

**WAC 173-224-030 Definitions.** The following definitions apply to this chapter.

(1) "Administrative expenses" means those costs associated with issuing and administering permits under RCW 90.48.160, 90.48.162, and 90.48.260.

(2) "Aluminum forming" means the deformation of aluminum or aluminum alloys into specific shapes by hot or cold rolling, drawing, extruding, or forging.

(3) "Aluminum and magnesium reduction mills" means the electrolytic reduction of alumina or magnesium salts to produce aluminum or magnesium metal.

(4) "Animal unit" means the following:

<b>DAIRY ANIMAL TYPE</b>	<b>ANIMAL UNIT MULTIPLIER</b>
<i>The number of animal units equals the number of animals multiplied by the animal unit multiplier. Example: 10 milk cows multiplied by 1.4 = 14 animal units</i>	
Dairy Cows	
Milk cow	1.40
Dry cow	1.00
Heifer	0.80

(5) "Annual permit fee" means the fee assessed by the department for annual expenses associated with activities specified in RCW 90.48.465. This annual fee is assessed in alignment with the state's fiscal year (July 1 - June 30).

(6) "bbls" means barrels of product in storage for fuel and chemical storage facilities.

(7) "bbls per day" means barrels per day of oil for petroleum refineries.

(8) "bins per year" means total standard bins used during the last complete calendar year by a facility in the fruit packing industry. The bins measure approximately 47.5 inches x 47.4 inches x 29.5 inches and hold approximately 870 pounds of fruit.

(9) "Chemical pulp mill with chlorine bleaching" means any pulp mill that uses chlorine or chlorine compounds in their bleaching process.

(10) "Coal mining and preparation" means extracting coal from underground or surface mines using machinery or explosives. Coal preparation plants may use chemical and physical processes such as leaching, distillation, retorting, slurry mining, solution mining, borehole mining, fluid recovery mining, washing and concentrating. Coal handling may include sorting, screening, crushing, storing, or transporting.

(11) "Combined food processing waste treatment facility" means a facility that treats wastewater from more than one separately permitted food processor and receives no domestic wastewater or waste from industrial sources other than food processing.

(12) "Combined industrial waste treatment" means a facility that treats wastewater from more than one industry in any of the following categories: Inorganic chemicals, metal finishing, ore concentration, organic chemicals, or photofinishers.

(13) "Combined sewer overflow (CSO) system" means a system that conveys combined wastewater and stormwater to a domestic wastewater facility for treatment, but may also discharge wastewater prior to the treatment facility.

(14) "Concentrated animal feeding operation (CAFO)" means an animal feeding operation that meets the criteria in Appendix C of 40 C.F.R. 122 as presently enacted and any subsequent modifications thereto.

(15) "Contaminants of concern" means a chemical for which an effluent limit is established (this does not include pH, flow, temperature, or other "nonchemical parameters"). Petroleum constituents are considered as one contaminant of concern even if more than one effluent limit is established (e.g., Total Petroleum Hydrocarbons and benzene, toluene, ethylbenzene, and xylene (BTEX)).

(16) "Crane" means a machine used for hoisting and lifting ship hulls.

(17) "Cubic yards per year" means the cubic yards per year for total production from a sand and gravel facility during the most recent completed calendar year.

(18) "Department" means the department of ecology.

(19) "Director" means the director of the department of ecology.

(20) "Disturbed acres" means the total area of disturbance for a construction site over the life of a construction project. This includes all clearing, grading, and excavating, and any other activity which disturbs the surface of the land.

(21) "Domestic wastewater" means water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments or other places, together with any groundwater infiltration or surface waters that may be present.

(22) "Domestic wastewater facility" means all structures, equipment, or processes required to collect, carry away, treat, reclaim or dispose of domestic wastewater together with industrial waste that may be present.

(23) "EPA" means the United States Environmental Protection Agency.

(24) "Facilities not otherwise classified" means an industrial wastewater facility that does not meet the definition of other permit fee categories and the discharge in gallons per day is the best method to assess a permit fee. This fee category may include a variety of industrial facility types.

(25) "Finfish hatching and rearing" means raising (i.e., hatching, culturing, rearing, and growing) finfish. An operation to raise finfish uses confined spaces such as hatcheries, net pens, or other enclosed fish facilities or structures. The purpose for the activity can include sales or fisheries enhancement.

(26) "Federally recognized tribe" means any Indian tribe, band, nation, or other organized group or community of Indians in the Federal List Act, that is recognized as having a government-to-government relationship with the United States of America, with the responsibilities, powers, limitations, and obligations to that designation, and is eligible for funding and services from the Bureau of Indian Affairs or successor agency.

(27) "Flavor extraction" means the recovery of flavors or essential oils from organic products by steam distillation.

(28) "Food processing" means the preparation of food for human or animal consumption or the preparation of animal by-products, excluding fruit packing. This category includes, but is not limited to, fruit

and vegetable processing, meat and poultry products processing, dairy products processing, beer production, rendering and animal feed production. Food processing wastewater treatment plants that treat wastes from only one separately permitted food processor must be treated as one facility for billing purposes.

(29) "Fruit packing" means preparing fruit for wholesale or retail sale by washing and/or other processes in which the skin of the fruit is not broken and in which the interior part of the fruit does not come in direct contact with the wastewater.

(30) "gpd" means gallons per day.

(31) "gpy" means gallons per year of wine produced as reported annually for the most recent completed calendar year.

(32) "Hazardous waste cleanup sites" means any facility where there has been confirmation of a release or threatened release of a hazardous substance that requires remedial action other than RCRA corrective action sites.

(33) "Inactive" means that a facility is not currently discharging wastewater but maintains their permit coverage.

(34) "Inactive rate" means a fee assessment that is reduced to 25 percent of the regular assessed fee, when a site is inactive for a minimum of 18 months.

(35) "Industrial gross revenue" means the annual amount of the sales of goods and services produced using the processes regulated by the stormwater discharge permit.

(36) "Industrial stormwater" means stormwater discharges associated with industrial activities that are regulated under either a general permit or an individual permit for stormwater.

(37) "Industrial wastewater" means water or liquid-carried waste from industrial or commercial processes, as distinct from domestic wastewater. These wastes may result from any process or activity of industry, manufacture, trade or business, from the development of any natural resource, or from animal operations such as feed lots, poultry houses, or dairies. The term includes contaminated stormwater and, also, leachate from solid waste facilities.

(38) "Industrial wastewater facility" means all structures, equipment, or processes required to collect, carry away, treat, reclaim, or dispose of industrial wastewater. In this rule, it also means any facility not included in the definition of municipal or domestic wastewater facility.

(39) "Manufacturing" means making goods and articles by hand or machine into a manufactured product.

(40) "Median household income" means the most recent available census data, updated yearly as measured by the U.S. Census Bureau.

(41) "Metal finishing" means preparing metal surfaces by means of electroplating, electroless plating, anodizing, coating (chromating, phosphating and coloring), chemical etching and milling, and printed circuit board manufacture.

(42) "MGD" means million gallons per day.

(43) "Municipal or domestic wastewater facility" means a publicly owned facility treating domestic wastewater together with any industrial wastewaters that may be present, or a privately owned facility treating solely domestic wastewater.

(44) "Municipal sewerage system" or "publicly owned treatment works (POTW)" means a publicly owned domestic wastewater facility or a privately owned domestic wastewater facility.

(45) "Municipality" means a city, town, county, district, association, or other public body created by or in accordance with state law

and that has jurisdiction over disposal of sewage, industrial wastes, or other wastes, or a designated and approved management agency under 33 U.S.C. Sec. 1288. State government agencies are not included in this definition.

(46) "Noncontact cooling water with additives" means water used for cooling that does not come into direct contact with any raw materials, intermediate product, waste product or finished product, but may contain chemicals or additives to control corrosion or fouling of the cooling system.

(47) "Noncontact cooling water without additives" means water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product or finished product, that does not contain chemicals or additives. The noncontact cooling water fee without additives category applies to those facilities that discharge only noncontact cooling water and that have no other wastewater discharges required to be permitted under RCW 90.48.160, 90.48.162, and 90.48.260.

(48) "Nonferrous metals forming" means manufacturing semifinished products from pure metal or metal alloys other than iron or steel or of metals not otherwise classified in WAC 173-224-040(2).

(49) "Nonfinfish hatching and rearing" means raising (i.e., hatching, culturing, rearing, and growing) aquatic animals, such as shellfish, other aquatic invertebrates, or other aquatic species, that are not exclusively finfish. An operation to raise these species uses confined spaces to grow the animals and includes feeding and cleaning activities to maintain the animals. The purposes for the activity can include sales and harvest enhancement.

(50) "Nonoperating site" means a location where previous sand and gravel mining or processing has occurred; that has not been fully reclaimed; that conducts mining or processing fewer than 90 days per year, and that may include stockpiles of raw materials or finished products. The permittee may add or withdraw raw materials or finished products from the stockpiles for transportation off-site for processing, use, or sale and still be considered a nonoperating site.

(51) "NPDES permit" means a National Pollutant Discharge Elimination System permit issued by the department under Section 402 of the federal Clean Water Act and RCW 90.48.260.

(52) "Ore mining" refers to mine operators who extract ores (metal-bearing rock) from underground or surface mines using machinery, explosives, or chemicals. Extraction processes include dressing (picking, sorting, washing of ores), milling (crushing, grinding, etc.), and beneficiation (processing to improve purity/quality).

(53) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, partnership, association, firm, individual, or any other entity whatever.

(54) "Portable facility" means a facility or equipment that is designed for mobility and is moved from site to site for short term operations. A portable facility or equipment applies only to an asphalt batch plant, portable concrete batch plant and portable rock crusher.

(55) "RCRA corrective action sites" means Resource Conservation Recovery Act cleanup sites required to have a wastewater discharge permit resulting from a corrective action under relevant federal authorities or under chapters 70A.300 and 70A.305 RCW including chapters 173-303 and 173-340 WAC, and are not subject to cost recovery.

(56) "Residential equivalent (RE)" means a single-family residence or a unit of sewer service that yields an amount of gross reve-

nue equal to the annual user charge for a single-family residence. In cases where the permit holder does not maintain data on gross revenue, user charges, and/or the number of single-family residences that it serves, "residential equivalent" means an influent flow of 250 gallons per day.

(57) "Sand and gravel" means mining or quarrying sand, gravel, or rock, or producing concrete, asphalt, or a combination thereof.

(58) "Seafood processing" means:

(a) Preparing fresh, cooked, canned, smoked, preserved, or frozen seafoods, including marine and freshwater animals (fish, shellfish, crustaceans, etc.) and plants, for human or animal consumption; or

(b) Washing, shucking, and/or packaging of mollusks or crustaceans.

(59) "Sewer service" means receiving sewage deposited into and transported by a system of sewers, drains, and pipes to a common point, or points, for disposal or for transfer to treatment for disposal, and activities involving the interception, transfer, storage, treatment, and/or disposal of sewage, or any of these activities.

(60) "State waste discharge permit" means a permit required under RCW 90.48.160 or 90.48.162.

(61) "Stormwater" means precipitation that flows from an industrial operation or construction activity discharging stormwater runoff as defined in 40 C.F.R. 122.26 (b)(14) or facilities that are permitted as a significant contributor of pollutants as allowed in the federal Clean Water Act at Section 402 (p).

(62) "Tons per year" means the total annual production in tons from an asphalt production facility during the most recent completed calendar year, or the average tons per year of coal mining and preparation production.

(63) "Vegetable or bulb washing" means washing, packing, or shipping fresh vegetables and bulbs when there is no cooking or cutting of the product before packing.

[Statutory Authority: RCW 90.48.465. WSR 23-14-079 (Order 22-03), § 173-224-030, filed 6/29/23, effective 7/30/23; WSR 21-13-150 (Order 19-10), § 173-224-030, filed 6/22/21, effective 7/23/21; WSR 19-14-040 (Order 18-01), § 173-224-030, filed 6/26/19, effective 7/27/19; WSR 17-16-005 (Order 16-11), § 173-224-030, filed 7/20/17, effective 8/20/17; WSR 13-22-051 (Order 13-02), § 173-224-030, filed 11/1/13, effective 12/2/13. Statutory Authority: Chapter 90.48 RCW. WSR 08-16-109 (Order 08-05), § 173-224-030, filed 8/5/08, effective 9/5/08. Statutory Authority: RCW 90.48.465. WSR 04-15-046, § 173-224-030, filed 7/13/04, effective 8/13/04. Statutory Authority: Chapter 90.48 RCW. WSR 02-12-059, § 173-224-030, filed 5/30/02, effective 6/30/02; WSR 00-02-031 (Order 99-03), § 173-224-030, filed 12/28/99, effective 1/28/00; WSR 98-03-046 (Order 97-27), § 173-224-030, filed 1/15/98, effective 2/15/98; WSR 94-10-027 (Order 93-08), § 173-224-030, filed 4/28/94, effective 5/29/94; WSR 92-03-131 (Order 91-45), § 173-224-030, filed 1/21/92, effective 2/21/92. Statutory Authority: Chapter 43.21A RCW. WSR 89-12-027 and 90-07-015 (Order 89-8 and 89-8A), § 173-224-030, filed 5/31/89 and 3/13/90, effective 4/13/90.]