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Title 22@ Social Security

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Division 4.5@ Environmental Health Standards for the Management of Hazardous Waste

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Chapter 33@ Best Management Practices for Perchlorate Materials

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Article 1@ General

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Section 67384.3@ Definitions

67384.3 Definitions

The definitions set forth in section 66260.10 of this division shall apply unless otherwise defined. The following definitions shall apply to the terms used in this chapter:

"Area of Interest" means the area immediately adjacent to the point of use within the site, but limited to that property under the control of the business.

"Business" means an employer, self-employed individual, trust, firm, joint stock company, corporation, partnership, or association. "Business" includes a business organized for profit, a nonprofit business and all of the following:

(a)

The federal government, to the extent authorized by federal law.

(b)

Any agency, department, office, board, commission, or bureau of state government, including, but not limited to, the campuses of the California Community Colleges, the California State University, and the University of California.

(c)

Any agency, department, office, board, commission, or bureau of a city, county or district. "Commercial" means used by a business to generate revenue or promote the sale of goods or services. "Commercial" does not include material or products used under federal, military, or space launch contract requirements.

"Commercial explosive" does not include fireworks or dangerous fireworks.

"Combustion residual" means any paper, ash, wire, or other physical material that remains after the perchlorate-containing material has been substantially consumed. "Combustion residual" does not include items that retain inherent explosive properties, or treatment residuals of perchlorate-containing waste.

"Consumer commodity" means a material that is packaged and distributed in a form intended or suitable for sale through retail sales agencies or instrumentalities for consumption by individuals for personal or household use. "Consumer good" means a product or commodity used by a business that is packaged in a form similar to a consumer commodity. "Crop" means an agricultural product grown and harvested for sale or consumption. "Dangerous fireworks" means dangerous fireworks as defined in Health and Safety code sections 12505 and 12561 and the relevant sections of title 19, Code of Regulations, subchapter 6. "Department" means the Department of Toxic Substances Control. "Discharge" means the accidental or intentional spilling, leaking, pumping, pouring, emitting, emptying or dumping of waste into or on any land or water. "End user" means the person who utilizes a product for the product's intended end use. "EPA ID Number" means the identification number as defined in section 66260.10. "Food" means any raw or processed substance, beverage, including water, or ingredient intended to be used as food, drink, confection, or condiment for human or other animal consumption. "Household" means a single detached residence or a single unit of a multiple residence unit and all appurtenant structures. "Household" does not mean a hotel, motel, bunkhouse, ranger station, crew quarters, campground, picnic ground, or day-use recreation facility. "Household waste" means any materials, including garbage or trash that is generated by residents through the use of a consumer commodity in a household. "Managing perchlorate materials" means generation,

storage, transportation, manufacture, processing, fabrication, packaging, use, reuse, treatment, transfer, pumping, recovery, recycling, spill response, disposal, and discharge. "Material Safety Data Sheet" means written or printed material concerning a hazardous chemical which is prepared in accordance with title 29 of the Code of Federal Regulations, section 1910.1200(g). "Military munitions," as defined in title 40 of the Code of Federal Regulations, section 260.10, means all ammunition products and components produced or used by or for the U.S. Department of Defense (DOD) or the U.S. Armed Services for national defense and security, including military munitions under the control of the Department of Defense, the U.S. Coast Guard, the U.S. Department of Energy (DOE), and National Guard personnel. The term military munitions includes: confined gaseous, liquid, and solid propellants, explosives, pyrotechnics, chemical and riot control agents, smokes, and incendiaries used by DOD components, including bulk explosives and chemical warfare agents, chemical munitions, rockets, guided and ballistic missiles, bombs, warheads, mortar rounds, artillery ammunition, small arms ammunition, grenades, mines, torpedoes, depth charges, cluster munitions and dispensers, demolition charges, and devices and components thereof. Military munitions do not include wholly inert items, improvised explosive devices, and nuclear weapons, nuclear devices, and nuclear components thereof. However, the term does include non-nuclear components of nuclear devices, managed under DOE's nuclear weapons program after all required sanitization operations under the Atomic Energy Act of 1954, as amended, have been completed. "Military munitions" does not include dangerous fireworks. "NAICS" means the North American Industry Classification System "Net explosive weight" means the weight of all pyrotechnic compositions, explosives material, and fuse only.

"Non-hazardous waste" means a waste that does not meet the definition of

hazardous waste as defined in both Health and Safety Code section 25117 and section 66261.3 of this division. "Packaging" means a receptacle and any other components or materials necessary for the receptacle to perform its containment function in conformance with the minimum packing requirements of this chapter. "Perchlorate-containing device" means a product that is constructed and maintained such that it meets the packaging requirement in section 67384.5(a) of this chapter. "Perchlorate-contaminated media" means soil, sediment, surface water, groundwater contaminated with perchlorate. "Perchlorate material" means all perchlorate-containing materials including perchloric acid and perchlorate compounds. "Perchlorate material" includes all forms of matter, goods, and products and shall not be limited by other statutory or regulatory definitions of "material." "Pyrotechnic operator" means any licensed pyrotechnic operator, who by examination, experience, and training, has demonstrated the required skill and ability in the use and discharge of fireworks as authorized by the license granted. "Public display of fireworks" means an entertainment feature where the public or a private group is admitted or permitted to view the display or discharge of fireworks. "Public safety activity" means any activity intended to protect people or property, including, but not limited to, law enforcement services, fire protection and suppression, emergency medical care, tow operations, emergency services, public utility service and repair, homeland security, and highway maintenance and repair. "RWQCB" means a California Regional Water Quality Control Board. "Safe and sane fireworks" means state-approved fireworks defined in Health and Safety Code sections 12529 and 12562 and the relevant sections of Title 19, California Code of Regulations, subchapter 6. "Spill" means unintentional release of perchlorate material. "Spill" does not include: (a) perchlorate-contaminated media excluded under section 67384.2(b)(2) of this chapter; or (b) perchlorate

material remaining or resulting from the intended use of the product. "Star" means a small pellet of composition that produces a pyrotechnic effect. A single aerial firework shell could contain several hundred stars. "SWRCB" means the California State Water Resources Control Board. "Storage" means the act of storing or holding perchlorate material. "Wastewater" means a perchlorate-containing water that is a waste. "Water-resistant package" means a package that when closed, under conditions incidental to handling, is substantially impervious to rain, spray, and run on.

(a)

perchlorate-contaminated media excluded under section 67384.2(b)(2) of this chapter; or

(b)

perchlorate material remaining or resulting from the intended use of the product.

"Star" means a small pellet of composition that produces a pyrotechnic effect. A single aerial firework shell could contain several hundred stars. "SWRCB" means the California State Water Resources Control Board. "Storage" means the act of storing or holding perchlorate material. "Wastewater" means a perchlorate-containing water that is a waste. "Water-resistant package" means a package that when closed, under conditions incidental to handling, is substantially impervious to rain, spray, and run on.