

## **799 DEFINITIONS**

799.1 When used in this chapter, the following words and phrases shall have the meanings ascribed:

**Approved** - compliance with published standards specifically applicable to the device, method, thing, procedure, or facility under consideration and which standards have been approved by the Director or the Director's agent.

**Abandoned vehicle** - any motor vehicle, trailer, or semitrailer that is left, parked, or stored on public space for more than forty-eight (48) hours or on private property for more than thirty (30) days, and to which at least two (2) of the following apply:

- (a) The vehicle is extensively damaged, including fire damage;
- (b) The vehicle is apparently inoperable, including a vehicle missing its transmission, motor, or one or more tires, and which is not undergoing emergency repair;
- (c) The vehicle serves as harborage for rats, vermin, and other pests; or
- (d) The vehicle does not display valid tags or a valid registration sticker.

**Ashes** - the residue from the burning of wood, coal, coke, or other combustible materials.

**Baler** - a machine used to compress and bind a quantity of solid waste or other material.

**Bin Liner**- a plastic bag used to protect a collection receptacle from residue which may also facilitate the transport of materials to a point of collection prior to final removal.

**Bulk or bulky waste** - the large items of solid waste such as appliances, furniture, and other materials too large to fit into a curbside bin.

**Carry container** - a container used to transfer solid wastes from premises to a collection vehicle.

**Catch basin** - an enlarged and trapped inlet to a sewer designed to capture debris and heavy solids carried by storm or surface water.

**Clean condition** - free of litter, debris, and weeds.

**Collection vehicle** – any vehicle whose primary purpose is the transportation or collection of solid waste or which is used over fifty percent (50%) of the

time to transport or collect solid waste. (Also see licensed collection vehicle.)

**Compost**- a stable, organic substance produced by a controlled decomposition process that can be used as a soil additive, fertilizer, growth media, or other beneficial use.

**Compostable** – made solely of materials that break down into, or otherwise become part of, usable compost in a safe and timely manner in an appropriate program.

**Composting or composted** - the series of activities, including separation, collection, and processing, through which materials are recovered or otherwise diverted from the solid waste stream for conversion into compost.

**Construction and Demolition Wastes** - the waste building materials and rubble resulting from construction, remodeling, repair, and demolition operation on houses, commercial buildings, pavements, and other structures.

**DCRA** - The Department of Consumer and Regulatory Affairs

**Debt reserves** - the estimated cost of anticipated capital improvements and repairs to the District's solid waste disposal system including, but not limited to, landfill replacement costs, incinerator repairs, and the construction of any waste-handling facilities. (21 DCMR § 719)

**Debt retirement** - the sum of principal and interest estimated by the District to be paid in the current fiscal year for the purpose of reducing the long term debt related to the solid waste disposal system. (21 DCMR § 719)

**Department** - the Department of Public Works (or its successor agencies), except as provided in § 799.2.

**Disposal area** - any site, location, tract of land, area, building, structure or premises used or intended to be used for partial or total solid waste disposal.

**Director**- the Director of the Department of Public Works (or its successor agencies) or his or her designee, except as provided in § 799.2.

**DPW** - the Department of Public Works (or its successor agencies).

**Enclosed collection vehicle** - a vehicle that is specifically made or has been adapted for the collection of solid waste refuse (trash), having a watertight

body, either entirely enclosed or having a cover made of metal or other rigid material, with only the loading hopper exposed. (24 DCMR § 6800)

**Estimated material processing costs** - the costs associated with the preparation, handling, and disposal of the various types of waste at the waste-handling facilities. These include prior fiscal year operating costs, estimated debt retirement or reserves, and other expenses attributable to operating the waste-handling facilities. (21 DCMR § 719)

**Food waste** - animal and vegetable waste resulting from the storage, handling, preparation, cooking, or serving of foods.

**Food waste grinder** - a device for pulverizing food waste (garbage) into the sanitary sewerage system.

**Hazardous waste** - as defined in Section 2(2A) of the Illegal Dumping Enforcement Amendment Act of 1994, effective May 20, 1994 (D.C. Law 10-117; D.C. Official Code § 8-901(2A)), any waste or combination of wastes of a solid, liquid, contained gaseous, or semisolid form which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, as established by the Mayor, may:

- (a) Cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or
- (b) Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed. Such wastes include, but are not limited to, those which are toxic, carcinogenic, flammable, irritants, strong sensitizers, or which generate pressure through decomposition, heat, or other means, as well as containers and receptacles previously used in the transportation, storage, use or application of the substances described as a hazardous waste.

**Household hazardous waste** - small quantities of hazardous wastes generated from homes and similar sources that are exempt from federal regulations, but exhibit dangerous characteristics such as ignitability, corrosivity, reactivity, or toxicity. (D.C. Law 7-38).

**I-95 Complex Fee** - the cost per ton that the District government pays to dispose of a specific waste type at the I-95 Resource Recovery, Land Reclamation, and Recreational Complex in Fairfax County, Virginia. (21 DCMR § 719)

**Industrial waste** - solid wastes which result from industrial processes and manufacturing operations such as factories, processing plants, repair and cleaning establishments, refineries and rendering plants.

**Licensed collection vehicle** - a solid waste collection vehicle licensed by DCRA in accordance with §§ 710,711, and 712 which either collects refuse (trash) and/or has a dumping mechanism.

**Mayor's List of Recyclables and Compostables** - a list updated regularly by DPW, which identifies items that are recyclable or compostable in the District of Columbia.

**Occupant** - any person who has a leasehold right, ownership interest, management responsibility, or direct or indirect control over the maintenance or affairs of any space within a residential or commercial building.

**Office of Waste Diversion** - An office located in the Director's Office in the Department of Public Works.

**Open dump** - an area on which there is an accumulation of solid waste from one or more sources without proper cover materials.

**Operating costs** - any cost related to the daily operation of the waste-handling facilities, including but not limited to, the following:

- (a) Personal services:
  - (1) Salaries;
  - (2) Additional gross pay; and
  - (3) Fringe benefits; and
- (b) Non-personal services:
  - (1) Supplies and materials;
  - (2) Utilities, communication and building rentals;
  - (3) Other services and charges provided by external parties;
  - (4) Equipment purchase and rental; and
  - (5) Subsidies and transfers. (37 DCMR § 4243)

**Person** - any individual, firm, partnership, company, corporation, trustee, association, or any other private or public entity.

**Premises** - a building, together with any fences, walls, sheds, garages, or other accessory buildings appurtenant to that building, and the area of land surrounding the building and actually or by legal construction forming one enclosure in which the building is located.

**Private collection property** – any property that does not receive solid waste collection services from the District

**Projected tonnage** - the solid waste tonnage for the prior fiscal year, adjusted to reflect the estimated changes in tonnage for the current fiscal year as presented in the “Comprehensive Solid Waste Management Plan.” (21 DCMR § 719)

**Putrescible wastes** - wastes that are capable of being decomposed by microorganisms with sufficient rapidity as to cause nuisances from odors, gases, and similar objectionable conditions. Kitchen wastes, offal, and dead animals are examples of putrescible components of solid waste.

**Public collection property** - a property that receives solid waste collection from the District either directly or through contract.

**Recycle or Recycled or Recycling** - the series of activities, including separation, collection, and processing, through which materials are recovered or otherwise diverted from the solid waste stream for use as raw materials or in the manufacture of products other than fuel.

**Refuse** - solid waste that is collected for disposal by incineration or at a landfill.

**Solid waste** - garbage, refuse, trash, or any other waste or waste product, including recyclable, compostable, or otherwise reusable material, whether in solid, liquid, semisolid, or contained gaseous state, resulting from an industrial, commercial, residential, or government operation or community activity; provided, that the following are not considered solid waste for the purposes of this chapter:

- (a) Hazardous waste, as defined in Section 2(2A) of the Illegal Dumping Enforcement Amendment Act of 1994, effective May 20, 1994 (D.C. Law 10-117; D.C. Official Code § 8-901(2A));
- (b) Medical waste, as defined in Section 2(3A) of the Illegal Dumping Enforcement Amendment Act of 1994, effective May 20, 1994 (D.C. Law 10-117; D.C. Official Code § 8-901(3A)); and
- (c) Construction and demolition waste subject to Sections 406 and 503 of Title 12-K of the District of Columbia Municipal Regulations

**Solid waste collector** - any business, non-profit, or government entity engaged in the collection or transportation of solid waste in the District including:

- (a) Businesses or persons removing solid waste under an approved self-implementing plan, as provided in § 705.12

- (b) Electronic collectors
- (c) Fat, oil, and grease collectors
- (d) Food waste collectors
- (e) Recycling collectors
- (f) Textile collectors
- (g) Traditional refuse (trash) collectors
- (h) Yard waste collectors
- (i) Other collectors of any type of solid waste

**Solid waste storage** - the temporary on-site storage of solid waste.

**Source separated** - Waste that is separated at the point of discard into, recyclable materials, compostable materials, and refuse (trash).

**Special handling costs** - the extraordinary costs associated with the handling of a specific waste type at the waste-handling facilities. (37 DCMR § 4243)

**Street refuse (trash)** - material picked up by manual or mechanical sweeping of alleys, streets and sidewalks, litter from public litter receptacles, and dirt removed from catch basins.

**Supercans** - a mobile refuse (trash) container on wheels having a serial number beginning with a D.C. prefix provided by the District to eligible premises specifically for use in the storage and collection of household refuse (trash). (D.C. Law 5-20)

**Trash** - See Refuse.

**Weeds** - uncultivated or wild vegetation that is greater than four inches (4 in.) in height. (D.C. Law 8-31)

**Yard waste** - prunings, grass clippings, weeds, leaves, and general yard and garden wastes.

SOURCE: Regulation No. 71-21 approved June 29, 1971, published at 18 DCR 16 (July 12, 1971); as published at 8 DCRR §§ 8-3:601-614; as amended by Regulation 73-26, approved December 14, 1973, published at 20 DCR 545 (January 21, 1974), amending 8 DCRR §§ 8-602, 607; as amended by § 2(a) of the Solid Waste Control Act of 1977, effective April 6, 1978 (D.C. Law 2-69; 24 DCR 6800 (February 17, 1978)); as amended by § 2(b) of the Solid Waste Regulations Amendments Act of 1983, effective August 2, 1983 (D.C. Law 5-20; 30 DCR 3331 (July 8, 1983)); as amended by § 3(a) of the Litter Control Expansion Amendment Act of 1987, effective October 9, 1987 (D.C. Law 7-38; 34 DCR 5326 (August 14, 1987)); as amended by § 3 of the District of Columbia Solid Waste Regulations Amendments Act of 1989, effective September 20, 1989 (D.C. Law 8-31; 36 DCR 4750, 4752 (July 7, 1989)); as amended by Final Rulemaking published at 37 DCR 4238 (June 29, 1990); as amended by Final Rulemaking published at 43 DCR 6816, 6837 (December 20, 1996); as amended by Final Rulemaking published at 64 DCR 13076 (December 22, 2017).