**Section 172.30 Definitions**

Unless otherwise provided by the definitions within this Section, all terms in this Part shall be as defined in 41 Ill. Adm. Code 174.100.

"Certified employee" is an individual who performs UST activity for an OSFM-licensed contractor and has successfully completed and filed proof with OSFM of completion of ICC or other OSFM approved exams for the module in which the employee is conducting UST activity or meets requirements under Section 172.40(b).

"Contractor Notice of Violation" (CNOV) is a notice to an OSFM-licensed contractor identifying specific violations of the UST rules (41 Ill. Adm. Code 172, 174, 175, 176, and 177).

"License restoration" is the process of an OSFM-licensed contractor renewing a license after it has expired.

"Managerial or administrative control" means having authority to conduct the affairs of the organization and direct others in the conduct of the affairs or business of the organization.

"Non-certified employee" means the employee of a licensed contractor who possesses the OSHA training and certification required by Section 172.60 and is working under the supervision of a certified employee.

"Officer" means:

If the organization is a sole proprietorship, the owner of the organization or any person exercising managerial control.

 If the organization is a partnership, any partner who has at least 10% ownership interest or any partner who exercises managerial control.

 If the organization is a corporation or other business entity, any officer, director or managing member of the corporation or other business entity or any person who has at least 10% ownership interest in such corporation or other business entity or who exercises managerial control.

"Organization" means a business or other entity, including, but not limited to, a sole proprietorship, partnership, corporation, limited liability company or association and includes units of local government, the State of Illinois and the Federal Government.

"PECLA" means Petroleum Equipment Contractor Licensing Act [225 ILCS 729].

"Penalty process" means the process by which a contractor may be issued a civil monetary penalty or other sanctions including, but not limited to, license suspension or license revocation. This process starts with an inspection and the issuance of a CNOV and then can lead to either a citation imposing a civil penalty or a formal hearing seeking a license revocation, suspension, or other action.

"Person" is a natural person or any company, corporation or other business entity.

(Source: Amended at 47 Ill. Reg. 6755, effective May 2, 2023)