

## CHAPTER TWO - DEFINITIONS

As used in this Plan and the implementing ordinance(s), the following words and phrases shall have the meaning set forth in this section. Words and phrases not defined shall have the meaning commonly and ordinarily understood, as determined by the Planning Director, Public Works Director, County Counsel or the County Court.

“Acute Hazardous Waste” means any hazardous waste subject to stringent quantity standards for accumulation and generation.

“Administrator” means the Department or entity which has been appointed by the County Court to have the responsibility to administer the County’s solid waste programs and agenda items.

“Affected person” means a person or entity involved in the solid waste collection service process, including but not limited to, a recycling collection service, disposal site permittee or owner, city, county and metropolitan service district.

"Agricultural Composting" means composting as an agricultural operation (as defined in ORS 467.120(2)(a)) conducted on lands employed for farm use (as defined in ORS 215.203). Agricultural composting operations may include supplemental feedstocks to aid in composting feedstocks generated on the farm.

"Agricultural Waste" means residues from agricultural products generated by the raising or harvesting of such products on farms or ranches.

"Agronomic Application Rate" is the term used to describe the rate of biosolids application that matches nitrogen requirements for a specific crop on an annual basis.

“Battery” means one or more cells, each consisting of a positive electrode, a  
"Clean Fill" means material consisting of

negative electrode, and an electrolyte.

“Alkaline manganese battery” means a battery consisting of manganese dioxide positive electrode material, zinc negative electrode material, and an alkaline electrolyte.

“Nickel cadmium battery” means a battery consisting of nickel positive electrode material and cadmium negative electrode material.

“Small lead battery” means a battery consisting of positive and negative electrode materials which are lead or compounds thereof, used in non-vehicular applications, and weighing less than 25 pounds.

"Biological Waste" means blood and blood products, excretions, exudates, secretions, suctionings and other body fluids that cannot be directly discarded into a municipal sewer system, and waste materials saturated with blood or body fluids, but does not include diapers soiled with urine or feces.

"Biosolids" means solids derived from primary, secondary or advanced treatment of domestic wastewater which have been treated through one or more controlled processes that significantly reduce pathogens and reduce volatile solids or chemically stabilize solids to the extent that they do not attract vectors.

“Boneyard” means the storage of inoperable vehicles and equipment used as a part and piece replacement resource for maintaining currently operating vehicles and equipment.

“Chemical Agents” as used in ORS 465.550 and 465.555 means:

- (a) Blister agents, such as mustard gas;
- (b) Nerve agents, such as sarin and VX;
- (c) Residues from demilitarization, treatment and testing of blister agents; and
- (d) Residues from demilitarization, treatment and testing of nerve agents.

soil, rock, concrete, brick, building block, tile

or asphalt paving, which do not contain contaminants which could adversely impact the waters of the State or public health. This term does not include putrescible wastes, construction and demolition wastes and industrial solid wastes.

"Closure Permit" means a document issued by the Department of Environmental Quality bearing the signature of the Director of Environmental Quality or his/her authorized representative which by its conditions authorizes the permittee to complete active operations and requires the permittee to properly close a land disposal site and maintain and monitor the site after closure for a period of time specified by the Department of Environmental Quality.

"Collection Service" means a service that provides for collection of solid waste or recyclable material or both, but does not include that part of a business operated under a certificate issued under ORS 822.110. "Collection service" of recyclable materials does not include a place to which persons not residing on or occupying the property may deliver source separated recyclable material.

"Collection Vehicle" or "transportation vehicle" means any vehicle used to collect or transport waste or solid waste.

"Collector" means the person who provides collection service.

"Commercial Solid Waste" means solid waste generated by stores, offices, including manufacturing and industry offices, restaurants, warehouses, schools, colleges, universities, hospitals, and other non-manufacturing entities, but does not include solid waste from manufacturing activities. Solid waste from business, manufacturing or processing activities in "Conditionally Exempt Small Quantity Generator" means a person who generates a hazardous waste but is conditionally exempt from certain regulations because the waste is generated in quantities below the threshold adopted by the Environmental

residential dwellings is also not included.

"Committee" means a local citizens advisory committee established under ORS 459.320 and called the Solid Waste Advisory Committee (SWAC) which has duties that include but are not limited to:

(1) Reviewing with the regional disposal site permittee, the regional disposal site including but not limited to siting, operation, closure and long-term monitoring of the regional disposal site; and

(2) Providing a forum for citizen comments, questions and concerns about the regional disposal site and promoting a dialogue between the community in which the regional disposal site is located and the owner or operator of the regional disposal site.

"Compost" means the controlled biological decomposition of organic material (which could be source separated from the municipal solid waste stream) or the product resulting from such a process.

"Composting" means the managed process of controlled biological decomposition of organic or mixed solid waste.

"Composting Facility" means a site or facility which utilizes organic solid waste or mixed solid waste to produce a useful product through a managed process of controlled biological decomposition. Composting may include amendments beneficial to the composting process.

"Conditionally Exempt Generator" means a generator who generates 220 pounds or less of hazardous waste per month and 2.2 pounds or less of acutely hazardous waste per month.

Quality Commission pursuant to ORS 466.020. "Small-quantity generator" means a generator who generates less than 220 pounds of hazardous waste or 2.2 pounds of acutely hazardous waste per month; or stores less than 2,200 pounds of hazardous

waste, or 2.2 pounds of acutely hazardous waste, on site at any one time.

"Construction and Demolition Waste" means solid waste resulting from the construction, repair, or demolition of buildings, roads and other structures, and debris from the clearing of land, but does not include clean fill when separated from other construction and demolition wastes and used as fill materials or otherwise land disposed. Construction and demolition waste typically consists of materials including concrete, bricks, bituminous concrete, asphalt paving, untreated or chemically treated wood, glass, masonry, roofing, siding, plaster, soils, rock, stumps, boulders, brush and other similar material. This term does not include industrial solid waste and municipal solid waste generated in residential or commercial activities associated with construction and demolition activities.

"County", "County Court" or "Board of Commissioners" means the Morrow County Court.

"Cover Material" means soil or other suitable material approved by the Department of Environmental Quality that is placed over the top and side slopes of solid wastes in a landfill.

"Demilitarization Residue" means any solid waste generated by demilitarization processes and activities defined in OAR 340-100-0010(2)(f), except for:  
(A) Waste streams generated from processes or activities prior to the introduction of nerve or blister agent in to the treatment unit; and  
(B) Waste streams generated from maintenance or operation of non-agent contaminated process utility systems.

"Department of Environmental Quality" (DEQ) means the Oregon State regulatory agency responsible for protecting the quality of Oregon's Environment.

"Domestic Solid Waste" includes but is not

"Department" means the Morrow County Planning Department.

"Depot" means the Umatilla Army Depot.

"Digested Sewage Sludge" means the concentrated sewage sludge that has decomposed under controlled conditions of pH, temperature and mixing in a digester tank.

"Director" means the Director of the Morrow County Planning Department.

"Dispose" or "Disposal" means the discharge, deposit, injection, dumping, spilling, leaking or placing of any waste into or on any land or water so that the waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters of the state.

"Disposal Site" means land and facilities used for the disposal, handling, or transfer of or energy recovery, material recovery and recycling from solid wastes, including but not limited to dumps, landfills, sludge lagoons, sludge treatment facilities, disposal sites for septic tank pumping or cesspool cleaning service, transfer stations, energy recovery facilities, incinerators for solid waste delivered by the public or by a collection service, composting plants and land and facilities previously used for solid waste disposal at a land disposal site; but the term does not include a facility authorized by a permit issued under ORS 466.005 to 466.385 to store, treat or dispose of both hazardous waste and solid waste; a facility subject to the permit requirements of ORS 468B.050; a site that is used by the owner or person in control of the premises to dispose of soil, rock, concrete or other similar non-decomposable material, unless the site is used by the public either directly or through a collection service; or a site operated by a wrecker issued a certificate under ORS 822.110.

limited to residential, commercial and

institutional wastes generated within this state. "Domestic solid waste" does not include:

- (a) Sewage sludge or septic tank and cesspool pumpings;
- (b) Building demolition or construction wastes and land clearing debris, if delivered to a disposal site that is limited to those purposes;
- (c) Source separated recyclable material, or material recovered at the disposal site;
- (d) Waste going to an industrial waste facility;
- (e) Waste received at an ash monofill from an energy recovery facility; or
- (f) Other material excluded by the Environmental Quality Commission in order to support the policies of ORS 459.015.

"Energy Recovery" means recovery in which all or a part of the solid waste materials are processed to use the heat content, or other forms of energy, of or from the material.

"Financial Assurance" means a plan for setting aside financial resources or otherwise assuring that adequate funds are available to properly close and to maintain and monitor a land disposal site after the site is closed according to the requirements of a permit issued by the Department of Environmental Quality and/or Morrow County.

"Franchise" means a certificate, contract or license issued by Morrow County authorizing a person to provide solid waste management services, including but not limited to collection, storage, transportation, operation of a transfer station or regional disposal site, and disposal at a sanitary landfill, or resource recovery facility or site. **A Non-Exclusive Franchise is a franchise whereby more than one franchised solid waste collector may serve a particular zone or region. A Joint Franchise is a franchise for a joint service with another collector who can provide supplemental service. An Exclusive Franchise is an exclusive franchise for a particular zone or area. A Temporary Franchise is a franchise valid**

**for a stated period entitling a collector to serve a defined service area or customers for that period.**

"Fully Regulated Generator" means a generator who generates 2.2 pounds or more, or stores more than 2,200 pounds of hazardous waste, as defined by 40 C.F.R. 261 in one calendar month; or generates more than or stores at any one time more than 2.2 pounds of acute hazardous waste.

"Generator" means a person who last uses a material and makes it available for disposal or recycling. It may also mean a person who, by virtue of ownership, management or control, is responsible for causing or allowing to be caused the creation of hazardous waste.

"Hazardous Substance" means any substance or material that, by reason of its toxic, caustic, corrosive, abrasive, or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance.

"Hazardous Waste" means discarded, useless or unwanted materials or residues and other wastes that are defined as hazardous waste pursuant to ORS Chapter 466.

"Home Composting" means composting operated and controlled by the owner or person in control of a single family dwelling unit and used to dispose of food waste and yard debris.

"Household Hazardous Waste" means any discarded, useless or unwanted chemical, material, substance or product that is or may be hazardous or toxic to the public or the environment and is commonly used in or around households and is generated by the household. "Household hazardous waste" may include but is not limited to some cleaners, solvents, pesticides and automotive and paint products.

"Illegal dump" means a site where solid waste has been disposed of in a manner that creates a public nuisance, health hazard, air or water pollution, or other environmental problem and is not permitted under OAR 340 Divisions 93 - 97.

"Incinerator" means any device used for the reduction of combustible solid wastes by burning under conditions of controlled airflow and temperature.

"Industrial Waste" means any liquid, gaseous, radioactive or solid waste substance or a combination thereof resulting from any process of industry, manufacturing, trade or business, or from the development or recovery of any natural resources. Such waste may include, but is not limited to, waste resulting from the following processes: Electric power generation; fertilizer/agricultural chemicals; food and related products/by-products; inorganic chemicals; iron and steel manufacturing; leather and leather products; nonferrous metals manufacturing/foundries; organic chemicals; plastics and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; stone, glass, clay and concrete products; textile manufacturing; transportation equipment; water treatment; and timber products manufacturing.

"Industrial Solid Waste" means solid waste generated by manufacturing or industrial processes that is not a hazardous waste regulated under ORS chapters 465 and 466 or under Subtitle C of the federal Resource Conservation and Recovery Act. Such waste may include, but is not limited to, waste resulting from the following processes: electric power generation; fertilizer/agricultural chemicals; food and related products/by-products; inorganic chemicals; iron and steel manufacturing; leather and leather products; nonferrous metals manufacturing/foundries; organic chemicals; plastics and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; stone, glass, clay and concrete products;

textile manufacturing; transportation equipment; water treatment; and timber products manufacturing. This term does not include construction/demolition waste; municipal solid waste from manufacturing or industrial facilities such as office or "lunch room" waste; or packaging material for products delivered to the generator.

"Industrial Waste Landfill" means a landfill that receives only a specific type or combination of industrial waste.

"Infectious Waste" means:

(a) "Biological waste," which includes blood and blood products, excretions, exudates, secretions, suctionings and other body fluids that cannot be directly discarded into a municipal sewer system, and waste materials saturated with blood or body fluids, but does not include diapers soiled with urine or feces.

(b) "Cultures and stocks," which includes etiologic agents and associated biologicals, including specimen cultures and dishes and devices used to transfer, inoculate and mix cultures, wastes from production of biologicals, and serums and discarded live and attenuated vaccines. "Cultures" does not include throat and urine cultures.

(c) "Pathological waste," which includes biopsy materials and all human tissues, anatomical parts that emanate from surgery, obstetrical procedures, autopsy and laboratory procedures and animal carcasses exposed to pathogens in research and the bedding and other waste from such animals. "Pathological waste" does not include teeth or formaldehyde or other preservative agents.

(d) "Sharps," which includes needles, IV tubing with needles attached, scalpel blades, lancets, glass tubes that could be broken during handling and syringes that have been removed from their original sterile containers.

"Junk" is undesirable broken, discarded or accumulated objects, including but not limited to appliances, building supplies, furniture, vehicles, or parts of vehicles, whether or not stored or for sale which

create conditions which are unsightly, unhealthy and/or unsafe.

"Junk Vehicle" is any rusted, wrecked, damaged, dismantled or partially dismantled, inoperative, or abandoned motor vehicle in such a condition that it is economically infeasible to restore the vehicle to an operating condition.

"Landfill" means a facility for the disposal of solid waste involving the placement of solid waste on or beneath the land surface.

"License" means a contract and/or agreement entered into by the County Court to provide service pursuant to this Plan and implementing ordinances.

"Low-Risk Disposal Site" means a disposal site which, based upon its size, site location, and waste characteristics, the Department of Environmental Quality determines to be unlikely to adversely impact the waters of the State or public health.

"Material Recovery" means any process of obtaining from solid waste, by pre-segregation or otherwise, materials which still have useful physical or chemical properties and can be reused, recycled or composted for some purpose.

"Material Recovery Facility" means a solid waste management facility that separates materials for the purposes of recycling from an incoming mixed solid waste stream by using manual and/or mechanical methods, or a facility at which previously separated recyclables are collected.

"Medical Waste" means solid waste that is generated as a result of patient diagnosis, treatment, or immunization of human beings or animals.

"Monofill" means a landfill or landfill cell into which only one type of waste may be placed.

"Municipal Solid Waste Landfill" means a discrete area of land or an excavation that

receives domestic solid waste, and that is not a land application unit, surface impoundment, injection well, or waste pile, as those terms are defined in 40 CFR, Part 257. It may also receive other types of wastes such as nonhazardous sludge, hazardous waste from conditionally exempt small quantity generators, construction and demolition waste and industrial solid waste.

"On-Route" or "On-Site Collection" means pick up of source separated recyclable material from the generator at the place of generation.

"Opportunity to Recycle" means at least that the city, county or metropolitan service district responsible for solid waste management:

(a)

(A) Provides a place for collecting source separated recyclable material located either at a disposal site or at another location more convenient to the population being served and, if a city has a population of 4,000 or more, collection at least once a month of source separated recyclable material from collection service customers within the city's urban growth boundary or, where applicable, within the urban growth boundary established by a metropolitan service district; or  
(B) Provides an alternative method which complies with rules of the Environmental Quality Commission; and

(b) Complies with the rates and program elements required under ORS 459A.010.

"Putrescible Waste" means solid waste containing organic material that can be rapidly decomposed by microorganisms, and which may give rise to foul smelling, offensive products during such decomposition or which is capable of attracting or providing food for birds and potential disease vectors such as rodents and flies.

“Recovery Rate” means the rate of recyclable material recovered from the amount of solid waste disposed within Morrow County. It is calculated by dividing the total amount of material recovered by the total amount of solid waste generated.

“Recycle” means the process of transforming solid waste materials into new products in such a manner that the original products may lose their identity.

“Recycled Material” means a material that would otherwise be destined for solid waste disposal, having completed its intended end use or product life cycle. Recycled material does not include materials and by-products generated from, and commonly reused within, an original manufacturing and fabrication process.

“Regional Disposal Site” means a disposal site that receives, or a proposed disposal site that is designed to receive more than 75,000 tons of solid waste a year from outside the immediate service area in which the disposal site is located. As used in this Plan and implementing ordinances, “immediate service area” means the county boundary.

“Reload Facility” means a facility or site that accepts and reloads containerized solid waste materials for transport in the same container to another location.

“Resource Recovery” means the process of obtaining useful material or energy from solid waste and includes energy recovery, material recovery and recycling.

“Reuse” means the return of a commodity into the economic stream for use in the same kind of application as before without change in its identity.

“Self Hauler” is one who transports personal household generated solid waste or garden or yard trimmings from their personal “Toxic substance” or “toxics” means any combination of pollutants, including

residence to a permitted disposal site.

“Solid Waste” means all useless or discarded putrescible and non-putrescible materials, including but not limited to garbage, rubbish, refuse, ashes, paper and cardboard, sewage sludge, septic tank and cesspool pumpings or other sludge, useless or discarded commercial, industrial, demolition and construction materials, discarded or abandoned vehicles or parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semi-solid materials, dead animals and infectious waste. The term does not include:

(a) Hazardous waste as defined in ORS Chapter 466;

(b) Materials used for fertilizer, soil conditioning, humus restoration, or for other productive purposes or which are salvageable for these purposes and are used on land in agricultural operations and the growing or harvesting of crops and the raising of fowls or animals, provided the materials are used at or below agronomic application rates.

“Solid Waste Disposal” is the ultimate disposition of solid waste that cannot be salvaged or recycled.

“Solid Waste Management” is a planned program providing for the prevention or reduction of solid waste; management of the storage, collection, transportation, treatment, utilization, processing and final disposal of solid waste; recycling, reuse and material or energy recovery from solid waste; and facilities necessary or convenient to such activities.

“Storage” means the temporary containment of solid waste in a manner that does not constitute treatment or disposal of such waste.

disease-carrying agents, that, after discharge and upon exposure, ingestion,

inhalation, or assimilation into any organism, can cause death or disease, mutations, deformities, or malfunctions in such organisms or their offspring, and that adversely affect the environment. "Toxic substance" does not include a substance used as a pesticide or herbicide in routine commercial agricultural applications.

"Transfer Station" means a fixed or mobile facility other than a collection vehicle where solid waste is deposited temporarily after being removed from the site of generation but before being transported to a final disposal location.

"Transport" means the movement of solid waste that has been accepted for transportation by a common or contract carrier. The term "transport" includes any stoppage in transit that is temporary, incidental to the transportation movement, and at the ordinary operating convenience of a common or contract carrier, and any such stoppage is considered as a continuity of movement and not as storage.

"Treatment" or "Treatment Facility" means any method, technique, or process designed to change the physical, chemical, or biological character or composition of any solid waste. It includes but is not limited to soil remediation facilities.

"Vector" means any insect, rodent or other animal capable of transmitting, directly or indirectly, infectious diseases to humans or from one person or animal to another.

"Waste Prevention" means to reduce the amount of solid waste generated or resources used, without increasing toxicity, in the design, manufacture, purchase or use of products or packaging. "Waste prevention" does not include reuse, recycling or composting.

"Waste Reduction" means all waste management methods, such as source reduction, recycling and composting, which result in a reduction of waste going to landfill or other disposal facilities. Waste

reduction may include either on-site or off-site treatment where such treatment can be shown to confer a higher degree of protection of the public health, safety and the environment than other technically and economically practicable waste reduction alternatives and proportionally changes the total volume, quantity or toxicity of a particular waste.

"Waste Tire" means a tire that is no longer suitable for its original intended purpose because of wear, damage or defect.

"Wasteshed" means an area of the state having a common solid waste disposal system or designated by the Environmental Quality Commission as an appropriate area of the state within which to develop a common recycling program. For the purposes of this Plan the wasteshed is Morrow County.

"Wood Waste" means chemically untreated wood pieces or particles generated from processes commonly used in the timber products industry. Such materials include but are not limited to sawdust, chips, shavings, stumps, bark, hog-fuel and log sort yard waste, but do not include wood pieces or particles containing or treated with chemical additives, glue resin or chemical preservatives.

"Wood Waste Landfill" means a landfill that receives primarily wood waste.

"Yard Waste or Yard Debris" means vegetative and woody material generated from residential property or from commercial landscaping activities. Yard waste or debris includes grass clippings, leaves, hedge trimmings and similar vegetative waste, but does not include stumps or similar bulky wood materials.