

**WAC 118-40-030 Definitions.** "Administrator" means the administrator of the Environmental Protection Agency (EPA).

"CERCLA" means the Comprehensive Emergency Response, Compensation and Liability Act of 1980, as adopted.

"EMC" means the emergency management council for Washington state. (RCW 38.52.040(1).)

"Environment" includes water, air, and land and the interrelationship which exists among and between water, air, and land and all living things.

"EPCRA" means Emergency Planning and Community Right-to-Know Act of 1986 as adopted, which is synonymous with SARA Title III.

"Extremely hazardous substances" means a substance described in Section 302 (a) (2) of EPCRA as now authorized or hereafter adopted.

"Facility" means all buildings, equipment, structures, and other stationary items which are located on a single site or on contiguous or adjacent sites and which are owned or operated by the same person (or by any person which controls, is controlled by, or under common control with such person). For the purpose of Section 304, EPCRA, the term includes motor vehicles, rolling stock and aircraft, shipping, and pipelines.

"First responder" means firefighters, law enforcement and emergency medical personnel as defined in chapter 296-62 WAC, Part P.

"Hazardous chemical" means any chemical which is a physical hazard or a health hazard as defined by OSHA Hazard Communication Standard (29 C.F.R. 1910.1200). Exceptions to the definition of "hazardous chemical" in EPCRA and in 29 C.F.R. 1910.1200 shall also apply in this chapter.

"Health hazard" means a chemical for which there is statistically significant evidence based on at least one study conducted in accordance with established scientific principles that acute or chronic health effects may occur in exposed individuals. The term health hazard includes chemicals which are carcinogens, toxic or highly toxic agents which act on the hematopoietic system, and agents which damage the lungs, skin, eyes, or mucous membrane.

"LEPC" means the local emergency planning committee established for each state emergency planning district established by the state emergency response commission (P.L. 99-499).

"Material safety data sheet (MSDS)" means the sheet required to be developed under Section 1910.1200(g) of Title 29 C.F.R., as that section may be adopted from time to time.

"NRT-1 guidebook" means the *Hazardous Materials Emergency Planning Guide* published by the National Response Team, March 1987.

"NRT-1A guidelines" means the criteria for review of hazardous materials emergency plans.

"OSHA" means Occupational Safety and Health Act of 1970.

"Person" means any individual, trust, firm, joint stock company, corporation (including a government corporation), partnership, association, state, municipality, commission, political subdivision of state, or interstate body.

"Physical hazard" means a chemical for which there is scientifically valid evidence that it is a combustible liquid, a compressed gas, explosive, flammable, or organic peroxide, an oxidizer, pyrophoric, unstable (reactive), or water reactive.

"Release" means any spill, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing to the environment of any hazardous chemical, extremely hazardous substance, or toxic chemical.

"SARA" means the Superfund Amendments and Reauthorization Act of 1986, as adopted.

"SERC" means the state emergency response commission for Washington state. (RCW 38.52.040(2) and P.L. 99-499.)

"TERC" means tribal emergency response commission.

"Title III" means Title III of the Superfund Amendments and Reauthorization Act of 1986; also titled the Emergency Planning and Community Right-to-Know Act of 1986, as amended.

"Toxic chemical" means a substance described in Section 313(c) of EPCRA, as now authorized or hereafter adopted.

"WISHA" means Washington Industrial Safety and Health Act of 1973.

[Statutory Authority: Chapter 38.52 RCW and Public Law 99-499. WSR 98-07-028, § 118-40-030, filed 3/11/98, effective 4/11/98. Statutory Authority: RCW 38.52.030(2), 38.52.050 (1), (3) and 43.63A.060. WSR 88-19-025 (Order 88-05), § 118-40-030, filed 9/12/88.]