

Title 158 - STATE FIRE MARSHAL

Chapter 1 - DEFINITIONS - ABOVEGROUND STORAGE TANKS

001. "Aboveground shall mean that 90% of the capacity of the tank in question lies above the surface of the earth.

002. "Hazardous Substance" shall mean any substance defined in subsection (14) of Section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 as it existed on January 1, 1985, but not including any substance regulated as a hazardous waste under Subtitle C of such act. A listing of such substances may be found in Appendix I. The substance Anhydrous Ammonia shall be excluded from this list.

003. "Permanently Located" shall refer to any tank which is secured to the surface and is intended to be used as a permanently situated facility.

004. "Registration" shall mean the submission of information on a form provided by the State Fire Marshal along with the registration fee.

005. "State Fire Marshal" shall refer to the Nebraska State Fire Marshal, the First Assistant State Fire Marshal, Chief Deputy State Fire Marshal, and Deputy State Fire Marshal.

006. "Storage Tank" shall mean any tank having a storage capacity in excess of one thousand gallons used for the containment of hazardous substances for any period of time, except those tanks which are regulated under the rules and regulations adopted pursuant to Section 81-502 in accordance with Standard K61.1 (1972) of the American National Standards Institute.

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Chapter 2 - NOTIFICATION - ABOVEGROUND STORAGE TANKS

Beginning January 1, 1986, every owner/operator of any permanently located aboveground storage tank used to store or dispense hazardous substances is required to register such tank with the State Fire Marshal.

001. Registration forms may be obtained from State Fire Marshal offices across the State. Addresses of those offices may be found in Appendix II.

001.01. Registration may only be made on forms provided by the State Fire Marshal.

001.02. The form must be filled out in its entirety with information that is as accurate as is reasonably possible.

001.03. Registration fees must accompany the completed form in check or money order made out to the Nebraska State Fire Marshal.

002. Upon filing a tank registration form with the State Fire Marshal, the owner/operator's duty under this Section shall be complete until a change in circumstance arises with regard to the individual tank.

002.01. Any change in the tank or its content which would render the registration form outdated shall require a re-registration with regard to that particular tank.

002.01A. The re-registration procedure shall be the same as the initial registration and shall be on forms provided by the State Fire Marshal.

002.01B. Re-registration shall require an accompanying registration fee.

003. Completed registration forms will be recorded by the State Fire Marshal and an inventory data base will be created.

003.01. The information received will be distributed to affected local fire departments for their use in emergency response and firefighting.

003.02. Updated information shall be distributed to local fire departments from time to time as it becomes available.

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Chapter 3 - REGISTRATION FEE - ABOVEGROUND STORAGE TANKS

001. The registration fee shall be \$10.00 (ten dollars) per tank.

001.01. Such fee shall be payable upon submission of registration forms to the State Fire Marshal's office.

002. Re-registration of tanks shall require a similar fee of \$10.00 (ten dollars) per tank.

003. Payment of the registration fee shall be made by check or money order to the Nebraska State Fire Marshal and shall be included with the completed registration form.

003.01. Cash payments will not be accepted and any cash received will be returned to sender.