



Lincoln Lumber Co  
932 N 23rd Street  
Lincoln, Nebraska 68503

Eighth day of May, 2026

RE: DELIVERY PROHIBITION / RED TAG NOTICE  
UST Facility ID: 5799  
City Designation: UST260015  
Facility Name: Lincoln Lumber Co  
Facility Address: 932 N 23rd Street, Lincoln, Nebraska 68503  
Owner/Operator,

Due to failure to comply with the requirements of Nebraska Administrative Code (NAC) Title 159 Chapter 7, Chapter 5, and Chapter 13, the underground storage tank system at the above-referenced facility is hereby subject to delivery prohibition procedures pursuant to Nebraska Administrative Code (NAC) Title 159, Chapter 11.

Nebraska Administrative Code (NAC) Title 159 specifies underground storage tank (UST) systems may be subject to delivery prohibition as a result of non-compliance with leak detection requirements of Chapter 7, overfill prevention requirements of Chapter 5, and operator training requirements of Chapter 13.

Lawful Orders to Comply were previously issued by the City of Lincoln, acting as Delegated Authority for the Nebraska State Fire Marshal, to correct the identified violations. As of the date of this notice, the violations remain unresolved and the facility remains out of compliance with Nebraska Administrative Code (NAC) Title 159 and Title 40, Code of Federal Regulations (40 CFR) Part 280.

Additionally, pursuant to Neb. Rev. Stat. §81-15,121, operation of an underground storage tank system requires a valid operating permit issued under the authority of the Nebraska State Fire Marshal. Because the facility is not in compliance with Nebraska Administrative Code (NAC) Title 159 and associated federal requirements adopted therein, the operating permit for this facility is no longer valid at this time.

The following requirements apply to underground storage tank systems subject to delivery prohibition:

- A. No owner or operator may deposit or accept the deposit of any regulated substance into an UST system that has been designated as ineligible for fuel deliveries by the application of a red tag.  
TITLE 159 11-002.01

B. No product deliverer or other person may deliver or deposit any regulated substance into an UST system that has been designated as ineligible for fuel deliveries by the application of a red tag.

TITLE 159 11-002.02

C. No person other than the State Fire Marshal shall remove a red tag from an UST system without prior approval. TITLE 159 11-003.01

D. The State Fire Marshal shall verify compliance within two (2) business days of receiving a communication from the owner or operator that the corrections have been made. If the UST system is found to be eligible for delivery, the State Fire Marshal shall remove the red tag. As soon as practicable, but no more than three (3) business days after removal of the red tag, the facility shall be removed from the State Fire Marshal website list of sites ineligible for delivery. TITLE 159 11-003.02

The Nebraska State Fire Marshal maintains a public list of underground storage tank systems determined to be ineligible for delivery of regulated substances. Upon completion of delivery prohibition procedures and red tag application, this facility may be added to the Nebraska State Fire Marshal public list of underground storage tank systems ineligible for delivery of regulated substances.

In order to resume lawful operation and eligibility for regulated substance delivery, all violations identified in the attached Orders to Comply must be corrected and verified by the City of Lincoln, acting as Delegated Authority for the Nebraska State Fire Marshal, and the underground storage tank system must return to compliance with applicable state and federal requirements.

Please be advised that continued violation of the Petroleum Products and Hazardous Substances Storage and Handling Act, Nebraska Administrative Code (NAC) Title 159, or lawful Orders issued thereunder may result in additional enforcement action, including civil penalties pursuant to Neb. Rev. Stat. §81-15,125.

This matter has additionally been forwarded to the Chief Deputy State Fire Marshal, Fuels Division, and the Assistant Fire Chief of Support Services, Lincoln Fire & Rescue, for formal review and coordination of delivery prohibition procedures.

If you have questions regarding this matter, contact this office immediately.

Sincerely,

/s/ George Gasper

George Gasper

Fire Inspector

Bureau of Fire Prevention

City of Lincoln

Delegated Authority, Nebraska State Fire Marshal

CC: Chief Deputy State Fire Marshal – Fuels Division

CC: Assistant Fire Chief of Support Services – Lincoln Fire & Rescue

Enclosure: ORDERS TO COMPLY