**Section** **820.103 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 the definition of the same words or terms in the Environmental Protection Act:

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

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

"Adjudicated bankrupt" means the entry of any order for relief under Chapter 7 of the United States Bankruptcy Code, 11 U.S.C. 101 et seq. ("the Code") under

a voluntary petition under Section 301(b) of the Code;

an involuntary petition under Section 303(h) of the Code; or

a conversion of a Chapter 11 case to a Chapter 7 case under Sections 348(a) and 1112(a) and (b) of the Code.

"Applicant" means the person applying to the Agency for a permit for a general construction or demolition debris recovery facility permit under this Part.

"*Board*" *is the Pollution Control Board established by* the Act*.* [415 ILCS 5/3.130]

"*Clean construction or demolition debris*" or "CCDD" *means* *uncontaminated broken concrete without protruding metal bars, bricks, rock, stone, reclaimed or other asphalt pavement, or soil generated from construction or demolition activities.* CCDD *does not include uncontaminated soil generated during construction, remodeling, repair, and demolition of utilities, structures, and roads* if *the uncontaminated soil is not commingled with any clean construction or demolition debris or other waste.* [415 ILCS 5/3.160(b)]

"*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 ground waters.* [415 ILCS 5/3.185]

"*General construction or demolition debris*" or "GCDD" *means* *non-hazardous, uncontaminated materials resulting from the construction, remodeling, repair, and demolition of utilities, structures, and roads, limited to the following: bricks, concrete, and other masonry materials; soil; rock; wood, including non-hazardous painted, treated, and coated wood and wood products; wall coverings; plaster; drywall; plumbing fixtures; non-asbestos insulation; roofing shingles and other roof coverings; reclaimed or other asphalt pavement; glass; plastics that are not sealed in a manner that conceals waste; electrical wiring and components containing no hazardous substances; and corrugated cardboard, piping or metals incidental to any of those materials.* GCDD *does not include uncontaminated soil generated during construction, remodeling, repair, and demolition of utilities, structures, and roads* if *the uncontaminated soil is not commingled with any* GCDD *or other waste. To the extent allowed by federal law, uncontaminated concrete with protruding rebar* is *considered* CCDD *and* is *not considered "waste" if it is separated or processed and returned to the economic mainstream in the form of raw materials or products within 4 years of its generation, if it is not speculatively accumulated and, if used as a fill material, it is used in* compliance *with* Section 3.160(b)(i) of the Act. [415 ILCS 5/3.160(a)]

"*General construction or demolition debris recovery facility*" or "GCDD recovery facility" *means a site or facility used to store or treat exclusively* GCDD, *including sorting, separating, or transferring, for recycling, reclamation, or reuse.* For purposes of this definition, "facility" means a site and all structures, equipment, and fixtures on a site used in connection with or to facilitate GCDD recovery operations*. For purposes of this definition, treatment includes altering the physical nature of the* GCDD*, such as by size reduction, crushing, grinding, or homogenization, but does not include treatment designed to change the chemical nature of the general construction or demolition debris*. [415 ILCS 5/3.160(a-1)]

"*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.* [415 ILCS 5/3.270]

"Malodor" means an odor caused by one or more contaminant emissions into the atmosphere from a GCDD recovery facility that is in sufficient quantities and of such characteristics and duration to bedescribed as an offensive odor to a reasonable person.

"Operator" means the person responsible for the operation and maintenance of a GCDD recovery facility.

"Owner" means a person who has a direct or indirect interest in the GCDD recovery facility or the land on which a person operates and maintains a GCDD recovery facility. "Interest" includes a leasehold interest in the land. The "owner" is the "operator" if there is no other person who is operating and maintaining a GCDD recovery facility.

"Person" means *any individual, partnership, co-partnership, firm, company, limited liability 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 5/3.315]

"Putrescible recyclable GCDD" means GCDD material containing organic matter capable of being decomposed by microorganisms to cause a malodor, gases, or other offensive conditions or that can provide food for birds and disease vectors.

"Recyclable GCDD" means GCDD *that is being reclaimed from the* GCDD *waste stream and*

*is rendered reusable and is reused or*

*would otherwise be disposed of or discarded but is collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products.*

"Recyclable GCDD" *does not include* GCDD *that is*

*recovered for use as fuel or that is otherwise incinerated or burned,*

*buried or used as fill material, including the use of any clean construction or demolition debris fraction of general construction or demolition debris as fill material under Section* 3.160(b) of the Act *or at a clean construction or demolition debris fill operation under Section 22.51* of the Act*, or*

*disposed of at a landfill*. [415 ILCS 5/22.38(c)]

"*Recycling, reclamation, or reuse*" means *a method, technique, or process designed to remove any contaminant from waste so as to render such waste reusable, or any process by which materials that would otherwise be disposed of or discarded are collected, separated or processed and returned to the economic mainstream in the form of raw materials or products.* [415 ILCS 5/3.380]

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

"Special waste"means special waste as defined under Section 3.475 of the Act.

"Wood recovered for use as fuel" means *wood that is recovered from the* GCDD *waste stream for use as fuel, as authorized by the applicable state or federal environmental regulatory authority, and supplied only to intermediate processing facilities for sizing, or to combustion facilities for use as fuel, that have obtained all necessary waste management and air permits for handling and combustion of the fuel.* [415 ILCS 5/22.38(e)]