

7025.0210 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of parts 7025.0200 to 7025.0380, the terms in this part have the meanings given them.

Subp. 2. **Abrasive blasting.** "Abrasive blasting" means the use of either air pressure or a centrifugal wheel and abrasive particles to remove surface coatings or to prepare a surface for paint application.

Subp. 3. **Acid digestion.** "Acid digestion" means laboratory analysis of lead concentration according to digestion method 3050 or 3051 and analytical method 6010 or 7420 as described in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods SW-846," volume 1A, United States Environmental Protection Agency (EPA), Third Edition, November 1986; or laboratory analysis according to method 3335 of the American Society for Testing and Materials as described in "Annual Book of ASTM Standards," volume 06.01, June 1984. These documents are incorporated by reference and are available at the State Law Library through the Minitex interlibrary loan system. They are not subject to frequent change.

Subp. 4. **Bridge.** "Bridge" means a roadway, railway, or pedestrian bridge with steel trusses or girders that is part of a roadway or that traverses a roadway, railway, walkway, or waterway.

Subp. 5. **Child care property.** "Child care property" means property that incorporates a child care building where children are cared for or supervised at any time of the day or year.

Subp. 6. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Pollution Control Agency.

Subp. 7. **Contractor.** "Contractor" means a person, an organization, or a corporation who, for financial gain, directly performs paint removal from the exterior of a steel structure or, through subcontracting or similar delegation, causes such paint removal to be performed.

Subp. 8. **Ground storage tank.** "Ground storage tank" means a water, fuel, chemical, fertilizer, or other storage tank that has a height above the ground less than 20 feet; a diameter greater than or equal to its height; or a length greater than its height; or a portable storage tank.

Subp. 9. **High-efficiency particulate air (HEPA) filter.** "High-efficiency particulate air (HEPA) filter" means a filter that removes from the air at least 99.97 percent of all particles greater than 0.3 microns in diameter.

Subp. 10. **Lead paint.** "Lead paint" means a coating that contains:

A. one-half of one percent (0.5 percent), or 5,000 parts per million (5,000 ppm), or more of total lead by weight in the dried film as determined by acid digestion and analysis; or

B. one-half milligram per square centimeter (0.5 mg/cm^2) or more of lead, as determined by X-ray fluorescence analyzer.

Subp. 11. **Low-dust nonsilica abrasive.** "Low-dust nonsilica abrasive" means an abrasive particle product that is rated by the manufacturer as a low-dust abrasive and that contains less than one percent (1.0 percent) free silica by weight.

Subp. 12. **Owner.** "Owner" means a person, organization, corporation, or governmental or political entity, and its employees, to whom a steel structure belongs and who performs paint removal from the structure or who contracts for its removal.

Subp. 13. **Playground.** "Playground" means an area designated for children's play including a school playground, a child care building playground, a play area of a public park, or an area that contains permanent play equipment.

Subp. 14. **Power tool.** "Power tool" means an electric or pneumatic rotary peening tool, needle gun, or other tool that breaks and removes a coating but does not abrade the coating, or an electric or pneumatic tool that does abrade the coating and is equipped with a high-efficiency particulate air (HEPA) filter vacuum.

Subp. 15. **Protected natural area.** "Protected natural area" means a designated national park, national wildlife refuge, national wild and scenic river, nature center, or environmental learning center; an area designated by the Minnesota Department of Natural Resources (MnDNR) as a wildlife management area, scientific and natural area, state park, research natural area, waterfowl production area, area of special interest; a site officially registered with any unit of government through the scientific and natural area program of the MnDNR; or a site of occurrence of unique plant or animal life identified by the natural heritage program of the MnDNR.

Subp. 16. **Public use property.** "Public use property" means property that includes a building used by the public, a recreational area, or a public parking lot, but does not mean property that includes only a playground or only a roadway.

Subp. 16a. **Representative of the owner.** "Representative of the owner" means any person, organization, corporation, contractor, or other entity and its employees, who performs or exercises control over any portion of a project subject to the provisions of parts 7025.0200 to 7025.0380. This includes, but is not limited to, project design and specifications, identification and testing of paint, project notifications, and project oversight or supervision.

Subp. 17. **Residential property.** "Residential property" means property that incorporates a single-family or multiunit building that is intended for use for human habitation.

Subp. 18. **School property.** "School property" means property that contains a public school building as defined in Minnesota Statutes, section 120.05, or a nonpublic school, church, or religious organization building in which a child is provided instruction in compliance with Minnesota Statutes, sections 120.101 and 120.102.

Subp. 19. **Steel structure.** "Steel structure" means a structure that has a steel surface from which lead paint might be removed in the ambient air and includes, but is not limited to:

- A. steel girders or trusses of a bridge;
- B. water storage tanks;
- C. fuel and chemical storage tanks;
- D. fertilizer tanks;
- E. grain storage bins;
- F. railcars;
- G. buildings;
- H. pipelines;
- I. boats and barges;
- J. transmission towers;
- K. transformers;
- L. light poles;
- M. locks and dams;
- N. parking ramps;
- O. handrails, walkways, and stairways;
- P. vehicles that are used for commerce, industry, or construction;
- Q. steel structures of utilities, power plants, water and waste treatment facilities, pulp and paper mills, chemical and food processing plants, petroleum refining plants, and shipyards; and
- R. other industrial and commercial equipment.

Subp. 20. **Vacuum blasting.** "Vacuum blasting" means abrasive blasting with either a blast module or a blast nozzle surrounded by a chamber that is evacuated with negative air pressure and that is held against the coated surface.

Subp. 20a. **Water body.** "Water body" means any river, stream, lake, pond, marsh, watercourse, waterway, spring, reservoir, drainage ditch, and any other body of surface water that is contained within, flows through, or borders on the state.

Subp. 21. **Water tank.** "Water tank" means a ground storage tank, standpipe, or water tower that is used as a reservoir of water.

Subp. 22. **Water tower.** "Water tower" means an elevated multileg tank, a pedestal column spherical tank, or a fluted column tank or hydropillar used as a reservoir of water.

Subp. 23. **Wet abrasive blasting.** "Wet abrasive blasting" means abrasive blasting with the addition of water to the air abrasive stream.

Subp. 24. **X-ray fluorescence analyzer or XRF analyzer.** "X-ray fluorescence analyzer" or "XRF analyzer" means a field instrument that measures lead concentration by fluorescence of lead atoms, expressed in milligrams per centimeter square (mg/cm^2).

Statutory Authority: *MS s 115.03; 116.07; 144.9508*

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