

799 DEFINITIONS

799.1 When used in this chapter, the 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 - a motor vehicle or a trailer left on public or private property for an extended period of time in an inoperable or hazardous condition and having only scrap value.

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.

Bulky Waste - the large items of solid waste such as appliances, furniture, large auto parts, trees and branches, stumps, flottage, and the like.

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. (D.C. Law 8-31)

Collector - any person who is engaged in the collection or transportation of solid waste.

Combustible Rubbish - miscellaneous burnable materials.

Composting - a controlled microbial degradation of organic waste yielding a nuisance free product of potential value as a soil conditioner.

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.

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. (37 DCR 4242)

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. (37 DCR 4242)

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 the Director's representative, agent, or designee.

Domestic Refuse - all those types of refuse which normally originate in a residential household or apartment house.

Dwelling Unit - one or more habitable rooms forming a single unit which is used or intended to be used for living, sleeping, and preparation and eating of meals.

Enclosed Collection Vehicle - a vehicle that is specifically made or has been adapted for the collection of solid waste refuse, 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 DCR 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. (37 DCR 4242)

Food Waste (garbage) - animal and vegetable waste resulting from the storage, handling, preparation, cooking, or serving of foods.

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

Hazardous Wastes - those wastes that can cause serious injury or disease during the normal storage, collection, and disposal process, including but not limited to explosives, pathological and infectious wastes, radioactive materials, and dangerous chemicals.

Household Hazardous Wastes - 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. (37 DCR 4242)

Incinerator - any equipment, device or contrivance and all appurtenances of that equipment used for the destruction by burning of solid, semi-solid, liquid, or gaseous combustible wastes.

Incinerator Residue - solid wastes which result from industrial processes and manufacturing operations, such as factories, processing plants, repair and cleaning establishments, refineries, and rendering plants. (18 DCR 16)

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.

Junk - a collection of sorted salvageable materials.

Market Agreement Rate - the projected cost of disposing each recyclable commodity based on an average derived from the prices stated in the District of Columbia's disposal agreements for the previous twelve (12) months, and adjusted to reflect published industry forecasts of changes in price. (37 DCR 4242)

Non-Combustible Refuse - miscellaneous refuse materials that are unburnable at ordinary incinerator temperatures of at least thirteen hundred degrees Fahrenheit (1300° F.).

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 DCR 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.

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." (37 DCR 4243)

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.

Recycling Surcharge - a fee imposed on each ton of solid waste disposed at the waste-handling facilities, computed by adding all costs associated with the handling and disposal of recyclable commodities. Computation of the surcharge includes, but is not limited to, the sum of (administrative costs attributable to the Office of Recycling, its activities and programs; costs attributable to municipal collection of recyclable commodities; market agreement rates; special handling costs; debt retirement; debt reserve) divided by projected tonnage. (37 DCR 4243)

Refuse - see solid waste.

Residue - the solid materials remaining after burning, comprising ash, metal, glass, ceramics, and unburned organic substances.

Rubbish - nonputrescible solid wastes (including ashes) consisting of both combustible and non-combustible wastes, such as paper, cardboard, tin cans, yard rubbish, wood, glass, bedding, crockery, or litter of any kind.

Solid Waste Disposer - a person who is a resident of the District of Columbia and who is not required by regulation to obtain a solid waste collector's license in the District of Columbia (37 DCR 4243)

Solid Waste Refuse - putrescible and nonputrescible solid wastes, except body wastes, and including abandoned vehicles, food waste (garbage), rubbish, ashes, incinerator residue, street cleanings, tree debris, and solid market and industrial wastes.

Solid Waste Storage - the temporary on-site storage of solid waste.

Special Handling Costs - the extraordinary costs associated with the handling of a specific waste type at the waste-handling facilities. (37 DCR 4243)

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

Waste - useless, unwanted, or discarded materials resulting from normal community activities. The term "waste" includes solids, liquids, and gases. Solid wastes are classed as refuse. The term "waste" also include, but is not limited to, notices, handbills, leaflets, flyers and any other advertising or informational material. (18 DCR 16 & D.C. Law 7-38).

Waste-Handling Facilities - the waste disposal facilities owned by, operated by, or under contract or agreement with the District of Columbia, including but not limited to, the Fort Totten Transfer Station, the Solid Waste Reduction Center No. 1, or the I-95 Resource Recovery, Land Reclamation, and Recreation Complex in Fairfax County, Virginia. (37 DCR 4243)

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

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

799.2 Terms and phrases used in §§730 through 741 of this chapter shall have the meaning as ascribed in §2 of the Solid Waste Facility Permit Act of 1995, D.C. Code §6-3451, unless expressly defined in this subsection:

Act - Solid Waste Facility Permit Act of 1995, effective February 27, 1996 (D.C. Law 11-94; D.C. Code §6-3451 et seq. (1995 Repl. Vol.)).

Department - the Department of Consumer and Regulatory Affairs.

Director - the Director of the Department of Consumer and Regulatory Affairs, or the Director's representative, agent, or designee.

Disease Vector - Rodents, flies, mosquitoes, cockroaches, or other animals or insects capable of transmitting disease to humans.

Operator - the person or persons possessing or exercising operational or managerial control over the solid waste facility.

SOURCE: Regulation No. 71-21, approved June 29, 1971, 18 DCR 16 (July 12, 1971), 8 DCRR §8-3:603; as amended by Regulation 73-26, approved December 14, 1973, 20 DCR 545 (January

21, 1974); by §2(a) of the Solid Waste Control Act of 1977, D.C. Law 2-69, 24 DCR 6800 (February 17, 1978); §2(b) of the Solid Waste Regulations Amendments Act of 1983, D.C. Law 5.20, 30 DCR 3331 (July 8, 1983); by §3(a) of the Litter Control Expansion Amendment Act of 1987, D.C. Law 7-38, 34 DCR 5326 (August 14, 1987); by §3 of the District of Columbia Solid Waste Regulations Amendments Act of 1989, D.C. Law 8-31, 36 DCR 4750, 4752 (July 7, 1989), by Final Rulemaking published at 37 DCR 4238 (June 29, 1990); and by Final Rulemaking published at 43 DCR 6816, 6837 (December 20, 1996).