

**WAC 374-45-020 Definitions.** Unless the context requires otherwise, the definitions in this section shall apply throughout this chapter.

(1) "Agency" means the Washington state pollution liability insurance agency.

(2) "Heating oil" means any petroleum product used for space heating in oil-fired furnaces, heaters, and boilers, including stove oil, diesel fuel, or kerosene. "Heating oil" does not include petroleum products used as fuels in motor vehicles, marine vessels, trains, buses, aircraft, or any off-highway equipment not used for space heating, or the generation of electrical energy.

(3) "Heating oil tank" means a tank and its connecting pipes, whether above or below ground, or in a basement, with pipes connected to the tank for space heating of human living or working space on the premises where the tank is located. "Heating oil tank" includes a decommissioned or abandoned heating oil tank. "Heating oil tank" does not include a tank used solely for industrial process heating purposes or generation of electrical energy.

(4) "MTCA" means the Model Toxics Control Act, chapter 70A.305 RCW and its implementing regulations, chapters 173-340 and 173-204 WAC.

(5) "Operator" means any person in control of, or having responsibility for, the daily operation of a heating oil tank.

(6) "Owner" means the person, or his or her authorized representative, legally responsible for a heating oil tank, its contents, and the premises upon which the heating oil tank is located.

(7) "Release" means any intentional or unintentional entry of any hazardous substance into the environment including, but not limited to, a spill, leak, emission, escape, or leaching into the environment.

(8) "Remedial action" has the same meaning as defined in RCW 70A.305.020.

[Statutory Authority: RCW 70A.330.010 and 70A.330.800. WSR 22-08-020, § 374-45-020, filed 3/25/22, effective 4/25/22.]