

# Red Tag Procedure (ATCP 93 & ATCP 94)

Effective Date: January 17, 2018

[Back to Table of Contents](#)

 [ATCP 93.115](#)

## Background

When and how should Red-Tags be applied at a petroleum facility?

ATCP 93.115(3) states: “Persons with enforcement authority under this chapter may shut down any part of a tank system, using the department-issued red-tag procedure.” This procedure was developed to provide guidelines on when it is appropriate to Red-Tag a system and, under what conditions, which specific components of the system those tags should be applied to.

Violations that result in system shut down may be categorized in three separate ways.

ATCP 93.115(3) (a) Immediate shutdown.

ATCP 93.115(3) (b) Shutdown after investigation or inspection

ATCP 93.115(3) (c) Shutdown after continued violation.

With each category there are specific requirements that must be met. Violations of fuel quality/prohibited acts under ATCP 94.400 should follow the procedure outlined for ATCP 93.115(3)(b)

## Procedure

### Red-Tag applied to dispensing equipment:

In some instances the application of a Red-Tag to dispensing equipment is required. In these cases the Red-Tag shall be applied to the dispensing nozzle handle and nozzle saddle in a way that would show clear indication if the tag was removed or if the device was used.

### Red-Tag applied to petroleum system tank fills:

In some instances the application of a Red-Tag to the tank fill is required. In these cases the level of liquid in the tank shall be collected either from the tank ATG if accessible or with a manual check utilizing a stick and paste. Both the product and water level indicated shall be recorded and documented in the WinWam Report. The Red-Tags should be applied to the tank fill cap in a manner that would show clear indication if the tag has been removed or if the fill has been accessed and new product introduced into the rejected system.

*Note: Red-Tags do not pose a significant physical deterrence to the use of the component it is applied to. They do provide summary notification of a rejected system and indication of possible violation after a system has been deemed rejected. Red-Tag(s) applied to tank fill(s) are not to be used for, nor are intended to provide, an extended compliance deadline. Red-Tag(s) shall only be removed by an inspector or by the express written approval of the department per ATCP 93.115(1)(d).*

## **Immediate Shutdown**

For facilities that meet the criteria outlined in ATCP 93.115(3) (a) the Red-Tags shall be applied to any portion of the system that poses immediate risk of danger to life, health or safety.

*Example A1:* in the case of a leaking hose or nozzle, Red-Tag(s) shall be applied to the nozzle handle and saddle in a way that would show clear indication if the tag was removed or if the device was used.

*Example A2:* in the case of a non-functional or missing emergency stop switch at a facility defined as unattended by ATCP 93.605(5), Red-Tag(s) shall be applied to ALL nozzle handles and saddles in a way that would show clear indication if the tag was removed or the device was used.

*Example A3:* in the case of a tank system that does not have leak detection, corrosion protection, overfill or spill prevention installed or does have a verified lapse in Financial Responsibility shall have a Red-Tag(s) applied to both the dispensing nozzles described in previous examples, and also to the tank fills. In these instances an order for immediate removal of the product shall be included.

## **Shutdown after investigation or inspection**

For facilities that meet the criteria outlines in ATCP 93.115(3) (b) the Red-Tag(s) shall be applied to any portion of the system that is in violation of ATCP 93.

*Example B1:* in the case of a tank system that has shown clear evidence of release to the environment Red-Tag(s) shall be applied to both the dispensing equipment and the tank fill(s). The inspector shall follow through with the conditions of a release actions.

*Example B2:* in the case of impeded/circumvented overfill protection, i.e. a tank stick left in the drop tube, the tank fill(s) shall be Red-Tagged.

*Example B3:* in the case of a lab verified fuel sample that does not meet ASTM Specs systems may have Red-Tag(s) applied to both the dispensing nozzles described in previous examples, and also to the tank fill(s) to prevent the sale of off spec fuel and to preserve the product in violation.

## **Shutdown after continued violation**

Facilities must have met ALL of the requirements of ATCP 93.115(3) (c) in order to be shut down under this section. These requirements include that an initial order, allowing a period for compliance of at least 10 days, is issued with a specific compliance date. The first re-inspection made after the specified compliance date shows that compliance has not been achieved. A second specific compliance date, allowing at least 5 days, is set. Re-inspection after the second compliance date shows that compliance has still not been achieved. And finally the owner has not filed a written appeal with the department within 15 calendar days of receiving the original order.

For facilities that meet the criteria outlines in ATCP 93.115(3) (b) the Red-Tag(s) shall be applied to any portion of the system that is in violation of ATCP 93.

**Example C1:** in the case of a tank system that has demonstrated continued violation for water or debris in containment areas Red-Tags shall be applied to the tank fill for any tank affected by the violation (e.g. the Regular unleaded Submersible Transfer Pump (STP) basin contains liquid or debris, therefor the Regular Unleaded Tank fill shall be tagged).

**Example C2:** in the case that permitting has notified the inspector of an Underground Storage Tank (UST) that does not have a valid Permit to Operate (PTO) the tank fill of the un-permitted tank(s) shall be Red-Tagged. In this instance the first and final order have been issued and documented by the permitting department.

**Example C3:** in the case of emergency Instructions or dispenser labeling that has demonstrated continued non-compliance a Red-Tag shall be applied to all dispensing nozzles of all dispensers in violation.

### Entering the inspection into WinWam

- 1) Prior to the inspection entry collect the following information:
  - a. For each device being Red-Tagged: Red-Tag number and device number. Capture an image of the applied Red-Tag whenever possible.
  - b. For each tank being Red-Tagged: Red-Tag number, tank serial number, the tank product level from the ATG/Stick reading and the tank water level from the ATG/Stick reading.
  - c. Capture images of the Red-Tag appropriately affixed to the tank fill, the inventory ticket from the ATG and the inventory level indicated on the stick (if ATG ticket is unavailable).

### Example Images

Image 01: Collect Red-Tag Information



Image 02 Collect Inventory Information

Collect the date, time, inventory level, and water level.

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#### INVENTORY REPORT

T 1 : UNLEADED  
VOLUME = 8987 GALS  
ULLAGE = 2640 GALS  
90% ULLAGE = 1477 GALS  
TC VOLUME = 8920 GALS  
HEIGHT = 65.84 INCHES  
WATER VOL = 0 GALS  
WATER = 0.00 INCHES  
TEMP = 70.6 DEG F

Image 03: Collect Inventory information using a tank stick if ATG slip is not available.



2) Enter the collected data into the Enforcement Actions Questionnaire Inspector Notes.

Image 04: Example of entry format

Fail Notes	Inspector Notes
<b>Tank Example</b> Tank Number = 100001 Product Grade = Regular Red Tag Number = 200002 Product level = 84.00" or 8300 Gallons Water Level = 1.00" or 30 Gallons Date Levels were collected= 01/01/2017	<b>Device Example</b> Device Number = Dispenser 01 Red Tag Number = 300003

3) Include any pertinent images or supplemental documentation by inserting them into the media viewer on the Enforcement Actions Questionnaire.

4) Provide a copy of the inspection report and any supplemental information to the appropriate party and collect the Business Rep Signature and Inspector Signature.