

# Nebraska State Fire Marshal

## Fuels Safety Division—FLST Section

### UST Inspection Checklist



**Facility Name:** K&K HUBBARD MINI-MART LLC

**Facility ID #:** 12031

**Date of Inspection:** 10/09/2025

**Jurisdiction:** NE

Inspection Type	Action
<input type="checkbox"/> Initial	<input checked="" type="checkbox"/> Orders Issued
<input checked="" type="checkbox"/> Revisit	<input type="checkbox"/> Tanks Approved (List SFM ID#s):
	<input type="checkbox"/> Operating Permit To Follow
	<input checked="" type="checkbox"/> GIS: 42.38593, -96.59028
	<input checked="" type="checkbox"/> Delivery Prohibited (List SFM ID#s): 01, 02, 03



**Nebraska State Fire Marshal  
FLST Section**

**General UST Facility Comments/Corrections**

246 South 14<sup>th</sup> Street  
Lincoln, NE 68508  
(402) 471-9465

<b>Facility Name:</b> K&K HUBBARD MINI-MART LLC	<b>Date:</b> 10/09/2025	<b>Fac ID#</b> 12031
<b>Facility Address:</b> 319 MAIN ST, HUBBARD	<b>Number of USTs:</b> 3	

**Comments/Corrections Required**

Revisit Inspection #7

The following violations at this facility shall be corrected within 90 Days of this inspection:

1. Facility is required to have a current and or up to date overfill protection test.
2. Overfill protection valves (OPV) need to be installed.
3. Facility will remain red-tagged after 90 days if the OPV's are not installed.
3. SFM report dated 4/11/2024 and subsequent reports to todays date, indicates facility is not in compliance. Due to the uncorrected violation, facility is now in "Red-Tagged Prohibition" prohibiting delivery to tank(s) 001, 002 and 003. **TITLE 159 CH 11, 001.01.**
4. ATG fuel inventory Tank 1, diesel, has 1082 gallons at 34.28". Dipstick reading at 33.25". Red-tag #0002745.
5. ATG fuel inventory Tank 2, super unleaded, has 2189 gallons at 38.74". Dipstick reading at 29.50" Red-tag #0002744.
6. ATG fuel inventory Tank 3, unleaded, has 1404 gallons at 26.36". Dipstick reading at 26.50. Red-tag #0002743.

<b>Inspector's Signature:</b> LARRY WIESE 8742	<b>Date:</b> 10/09/2025
<b>Owner/Operator Name:</b> K. C. Larson	<b>Date:</b> 10/09/2025
<b>Signature:</b> <i>Kim Bean</i>	



STATE OF NEBRASKA – STATE FIRE MARSHAL

Fuels Safety Division

246 South 14<sup>th</sup> Street  
Lincoln, NE 68508-1804

ORDER FORM

V-010106

FACILITY ID#..... 12031  
DATE OF INSPECTION..... 10/9/2025  
OWNER..... K&K HUBBARD MINI-MART LLC  
OPERATOR/MANAGER..... K. C. Larson  
FACILITY ADDRESS..... 319 MAIN ST  
CITY/TOWN..... HUBBARD  
COUNTY..... DAKOTA

INSPECTION TYPE: INITIAL ☐ REVISIT ☒

Owners and operators of UST systems with spill and overfill prevention equipment and containment sumps used for interstitial monitoring of piping must meet these requirements to ensure the equipment is operating properly and will prevent releases to the environment:

Spill prevention equipment (such as a catchment basin, spill bucket, or other spill containment device) and containment sumps used for interstitial monitoring of piping must prevent releases to the environment by meeting one of the following:

The equipment is double walled and the integrity of both walls is periodically monitored at a frequency not less than the frequency of the walkthrough inspections described in §280.36. Owners and operators must begin meeting paragraph (a)(1)(ii) of this section and conduct a test within 30 days of discontinuing periodic monitoring of this equipment; or

The spill prevention equipment and containment sumps used for interstitial monitoring of piping are tested at least once every three years to ensure the equipment is liquid tight by using vacuum, pressure, or liquid testing in accordance with one of the following criteria:

Requirements developed by the manufacturer (Note: Owners and operators may use this option only if the manufacturer has developed requirements);

Code of practice developed by a nationally recognized association or independent testing laboratory; or

Requirements determined by the implementing agency to be no less protective of human health and the environment than the requirements listed in paragraphs (a)(1)(ii)(A) and (B) of this section.

TITLE 159, CH 6, 006 and 40 CFR 280.35

Overfill prevention equipment must be inspected at least once every three years. At a minimum, the inspection must ensure that overfill prevention equipment is set to activate at the correct level specified in §280.20(c) and will activate when regulated substance reaches that level. Inspections must be conducted in accordance with one of the criteria in paragraph (a)(1)(ii)(A) through (C) of this section.

TITLE 159 CH 6, 006 and 40 CFR 280.35

Owners and operators of UST systems must provide a method, or combination of methods, of release detection that:

- (1) Can detect a release from any portion of the tank and the connected underground piping that routinely contains product;
- (2) Is installed and calibrated in accordance with the manufacturer's instructions;
- (3) Beginning on October 13, 2018, is operated and maintained, and electronic and mechanical components are tested for proper operation, in accordance with one of the following: manufacturer's instructions; a code of practice developed by a nationally recognized association or independent testing laboratory; or requirements determined by the implementing agency to be no less protective of human health and the environment than the two options listed in paragraphs (a)(1) and (2) of this section. A test of the proper operation must be performed at least annually and, at a minimum, as applicable to the facility, cover the following components and criteria:
  - (i) Automatic tank gauge and other controllers: test alarm; verify system configuration; test battery backup;
  - (ii) Probes and sensors: inspect for residual buildup; ensure floats move freely; ensure shaft is not damaged; ensure cables are free of kinks and breaks; test alarm operability and communication with controller;
  - (iii) Automatic line leak detector: test operation to meet criteria in §280.44(a) by simulating a leak;
  - (iv) Vacuum pumps and pressure gauges: ensure proper communication with sensors and controller; and
  - (v) Hand-held electronic sampling equipment associated with groundwater and vapor monitoring: ensure proper operation.

TITLE 159, CH 7, 001 and CFR 280.40

001.01 Any UST system may be subject to delivery prohibition procedures when a facility is determined to be out of compliance with any of following provisions of Title 159:

001.01A. Tank registration requirements of Chapter 2;

001.01B. Leak detection requirements of Chapter 7;

001.01C. Spill prevention requirements of Chapter 5;

001.01D. Overfill requirements of Chapter 5;

001.01E. Recordkeeping requirements of Chapters 5, 6, 7; Corrosion protection requirements of Chapter 4; or

001.01F. Failure to designate a Class A, Class B and/or Class C operators pursuant to Chapter 13.

TITLE 159 CH 10, 001.01

002.01 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.

002.02 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 CH 10, 002.01

003.01 No person other than the State Fire Marshal will remove a red tag from an UST system without prior approval.

003.02 The State Fire Marshal will 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 will remove the red tag. As soon as practicable, but no more than three (3) business days after removal of the red tag, the facility will be removed from the State Fire Marshal website list of sites ineligible for delivery.

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004.01 Any person who deposits regulated substances in an UST system will reasonably notify the owner or operator of such tank registration requirements pursuant to the Petroleum Products and Hazardous Substances Storage and Handling Act. TITLE 159 CH 10, 003

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If you have questions regarding this Order, contact the State Fire Marshal Office Fuels Safety Division at 402-471-9465, or mail at: State Fire Marshal Office, Fuels Safety Division, 246<sup>th</sup> South 14<sup>th</sup> Street, Lincoln, NE, 68508-1804

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*All items must be corrected to comply with the laws of the State of Nebraska and with rules and regulations adopted by the Nebraska State Fire Marshal as mandated by Sections 81-502 to 81-541.01 and 81-15,119 to 81-15,127.*

*It is the duty of the owner or person in charge of the above-named facility or location to immediately take measures to bring the facility into compliance with state regulations.*

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**ALL CORRECTIONS SHALL BE MADE  
AND ALL ITEMS CORRECTED ON OR  
BEFORE:**

**December 31, 2025**

**Any damage proximately caused by a failure to remedy the above listed deficiencies shall be deemed to be the sole responsibility of the owner or person in charge by virtue of this notification and order.**

Witness my electronically typed name at HUBBARD, Nebraska, this day of October 9, 2025.

By: Larry Wiese 8742  
DEPUTY STATE FIRE MARSHAL

Phone Number: 402-649-7020

# NEBRASKA

Good Life. Great Safety.

STATE FIRE MARSHAL AGENCY



Jim Pillen, Governor

October 09, 2025.

K&K Hubbard Mini-Mart LLC  
1553 164TH ST  
Jackson, Ne 68743

Facility ID: 12031  
Facility Location: 319 Main St  
Hubbard, Nebraska 68741

Dear Mr. Larson,

Due to failure to comply with the requirements of Title 159 Chapter 7, Chapter 5 and Chapter 13, tanks 001, 002 and 003 of your facility are hereby subject to delivery prohibition. 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. (Title 159 001.01B) Overfill Requirements Chapter 5. (Title 159 Chapter 5 001.01D) Operator Training Requirements of Chapter 13. (Title 159 Chapter 13 001.01F) Lawful orders were issued to correct the above items on April 11, 2024, June 26, 2024, August 12, 2024, September 26, 2024, and October 31, 2024, March 25, 2025 to be Red-Tagged, April 4, 2025 Red-tags removed for testing and May 06, 2025 during which time none of these items have been resolved.

The following list applies to UST 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

☐ MAIN / DISTRICTS A & B / BOILERS / FIRE PREVENTION /  
INVESTIGATIONS / PLANS  
246 South 14<sup>th</sup> Street, Suite 1  
Lincoln, NE 68508  
(402) 471-2027

☒ FUELS DIVISION  
☒ FLST ☐ PIPELINE SAFETY  
246 South 14<sup>th</sup> Street, Suite 1  
Lincoln, NE 68508  
(402) 471-9465

☐ ELEVATOR DIVISION  
1313 Farnam Street, Room 233  
Omaha, NE 68102  
(402) 595-3184

☐ TRAINING DIVISION  
3347 West Capital Avenue  
Grand Island, NE 68803  
(308) 385-6892

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

In order to resume receiving fuel deliveries, please correct the violations as outlined on the attached order form and associated comments sheet. We look forward to resolving these items with you as quickly as possible.

Sincerely,



Larry Wiese #8742  
Deputy State Fire Marshal  
Fuels Division, FLST Section

□ MAIN OFFICE  
246 South 14<sup>th</sup> Street  
Lincoln, NE 68508-1804  
Office (402) 471-2027

□ DISTRICT A OFFICE  
246 South 14<sup>th</sup> Street  
Lincoln, NE 68508-1804  
Office (402) 471-2590

□ DISTRICT B/C OFFICE  
438 West Market  
Albion, NE 68620-1241  
Office (402) 395-2164

□ FUELS DIVISION  
□ FLST □ Pipeline Safety  
246 South 14<sup>th</sup> Street  
Lincoln, NE 68508-1804  
Office (402) 471-9465

□ TRAINING DIVISION  
3347 W Capital Ave  
Grand Island, NE 68801  
Office (308) 385-6892



