

## **Title 159 - STATE FIRE MARSHAL**

### **Chapter 2 - TANK REGISTRATION AND PERMITS**

#### **001. REQUIRED TANK REGISTRATIONS**

##### **001.01. FARM, RESIDENTIAL AND HEATING OIL TANKS WITH STORAGE CAPACITY LESS THAN 1,100 GALLONS.**

Owners of farm, residential and heating oil tanks with storage capacity less than 1,100 gallons (as defined in §§003.49A and 003.49B of Chapter 1) shall register said tanks with the State Fire Marshal. Registration forms shall be provided by and filed with the State Fire Marshal. The one-time registration shall be accompanied by a fee of five dollars and shall be valid until the State Fire Marshal is notified that a tank so registered has been permanently abandoned. Such registration shall specify the ownership of, location of, and substance stored in the tank to be registered.

##### **001.02. PERMANENTLY ABANDONED TANKS.**

Owners of tanks permanently abandoned shall register said tanks with the State Fire Marshal. The one-time registration shall be made on forms provided by the State Fire Marshal. There will be no fee for this registration permit.

##### **001.03. ALL OTHER REGULATED TANKS**

Owners of all tanks not included in §§001.01 and 001.02 above shall annually register each tank. The registration permit shall expire on December 31 of the year of issuance.

**001.03A.** Applications for registration permits shall be provided by and filed with the State Fire Marshal's office.

**001.03B.** The registration fee shall be \$30.00 per tank.

## **002. TANK OPERATING PERMIT**

**002.01.** No person shall maintain or use any tank for the storage of regulated substances without first obtaining a permit from the State Fire Marshal.

**002.01A.** Owners of all tanks used to store regulated substances shall receive a temporary operating permit from the State Fire Marshal at the time of the tank's initial registration pursuant to §003 of this chapter.

**002.01B.** Temporary operating permits shall be valid until such time as the State Fire Marshal, Flammable Liquid Storage Tank Division conducts an inspection. Once a tank meets all state requirements, a permanent operating permit shall be issued.

## **003. TANK INSTALLATION PERMIT**

**003.01.** Owners shall obtain an installation permit for all new tank and replacement tank installations and piping installations, and all piping replacement installations in which more than 10% or 10 feet (whichever is less) of the product lines are being replaced.

**003.01A.** Applications for installation permits shall be provided by and filed with the State Fire Marshal's office. Applications must be submitted at least ten (10) working days prior to the proposed installation and must include payment of a \$50.00 per tank fee. Installations of piping only shall require a fee of \$50.00, regardless of the number of tank connections.

**003.01B.** Tank installations shall meet all criteria set out in Chapter 4, "Design and Installation Standards for New UST Systems" and shall be accomplished only by persons certified as tanks installers pursuant to Chapter 3.

## **004. TANK CLOSURE PERMIT**

**004.01.** A permit shall be obtained prior to all tank closures. Persons removing tanks or causing tanks to be removed shall be required to obtain a closure permit even though they are not an owner or operator as defined in Chapter 1 of this Title. Tanks may be closed by either removal or

closure in place. Applications for closure permits shall be provided by and filed with the State Fire Marshal. All tank closures shall be supervised by persons certified as tank closers pursuant to Chapter 3. If a closure assessment is required, the closure assessment report shall be submitted to the State Fire Marshal within 45 days of closure.

#### **005. PERMIT DENIAL AND REVOCATION**

Persons whose application for a permit is denied or revoked shall have the right to request a hearing under procedures established by the State Fire Marshal. When the State Fire Marshal has reason to believe that a permit holder's activities create an immediate threat to public safety, a permit may be suspended until the hearing process is complete. Any person aggrieved by a final decision of the State Fire Marshal may appeal such action pursuant to State Statutes 84-917 to 84-919, N.R.S.

Legal Citation: Title 159, Chapter 2  
Nebraska State Fire Marshal