

STATE OF NEBRASKA)
)
LANCASTER COUNTY)

**NOTICE OF RULE-MAKING HEARING
NEBRASKA STATE FIRE MARSHAL**

NOTICE is hereby given that The State Fire Marshal Agency will be holding a public hearing on Tuesday August 24, 2021 at 10:30 a.m. at the State Fire Marshal Agency 246 South 14th Street, Suite 1, Lincoln, NE 68509 in the North Conference Room.

This hearing will receive public testimony regarding the repeal of the requirements for Aboveground Storage Tanks Hazardous Substances. The repeal is all chapters of Title 158 of the Nebraska Administrative Code. The Agency is repealing this Title as the underlying State Statutes for the requirement were eliminated. These State Statutes were eliminated as the subject matter is already covered in a separate Federal Program. As such there is no need for redundant requirements.

The fiscal impact statement may be obtained and inspected at the State Fire Marshal's Office in Lincoln. This hearing is being conducted under the provisions of *Neb. Rev. Stat. § 84-907*, which provides that draft copies of the proposed rules are available for public examination at the State Fire Marshal's Main Office 246 S. 14th Street, Suite 1, Lincoln NE and the Office of the Secretary of State, 1201 N Street, Suite 120, Lincoln NE.

All interested persons are invited to attend and testify at the hearing. Interested persons may also submit written comments to the State Fire Marshal prior to the hearing, and these comments will be made a part of the hearing record at the time of the hearing. If auxiliary aids or reasonable accommodations are needed to review any proposals or to participate at the hearing, please contact Regina Shields, the Agency Legal Counsel. Ms. Shields can be reached at (402) 471-9477 or at regina.shields@nebraska.gov or by mailing a request to 246 S. 14th Street, Suite 1, Lincoln, NE 68508.

**Nebraska State Fire Marshal
Christopher Cantrell, Fire Marshal**



DRAFT/FINAL FISCAL IMPACT STATEMENT

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|--|-----------------------------|
| Agency: State Fire Marshal | |
| Title: 158 | Prepared by: Regina Shields |
| Chapter: Full Title | Date prepared: 10/23/2019 |
| Subject: Aboveground Storage tanks Hazardous Substances | Telephone:402-471-9477 |

Type of Fiscal Impact:

| | State Agency | Political Sub. | Regulated Public |
|-------------------|--------------|----------------|------------------|
| No Fiscal Impact | (x) | (x) | (x) |
| Increased Costs | () | () | () |
| Decreased Costs | () | () | () |
| Increased Revenue | () | () | () |
| Decreased Revenue | () | () | () |
| Indeterminable | () | () | () |

Provide an Estimated Cost & Description of Impact: The removal of the regulation requirement is a result of the repeal of §81-1575-§81-1577 in 2016. These statutes were repealed as the Tanks are being listed by the DEE via a separate Feder Requirement within the SARA Title III Emergency Planning and Community Right-to-Know Act. There were no tanks registered in the two years before the repeal of the Statutes.

Title 158 – NEBRASKA STATE FIRE MARSHAL

Repealed