

7152.0100 DEFINITIONS.

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part or, if not defined in this part, in Minnesota Statutes, sections 115B.02 and 115B.48.

Subp. 2. **Agency.** "Agency" means the Pollution Control Agency.

Subp. 3. **Applicant.** "Applicant" means an owner or operator as defined under Minnesota Statutes, section 115B.48, subdivision 10.

Subp. 4. **Commissioner.** "Commissioner" means the commissioner of the Pollution Control Agency.

Subp. 5. **Consultant services.** "Consultant services" means professional opinion, advice, or analysis regarding a release.

Subp. 6. **Contractor services.** "Contractor services" means products and services that are related to response actions and that are defined by written agreements and plans and specifications, such as excavation, treatment of contaminated soil and groundwater, abatement of vapors, soil borings and well installations, laboratory analysis, surveying, electrical work, plumbing, carpentry, and equipment.

Subp. 7. **Draftsperson.** "Draftsperson" means a person with a trade school diploma or the equivalent in computer-assisted design.

Subp. 8. **Entry-level professional.** "Entry-level professional" means a person with:

A. a college degree in agricultural engineering, chemical engineering, civil engineering, environmental engineering, geological engineering, geotechnical engineering, soil science, geology, hydrogeology, or a related science; or

B. at least five years' experience in performing a majority of the following activities:

- (1) report preparation;
- (2) field work preparation and planning;
- (3) supervision of field work;
- (4) oversight of remediation system installation;
- (5) limited data review and analysis; or
- (6) monitoring activities.

Subp. 9. **Equipment and field supplies.** "Equipment and field supplies" means purchased or rented equipment and supplies necessary to perform consultant services.

Subp. 10. **Field technician.** "Field technician" means a person who performs field work.

Subp. 11. **Field work.** "Field work" means activities that are related to response actions and that take place at a response-action site, such as sampling, installation of wells or borings, and implementation of response actions.

Subp. 12. **Midlevel professional.** "Midlevel professional" means a person with:

A. a college degree in agricultural engineering, chemical engineering, civil engineering, environmental engineering, geological engineering, geotechnical engineering, soil science, geology, hydrogeology, or a related science and at least four years' experience in performing one or more of the activities listed in item B; or

B. a graduate degree in environmental sciences and at least three years' experience in performing one or more of the following activities:

- (1) management of investigation and response activities;
- (2) engineering or equipment design;
- (3) report preparation;
- (4) data review and analysis;
- (5) field work planning;
- (6) work plan preparation; or
- (7) site inspection.

Subp. 13. **Per diem.** "Per diem" means daily charges for costs of meals and lodging when the distance to the response-action site makes it more cost-effective to lodge overnight near the response-action site.

Subp. 14. **Person.** "Person" means an individual, partnership, association, public or private corporation, or other legal entity, including the United States government, an interstate commission or other body, the state, or any agency, board, bureau, office, department, or political subdivision of the state.

Subp. 15. **Prima facie unreasonable.** "Prima facie unreasonable" means unreasonable absent proof by a preponderance of the evidence.

Subp. 16. **Remediation system.** "Remediation system" means a system that removes, contains, or mitigates releases at a response-action site.

Subp. 17. **Response action.** "Response action" means an action to respond, as defined in Minnesota Statutes, section 115B.02, subdivision 18.

Subp. 18. **Response action plan.** "Response action plan" means activities approved by the commissioner to remove, contain, or mitigate releases at a response-action site.

Subp. 19. **Senior-level professional.** "Senior-level professional" means a person with:

A. a college degree in agricultural engineering, chemical engineering, civil engineering, environmental engineering, geological engineering, geotechnical engineering, soil science, geology, hydrogeology, or a related science and at least eight years' experience in performing one or more of the activities listed in item B; or

B. a graduate degree in the environmental sciences and at least seven years' experience in performing one or more of the following activities:

- (1) project oversight;
- (2) project management;
- (3) aquifer characterization;
- (4) review of technical reports;
- (5) review of remedial plans; or
- (6) data review and analysis.

Subp. 20. **Site inspection.** "Site inspection" means activities that are related to examination or assessment of a response-action site, such as determining potential sources of contamination, determining sampling locations, and overseeing implementation of response actions.

Subp. 21. **Travel time.** "Travel time" means the time required to mobilize equipment and to travel to and from the response-action site or other location necessary to provide consultant services.

Subp. 22. **Vehicle mileage.** "Vehicle mileage" means the per-mile costs associated with providing and using a vehicle to travel to and from the response-action site or other location necessary to provide consultant services.

Subp. 23. **Word processing.** "Word processing" means using a computer or a typewriter to prepare correspondence or prepare a form, report, or worksheet submitted to the agency.

Subp. 24. **Word processor.** "Word processor" means a person who performs word processing.

Statutory Authority: *MS s 14.389; 115B.50; L 2016 c 123 s 5*

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