

(127) "Liner" means a continuous layer of natural or man-made materials beneath and on the sides of a waste pile, surface impoundment, landfill or landfill cell, which restricts the downward or lateral escape of hazardous waste, hazardous waste constituents or leachate.

(128) "Local approval" has the meaning specified under s. 144.445 (3) (d), Stats.

(129) "Long-term care" has the meaning specified under s. 144.43 (3), Stats.

(130) "Long-term care cost estimate" means the most recent of the estimates prepared in accordance with s. NR 685.07 (4).

(131) "Long-term compatibility testing" means testing of the liner which continues for the life of the facility, including the entire period of long-term care.

(132) "Manifest" is defined in s. 144.61 (8), Stats. For the purpose of chs. NR 600 to 685, "manifest" means the shipping document state of Wisconsin form 4400-66 or EPA form 8700-22 and, if necessary, EPA form 8700-22A, originated and signed by the generator in accordance with the requirements of s. NR 615.08.

(133) "Manifest discrepancy" means the differences between the quantity or type of hazardous waste designated on the manifest or shipping paper, and the quantity or type of hazardous waste a facility actually receives.

Note: See also s. NR 600.03 (186) for the definition of "significant manifest discrepancy".

(134) "Manifest document number" means the EPA identification number assigned to the generator plus a unique 5 digit document number assigned to the manifest by the generator for recording and reporting purposes.

(135) "Marking" means applying the DOT descriptive name, instructions, cautions, weight or specification marks or combinations thereof required by chs. NR 600 to 685 to be placed upon the outside of containers of hazardous waste.

(136) "Miscellaneous unit" means a hazardous waste management unit where hazardous waste is treated, stored or disposed of and that is not a unit eligible for a research, development and demonstration license under ch. NR 680, a container, tank, surface impoundment, waste pile, landfill, incinerator, boiler or industrial furnace.

(137) "Monitoring" means all procedures used to systematically inspect and collect data on operating characteristics of a facility or on the quality of the air, groundwater, surface water or soils.

(138) "Movement" means hazardous waste that is transported to a facility in an individual vehicle.

(140) "Net working capital" means current assets minus current liabilities.

(141) "Net worth" has the meaning specified under s. 144.443 (1) (c), Stats.

(142) "New tank system" or "new tank system component" means a tank system or tank system component that shall be used for the storage or treatment of hazardous waste and for which installation has commenced after March 1, 1991 except, however, for purposes of s NR 645.09 (7), a new aboveground, inground or onground tank system is one for which construction commences after March 1, 1991.

Note: Tanks and tank systems that are owned or operated by small quantity generators or tank systems and tank system components which are underground and non-enterable for inspection, which construction or installation commenced between July 14, 1986 and March 1, 1991, are subject to the provisions in 40 CFR 264, Subpart J or 40 CFR 265, Subpart J.

(143) "Non-approved facility" has the meaning specified under s. 144.441 (1) (c), Stats.

(144) "Non-commercial facility" means a privately operated hazardous waste management facility managing its own waste or wastes from another corporation under common ownership or control.

(145) "Non-interest bearing accounts" means letters of credit or performance or forfeiture bonds.

(146) "Non-hazardous solid waste" means solid waste which is also not a hazardous waste.

(147) "Nonpoint source" means a source from which pollutants emanate in an unconfined and unchannelled manner, including, but not limited to, the following:

(a) For water effluent, "nonpoint source" has the meaning specified under s. 144.25 (2) (b), Stats.

(b) For nonpoint sources of air contaminant emissions, this includes any landfills or surface impoundments.

(148) "Nonsudden accidental occurrence" means an accidental occurrence which takes place over time and involves continuous or repeated exposure.

(149) "Onground tank" means a tank that is situated in such a way that the bottom of the tank is on the same level as the adjacent surrounding surface so that the external tank bottom cannot be visually inspected.

(150) "On-site" means on the same or geographically contiguous property which may be divided by public or private right-of-way, provided the entrance and exit between the properties is at a crossroads intersection, and access is by crossing, as opposed to going along, the right-of-way. Non-contiguous properties owned by the same person, but connected by a right-of-way which the person controls and to which the public does not have access, is also considered on-site property.

(151) "Open burning" means the combustion of any material without the following characteristics:

(a) Control of combustion air to maintain an adequate temperature for efficient combustion;

(b) Containment of the combustion reaction in an enclosed device to provide sufficient residence time and turbulence for complete combustion; and

(225) "Unfit-for-use tank system" means a tank system that has been determined through an integrity assessment or other inspection to be no longer capable of storing or treating hazardous waste without posing a threat of release of hazardous waste to the environment.

(226) "Unit" means either a hazardous waste management unit as defined in sub. (93) or a solid waste management unit as defined in sub. (191).

(227) "United States" means the 50 states, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa and the Commonwealth of the Northern Mariana Islands.

(228) "Unsaturated zone" means the zone between the land surface and the nearest saturated zone, in which the interstices are occupied partially by air.

(229) "Unsaturated zone monitoring system" means a system beneath a facility used to monitor water quality in the unsaturated zone as necessary to detect leaks from landfills and surface impoundments.

Note: An example of a system is a pressure-vacuum lysimeter.

(230) "Uppermost aquifer" means the geologic formation nearest the natural ground surface that is an aquifer, as well as lower aquifers that are hydraulically interconnected with this aquifer within the facility's property boundary.

(231) "USDA" means the United States department of agriculture.

(232) "U.S. government securities" includes treasury bills, treasury bonds, treasury certificates, treasury notes, treasury stocks or other obligations guaranteed by the federal government.

(233) "Used oil" has the meaning specified under s. 144.50 (1) (a), Stats.

(234) "Used oil fuel" has the meaning specified under s. 144.50 (1) (b), Stats.

(235) "USGS" means the United States geological survey.

(236) "Vessel" means any description of watercraft, used or capable of being used as a means of transportation on the water.

(237) "Waste boundary" has the meaning in s. NR 140.22 (5) (a).

(238) "Wastewater treatment unit" means a device which:

(a) Is part of a wastewater treatment facility that is subject to regulation under ch. 147, Stats.; and

(b) Receives and treats or stores an influent wastewater that meets the criteria for hazardous waste in s. NR 605.04, or generates and accumulates a wastewater treatment sludge that meets the criteria for hazardous waste in s. NR 605.04 or treats or stores a wastewater treatment sludge that is a hazardous waste as defined in s. NR 605.04; and

(c) Meets the definition of tank in sub. (204) or tank system in sub. (205).

Note: Certain wastewater treatment sludge management units may be considered wastewater treatment units under this definition. For example, plate and frame filter presses, belt presses and dryers that treat or generate sludges that are hazardous wastes may be wastewater treatment units.

(239) "Water table" means the upper surface of the saturation zone in groundwaters where the hydrostatic pressure is equal to atmospheric pressure.

(240) "Well" means a bored, drilled or driven shaft, or a dug hole where the depth of the dug hole is greater than the largest surface dimension, and which is terminated above, within or below an aquifer.

(241) "Well nest" means 2 or more wells installed within 10 feet of each other at the ground surface and constructed to varying depths.

(242) "Wetlands" means those areas where water is at, near or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation, and which have soils indicative of wet conditions.

(243) "WPDES permit" means the Wisconsin pollution discharge elimination system permit issued by the department under ch. 147, Stats., for the discharge of pollutants.

(244) "Zone of engineering control" means an area, under the control of an owner or operator that, upon detection of a hazardous waste release, can be readily cleaned up prior to the release of hazardous waste or hazardous constituents to ground water or surface water.

History: Cr. Register, February, 1991, No. 422, eff. 3-1-91.

**NR 600.04 Prohibited activities.** (1) Underground injection of any hazardous waste through a well is prohibited.

Note: Section NR 112.20 prohibits the use of any well for the disposal of solid wastes, sewage, surface water or wastewater.

(2) Land treatment of any hazardous waste is prohibited.

(3) The use of solid waste, used oil or other material which is contaminated or mixed with any hazardous waste for dust suppression or road treatment is prohibited. The use of solid waste, used oil or other material which meets the criteria for hazardous waste under s. NR 605.04, for dust suppression or road treatment is prohibited.

(4) The placement of any noncontainerized or bulk hazardous waste in any salt dome formation, salt bed formation, underground mine or cave is prohibited.

History: Cr. Register, February, 1991, No. 422, eff. 3-1-91.

**NR 600.05 Notification of hazardous waste activities.** (1) **EXISTING ACTIVITIES.** Any person who on or after August 1, 1981, generates or transports hazardous waste, or owns or operates a recycling facility or a facility for the treatment, storage or disposal of a hazardous waste, shall, within 90 days of the effective date of the applicable rule, notify the department and EPA of the activities, unless that person has previously notified the EPA in compliance with the preliminary notification requirements of 42 USC 6930, or is otherwise exempted from this requirement under s. NR 610.05 (1).

(2) **NEW ACTIVITIES.** Any person who will generate or transport hazardous waste, or any person who will own or operate a recycling facility  
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