

§2322. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 2009, c. 579, Pt. A, §3 (NEW).]

1. Alternative. "Alternative" means a substitute process, product, material, chemical, strategy or a combination of these that serves a purpose functionally equivalent to that of a priority toxic chemical used by a commercial and industrial facility.

[PL 2009, c. 579, Pt. A, §3 (NEW).]

2. Commercial and industrial facility or facility. "Commercial and industrial facility" or "facility" means an entity:

A. With an economic sector or industry code under the North American Industry Classification System of the United States Department of Commerce, United States Census Bureau; and [PL 2009, c. 579, Pt. A, §3 (NEW).]

B. Located in the State. [PL 2009, c. 579, Pt. A, §3 (NEW).]
[PL 2009, c. 579, Pt. A, §3 (NEW).]

3. Environmental management system. "Environmental management system" means a part of an overall management system of a facility and includes organizational structure, planning activities, responsibilities, practices, procedures, processes and resources for developing, implementing, achieving, reviewing and maintaining the environmental policy of the facility through documented systematic procedures.

[PL 2009, c. 579, Pt. A, §3 (NEW).]

4. Priority toxic chemical. "Priority toxic chemical" means a chemical that has been identified by the department pursuant to section 2323.

[PL 2009, c. 579, Pt. A, §3 (NEW).]

5. Reasonably available. "Reasonably available" means practicable based on cost, efficacy, availability and other factors as determined by the department.

[PL 2009, c. 579, Pt. A, §3 (NEW).]

6. Safer alternative. "Safer alternative" has the same meaning as in section 1691, subsection 12.

[PL 2009, c. 579, Pt. A, §3 (NEW).]

7. SARA. "SARA" means the Superfund Amendments and Reauthorization Act of 1986, Public Law 99-499.

[PL 2009, c. 579, Pt. A, §3 (NEW).]

8. Toxic chemical. "Toxic chemical" means a chemical that has been identified as a chemical of concern pursuant to section 1693 or a chemical the use or release of which is subject to reporting under the SARA, Title III, Section 312 or 313.

[PL 2011, c. 319, §12 (AMD).]

9. Use. "Use" means to manufacture, process or otherwise use a priority toxic chemical or to use a product or material that contains a priority toxic chemical if so designated by the department in rules adopted under this chapter.

[PL 2009, c. 579, Pt. A, §3 (NEW).]

SECTION HISTORY

PL 2009, c. 579, Pt. A, §3 (NEW). PL 2011, c. 319, §12 (AMD).

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