

## **SECTION 2. Definitions**

(a) As used in these regulations, the following definitions apply:

- (1) "Affected water company" means "affected water company" as defined in §22a-354h of the Connecticut General Statutes;
- (2) "Agency" means the board or commission authorized by the municipality under §22a-354o of the Connecticut General Statutes;
- (3) "Agriculture" means "agriculture" as defined in the §1-1(q) of the Connecticut General Statutes;
- (4) "Applicant" means, as appropriate in context, a person who applies for an exemption under §22a-354i-6 of the Regulations of Connecticut State Agencies, a permit under §22a-354i-8 of the Regulations of Connecticut State Agencies or a permit under Section 9 of the APA Regulations;
- (5) "Application" means, as appropriate in context, an application for an exemption under §22a-354i-6 of the Regulations of Connecticut State Agencies, an application for a permit under §22a-354i-8 of the Regulations of Connecticut State Agencies or an application for a permit under Section 9 of the APA Regulations;
- (6) "Aquifer protection area" means "aquifer protection area" as defined in §22a-354h of the Connecticut General Statutes and any extension of such area approved by the Commissioner pursuant to §22a-354i-4 of the Regulations of Connecticut State Agencies;
- (7) "Area of contribution" means "area of contribution" as defined in §22a-354h of the Connecticut General Statutes and as mapped in accordance with §22a-354b-1 of the Regulations of Connecticut State Agencies;
- (8) "Bulk storage facility" means property where oil or petroleum liquids are received by tank vessel, pipeline, railroad car or tank vehicle for the purpose of storage for wholesale distribution;
- (9) "Certified Hazardous Materials Manager" means a hazardous materials manager certified by the Institute of Hazardous Materials Management and who is qualified by reason of relevant specialized training and relevant specialized experience to conduct audits of regulated activities to ensure compliance with applicable laws and identify appropriate pollution prevention practices for such activities;
- (10) "Commissioner" means the commissioner of environmental protection, or his or her agent;
- (11) "Domestic sewage" means "domestic sewage" as defined in §22a-430-3(a) the Regulations of Connecticut State Agencies;
- (12) "Facility" means property where a regulated activity is conducted by any person, including without limitation any buildings located on the property that are owned or leased by that person; and includes contiguous land owned, leased, or for which there is an option to purchase by that person;
- (13) "Floor drain" means any opening in a floor or surface which opening or surface receives materials spilled or deposited thereon;
- (14) "Hazardous material" means (A) any hazardous substance as defined in 40 CFR 302.4 and listed therein at Table 302.4, excluding mixtures with a total concentration of less than 1% hazardous substances based on volume, (B) any hazardous waste as defined in §22a-449(c)-101 of the Regulations of Connecticut State Agencies, (C) any pesticide as defined in §22a-47 of the Connecticut General Statutes, or (D) any oil or petroleum as defined in §22a-448 of the Connecticut General Statutes;
- (15) "Hazardous waste" means "hazardous waste" as defined in §22a-449(c)-101 of the Regulations of Connecticut State Agencies;
- (16) "Industrial laundry" means a facility for washing clothes, cloth or other fabric used in industrial operations;
- (17) "Infiltration device" means any discharge device installed below or above the ground surface that is designed to discharge liquid to the ground;
- (18) "Inland wetland and watercourse areas map" means a map pursuant to §22a-42a of the Connecticut

General Statutes;

(19) "ISO 14001 environmental management system certification" means a current ISO 14001 environmental management system certification issued by an ISO 14001 environmental management system registrar that is accredited by the American National Standards Institute (ANSI) - American Society for Quality (ASQ) National Accreditation Board (ANAB);

(20) "Level A mapping" means the lines as shown on Level A maps approved or prepared by the Commissioner pursuant to §22a-354c, §22a-354d or §22a-354z of the Connecticut General Statutes encompassing the area of contribution and recharge areas;

(21) "Lubricating oil" means oil that contains less than 1% chlorinated solvents and is used for the sole purpose of lubricating, cutting, grinding, machining, stamping or quenching metals;

(22) "Municipality" means "municipality" as defined in §22a-354h of the Connecticut General Statutes;

(23) "Owner" means the owner or lessee of the facility in question;

(24) "De-icing chemical" means sodium chloride, calcium chloride, or calcium magnesium acetate;

(25) "Person" means any individual, firm, partnership, association, syndicate, company, trust, corporation, limited liability company, municipality, agency, political or administrative subdivision of the state, or other legal entity of any kind;

(26) "Pollution" means "pollution" as defined in §22a-423 of the Connecticut General Statutes;

(27) "Pollution prevention" means the use of processes and materials so as to reduce or minimize the amount of hazardous materials used or the quantity and concentration of pollutants in waste generated;

(28) "Professional engineer" means a professional engineer licensed in accordance with Chapter 391 of the Connecticut General Statutes, and who is qualified by reason of relevant specialized training and relevant specialized experience to conduct audits of regulated activities to ensure compliance with applicable law and identify appropriate pollution prevention practices for such activities;

(29) "Publicly Owned Treatment Works" means "publicly owned treatment works" as defined in §22a-430-3 of the Regulations of Connecticut State Agencies;

(30) "Public service company" means "public service company" as defined in §16-1 of the Connecticut General Statutes;

(31) "Public supply well" means "public supply well" as defined in §19-13-B51b of the Regulations of Connecticut State Agencies;

(32) "Recharge area" means "recharge area" as defined in §22a-354h of the Connecticut General Statutes and as mapped in accordance with §22a-354b-1 of the Regulations of Connecticut State Agencies;

(33) "Registered regulated activity" means a regulated activity which has been registered under §22a-354i-7 of the Regulations of Connecticut State Agencies or Section 8 of the APA Regulations, and is conducted at the facility identified in such registration;

(34) "Registrant" means a person, who or which, has submitted a registration for an existing regulated activity under §22a-354i-7 of the Regulations of Connecticut State Agencies or Section 4 of the APA Regulations;

(35) "Regulated activity" means any of the following activities, which are located or conducted, wholly or partially, in an aquifer protection area, except as provided for in §22a-354i-5(c) and §22a-354i-6 of the Regulations of Connecticut State Agencies, or Section 4 of the APA Regulations:

(A) underground storage or transmission of oil or petroleum, to the extent such activity is not pre-empted by federal law, or hazardous material, except for (i) an underground storage tank that contains number two (2) fuel oil and is located more than five hundred (500) feet from a public supply well subject to regulation under §22a-354c or §22a-354z of the Connecticut General Statutes, or (ii) underground electrical facilities such as transformers, breakers, or cables containing oil for cooling or insulation purposes which are owned and operated by a public service company,

- (B) oil or petroleum dispensing for the purpose of retail, wholesale or fleet use,
- (C) on-site storage of hazardous materials for the purpose of wholesale sale,
- (D) repair or maintenance of vehicles or internal combustion engines of vehicles, involving the use, storage or disposal of hazardous materials, including solvents, lubricants, paints, brake fluids, transmission fluids or the generation of hazardous wastes,
- (E) salvage operations of metal or vehicle parts,
- (F) wastewater discharges to ground water other than domestic sewage and stormwater, except for discharges from the following that have received a permit from the Commissioner pursuant to §22a-430 of the Connecticut General Statutes: (i) a pump and treat system for ground water remediation, (ii) a potable water treatment system, (iii) heat pump system, (iv) non-contact cooling water system, (v) swimming pools,
- (G) car or truck washing, unless all waste waters from such activity are lawfully disposed of through a connection to a publicly owned treatment works,
- (H) production or refining of chemicals, including without limitation hazardous materials or asphalt,
- (I) clothes or cloth cleaning service which involves the use, storage or disposal of hazardous materials including without limitation dry-cleaning solvents,
- (J) industrial laundry activity that involves the cleaning of clothes or cloth contaminated by hazardous material, unless all waste waters from such activity are lawfully disposed of through a connection to a publicly owned treatment works,
- (K) generation of electrical power by means of fossil fuels, except for (i) generation of electrical power by an emergency engine as defined by §22a-174-22(a)(2) of the Regulations of Connecticut State Agencies, or (ii) generation of electrical power by means of natural gas or propane,
- (L) production of electronic boards, electrical components, or other electrical equipment involving the use, storage or disposal of any hazardous material or involving metal plating, degreasing of parts or equipment, or etching operations,
- (M) embalming or crematory services which involve the use, storage or disposal of hazardous material, unless all waste waters from such activity are lawfully disposed of through a connection to a publicly owned treatment works,
- (N) furniture stripping operations which involve the use, storage or disposal of hazardous materials,
- (O) furniture finishing operations which involve the use, storage or disposal of hazardous materials, unless all waste waters from such activity are lawfully disposed of through a connection to a publicly owned treatment works,
- (P) storage, treatment or disposal of hazardous waste subject to a permit under §22a-449(c)-100 to §22a-449(c)-110, inclusive, of the Regulations of Connecticut State Agencies,
- (Q) biological or chemical testing, analysis or research which involves the use, storage or disposal of hazardous material, unless all waste waters from such activity are lawfully disposed of through a connection to a publicly owned treatment works, and provided that on-site testing of a public supply well by a public water utility is not a regulated activity,
- (R) pest control services which involve storage, mixing or loading of pesticides or other hazardous materials,
- (S) photographic finishing which involves the use, storage or disposal of hazardous materials, unless all waste water from such activity are lawfully disposed of through a connection to a publicly owned treatment works,
- (T) production or fabrication of metal products which involves the use, storage or disposal of hazardous materials including (i) metal cleaning or degreasing with industrial solvents, (ii) metal plating, or (iii) metal etching,
- (U) printing, plate making, lithography, photoengraving, or gravure, which involves the use, storage

or disposal of hazardous materials,

(V) accumulation or storage of waste oil, anti-freeze or spent lead-acid batteries which are subject to a general permit issued by the Commissioner under §22a-208(i) and §22a-454(e)(1) of the Connecticut General Statutes,

(W) production of rubber, resin cements, elastomers or plastic, which involves the use, storage or disposal of hazardous materials,

(X) storage of de-icing chemicals, unless such storage takes place within a weather-tight water-proof structure for the purpose of retail sale or for the purpose of de-icing parking areas or access roads to parking areas,

(Y) accumulation, storage, handling, recycling, disposal, reduction, processing, burning, transfer or composting of solid waste which is subject to a permit issued by the Commissioner pursuant to §22a-207b, §22a-208a, and §22a-208c of the Connecticut General Statute, except for a potable water treatment sludge disposal area,

(Z) dyeing, coating or printing of textiles, or tanning or finishing of leather, which activity involves the use, storage or disposal of hazardous materials,

(AA) production of wood veneer, plywood, reconstituted wood or pressure-treated wood, which involves the use, storage or disposal of hazardous material, and

(BB) pulp production processes that involve bleaching;

(36) "Release" means "release" as defined in §22a-133k-1 of the Regulations of Connecticut State Agencies;

(37) "State aquifer protection regulations" means §22a-354i-1 to §22a-354i-10, inclusive, of the Regulations of Connecticut State Agencies;

(38) "Storage" means the holding or possession of any hazardous material;

(39) "Storage tank" means a stationary device which is designed to store hazardous materials, and is constructed of non-earthen materials including without limitation concrete, steel, fiberglass or plastic;

(40) "Topographic feature" means an object, whether natural or man-made, located on the earth surface and of sufficient size that it appears on a 1:24,000 scale topographic quadrangle map drawn by the United States Geological Survey;

(41) "Underground" when referring to a storage tank or storage tank component means that ten percent or more of the volumetric capacity of such tank or component is below the surface of the ground and that portion which is below the surface of the ground is not fully visible for inspection;

(42) "Vehicle" or "vehicles" means a "vessel" as defined by §15-170 of the Connecticut General Statutes, and any vehicle propelled or drawn by any non-muscular power, including without limitation an automobile, aircraft, all-terrain vehicle, tractor, lawn mower or snowmobile;

(43) "Waters" means "waters" as defined in §22a-423 of the Connecticut General Statutes;

(44) "Well field" means "well field" as defined in §22a-354h of the Connecticut General Statutes; and

"Zoning district map" means any map showing zoning districts prepared in accordance with maps adopted pursuant to §8-3 of the Connecticut General Statutes.