

455B.411 Definitions.

As used in this part 5, unless the context otherwise requires:

1. “*Disposal*” means the discharge, deposit, injection, dumping, spilling, leaking, or placing of a hazardous waste or hazardous substance into or on land or water so that the hazardous waste or hazardous substance or a constituent of the hazardous waste or hazardous substance may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

2. “*Hazardous substance*” means a hazardous substance as defined in 42 U.S.C. §9601 of the federal Comprehensive Environmental Response, Compensation, and Liability Act and any element, compound, mixture, solution, or substance designated pursuant to [40 C.F.R. §302.4](#).

3. *a.* “*Hazardous waste*” means a waste or combination of wastes that, because of its quantity, concentration, biological degradation, leaching from precipitation, or physical, chemical, or infectious characteristics, has either of the following effects:

(1) Causes, or significantly contributes to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness.

(2) Poses a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed. “*Hazardous waste*” may include but is not limited to wastes that are toxic, corrosive or flammable or irritants, strong sensitizers or explosives.

b. “*Hazardous waste*” does not include:

(1) Agricultural wastes, including manures and crop residues that are returned to the soil as fertilizers or soil conditioners.

(2) Source, special nuclear, or by-product material as defined in the Atomic Energy Act of 1954, as amended to January 1, 1979.

4. “*Hazardous waste or hazardous substance disposal site*” means real property which has been used for the disposal of hazardous waste or hazardous substances either illegally or prior to regulation as a hazardous waste or a hazardous substance under this part and any adjoining real property and groundwater affected by the disposal activities.

[C81, §455B.130; [81 Acts, ch 151, §1](#)]

C83, §455B.411

[84 Acts, ch 1108, §8](#); [84 Acts, ch 1157, §1](#); [84 Acts, ch 1158, §2](#); [86 Acts, ch 1025, §2, 3](#); [91 Acts, ch 155, §2](#); [2011 Acts, ch 9, §3](#)

Referred to in [§124C.1](#), [§455B.191](#), [§455B.301](#), [§455B.304](#), [§455B.381](#), [§455B.482](#), [§455B.751](#), [§455F.1](#), [§558.69](#), [§716B.1](#)