

CHAPTER 13
RENEWABLE FUEL INFRASTRUCTURE BOARD—ORGANIZATION

[Prior to 6/29/11, see 261—Chapter 311]

21—13.1(159A) Definitions. As used in these rules, unless the context otherwise requires, the definitions in Iowa Code section 159A.11 shall apply to this chapter and to 21—Chapters 14, 15, and 16. The following definitions shall also apply:

“*Agreement*” means the cost-share agreement executed by the department after approval of the grant by the board.

“*Applicant*” means a person, as defined in this rule, who owns or operates a site.

“*Biodiesel*,” for the purpose of this rule, must be at least B99.

“*Biodiesel blended fuel*,” as defined in Iowa Code section 214A.1, means a blend of biodiesel with petroleum-based diesel fuel which meets the standards, including separately the standard for its biodiesel component. For the purpose of these rules, biodiesel blended fuel must contain at least 2 percent biodiesel at a terminal site and at least 5 percent at a retail site.

“*Biofuel*” means ethanol or biodiesel as defined in Iowa Code section 214A.1.

“*Blender pump*,” for the purpose of these rules, means blending biofuel. When blending ethanol, the pump must have the capacity to dispense E-15 and E-85 gasoline at all times. When blending biodiesel, the pump must have the capacity to dispense biodiesel blended fuel classified as B-5 or higher at all times.

“*Board*” means the renewable fuel infrastructure board established by Iowa Code section 159A.13.

“*Checklist*” or “*IDNR checklist*” means the most recent version of the Underground Storage Tank System Checklist for Equipment Compatibility with E-Blend Fuels (greater than 10 percent by volume) issued by the Iowa department of natural resources.

“*Grant*” or “*cost-share grant*” means moneys awarded by the board on a cost-share basis from the renewable fuel infrastructure fund created by Iowa Code chapter 159A to help pay for a project.

“*Person*” means an individual, corporation, limited liability company, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity as defined in Iowa Code section 4.1(20).

“*Project*” means the installation of equipment for motor fuel storage, dispensing and distribution of E-15 or higher gasoline, biodiesel or biodiesel blended fuel classified as B-5 or higher.

“*Rack*” means a metered motor fuel, special fuel or renewable fuel loading facility with the capacity to pump fuel at a rate of at least 100 gallons per minute (100 gpm); whether from an overhead, lateral, or underneath position, into a transportation vessel for further delivery.

“*Renewable fuel*,” as defined in Iowa Code section 214A.1, means a combustible liquid derived from grain starch, oilseed, animal fat, or other biomass; or produced from a biogas source, including any nonfossilized decaying organic matter which is capable of powering machinery, including but not limited to an engine or power plant. Renewable fuel includes but is not limited to biofuel, ethanol blended gasoline, or biodiesel blended fuel meeting the standards provided in Iowa Code section 214A.2.

“*Retail*” means offered for sale to the public for final consumption.

“*Retail motor fuel site*” means a site at which motor fuel is offered for sale to the public for final consumption.

“*Special status*” means a retail motor fuel site that does not comply with the E-15 access standard under Iowa Code section 214A.32 as enacted by 2022 Iowa Acts, House File 2128, section 2, and is ineligible to be issued an E-15 incompatible infrastructure Class 2 waiver order.

“*Tank vehicle*” means a motor vehicle designed to transport liquid or gaseous materials within a tank having a rated capacity of 1,001 or more gallons either permanently or temporarily attached to the vehicle or chassis.

“*Tier I site*” means a retail motor fuel site as described in Iowa Code section 159A.14(4B) “*b*” as enacted by 2022 Iowa Acts, House File 2128, section 93.

“*Tier II site*” means a retail motor fuel site as described in Iowa Code section 159A.14(4B) “*c*” as enacted by 2022 Iowa Acts, House File 2128, section 93.

“*Tier III site*” means a retail motor fuel site as described in Iowa Code section 159A.14(4B) “*d*” as enacted by 2022 Iowa Acts, House File 2128, section 93.

[ARC 9584B, IAB 6/29/11, effective 7/1/11; ARC 9816B, IAB 11/2/11, effective 12/7/11; ARC 0738C, IAB 5/15/13, effective 6/19/13; ARC 2577C, IAB 6/8/16, effective 7/13/16; ARC 6636C, IAB 11/16/22, effective 1/1/23]

21—13.2(159A) Renewable fuel infrastructure board.

13.2(1) Duties. The board shall make awards for renewable fuel infrastructure programs and perform other functions as necessary.

13.2(2) Board structure. The board shall consist of 11 voting members appointed for five-year terms by the governor. The board shall annually elect a chairperson, on a rotating basis, from among its members. Six voting members shall constitute a quorum. An affirmative vote of a majority of voting members, excluding any member who has a conflict of interest, is necessary for the board to take substantive action.

13.2(3) Staff. Staff assistance shall be provided through the department. The department will market the renewable fuel infrastructure program throughout the state.

13.2(4) Meetings. Board meetings will generally be held at the department’s offices, electronically, or by telephone. All meetings shall comply with Iowa Code chapter 21.

[ARC 9584B, IAB 6/29/11, effective 7/1/11; ARC 9816B, IAB 11/2/11, effective 12/7/11; ARC 0738C, IAB 5/15/13, effective 6/19/13; ARC 6636C, IAB 11/16/22, effective 1/1/23]

These rules are intended to implement Iowa Code section 159A.13.

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