

567—134.17 (455B) Definitions. As used herein:

“*Board*” means the Iowa comprehensive petroleum underground storage tank fund board.

“*Cathodic protection tester*” means a licensed individual who provides installation, maintenance and testing services on underground storage tank corrosion protection systems.

“*Certificate of noncompliance*” means a document provided by the child support recovery unit certifying that the named obligor is not in compliance with a support order or with a written agreement for payment of support entered into by the unit and the obligor.

“*Child support recovery unit*” means the child support recovery unit created by Iowa Code section 252B.2.

“*Deductible*” means the portion of a claim paid by insureds on the policy issued by the board.

“*Department*” means the Iowa department of natural resources.

“*Install*” or “*installation*” means the physical construction of a UST system including, but not limited to, activities such as excavating, backfilling, testing, placement of the tank, underground piping, release detection devices, corrosion protection systems, spill and overflow devices and any associated administrative activities such as notifications, record keeping and record submissions.

“*Installation inspector*” means a licensed individual who is engaged in the inspection and approval of the installation of new or upgraded underground storage tank systems.

“*Installer*” means a licensed individual or licensed company engaged in the installation of a new underground storage tank system or the upgrading of underground storage tank systems.

“*In the aggregate*” means for all claims or suits in a single year seeking damages under an insurance policy issued by the board.

“*Licensed company*” means a person, or company which employs a person who meets all of the qualifications to install, upgrade, repair, test or line underground storage tank systems.

“*Licensed individual*” means an individual who has received a license to perform any of the activities regulated under this chapter.

“*Liner*” means a licensed company or an individual who provides services to install underground storage tank lining and to repair underground storage tanks.

“*Maintenance*” means the normal operational upkeep to prevent a UST system from releasing a regulated substance or to ensure that a release is detected.

“*Modification*” means to change a UST system currently in use by the installation of new UST system components. “Modification” includes, but is not limited to, the addition of corrosion protection to a previously lined tank, installation of new underground piping or replacement of existing underground piping, changing the primary release detection method to one of the methods listed in OAR 340-150-0450 through 340-150-0470, or adding secondary containment. “Modification” does not include those activities defined in this rule as “repair” or “replacement.”

“*Obligor*” means a natural person as defined in Iowa Code section 252B.1 who has been ordered by a court or administrative agency to pay support.

“*OSHA*” means the Occupational Safety and Health Act.

“*Precision test*” means a tank and line tightness test that meets the requirements in rule 567—135.4(455B).

“*Removal*” means the process of removing and disposing of an underground storage tank system no longer in service or the process of abandoning an underground storage tank system in place, in accordance with rule 567—135.9(455B).

“*Remover*” means a licensed individual who is engaged in permanent closure activities by removal or filling in place of underground storage tank systems in accordance with rule 567—135.15(455B).

“*Repair*” means to restore any portion of a UST system that has failed. “Repair” does not include the activities defined in this rule by “modification” or “replacement.”

“*Replacement*” means to effect a change in any part of a UST system above grade by exchanging one unit for a like or similar unit. “Replacement” does not include activities defined in this rule as “repair” or “modification.”

“*Self-insured retention*” means the portion of a claim paid by insureds who self-insure a portion of their risk as part of a policy issued by the board. Expenses included as a part of the self-insured retention are the cost of claims settlements or suits, the cost of adjusting, legal fees, court costs and any other investigative cost associated with the claim.

“*Service technician*” means a nonlicensed individual who works for a licensed individual or a licensed company or who is certified by a manufacturer to conduct modification or replacement activities at UST facilities.

“*Tester*” means a licensed company or individual who tests tanks, lines, leak detection systems, or monitoring systems as required by 567—Chapter 135 and this chapter. For the purposes of this definition, an owner, operator or an employee of an owner or operator performing leak detection or cathodic protection monitoring, as required by 567—Chapter 135, is not a tester.

“*Testing*” means the process of utilizing a system to test underground storage tank systems or any part thereof for tightness, leak detection, cathodic protection or monitoring.

“*Underground storage tank professional*” means an individual licensed under Part C of this chapter.

“*Underground storage tank system*” means tank or tanks and associated piping intended to contain and dispense petroleum products and for which proof of financial responsibility is, or on a date definite will be required to be maintained pursuant to the Federal Resource Conservation and Recovery Act, 40 CFR 280, and the regulations in effect on December 31, 1994, adopted pursuant to that Act or successor Acts or amendments.

“*Unit*” means the child support recovery unit created in Iowa Code section 252B.2.

“*U.S. EPA*” means the United States Environmental Protection Agency.

“Withdrawal of a certificate of noncompliance” means a document provided by the unit certifying that the certificate of noncompliance is withdrawn and that the licensing authority may proceed with issuance, reinstatement, or renewal of an obligor’s license.

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