

WAC 173-321-020 Definitions. As used in this chapter:

- (1) "Department" means the department of ecology.
- (2) "Director" means the director of the department of ecology or designee.
- (3) "Emergency" means an occurrence warranting public participation that occurs after the deadline for grant applications and before the opening of a new grant application period, such as:
 - (a) An unforeseen release of a hazardous substance at an existing site or a newly discovered site;
 - (b) An unanticipated decision by the department concerning remedial action at a site or publication of a remedial investigation/feasibility study or risk assessment; or
 - (c) Discovery of a technical assistance need that could not have been foreseen before the grant application deadline.
- (4) "Emergency grant" means a public participation grant in the hazardous substance release category for an emergency as defined in this section.
- (5) "Equipment" means tangible, personal property having a useful life of more than one year and an acquisition cost of more than five thousand dollars per functional unit.
- (6) "Facility" means:
 - (a) Any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, waste pile, pond, lagoon, impoundment, ditch, landfill, tank, storage container, motor vehicle, rolling stock, vessel, or aircraft; or
 - (b) Any site or area where a hazardous substance, other than a consumer product in consumer use, has been deposited, stored, disposed of, or placed, or otherwise come to be located.
- (7) "Grant applicant" means any individual or organization requesting a public participation grant.
- (8) "Hazardous substance" means any hazardous substance as defined in chapter 70.105 RCW.
- (9) "Hazardous waste management priorities" as defined in chapter 70.105 RCW are in descending order:
 - (a) Waste reduction;
 - (b) Waste recycling;
 - (c) Physical, chemical, and biological treatment;
 - (d) Incineration;
 - (e) Solidification/stabilization treatment;
 - (f) Landfill.
- (10) "Highly impacted community" means a community that the department of health has determined is likely to bear a disproportionate burden of public health and economic risks from environmental pollution.
- (11) "Individual" means a natural person.
- (12) "Lobbying" means attempting to influence the passage or defeat of any legislation by the legislature or the adoption or rejection of any rule, standard, rate, or other legislative enactment of any state agency under the state Administrative Procedure Act, chapter 34.05 RCW. Lobbying does not include an organization's act of communicating with the members of that organization unless the communication is for the purpose of influencing legislation.
- (13) "Low-income" means households where the household income is less than or equal to twice the federal poverty level.

(14) "Low-income community" means a community where the proportion of an area's low-income population is greater than the comparison area (for example, city, county, state).

(15) "Not-for-profit public interest organization" means any corporation, trust, association, cooperative, or other organization that:

(a) Is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest;

(b) Is not organized primarily for profit; and

(c) Uses its net proceeds to maintain, improve, and/or expand its operations.

(16) "Owner/operator" means any person defined as an owner or operator under RCW 70.105D.020(12).

(17) "Personal property" means property of any kind except real property. It may be tangible (having physical existence) or intangible (having no physical existence), such as patents, inventions, and copyrights.

(18) "Potentially liable person" means any person the department finds, based on credible evidence, to be liable under RCW 70.105D.040.

(19) "Real property" means land, improvements, structures, and additional pieces associated to them.

(20) "Release" means any intentional or unintentional entry of any hazardous substance into the environment, including but not limited to the abandonment or disposal of containers of hazardous substances.

(21) "Remedy or remedial action" means any action or expenditure consistent with the purposes of this chapter to identify, eliminate, or minimize any threat or potential threat posed by hazardous substances to human health or the environment including any investigative and monitoring activities of any release or threatened release of a hazardous substance and any health assessments or health effects studies conducted in order to determine the risk or potential risk to human health.

(22) "Solid waste management priorities" as defined in chapter 70.95 RCW are in order of descending priority:

(a) Waste reduction;

(b) Recycling with source separation of recyclable materials as the preferred method;

(c) Energy recovery, incineration, or landfill of separated waste;

(d) Energy recovery, incineration, or landfill of mixed waste.

(23) "Supplies" means all tangible personal property other than tools or equipment necessary to carry out a scope of work with a useful life of less than one year and an acquisition cost of less than one thousand dollars.

(24) "Tools" means tangible, personal property having a useful life of more than one year and an acquisition cost of less than five thousand dollars per functional unit.

[Statutory Authority: Chapter 70.105D RCW, RCW 70.105D.070 and 70.105D.070(8). WSR 17-14-045 (Order 16-13), § 173-321-020, filed 6/28/17, effective 7/29/17. Statutory Authority: Chapter 70.105D RCW. WSR 01-05-024 (Order 97-09A), § 173-321-020, filed 2/12/01, effective 3/15/01. Statutory Authority: 1989 c 2. WSR 89-21-072 (Order 89-26), § 173-321-020, filed 10/17/89, effective 11/17/89.]