

Chapter 3 – CONTRACTOR LICENSING AND CERTIFICATION**001. INSTALLER/CLOSER LICENSE**

No person, association, partnership or corporation shall contract for the installation or permanent closure of an UST system without first obtaining a license from the State Fire Marshal.

001.01. Every underground storage tank installation/closure contractor shall employ at least one person certified by the State Fire Marshal as a tank installer/closer. A certified person shall personally supervise all tank installations and closures.

001.02. Every underground storage tank installation/closure contractor shall maintain a minimum of five hundred thousand dollars of general liability insurance which includes coverage relating to the closure and/or installation of underground storage tanks.

002. INSTALLER/CLOSER CERTIFICATION

No person shall install or close, or supervises the installation or closure of an underground storage tank without prior certification by the State Fire Marshal as to the qualifications of such persons to install or close tanks.

002.01. Qualification for certification shall be proved by successful completion of a written examination which measures the applicant's technical knowledge and familiarity with state regulations.

002.02. Certification shall be renewed and the certification examination shall be successfully completed every three (3) years from date of certification.

002.03. The tank installer and tank closer certification tests shall be given quarterly at different locations throughout the State. An applicant who has properly applied for an examination may take the examination unsuccessfully a maximum of two (2) times. After two unsuccessful attempts, a person must wait a minimum of six (6) months before re-applying for certification.

003. CATHODIC PROTECTION TESTER CERTIFICATION

003.01. All persons who conduct cathodic protection testing on underground storage tank systems shall be certified in a manner acceptable to the State Fire Marshal and shall be able to provide proof that the minimum requirements of Chapter 1 003.06 have been met.

003.01A. Qualification for certification shall be proven by successful completion of an examination which measures the applicant's technical knowledge.

003.01B. In addition to the examination required in 003.01A the applicant shall successfully complete a written examination administered by the State Fire Marshal which measures the applicant's knowledge of state underground storage tank (UST) requirements.

003.01C. Proof of successful completion of the education requirement of 003.01 shall be submitted to the State Fire Marshal prior to taking the examination required by 003.01B and prior to conducting any required cathodic protection testing on underground storage tanks and/or associated piping.

003.01D. Certification shall be renewed and the certification examination shall be successfully completed at least every three (3) years from date of last certification.

004. DENIALS AND REVOCATIONS

004.01. The State Fire Marshal may refuse to renew or may revoke or suspend a license or certificate for any of the following reasons:

004.01A. Gross incompetence or gross negligence in the installation or closure of an underground storage tank.

004.01B. Use of false evidence or misrepresentation in an application for a license or certificate.

004.01C. Knowingly violating the rule or regulations adopted and promulgated under Title 159, Nebraska Administrative Code.

004.02. Before the State Fire Marshal denies an application for a license or certificate, the affected person shall be given notice and opportunity for a hearing under procedures established by the State Fire Marshal. Upon receipt of the notification, any person aggrieved by the denial or revocation of a license or certificate may request a hearing. Any person aggrieved by a final decision of the State Fire Marshal may appeal such action pursuant to State Statutes Sections 84-917 to 84-919, Reissue R.R.S. 1999.

Legal Citation: Title 159, Chapter 3
Nebraska State Fire Marshal