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**NEBRASKA ADMINISTRATIVE CODE**

**Title 155 – STATE FIRE MARSHAL**

**CHAPTER 1 – REGULATIONS PURSUANT TO THE NEBRASKA NATURAL GAS PIPELINE SAFETY ACT OF 1969**

**001.** Federal regulations adopted by reference are Title 49 of the Code of Federal Regulations, Parts 191, 192, 193, 196 and 199, revised as of April 1, 2019.

**001.01.** Copies of the federal regulations are on file at the office of the Nebraska State Fire Marshal, 246 South 14th Street, Lincoln, NE or at the office of the Secretary of State, Division of Rules and Regulations in the Nebraska State Capitol.

**002.** At the earliest practicable moment following discovery, but no later than one hour after confirmed discovery of any reportable incident as defined in section 002.01-002.01E, an operator shall notify the State Fire Marshal Pipeline Safety Division.

**002.01.** Reportable incidents, either before or past the meter are: An event that involves a release of gas from a pipeline or a release from an LNG facility that results in one or more of the following consequences:

**002.01A.** A death or personal injury necessitating in-patient hospitalization.

**002.01B.** Estimated property damage of \$50,000.00 or more, including loss to the operator and others, or both; but excluding cost of gas lost.

**002.01C.** Unintentional estimated gas loss of three million cubic feet or more.

**002.01D.** An event that results in an emergency shutdown of an LNG facility. Activation of an emergency shutdown system for reasons other than an actual emergency does not constitute an incident.

**002.01E.** Any failure which results in the explosion or ignition of natural gas before or after the meter.

**003** Within 48 hours after the confirmed discovery of an incident, to the extent practicable, an operator must revise or confirm its initial telephonic notice required in paragraph (002.01) of this section with (1) an estimate of the amount of product released (2) an estimate of the number of

fatalities and injuries (3) and all other significant facts that are known by the operator that are relevant to the cause of the incident or extent of the damages. If there are no changes or revisions to the initial report, the operator must confirm the estimates in its initial report.

**004.** At the earliest practicable moment following discovery, but no later than one hour after confirmed discovery of any reportable occurrence that happens on a regulated pipeline as defined in section 004.01-004.03C, an operator shall notify the State Fire Marshal Pipeline Safety Division. These occurrences include:

**004.01** An occurrence that results in a natural gas release due to over-pressure that exceeds the allowances of 192.201A, excavation damage, outside force damage, or natural force damage. Natural force damage includes but is not limited to: earth movement; earthquakes; lightning; flooding; high winds; tornado; or similar natural causes.

**004.02** An occurrence that has or will interrupt natural gas service to 50 or more customers. This does not include scheduled or planned maintenance.

**004.03** An occurrence related to a natural gas release that results in the evacuation of:

**004.03A** Four or more one or two family dwellings; or

**004.03B** One or more multifamily dwellings; or

**004.03C** Any evacuation of a business, public building or public gathering.

**004.04** An occurrence that is significant in the judgment of the operator that could affect the daily operations of the pipeline, safety of the public or operator personnel, even though it does not meet the criteria of 004.01-004.03C.

**005.** Each report required by Title 49 of the Code of Federal Regulations, Part 191 adopted herein shall be submitted in duplicate to the Nebraska State Fire Marshal Pipeline Safety Division.

**005.01.** One copy of the annual report submitted pursuant to 005 above will be transmitted to the Pipeline and Hazardous Materials Safety Administration and to the Nebraska State Fire Marshal no later than March 15, for data from the preceding calendar year.

**006.** One hundred eighty (180) days after the effective date of this rule each operator shall provide the following documents to the Nebraska State Fire Marshal Pipeline Safety Division in an acceptable digital format, unless the operator can show cause to provide these documents in another format as follows:

**006.01** The following procedures, plans and programs shall be submitted annually: Operations and Maintenance Procedures, Emergency Plans, Damage Prevention, and

**006.02** Operation maps for distribution and transmission systems shall be submitted every five (5) years or as requested.

**007.** If a gas operator cannot provide digital copies of the documents required in Paragraph 006 of this chapter, the gas operator shall make a written request to the Nebraska State Fire Marshal Pipeline Safety Section for approval of alternate submission methods.

**008.** Within seven (7) calendar days after a gas operator changes ownership of a natural gas system or a gas operator makes changes in operational or maintenance provider ship, the gas operator shall give notice to the Nebraska State Fire Marshal Pipeline Safety Section.

LEGAL CITATION: Title 155, Chapter 1 – Nebraska State Fire Marshal

STATUTORY CITATION: Neb. Rev. Stat. 81-542 to 81-550 (2009)