**Section 1501.130 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 that applied to the same words or terms in the Drycleaner Environmental Response Trust Fund Act [415 ILCS 135]:

"Active drycleaning facility" *means a drycleaning facility actively engaged in drycleaning operations and licensed under* this Part.

"Agency" *means the Illinois Environmental Protection Agency.* [415 ILCS 135/5]

"Board" means the Illinois Pollution Control Board.

"Chlorine-based solvent" means a drycleaning solvent containing one or more chlorine atoms in its molecular structure.

"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.* [415 ILCS 135/5]

"Council" *means the Drycleaner Environmental Response Trust Fund Council,* whose authorities under the DERT Fund Act transferred to the Agency and the Board on July 1, 2020.

"DERT Fund Act" means the Drycleaner Environmental Response Trust Fund Act. [415 ILCS 135/5]

"Drycleaner Environmental Response Trust Fund" or "Fund" *means the fund created under Section 10 of* the DERT Fund Act. [415 ILCS 135/5]

"Drycleaning facility" *means a facility located in* Illinois *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.* [415 ILCS 135/5]

"Drycleaning machine with a solvent reclaimer" means a drycleaning machine that uses a petroleum-based or hydrocarbon-based solvent and 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 drycleaning machine that uses a petroleum-based or hydrocarbon-based solvent and 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 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 Manual (SIC) by the Technical Committee on Industrial Classification.* [415 ILCS 135/5]

"Drycleaning solvent" *means any and all nonaqueous solvents, including a chlorine-based or petroleum-based formulation or product, including green solvents, that are used as a primary cleaning agent in drycleaning operations.* [415 ILCS 135/5]

"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 or safety is mitigated.* [415 ILCS 135/5]

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

"Green solvent" means a drycleaning solvent evaluated and classified by the Council or Board as biodegradable and that, if released into the environment, would not require remedial action under State or federal law or regulations.

"Hydrocarbon-based solvent" has the same meaning as the term “petroleum-based solvent.”

"Inactive drycleaning facility" *means a drycleaning facility that is not being used for drycleaning operations and is not registered under* the DERT Fund Act or licensed under Subpart B. [415 ILCS 135/5]

“Licensed Professional Engineer” (LPE) *means a person, corporation or partnership licensed under the laws of the State of Illinois to practice professional engineering.* [415 ILCS 5/57.2]

“Licensed Professional Geologist” (LPG) *means a person licensed under the laws of the State of Illinois to practice as a professional geologist.* [415 ILCS 5/57.2]

"No Further Remediation Letter" *means a letter provided by the Agency pursuant to Section 58.10 of Title XVII of the* EPAct. [415 ILCS 135/5]

"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.* [415 ILCS 135/5]

"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* that *person*. [415 ILCS 135/5]

"Parent corporation" *means a business entity or other business arrangement that has elements of common ownership or control or that uses a long-term contractual arrangement with a person to avoid direct responsibility for conditions at a drycleaning facility.* [415 ILCS 135/5]

"Person" *means an individual, trust, firm, joint stock company, corporation, consortium, joint venture, or other commercial entity.* [415 ILCS 135/5]

"Petroleum-based solvent" means a drycleaning solvent containing a hydrocarbon mixture.

"Program year" *means the period beginning on July 1 and ending on the following June 30.* [415 ILCS 135/5]

"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.* [415 ILCS 135/5]

"Remedial action" *means activities taken to comply with Title XVII of the Environmental Protection Act and rules adopted by the Board to administer that Title.* [415 ILCS 135/5]

"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 Fund, or a subcontractor of such a person.* [415 ILCS 135/5]

"Site Remediation Program" or "SRP" means Title XVII of the EPAct and rules adopted thereunder.