created under Section 10 of the Act.*

*"Drycleaning facility" means a facility located in this State that is or has been engaged in drycleaning operations for the general public, other than a facility located on a United States military base; an industrial laundry, commercial laundry, or linen supply facility; a prison or other penal institution that engages in drycleaning only as part of a Correctional Industries program to provide drycleaning to persons who are incarcerated in a prison or penal institution or to resident patients of a State-operated mental health facility; a not-for-profit hospital or other health care facility; or a facility located or formerly located on federal or State property.*

*"Drycleaning operations" means drycleaning of apparel and household fabrics for the general public, as described in Standard Industrial Classification Industry No. 7215 and No. 7216 in the Standard Industrial Classification (SIC) Manual by the Technical Committee on Industrial Classification,* available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, (202) 653-5075 (1987; no later editions or amendments are incorporated).

 "Drycleaning machine with a solvent reclaimer" means a petroleum-based or hydrocarbon-based drycleaning machine that utilizes a drying system in which the drycleaning solvent vapors from the drying process are captured and not emitted into the atmosphere.

 "Drycleaning machine without a solvent reclaimer" means a petroleum-based or hydrocarbon-based drycleaning machine that uses a transfer process in which the garments are cleaned in one machine and then transferred to a dryer that does not recapture the drycleaning solvent remaining in the garments. The dryer emits the solvent vapors directly into the atmosphere.

*"Drycleaning solvent" means any and all nonaqueous solvents, including but not limited to a chlorine-based or petroleum-based formulation or product, including green solvents, that are used as a primary cleaning agent in drycleaning operations.*

*"Emergency" or "emergency action" means a situation or an immediate response to a situation to protect public health or safety. "Emergency" or "emergency action" does not mean removal of contaminated soils, recovery of free product, or financial hardship. An "emergency" or "emergency action" would normally be expected to be directly related to a sudden event or discovery and would last until the threat to public health is mitigated.*

"Focused site investigation" means an investigation designed to identify recognized environmental conditions and related contaminants of concern that may exist at a site and to investigate the environmental conditions and contaminants of concern that are associated with drycleaning solvents. The focused site investigation shall be performed in two phases. A phase I environmental assessment shall be designed and implemented in accordance with the procedures for such establishments set forth in "Standard Practices for Environmental Site Assessments: Phase 1 Environmental Site Assessment Process" (ASTM E 1527-00), available from the American Society for Testing and Materials, 1916 Race St., Philadelphia PA 19103, (215) 299-5400 (2000; no later editions or amendments are incorporated). The phase I environmental site assessment shall be designed and implemented to address those environmental conditions or contaminants of concern, including drycleaning solvents that may be associated with the site. A focused phase II environmental site assessment shall be designed and implemented to address those environmental conditions or contaminants of concern identified by the phase I environmental site assessment that are associated with drycleaning solvents. A focused phase II environmental site assessment investigation shall generally follow those requirements that are applicable to the phase II investigation as set forth in the Illinois Pollution Control Board's site remediation program requirements (35 Ill. Adm. Code 740.420(b)).

 "Green solvent" means a drycleaning solvent evaluated and classified by the Council with assistance from the Agency to be biodegradable that, if released into the environment, would not require remedial action per the Agency or per the United States Environmental Protection Agency.

 "Hydrocarbon-based solvent" means the same as a petroleum-based solvent.

*"Inactive drycleaning facility" means a drycleaning facility that is not being used for drycleaning operations and is not registered under the Act.*

*"Operator" means a person or entity holding a business license to operate a licensed drycleaning facility or the business operation of which the drycleaning facility is a part.*

*"Owner" means a person who owns or has possession or control of a drycleaning facility at the time a release is discovered, regardless of whether the facility remains in operation, or a parent corporation of such person.*

*"Person" means an individual, trust, firm, joint stock company, corporation, consortium, joint venture, or other commercial entity.*

*"Program year" means the period beginning on July 1 and ending on the following June 30.*

*"Release" means any spilling, leaking, emitting, discharging, escaping, leaching, or dispersing of drycleaning solvents from a drycleaning facility to groundwater, surface water, or subsurface soils.*

*"Remedial action" means activities taken to comply with Sections 58.6 and 58.7 of the* Environmental Protection Act [415 ILCS 5/58.6 and 58.7] *and rules adopted by the Pollution Control Board under those Sections.*

*"Service provider" means a consultant, testing laboratory, monitoring well installer, soil boring contractor, other contractor, lender, or any other person who provides a product or service for which a claim for reimbursement has been or will be filed against the remedial account or insurance account, or a subcontractor of such a person.*

"Tiered Approach to Corrective Action Objectives" or "TACO" means risk based remedial action standards as defined in the Illinois Pollution Control Board's site remediation program requirements (35 Ill. Adm. Code 742).

*"Virgin facility" means a drycleaning facility that has never had chlorine-based or petroleum-based drycleaning solvents stored or used at the property prior to it becoming a green solvent drycleaning facility.* [415 ILCS 135/5]

(Source: Amended at 28 Ill. Reg. 9051, effective June 21, 2004)