

7105.0070 STANDARDS OF PERFORMANCE.

Subpart 1. **Standards of performance for contractors and supervisors.** Certified contractors and supervisors shall comply with the standards of performance in items A and B.

A. Certified contractors and supervisors shall perform or undertake only those storage tank projects that conform to accepted industry standards and federal, state, and local laws and safeguard the public life, health, safety and welfare, and the environment.

B. Certified contractors and supervisors must not offer, give, solicit, or receive, either directly or indirectly, any commission, gift, or other valuable consideration to secure work, and shall not make any political contribution with the intent to influence the award of a contract by public authority.

Subp. 2. **Additional standards of performance for supervisors.** In addition to the standards in subpart 1, certified supervisors:

A. shall perform all storage tank projects so that there is no release of the contents of the tank;

B. must not affix the supervisor's signature or certification number to a storage tank project unless it was accomplished under the supervisor's direct control and personal supervision and the supervisor was present at all critical junctures during the storage tank project; and

C. must not certify to an owner that a storage tank project is complete unless it complies with Minnesota Statutes, sections 116.46 to 116.50, Code of Federal Regulations, title 40, part 280, subparts A to G, and state technical tank rules, chapter 7150, adopted under Minnesota Statutes, section 116.49, subdivision 1. Where storage tank projects are being performed for an owner or operator on a contract basis, both the certified supervisor and the certified contractor for whom the supervisor works are responsible for the accuracy of the representations made.

Statutory Authority: *MS s 116.491*

History: *14 SR 1718*

Published Electronically: *October 2, 2007*