**Section 741.110 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 is the same as that applied to the same words or terms in the Environmental Protection Act [415 ILCS 5].

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

"Agency" means the Illinois Environmental Protection Agency.

"Board" means the Pollution Control Board.

*"Person" means individual, trust, firm, joint stock company, joint venture, consortium, commercial entity, corporation (including a government corporation), partnership, association, state, municipality, commission, political subdivision of a state or any interstate body including the United States government and each department, agency, and instrumentality of the United States.* (Section 58.2 of the Act)

*"Pesticide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest or any substance or mixture of substances intended for use as a plant regulator, defoliant or desiccant.* (Section 3.71 of the Act)

"Proportionate Share" means a person's share of the performance or costs of a response based on the degree to which the performance or costs result from the person's proximate causation of or contribution to the release or substantial threat of a release.

*"Regulated Substance" means any hazardous substance as defined under Section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (P.L. 96-510) and petroleum products including crude oil or any fraction thereof, natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).* (Section 58.2 of the Act)

*"Release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, but excludes 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; emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel, or pipeline pumping station engine; 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 the normal application of fertilizer.* (Section 3.33 of the Act)

*"Remedial Action" means those actions consistent with permanent remedy taken instead of or in addition to removal actions in the event of a release or threatened release of a* regulated substance or pesticides *into the environment, to prevent or minimize the release of* regulated substances or pesticides *so that they do not migrate to cause substantial danger to present or future public health or welfare or the environment. The term includes, but is not limited to, such actions at the location of the release as storage, confinement, perimeter protection using dikes, trenches or ditches, clay cover, neutralization, cleanup of released* regulated substances or pesticides *or contaminated materials, recycling or reuse, diversion destruction, segregation of reactive* *substances,* *dredging or excavations, repair or replacement of leaking containers, collection of leachate and runoff, onsite treatment or incineration, provision of alternative water supplies, and any monitoring reasonably required to assure that such actions protect the public health and welfare and the environment. The term includes the costs of permanent relocation of residents and businesses and community facilities where the Governor and Director determine that, alone or in combination with other measures, such relocation is more cost-effective than and evironmentally preferable to the transportation, storage, treatment, destruction, or secure disposition offsite of* regulated substances or pesticides, *or may otherwise be necessary to protect the public health or welfare. The term includes offsite transport of* regulated substances or pesticides, *or the storage, treatment, destruction, or secure disposition offsite of such* regulated substances or pesticides *or contaminated materials. Remedial action* also includes *activities associated with compliance with the provisions of Sections 58.6 and 58.7* of the Act, including, but not limited to, the conduct of site investigations, preparations of work plans and reports, removal or treatment of contaminants, construction and maintenance of engineered barriers, and/or implementation of institutional controls. (Sections 3.34 and 58.2 of the Act)

*"Remove" or "Removal" means the cleanup or removal of released* regulated substances or pesticides *from the environment, actions as may be necessary to take in the event of the threat of release of* regulated substances or pesticides *into the environment, actions as may be necessary to monitor, assess, and evaluate the release or threat of release of* regulated substances or pesticides, *the disposal of removed material, or the taking of other actions as may be necessary to prevent, minimize, or mitigate damage to the public health or welfare of the environment, that may otherwise result from a release or threat of release. The term includes, in addition, without being limited to, security fencing or other measures to limit access, provision of alternative water supplies, temporary evacuation and housing of threatened individuals, and any emergency assistance that may be provided under the Illinois Emergency Management Act or any other law.* (Section 3.35 of the Act)

*"Respond" or "Response" means remove, removal, remedy, and remedial action.* (Section 3.40 of the Act)

*"Site" means any single location, place, tract of land or parcel of property or portion thereof, including contiguous property separated by a public right-of-way.* (Section 58.2 of the Act) This term also includes, but is not limited to, all buildings and improvements present at that location, place or tract of land.