

68400.12 Definitions Applicable to this Chapter

Unless otherwise defined herein, the definitions of terms used in this chapter shall be those in Division 20 of the Health and Safety Code and section 66260.10 of this division. For the purposes of this chapter, the following definitions apply:

"Administrative enforcement order" means an order or consent agreement issued pursuant to Health and Safety Code section 25187 .

"Administrative record file" means a record maintained by the UPA that consists of all documents the UPA relied upon or considered when selecting, taking or requiring corrective action pursuant to this chapter.

"Application" means a request submitted by a Unified Program Agency to the Department for a determination of qualification to implement the environmental assessment and corrective action portions of the unified program pursuant to Health and Safety Code section 25404.1 .

"Certified Unified Program Agency" or "CUPA" means an agency as defined in Title 27, California Code of Regulations, subsection 15110(a), that has been certified by the secretary to implement the Unified Program.

"Corrective action" means activities taken to investigate, characterize, evaluate, correct, remove, or remediate a release or threatened release of a hazardous waste or constituent, as necessary to protect public health and/or the environment.

"Department" means the Department of Toxic Substances Control.

"Hazardous constituent" has the meaning set forth in section 66260.10 of this

division.

"Hazardous waste" has the meaning set forth in Health and Safety Code section 25117 .

"Less complex site" means a site at which all of the following conditions apply:

(1)

the site characterization, performed as part of the site investigation required pursuant to subsection 68400.16(d)(3), indicates the presence of only those chemicals listed in Appendix I of this chapter. The chemicals listed in Appendix I are among the chemicals for which advisory screening numbers have been developed by the California Environmental Protection Agency pursuant to Health and Safety Code section 57008;

(2)

the selected remediation alternative at the site consists only of removal of no more than 60 cubic yards of contaminated soil, as measured in situ;

(3)

the human health screening evaluation, performed as part of the preliminary endangerment assessment required pursuant to subsection 68400.16(d)(2), indicates that the remaining contamination at the site does not pose a significant threat to human health, as determined by a risk estimation greater than or equal to 10^{-6} or a hazard index greater than one resulting from the summation of risk/hazard for all media, and

(4)

the release has been adequately characterized as determined by the Department or qualified UPA. "Local oversight program" means the program in which local agencies oversee corrective actions at underground storage tank sites through a contract with the State Water Resources Control Board pursuant to Health and

Safety Code section 25297.1. "Phase I environmental assessment" has the meaning set forth in Health and Safety Code section 25200.14. "Preliminary endangerment assessment" has the meaning set forth in Health and Safety Code section 25319.5. "Qualified UPA" means an agency delegated by the Department to implement and enforce the environmental assessment and corrective action pursuant to Health and Safety Code section 25404.1. "Release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into the environment, including the abandonment or discarding of barrels, containers, and other closed receptacles containing hazardous waste, hazardous constituents, hazardous substances or hazardous materials. "Risk assessment" means a risk-based system of analysis used to characterize the current and potential threats to human health and the environment that may be posed by contaminants migrating to groundwater or surface water, releasing to air, leaching through soil, remaining in the soil and bioaccumulating in the food chain. "Site" means any site, area or facility, including, but not limited to, any building, structure, installation, equipment, pipe or pipeline, well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock or aircraft, where any hazardous waste, hazardous constituent, hazardous substance or hazardous material has been treated, stored, transferred, disposed of, deposited, placed, released, or has otherwise come to be located. "Technical staff" means staff assigned to oversee environmental assessments and corrective action. "Unified Program Agency" or "UPA" means the agency as defined in Health and Safety Code subsection 25404(a)(1)(C).