

# **PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD, IOWA COMPREHENSIVE[591]**

[Created by Iowa Code chapter 455G]

## **CHAPTER 1**

### **GENERAL**

- 1.1(455G) Description of Iowa comprehensive petroleum underground storage tank fund board
- 1.2(455G) Mission of the board
- 1.3(455G) General course and method of operations
- 1.4(455G) Location where public may submit requests for assistance or information
- 1.5(455G) Potential conflicts of interest

## **CHAPTER 2**

### **PETITIONS FOR RULE MAKING**

- 2.1(17A) Petition for rule making
- 2.2(17A) Briefs
- 2.3(17A) Inquiries
- 2.4(17A) Board consideration

## **CHAPTER 3**

### **DECLARATORY ORDERS**

- 3.1(17A) Petition for declaratory order
- 3.2(17A) Notice of petition
- 3.3(17A) Intervention
- 3.4(17A) Briefs
- 3.5(17A) Inquiries
- 3.6(17A) Service and filing of petitions and other papers
- 3.7(17A) Consideration
- 3.8(17A) Action on petition
- 3.9(17A) Refusal to issue order
- 3.10(17A) Contents of declaratory order—effective date
- 3.11(17A) Copies of orders
- 3.12(17A) Effect of a declaratory order

## **CHAPTER 4**

### **BOARD PROCEDURE FOR RULE MAKING**

- 4.1(17A) Applicability
- 4.2(17A) Advice on possible rules before notice of proposed rule adoption
- 4.3(17A) Public rule-making docket
- 4.4(17A) Notice of proposed rule making
- 4.5(17A) Public participation
- 4.6(17A) Regulatory analysis
- 4.7(17A,25B) Fiscal impact statement
- 4.8(17A) Time and manner of rule adoption
- 4.9(17A) Variance between adopted rule and published notice of proposed rule adoption
- 4.10(17A) Exemptions from public rule-making procedures
- 4.11(17A) Concise statement of reasons
- 4.12(17A) Contents, style, and form of rule
- 4.13(17A) Board rule-making record
- 4.14(17A) Filing of rules
- 4.15(17A) Effectiveness of rules prior to publication

- 4.16(17A) General statements of policy
- 4.17(17A) Review by board of rules

CHAPTERS 5 to 8  
Reserved

CHAPTER 9

UST FUND BOARD AUTHORITY TO TRANSFER LIABILITIES TO A THIRD PARTY  
(LOSS PORTFOLIO TRANSFERS)

- 9.1(455G) Board authority for loss portfolio transfers
- 9.2(455G) Board liability subsequent to a loss portfolio transfer
- 9.3(455G) Minimum criteria to be evaluated
- 9.4(455G) Proposal confidentiality
- 9.5(455G) Requirement to seek bids
- 9.6(455G) Proposal review

CHAPTER 10  
Reserved

CHAPTER 11  
CLAIMS

- 11.1(455G) Reserving and payment of claims pursuant to Iowa Code sections 455G.9 and 455G.21
- 11.2(455G) Eligible claims
- 11.3(455G) Eligible costs
- 11.4(455B,455G) Tank and piping upgrades and replacements
- 11.5(455G) Cost recovery and containment

CHAPTER 12  
Reserved

CHAPTER 13  
COMMUNITY REMEDIATION

- 13.1(455G) Definitions
- 13.2(455G) General requirements
- 13.3(455G) Contractor requirements
- 13.4(455G) Contracts, change orders and final costs
- 13.5(455G) Recovery of free product discovered during the completion of a site cleanup report in a community remediation or packaged community remediation project
- 13.6(455G) Completion of corrective action design reports
- 13.7(455G) Payment for corrective action and the completion of the corrective action design report when commingled plumes exist
- 13.8(455G) Selection of a consultant when the plume of contamination is attributable to eligible and noneligible sites
- 13.9(455G) Process for handling an owner/operator who does not want to participate in the corrective action phase of the corrective action community remediation or packaged community remediation project

CHAPTERS 14 and 15  
Reserved

CHAPTER 16  
WAIVERS

16.1(17A)	Definition
16.2(17A)	Scope of chapter
16.3(17A)	Applicability
16.4(17A)	Compliance with law
16.5(17A)	Criteria for a waiver
16.6(17A)	Board discretion
16.7(17A)	Burden of persuasion
16.8(17A)	Contents of petition
16.9(17A)	Additional information
16.10(17A)	Notice
16.11(17A)	Hearing procedures
16.12(17A)	Ruling
16.13(17A)	Conditions
16.14(17A)	Time for ruling
16.15(17A)	When deemed denied
16.16(17A)	Service of orders
16.17(17A)	Submission of waiver information
16.18(17A)	Term and renewals of waivers
16.19(17A)	Cancellation of a waiver
16.20(17A)	Violations
16.21(17A)	Defense
16.22(17A)	Appeals

CHAPTER 17  
APPEALS—CONTESTED CASES

17.1(17A)	Scope and applicability
17.2(17A)	Definitions
17.3(17A)	Waiver of procedures
17.4(17A)	Informal procedure prior to hearing
17.5(17A)	Time requirements
17.6(17A)	Presiding officer
17.7(17A)	Notice of appeal
17.8(17A)	Commencement of cases
17.9(17A)	Notice of hearing
17.10(17A)	Telephone proceedings
17.11(17A)	Consolidation—severance
17.12(17A)	Pleadings
17.13(17A)	Service and filing of pleadings and other papers
17.14(17A)	Discovery
17.15(17A)	Subpoenas
17.16(17A)	Motions
17.17(17A)	Prehearing conference
17.18(17A)	Continuances
17.19(17A)	Withdrawals
17.20(17A)	Intervention
17.21(17A)	Hearing procedures
17.22(17A)	Evidence
17.23(17A)	Default
17.24(17A)	Ex parte communication
17.25(17A)	Recording costs

- 17.26(17A) Interlocutory appeals
- 17.27(17A) Proposed decision—administrative law judge
- 17.28(17A) Appeals and review of proposed decision of an administrative law judge
- 17.29(17A) Applications for rehearing
- 17.30(17A) Stays of UST board actions
- 17.31(17A) Final UST board action—appeal
- 17.32(17A) License suspension or revocation or other disciplinary proceedings of installers and inspectors of underground storage tanks
- 17.33(17A,455G) Use of legal assistants or paralegals