

# One Hundred Fourth Legislature - Second Session - 2016

## Introducer's Statement of Intent

**LB712**

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**Chairperson: Senator Ken Schilz**

**Committee: Natural Resources**

**Date of Hearing: February 18, 2016**

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Currently, the State Fire Marshal Agency has a system for the registration of all permanently located aboveground storage tanks used for the storage or dispensing of hazardous substances. The original purpose was to allow for responders and community members to know where these types of tanks were located. However, Federal Regulations require citizens to provide information about the location, size, and contents of above ground hazardous substances storage tanks to the State authority administering SARA Title III, which in Nebraska is the Department of Environmental Quality (DEQ). As such, the requirements for the State Fire Marshal Agency to have a registration program and to charge a fee is redundant and unnecessary.

The Agency would also like to amend Neb. Stat. Rev. § 81-1577.01 Motor vehicle fuel storage tanks; aboveground tanks authorized. This statute allows the Agency to have a permitting process for aboveground motor vehicle fuel tanks. The Agency would like to eliminate section 1 then amend section 2, to remove the size limitation of the cities and the provision that the installation is to replace an underground tank. The Agency is currently permitting the installation of these tanks in cities of all sizes, as is allowed under §81-502 and adopted fire code requirements. The permitting allows the Agency to ensure that the tanks are being installed in accordance with the applicable fire code requirements.

**Principal Introducer:** \_\_\_\_\_

Senator Dan Hughes