

# **APPENDIX K**

## **Abbreviations and Definitions**

The following abbreviations and definitions are for words and terms most commonly used in discussions on storm water management.

## **Abbreviations**

<b>ABIA</b>	Austin Bergstrom International Airport
<b>AOA</b>	Aircraft Operating Areas
<b>ARFF</b>	Air Rescue and Fire Fighting
<b>AST</b>	Above Ground Storage Tank
<b>BAT</b>	Best Available Technology
<b>BMP</b>	Best Management Practices
<b>BOD</b>	Biochemical Oxygen Demand
<b>BPT</b>	Best Practicable Control Technology
<b>CEM</b>	Certified Environmental Manager
<b>CLIF</b>	Co-Located Industrial Facility
<b>COA</b>	City of Austin
<b>CERCLA</b>	Comprehensive Environmental Response, Compensation and Liability Act
<b>CFR</b>	Code of Federal Regulations
<b>CSCE</b>	Comprehensive Site Compliance Evaluation
<b>CWA</b>	Clean Water Act
<b>DOA</b>	Department of Aviation
<b>EPA</b>	Environmental Protection Agency
<b>EPCRA</b>	Emergency Planning and Community Right-to-Know Act
<b>FAA</b>	Federal Aviation Administration
<b>FBO</b>	Fixed Base Operator
<b>GP</b>	General Permit
<b>IAC</b>	Industrial Activity Code
<b>LUST Fund</b>	Leaking Underground Storage Tank Fund
<b>MSDS</b>	Material Safety Data Sheets
<b>MS4</b>	Municipal separate storm sewer system
<b>NEPA</b>	National Environmental Policy Act
<b>NFPA</b>	National Fire Protection Association
<b>NPDES</b>	National Pollution Discharge Elimination System
<b>OSHA</b>	Occupational Safety and Health Administration
<b>O/WS</b>	Oil/ Water Separator
<b>PARD</b>	Parks and Recreation Department
<b>PPT</b>	Pollution Prevention Team
<b>RCRA</b>	Resource Conservation and Recovery Act
<b>RQ</b>	Reportable Quantity
<b>SARA</b>	Superfund Amendments and Reauthorization Act
<b>SIC Code</b>	Standard Industrial Classification Code
<b>SHPO</b>	State Historic Preservation Office
<b>SPCC</b>	Spill Prevention Control and Countermeasure Plan
<b>SWP3</b>	Storm Water Pollution Prevention Plan
<b>TAC</b>	Texas Administrative Code
<b>TDH</b>	Texas Department of Health
<b>TNRCC</b>	Texas Natural Resource Conservation Commission

<b>TPDES</b>	Texas Pollutant Discharge Elimination System
<b>TSCA</b>	Toxic Substance Control Act
<b>UFC</b>	Uniform Fire Code
<b>UST</b>	Underground Storage Tank
<b>WPD</b>	Watershed Protection Department
<b>WQP</b>	Water Quality Pond
<b>WWW</b>	Water and Waste Water Utility Department

## **DEFINITIONS**

**Acutely Hazardous**--A RCRA P-listed hazardous waste. The P-listed wastes are provided in 40 CFR Section 261.30 through Section 261.33.

**Aliquot**--A discrete water sample obtained at a particular point in time, temporarily stored and then combined with others to produce a single "composite" sample.

**Analytical Data**--The reported information obtained from a laboratory after analysis of storm water samples has been performed.

**Anti-backsliding**--Term used to describe proposed provisions that would prevent the weakening--backsliding--of effluent limits when a National Pollutant Discharge Elimination System permit is renewed or modified.

**Best Available Technology (BAT)**--the technological level required by the Clean Water Act to control industrial discharges of toxic pollutants. EPA is required to establish BAT effluent limits, which are more stringent than best practicable control technology (BPT) limits.

**Best management practices (BMPs)** - schedules of activities, prohibitions of practices, maintenance procedures, and other techniques to control, prevent or reduce the discharge of pollutants to water in the state. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spills or leaks, sludge or waste disposal, or drainage from raw material storage areas. Term describes practices employed to prevent or reduce source water pollution, such as the construction of runoff-retention basins and replanting eroding surfaces.

**Best Practicable Control Technology (BPT)**--Term refers to the minimum level of pollution control that industries are expected to achieve under the Clean Water Act. BPT limits apply to pollutants such as biochemical oxygen demand, oil and grease.

**Biochemical Oxygen Demand (BOD)**--The amount of dissolved oxygen required to decompose organic matter in water. BOD is a measure of pollution since heavy waste loads have a high demand for oxygen.

**Chain of Custody**--Procedures and forms used to minimize the possibility of tampering with storm water samples.

**Clean Water Act (CWA)**--Also known as the Federal Water Pollution Control Act of 1972, this is a major federal law aimed at controlling water pollution.

**Code of Federal Regulations (CFR)**--Document containing federal government regulations.

**Co-located industrial activities** - Industrial activities, conducted at a facility, that are described by two or more sectors of this general permit.

**Composite Samples**--Typically used to determine average loading or concentrations of pollutants. Such samples are collected at regular time intervals (aliquots) and pooled into one large sample. Composite samples can be developed based on time or flow rate.

**Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)**--The primary name for the superfund law. (Also see superfund.)

**Conditionally Exempt Small Quantity Generator**--Generates less than 100 kg of hazardous waste per month, and generates less than 1 kg of acutely hazardous waste per month. There are no storage time limits associated with hazardous waste generated by a Conditionally Exempt Small Quantity Generator. Only 1000 kg of hazardous waste and 1 kg of acutely hazardous waste can be stored at any one time. If the generator exceeds 100 kgs a month of hazardous waste, waste is subject to Large Quantity Generator or Small Quantity Generator requirements depending on the amount exceeded; if the generator exceeds a 1 kg a month of acutely hazardous waste, the waste is subject to Large Quantity Generator requirements.

**Confined Space**--An enclosed space large enough and so configured; that an employee can bodily enter and perform assigned work, that has limited or restricted means of entry or exit, that is not designed for continuous employee occupancy, and has one of the following characteristics:

- (a) contains or has a known potential to contain a hazardous atmosphere;
- (b) contains a material with the potential for engulfment of an entrant;
- (c) has an internal configuration such that an entrant could be trapped or asphyxiated by inwardly converging walls, or a floor which slopes downward and tapers to a smaller cross-section; or
- (d) contains any other recognized serious safety or health hazard.

(Derived from 29 CFR Part 1910.146(b)(23), proposed rule published 54 FR 23991.)

**Daily maximum concentration** - the maximum concentration measured on a single day, as determined by laboratory analysis of a grab sample.

**Edwards Aquifer** - As defined under Texas Administrative Code §213.3 of this title (relating to the Edwards Aquifer), that portion of an arcuate belt of porous, water-bearing, predominantly carbonate rocks known as the Edwards and Associated Limestones in the Balcones Fault Zone trending from west to east to northeast in Kinney, Uvalde, Medina, Bexar, Comal, Hays, Travis, and Williamson Counties; and composed of the Salmon Peak Limestone, McKnight Formation, West Nueces Formation, Devil's River Limestone, Person Formation, Kainer Formation, Edwards Formation, and Georgetown Formation. The permeable aquifer units generally overlie the less-permeable Glen Rose Formation to the south, overlie the less-permeable Comanche Peak and Walnut Formations north of the Colorado River, and underlie the less-permeable Del Rio Clay regionally.

**Edwards Aquifer Recharge Zone** - Generally, that area where the stratigraphic units constituting the Edwards Aquifer crop out, including the outcrops of other geologic formations in proximity to the Edwards Aquifer, where caves, sinkholes, faults, fractures, or other permeable features would create a potential for recharge of surface waters into the Edwards Aquifer. The recharge zone is identified as that area designated as such on official maps located in the offices of the Texas Natural Resource Conservation Commission and the appropriate underground water conservation district.

**Effluent Limit**--A limit, established by EPA, on the amount of a specific pollutant that industrial facilities are allowed to discharge in their effluent, or storm water runoff.

**Emergency Planning and Community Right-to-Know Act (EPCRA)**--Enacted as Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA), the law requires states to

establish emergency planning districts with local committees to devise plans for preventing and responding to chemical spills and releases. The law also requires facilities to file reports on certain dangerous chemicals they handle or release into the environment.

**Environmental Protection Agency (EPA)**--An independent federal agency created in 1970. EPA conducts pollution control activities mandated by a number of environmental laws such as the Clean Water Act and the Clean Air Act.

**Environmental Regulations**--Whenever used herein, means any or all of the following as the same are amended from time to time:

- CERCLA (42 CFR Section 9601-9675)
- Title III of Superfund Amendments and Reauthorization Act of 1986 (42 CFR 11001-11050)
- RCRA (42 CFR Section 6901-6987)
- Toxic Substances Control Act (15 CFR Section 2601)
- Safe Drinking Water Act (42 CFR Section 300f)
- Clean Water Act (33 CFR Section 1251)

**EPA Generator Identification Number**--The number assigned to your site by the EPA. The number is used for reporting purposes, and helps the EPA track your waste. Every tenant should have an EPA ID number, however, only small and large quantity generators are required to obtain an ID number. Contact the EPA to obtain a number.

**EPA Waste Number**--The waste code that best identifies the waste. The same as listed code, i.e., P, K or U. See Section 11, Hazardous Waste Management, for more information.

**Estuary**--A body of water in which river and ocean water interact.

**Flow-proportional Composite**--Prepared by either varying the aliquot volumes of the sampling frequency, to weight the final combination in proportion to the several flow rates measured during the composite sample period. This type of composite sample is considered to be more representative than a time or fixed volume composite for a varying discharge. This type of composite is also referred to as a flow-weighted composite.

**General permit** - A permit issued to authorize the discharge of waste into or adjacent to water in the state for one or more categories of waste discharge within a geographical area of the state or the entire state as provided by §26.040, Texas Water Code.

**Grab sample** - An individual sample collected in less than 15 minutes.

**Hazardous Material**--Whenever used herein, means the definitions of hazardous substances, hazardous material, toxic substance, regulated substance or solid waste as defined within the following. All substances, materials and wastes that are or that become regulated area classified as hazardous or toxic under any environmental law, whether such laws are Federal State, or local.

- CERCLA (42 CFR Section 9601-9675)
- RCRA (42 CFR Section 6901-6987)
- Hazardous Materials Transportation Act (49 CFR Section 1801-1804)
- Department of Transportation Table (49 CFR Section 172)
- NEPA (42 CFR Section 4321-4347)

## Transportation of Hazardous Materials Regulations (NRS 459.485-500, 706.173)

**Hazardous Waste**--There are four characteristics of hazardous waste; hazardous waste can display one or all of the following characteristics:

- Ignitability:** wastes that have a flash point less than 140°F. Petroleum-based solvents generally fall within this characteristic.
- Corrosivity:** pH less than or equal to 2 or pH greater than or equal to 12.5. Sulfuric acid and sodium hydroxide are good examples.
- Reactivity:** normally unstable, explosive, reacts violently with water, or forms toxic gases. Typical examples are cyanide and possibly aerosol cans.
- Toxicity:** laboratory analysis (TCLP) for 40 different parameters. Typical wastes include sludges, possibly antifreeze, and paint filters. The TCLP test measures the presence of arsenic, barium, cadmium, chromium, lead, selenium, silver, benzene, carbon tetrachloride, chlorobenzene, chloroform, 1,4-dichlorobenzene, 1,2-dichloroethane, 1,1-dichloroethylene, methyl ethyl ketone, tetrachloroethylene, trichloroethylene and vinyl chloride.

There are three lists of hazardous waste ("P", "U" AND "K"), which are provided in 40 CFR Section 261.30 through Section 261.33.

**Hyperchlorination of waterlines** - Treatment of potable water lines with chlorine for disinfection purposes, typically following repair or partial replacement of the waterline, and subsequently flushing the waterline.

**Inactive status** - A facility is considered in an inactive status when industrial activities are temporarily suspended and there is no remaining exposure of process materials, waste materials, and other similar materials and industrial processes (including those identified in the facility's storm water pollution prevention plan under the item titled "Description of Potential Pollutants and Sources") to storm water and storm water runoff.

**Indirect Discharge**--An industrial facility or other non-residential source that discharges pollutants into a municipal sewage system, rather than directly into a water body. Under the Clean Water Act, indirect discharges must pre-treat their wastes before flushing them into the municipal sewage system.

**Illicit Discharge**--Any discharge to a municipal separate storm sewer that is not composed entirely of storm water except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer) and discharges from fire fighting activities.

**Inland water** - All surface water in the state other than those defined as a tidal water.

**Large Quantity Generator**--Generates more than 1000 kg of hazardous waste per month and more than 1 kg of acutely hazardous waste per month. Large Quantity Generators have storage quantity limits; however, the waste can only be stored for 90 days. If the generator exceeds the time limit, the facility is subject to storage facility requirements.

**Materials Management Practices**--Practices used to limit the contact between significant materials and precipitation. These may include structural or non-structural controls such as dikes, berms, sedimentation ponds, vegetation strips, storage of materials in closed bins, spill response plans, good housekeeping measures, etc.

**Municipal separate storm sewer system** - A separate storm sewer system owned or operated by a state, city, town, county, district, association, or other public body (created by or pursuant to state law) have jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under state law such as a sewer district, flood control or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, that discharges to water in the state. (see **Separate storm sewer system**)

**National Environmental Policy Act of 1970 (NEPA)**--The federal statute requiring all federal agencies to assess the environmental impact or proposed major federal actions significantly affecting the quality of the environment.

**National Oceanic and Atmospheric Administration (NOAA)**--An agency of the U.S. Department of Commerce which administers many of the nation's oceans and coastal programs.

**National Pollutant Discharge Elimination System (NPDES)** - A federal program mandated by section 402 of the Clean Water Act under which EPA must establish limits on the amounts of specific pollutants that may be discharged by municipal sewage treatment plants and industrial facilities. These effluent limits are incorporated in permits (called NPDES permits) issued to regulated municipal and industrial facilities. Under the act, it is illegal for dischargers to operate without a permit or in violation of permit conditions. The administrator of the EPA can authorize discharges of waste to waters of the United States according to the Section 402 of the Federal Water Pollution Control Act, and may also delegate this permitting authority to the State of Texas.

**Non-point Source Pollution**--Water pollution emanating from diffuse sources, rather than from a factory or industrial discharge outfall.

**Non-storm Water Discharge**--Any type of discharge other than storm water. A discharge with a source other than a storm.

**Non-structural controls** - Pollution prevention methods that are not physically constructed, including best management practices, used to prevent or reduce the discharge of pollutants to water in the state.

**Notice of Intent (NOI)** - A written submission to the executive director from an applicant requesting coverage under a general permit.

**Notice of Change (NOC)** - A written submission to the executive director from a permittee correcting or changing information provided on an NOI.

**Notice of Termination (NOT)** - A written submission to the executive director from a permittee authorized under a general permit requesting termination of coverage.

**Operator** - The owner or person that is responsible for the management of an industrial facility subject to the provisions of this general permit.



**Outfall (TPDES)**-- An industrial outfall is the point at which storm water associated with industrial activity discharges to waters in the State or a separate storm sewer. Separate storm sewers may be roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains.

**Outfall (NPDES)**--A point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the United States and does not include any open conveyances connecting two municipal separate storm sewers, pipes, tunnels, or other conveyances which are in the middle of a stream or other waters of the United States and are used to convey waters of the United States.

**pH**--A measure of the acidity or alkalinity of a substance. Waters that are too acid (low pH) or alkaline (high pH) can be unfit for animal or plant life. On the pH scale, which runs from zero to 14, a value of 7 is neutral. Because the pH scale is logarithmic, there is a tenfold difference between each number. If the pH drops from 7 to 6, the acidity is ten times greater.

**Petroleum Product**--Products including, but not limited to gasoline, diesel fuel, waste oil, bulk oil, turbine oil, hydraulic fluid, avgas, jet fuel, paint thinner, solvent, brake fluid, transmission fluid, and fuel additives.

**Point Source**--Sources of water pollution that is discharge through a pipe or other discrete point. A point source is any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft from which pollutants are or may be discharged. (See 40 CFR 122.2).

**Pollutant**--Dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, dirt, and discharges into water of industrial, municipal and agricultural waste. (Water Pollution Act, 71:5203.)

**Preservative**--A chemical substance used to keep a sample from degrading or changing while waiting for analysis to be performed.

**Resource Conservation and Recovery Act of 1976 (RCRA)**--This law deals primarily with solid and hazardous waste management.

**Separate storm sewer system** - A conveyance or system of conveyances (including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains), designed or used for collecting or conveying storm water; that is not a combined sewer, and that is not part of a publicly owned treatment works (POTW).

**Significant Materials**--Included, but not limited to -- raw materials; fuels; materials such as solvents, detergents and plastic pellets; finished materials such as metallic products, raw materials used in food processing or production; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to Section 313 of Title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag and sludge that have a potential to be released with storm water discharges. (See 40 CFR 122.26(b)(12).)

**Small Quantity Generator**--Generates 100 to 1000 kg of hazardous waste per month. Under the regulations for Small Quantity Generators, only 6000 kg of hazardous waste can be stored at one

time. Once the 6000-kg limit has been reached, the generator has 180 days to have the waste removed. If the generator exceeds the generation limit, waste is subject to large quantity generator requirements. If the generator exceeds storage time or quantity limits, the facility is subject to storage facility requirements.

**Solid Waste**--Defined by RCRA as any garbage, refuse, sludge from treatment facilities, and other discarded material resulting from industrial, commercial, mining and agricultural operations and from community activities.

**Strict, Joint and Several Liability**--Legal terms that describe liability for pollution damage. Strict liability means a person is responsible for all damages stemming from his activity, regardless of whether he acted carelessly or unreasonably. Joint and several liabilities means any person found liable can be required to pay all of the damages suffered by the plaintiff.

**Storm water and storm water runoff** - Rainfall runoff, snow melt runoff, and surface runoff and drainage.

**Storm water discharges associated with industrial activity** – As defined by TPDES, Storm water runoff that exits any system that is used for collecting and conveying storm water that originates from manufacturing, processing, material storage, and waste material disposal areas (and similar areas where storm water can contact industrial pollutants related to the industrial activity) at an industrial facility described by one or more of Sectors A through AD of the TPDES general permit. The definition is restricted, for the purposes of this general permit, to those storm water discharges that qualify for authorization under the provisions of this general permit (on an outfall by outfall consideration).

**Storm Water Discharge Associated with Industrial Activity**--As defined by EPA, storm water discharge associated with industrial activity means the discharge associated with any conveyance which is used for collecting and conveying storm water, and which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program under 40 CFR Part 122. For the categories of industries identified in subparagraphs (i) through (x) of this subsection, the term includes, but is not limited to , storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at 40 CFR 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving area; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water. For categories of industries identified in subparagraph (xi), the term includes only storm water discharges from all areas (except access roads and rail lines) that area listed in the previous sentence where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to storm water. For the purpose of this paragraph, material handling activities include the: storage, loading and unloading, transportation, or conveyance or any raw material, intermediate product, finished product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas. Industrial facilities (including industrial facilities that are Federal, State, or Municipally

owned or operated that meet the description of the facilities listed in this paragraph (i)-(xi) include those facilities designated under the provisions of 122.26(a)(1)(v)...

**Structural control** - Physical, constructed features, such as silt fencing, sediment traps, and detention/retention ponds, that prevent or reduce the discharge of pollutants to water in the state.

**Sufficiently Similar**--Two separate outflow discharges that drain from areas where the same industrial activity or the same process takes place so that the actual discharges would be alike in content. Both discharges would represent the same type of flow.

**Superfund**--A program for cleanup of hazardous substance releases to the environment, especially cleanup of abandoned hazardous waste sites. The program was created by the Comprehensive Environmental Response, Compensation and Liability Act of 1980. The program was overhauled and expanded by the Superfund Amendments and Reauthorization Act of 1986 (SARA), which reauthorize the federal appropriations for the program for five years. The 1991 budget reconciliation act extended the authorization for appropriations through fiscal 1994, and the authority to collect superfund taxed through Dec. 31, 1995. Superfund is the informal name of the trust fund used to pay for cleanups by the government and to pay costs of the program. Revenues come mainly from taxes on petroleum and feedstock chemicals, a broad-based tax on corporate income, and general revenues.

**Superfund Amendments and Reauthorization Act (SARA)**--(See definition for superfund.)

**Swale**--A shallow channel or low tract of land used to carry or convey storm water.

**Tenant**--a person, company, corporation, or business entity that leases land, buildings, or equipment from DOA. The term also includes tenant employees, contractors, agents, visitors, invitees and licensees.

**Texas Pollutant Discharge Elimination System (TPDES)** - The state program for issuing, amending, terminating, monitoring, and enforcing permits, and imposing and enforcing pretreatment requirements, under Clean Water Act §§307, 402, 318 and 405, the Texas Water Code and Texas Administrative Code regulations.

**Time Composite**--Prepared by collecting fixed volume aliquots at specified time intervals and combining into a single sample for analysis. These composites are sometimes referred to as simple of fixed volume composites.

**Toxic Pollutant**--A pollutant or combination of pollutants that when ingested or absorbed may cause death or illness. Organic and inorganic chemicals, including heavy metals, are the most common toxic water pollutants.

**Toxic Release Inventory (TRI)**--Inventory of the estimated releases to the air, water and soil of more than 320 chemicals by large industrial facilities. The inventory is collected from release forms filed by the regulated facilities pursuant to the Superfund Amendments and Reauthorization Act of 1986 (SARA).

**Toxic Substances Control Act of 1976 (TSCA)**--Federal law which gives EPA authority to require industry to test potentially harmful chemicals, to notify EPA of intent to manufacture or

process such chemicals, and to limit or prohibit manufacturing, processing, distribution, use or disposal of such chemicals.

**Turbidity**--Particles stirred up in the water making it appear cloudy or muddy.

**Underground Storage Tank (UST)**--Term refers to underground storage tanks for petroleum and hazardous substances that are regulated under the 1984 amendments to the Resource Conservation and Recovery Act. A cleanup program for leaking petroleum tanks was enacted as part of the 1986 superfund reauthorization.

**Used Oil**--Any oil that has been refined from crude oil, or any synthetic oil that has been used and, as a result of such use, is contaminated by physical or chemical impurities. Used oil, not being recycled or burned for energy recovery, must be managed as a hazardous waste, unless it is determined to be non-hazardous by laboratory analysis.

**Water in the State** - Groundwater, percolating or otherwise, lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Gulf of Mexico, inside the territorial limits of the state, and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or non-navigable, and including the beds and banks of all watercourses and bodies of surface water, that are wholly or partially inside or bordering the state or inside the jurisdiction of the state.

**Waters of the United States**--Defined by EPA regulations (40 CFR 122.22) to include (1) navigable waters; (2) tributaries of navigable waters; (3) interstate waters; and (4) intrastate lakes, rivers, and streams (a) used by interstate travelers for recreation or other purposes, or (b) which are a source of fish or shellfish sold in interstate commerce, or (c) which are utilized for industrial purposes by industries engaged in interstate commerce. The intent of this definition is to cover all waters over which the broadest constitutional interpretation would allow the federal government to exercise jurisdiction. (Few exclusions have been recognized and those which have been accepted to date seem to be limited to situations where the waterway in question is wholly confined on the property of the discharger, does not result in any flow beyond the property line, and is not available for significant public use.

**Wetlands**--Lands that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions.