

The Florida Handbook of Solid and Hazardous Waste Regulation: Glossary¹

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Administrative Rules—Laws issued by state or federal administrative agencies. These laws are authorized by, and have the same effect as, those passed by federal and state legislatures.

Adulterated food—Food containing any poisonous or deleterious substance that may render it injurious to health.

Agency—A unit of government that is authorized by state or federal legislature to enforce laws concerning a particular matter through regulation; it is usually part of the executive branch of government.

Attainment area—An area where air quality regarding a certain pollutant, such as ozone, complies with National Ambient Air Quality Standards established under the Clean Air Act.

Blackwater—Residential wastewater from toilets; some, including the Florida Statutes, also consider kitchen sink wastewater to be blackwater. Compare to graywater.

Carcinogen—An agent that has been scientifically proven to cause cancer.

Citizen lawsuit—A private lawsuit, specifically authorized by a statute, against someone who violates the statute or against the agency charged with enforcing the statute.

Civil penalties—A category of penalties, typically including warnings, fines, and permit limitations or suspensions.

Class I water body—In Florida, surface waters that are potable (drinking) water supplies, requiring the highest degree of protection.

Class II water body—In Florida, surface waters, generally coastal, where shellfish propagation or harvesting occurs.

Class III water body—In Florida, surface waters for recreation and propagation and maintenance of a healthy, well-balanced population of fish and wildlife. The surface waters of the state are Class III unless described in Rule 62-302.400, Florida Administrative Code.

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Class IV water body—In Florida, surface waters that are agricultural water supplies, generally located in agriculture areas around Lake Okeechobee.

Class V water body—In Florida, surface waters for navigation, utility, and industrial use that are provided the lowest degree of protection. Currently, there are not any designated Class V bodies of water.

Code of Federal Regulations—The official listing of regulations issued by federal administrative agencies.

Commercial applicators—Those who are licensed to be paid for applying pesticides on the property of others.

Common law—The body of law that is based on customs and general principles becomes embodied in case law, and serves as precedent, in contrast to statutorily based law. Common law also refers to the body of law imported from England that is the basis of US federal law and of state law in all states except Louisiana.

Contaminant—A physical, chemical, biological, or radiological substance or matter that has an adverse effect on air, water, or soil.

Defendant—In the criminal justice system, the person who is accused of violating a law. Civilly, the person accused of causing harm for which a plaintiff is suing.

Disposal—Final placement or destruction of toxic, radioactive, or other wastes; surplus or banned pesticides or other chemicals; polluted soils; or drums containing hazardous materials from removal actions or accidental releases. This may be accomplished through use of approved secure landfills, surface impoundments, land farming, deep-well injection, ocean dumping, or incineration.

Domestic wastewater residuals—Treated waste from a municipal wastewater treatment plant; also called sludge or biosolids.

Effluent—Generally, wastes discharged into surface waters.

Encapsulate—To seal a pesticide and/or its container within a container that will not be degraded by the pesticide and then seal that container within a container that will resist physical damage.

Felony—Crimes greater than a misdemeanor. Federal felonies are crimes punishable by more than a year in prison and may trigger higher fines than misdemeanors do.

Florida Administrative Code—A set of rules that have the force of law adopted by state administrative agencies to carry out the goals of the legislature.

Graywater—Residential wastewater from non-toilet and, sometimes, non-kitchen sources, such as showers and washing machines. Compare to blackwater.

Group I container—Under the Florida State Implementation Plan required by EPA for air pollution control, a combustible container that formerly contained organic pesticides other than organic mercury, lead, cadmium, or arsenic compounds.

Hazardous waste—Waste considered by EPA to be a threat to human health or the environment; waste that possesses at least one of four characteristics—ignitability, corrosivity, reactivity, toxicity—or that appears on special EPA lists.

Industrial waste—Solid, semi-solid, or liquid waste from manufacturing or processing plants; may include hazardous waste.

Injunction, injunctive relief—A court order compelling a party to do or refrain from doing a specified act, such as a restraining order.

Joint and several liability—Generally, when an offending party of a group of parties has liability both individually and for the entire group. In the context of CERCLA, this relates to the liability for Superfund site cleanup and other costs on the part of more than one potentially responsible party; that is, if there were several owners or users of a site that became contaminated over the years, they could all be considered potentially liable for cleaning up the site.

Knowingly—Deliberately; characterization under certain statutes of a person who knows about the law and its consequences but violates it anyway.

Label—Under FIFRA, the written, printed, or graphic matter on, or attached to, the pesticide or device or any of its containers or wrappers.

Landfill—An area specifically designated for the burial of waste.

Liability—Legal accountability or responsibility to another.

Misdemeanor—An offense lesser than a felony, punishable by less than one year of imprisonment and usually lower fines.

Negligence—Failure to use such care as a reasonably prudent and careful person would use under similar circumstances.

Negligence per se—A form of negligence that results from violation of a public safety statute, such as running a red light.

Nonpoint source—An indiscernible source of pollution, such as agricultural or urban runoff and stormwater.

Owners/operators—People who own or manage facilities for the treatment, storage, or disposal of hazardous wastes.

PCB—Polychlorinated biphenyl, a common human-manufactured carcinogen.

Permit—Official permission granted by an agency to engage in activities regulated by law.

Pesticide—Any substance intended to regulate, prevent, repel, or destroy any pest animal or plant.

Plaintiff—The person/party initiating a lawsuit against a defendant to seek compensation or other relief for a harm done by the defendant.

Point source—Distinct location from which wastes are discharged, such as pipes and sewers.

Pollutant—Any substance introduced into the environment that adversely affects the usefulness of a resource or the health of humans, animals, or ecosystems.

Reportable quantity—Under CERCLA, amount of a hazardous substance that, when spilled, must be reported to the National Response Center, state authorities, and emergency coordinators for areas likely to be affected.

Residuals—Amount of a pollutant remaining in the environment after a natural or technological process has taken place; also called sludge or biosolids.

Sewage—Waste and wastewater produced by commercial and residential sources, including both graywater and blackwater, and discharged into sewers.

Sludge—A semi-solid residue from air or water treatment processes; can be a hazardous waste.

Solid waste—Garbage, refuse, or sludge from a waste-treatment plant, water-supply treatment plant, or air-pollution control facility; other discarded material, including liquid

and gaseous materials in containers, resulting from industrial, commercial, mining, and agricultural activities.

Statutes—Laws issued by federal and state legislatures.

Strict liability—Liability imposed without finding of fault

Threshold planning quantity—Under EPCRA, any quantity of a hazardous substance greater than that which must be reported by the facility

Transporters—Under RCRA, all those involved in the transportation of hazardous waste.

Triple rinse—A procedure for rinsing pesticide containers before disposal by flushing the container three times with water equal to ten percent of the volume of the containers' capacity described in 40 CFR 165.

Toxic substances—A chemical or mixture that presents a risk of injury to human health or the environment.

Underground storage tanks—Tanks that have more than ten percent of the volume below the surface of the ground; this ten percent may include pipes.

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