



## ADMINISTRATIVE RULES OF MONTANA

### 17.50.802 DEFINITIONS

In addition to the definitions in 75-10-1202, MCA, the following definitions apply in this subchapter:

- (1) "Agricultural land" means land on which a food crop, a feed crop, or a fiber crop is grown. This includes range land and land used as pasture.
- (2) "Agronomic rate" means the whole septage application rate (dry rate basis) designed to:
  - (a) provide the amount of nitrogen needed by the food crop, feed crop, cover crop, or vegetation grown on the land; and
  - (b) minimize the amount of nitrogen in the septage that passes below the root zone of the crop or vegetation grown on the land to the ground water.
- (3) "Applied to the land surface" means the uniform application of liquid or semi-liquid waste material at a rate closely approximating that which will result in maximum benefit to the crop or vegetative cover in the field, without ponding, runoff, or leaching.
- (4) "Attended car wash bay" means a place for washing trucks or automobiles that has an attendant on site while open to the public.
- (5) "Automatic car wash bay" means a place for washing trucks or automobiles that has machinery designed to do the washing without allowing access to the bay during the process.
- (6) "Bulk septage" means septage that is not sold or given away in a bag or other container for application to the land.
- (7) "Car wash sump" means an interceptor or settling device, designed to be emptied by mechanical means, located below the normal grade of a wastewater gravity system used to precipitate mud from wastewater at a car wash, garage, or vehicle maintenance facility before the water enters an oil/water interceptor, a sanitary sewer or individual wastewater treatment system. Oil/water interceptors are not car wash sumps.
- (8) "Cesspool" means a seepage pit without a septic tank to pretreat the wastewater.
- (9) "Control of public access" means reasonable precautions to prevent exposure of humans to pathogenic materials. This does not mean that all entry must be precluded.
- (10) "Dewatered" means waste that passes the Paint Filter Liquids Test (Method 9095 in Manual SW-846, "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," USEPA (Update IIIA) ).
- (11) "Feed crops" means crops produced primarily for animals.

- (12) "Fiber crops" means non-edible crops such as flax and cotton raised for fiber.
- (13) "Food crops" means crops consumed by humans. These include, but are not limited to, fruits, vegetables, grains and tobacco.
- (14) "Forest" means a tract of land with trees and underbrush.
- (15) "Grease interceptor" means an interceptor of at least 750-gallon (2839 L) capacity that serves one or more fixtures and is remotely located from the fixtures.
- (16) "Grease trap" means a device designed to retain grease from one to four fixtures.
- (17) "Grease trap waste" means the water, solids, and semi-solid material removed from a grease trap or grease interceptor designed to remove cooking grease from home or restaurant wastewater in a sewer system. It does not include oil/water separator wastes at industrial facilities.
- (18) "Gray water" means any wastewater other than toilet wastes or industrial chemicals, and includes, but is not limited to, shower and bath wastewater, kitchen wastewater, and laundry wastewater. It may not contain listed hazardous wastes or hazardous substances above regulatory thresholds.
- (19) "Holding tank" means a watertight receptacle that receives wastewater for retention and does not as part of its normal operation dispose of or treat wastewater.
- (20) "Incorporated into the soil" means the injection of waste beneath the surface of the soil or the mixing of waste with the surface soil by plow, disk harrow, spring harrow, tiller, or other department-approved method.
- (21) "Interceptor" or "clarifier" means a device designed and installed so as to separate and retain deleterious, hazardous, or undesirable matter from normal wastes and permit discharge of normal sewage or liquid wastes into the disposal terminal by gravity.
- (22) "Land with a high potential for public exposure" means land that the public uses frequently. This includes, but is not limited to, public contact sites and reclamation sites located in populated areas (e.g., a construction site located in a city) .
- (23) "Land with a low potential for public exposure" is land that the public uses infrequently. This includes, but is not limited to, agricultural land, forest, and reclamation sites located in unpopulated areas (e.g., a strip mine located in a rural area) .
- (24) "Pasture land" means land on which animals feed directly on feed crops such as legumes, grasses, grain stubble, or stover (fodder) .
- (25) "Pathogen" means a disease-causing organism. This includes, but is not limited to, certain bacteria, protozoa, viruses, and viable helminth ova.
- (26) "Portable toilet" means a sealed pit privy designed to be readily transportable.
- (27) "Privy" means a covered or uncovered facility for placement of non-water-carried toilet wastes where the wastes are discharged directly into a seepage pit without treatment in a septic tank or are discharged into a watertight vault.
- (28) "Public contact site" means land with a high potential for contact by the public. This includes, but is not limited to, public parks, cemeteries, plant nurseries, turf farms, and golf courses.

- (29) "Pumpings" means the materials, liquid and solid, removed from a cesspool, septic tank, privy, portable toilet, grease trap, or car wash (or similar) sump that may be land applied for a beneficial purpose. The term also includes other primarily liquid wastes that may be land applied for a beneficial purpose. These include, but are not limited to, wastes from food processing operations, septage that contains commercial and industrial wastewater, and wastes from snow melt wastewater sumps. The term does not include commercial or industrial wastes that contain listed hazardous wastes or hazardous substances above regulatory thresholds.
- (30) "Range land" means open land with indigenous vegetation.
- (31) "Reclamation site" means drastically disturbed land that is being reclaimed. This may include, but is not limited to, strip mines and construction sites.
- (32) "Sealed pit privy" means an enclosed receptacle designed to receive non-water-carried toilet wastes into a watertight vault.
- (33) "Septic tank" means a watertight tank that receives and partially treats sewage through the process of sedimentation, oxidation, floatation, and bacterial action so as to separate solids from the liquid in the sewage, and then discharges the liquid to further treatment.
- (34) "Sewage sludge" means the solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works.
  - (a) Sewage sludge includes, but is not limited to:
    - (i) domestic septage;
    - (ii) scum or solids removed in primary, secondary, or advanced wastewater treatment processes; and
    - (iii) material derived from sewage sludge.
  - (b) Sewage sludge does not include ash generated during firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated during preliminary treatment of domestic sewage in a treatment works.
- (35) "Unattended car wash bay" means a place for washing cars or trucks that is not an automatic car wash bay and does not have continuous supervision while open to the public.
- (36) "Vector" means any rodent, insect, or other organism, capable of transmitting disease to humans.
- (37) "Vector attraction" means the characteristic of sewage sludge and other pumpings that attracts rodents, flies, mosquitoes, or other organisms capable of transporting infectious agents.
- (38) "Vessel pumpout facility" means a facility designed to receive wastes from marine sanitation devices, as defined in 23-2-522 (3) (a) , MCA.

**Authorizing statute(s):** 75-10-1202, MCA

**Implementing statute(s):** 75-10-1201, 75-10-1202, MCA

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**History:** NEW, 1984 MAR p. 258, Eff. 1/27/84; TRANS, from DHES, 1995 MAR p. 2253; AMD, 2001 MAR p. 848, Eff. 5/25/01; AMD, 2004 MAR p. 2383, Eff. 10/8/04.