

CHAPTER 311
RENEWABLE FUEL INFRASTRUCTURE BOARD—ORGANIZATION

261—311.1(81GA,ch1142) Definitions. As used in these rules, unless the context otherwise requires, the definitions in 2006 Iowa Acts, chapter 1142, section 28, shall apply to this chapter. 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 the owner or operator of a site.

“*Biodiesel*,” for the purposes of these rules, must be at least B99.

“*Biodiesel blend*” must contain at least 1 percent biodiesel.

“*Board*” means the renewable fuel infrastructure board established by 2006 Iowa Acts, chapter 1142, section 29.

“*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 2006 Iowa Acts, chapter 1142, to help pay for a project.

“*Project*” means the installation of motor fuel storage or dispensing or distribution equipment, or both, for either E-85 gasoline or biodiesel at a fueling site.

“*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.

“*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. A retail motor fuel site may include a tank wagon or transport.

261—311.2(81GA,ch1142) Renewable fuel infrastructure board.

311.2(1) Composition.

a. Board structure. The board shall consist of 11 voting members appointed by the governor. The composition of the board shall be as described in 2006 Iowa Acts, chapter 1142, section 29. 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.

b. Terms. Board members shall be appointed for five-year terms that begin and end as provided by Iowa Code section 69.19. However, the initial members shall be appointed to terms of less than five years to ensure that members serve staggered terms.

c. Department administrative functions. As specified in 2006 Iowa Acts, chapter 1142, section 29(1), the Iowa department of economic development shall perform administrative functions necessary for the management of the infrastructure board, and the infrastructure programs as provided in 261—Chapters 312 and 313. The department shall provide the infrastructure board with the necessary facilities, items, and clerical support.

311.2(2) Meetings.

a. The board will generally meet at the department’s offices located at 200 East Grand Avenue, Des Moines, Iowa. By notice of regularly published meeting agendas, the board may hold regular or special meetings at other locations within the state. Meeting agendas will be available on the department’s Web site at www.iowalifechanging.com.

b. The board shall annually elect a chairperson, on a rotating basis, from among its members.

c. Any interested party may attend and observe board and committee meetings except for such portion as may be closed pursuant to Iowa Code section 21.5.

d. Observers may use cameras or recording devices during the course of a meeting so long as the use of such devices does not materially hinder the proceedings. The chairperson may order that the use

of these devices be discontinued if they cause interference and may exclude any person who fails to comply with that order.

e. Open session and closed session proceedings will be electronically recorded. Minutes of open meetings will be available for viewing at the department's offices.

311.2(3) Duties. The board shall perform the duties as outlined in 2006 Iowa Acts, chapter 1142, sections 28 to 32, and other functions as necessary and proper to carry out its responsibilities.

311.2(4) Board committees. Reserved.

These rules are intended to implement 2006 Iowa Acts, chapter 1142, section 29.

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