



APPLYING UST RED TAG AUTHORITY

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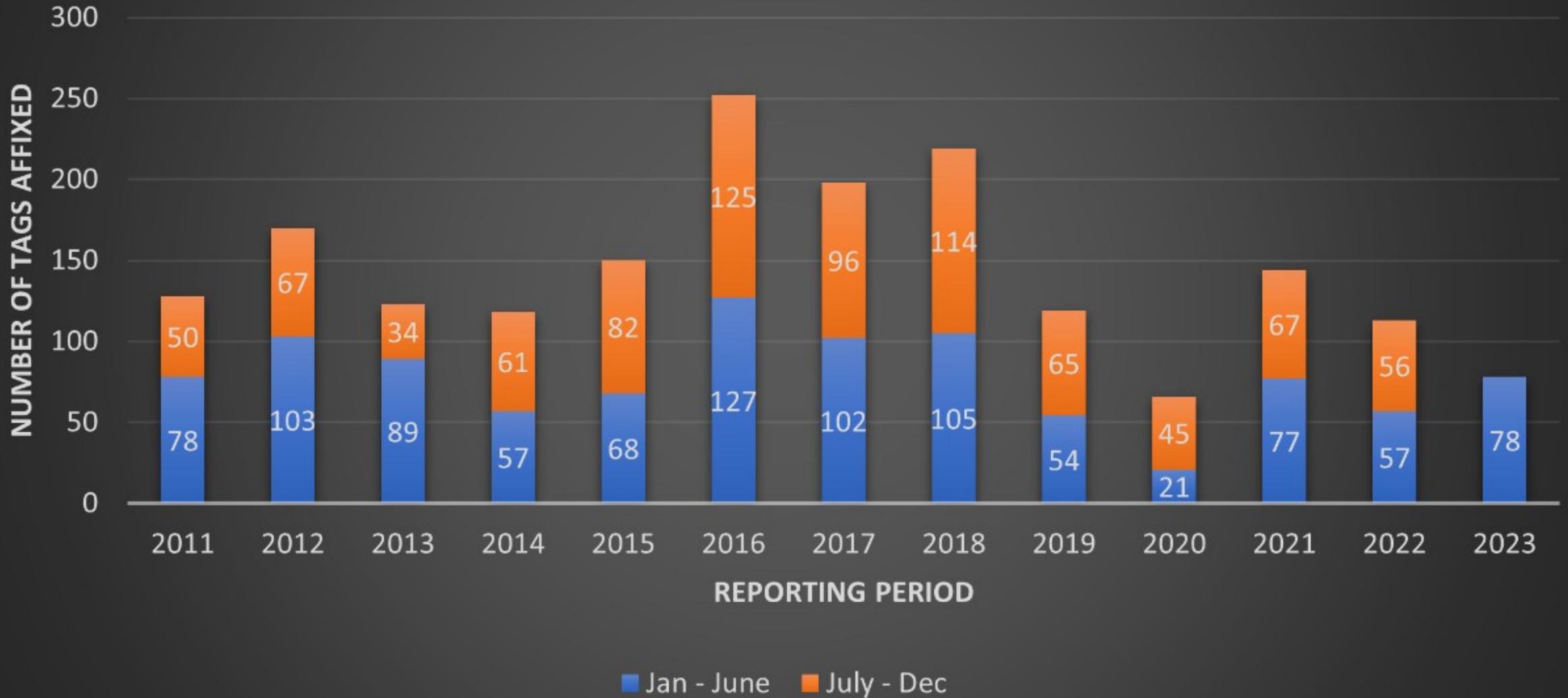
RED TAG AUTHORITY - OVERVIEW

THE PURPOSE OF THIS SESSION IS TO INTRODUCE HOW RED TAG AUTHORITY IS UTILIZED BY A CUPA AND A PA AS AN ENFORCEMENT TOOL.

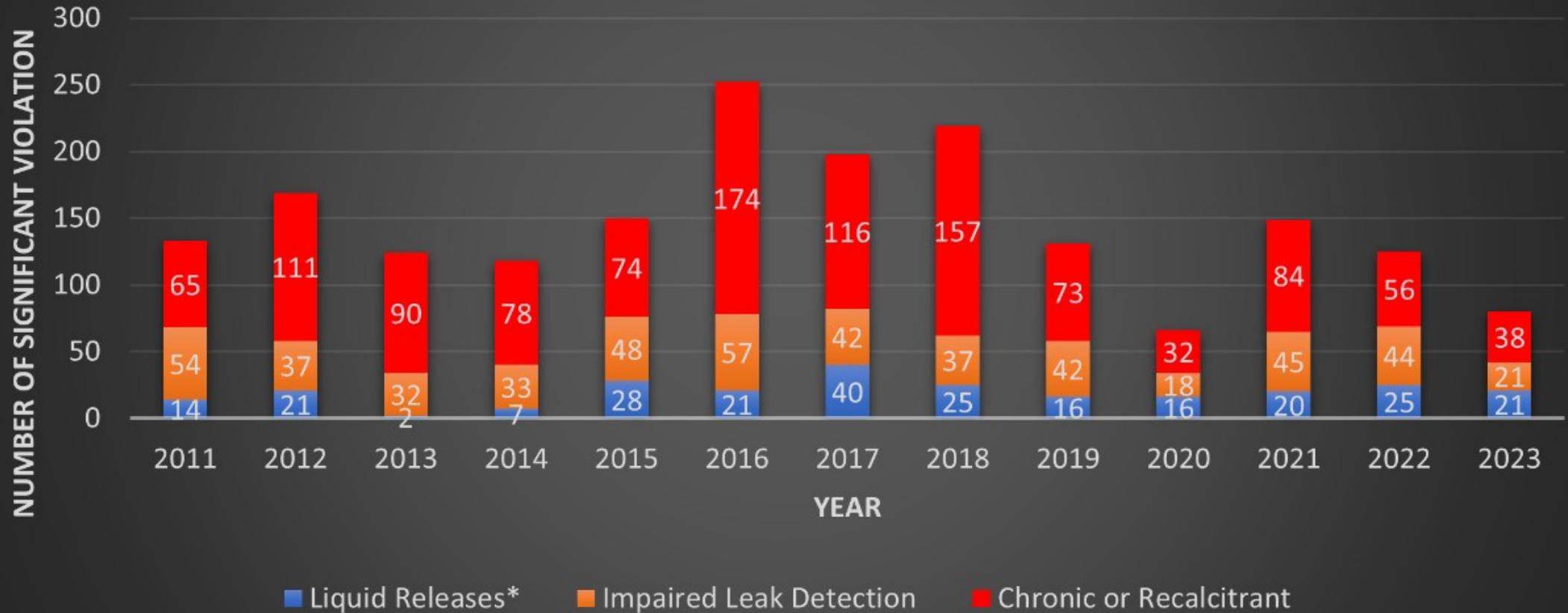
IF YOU ARE NOT CERTAIN WHERE YOUR AGENCY STANDS; REVIEW YOUR CUPA/PA INSPECTION AND ENFORCEMENT PLAN TO EVALUATE HOW YOUR CUPA/PA APPROACHES RED TAG AUTHORITY.

THIS COURSE ONLY COVERS THE PROCESS OF RED TAG APPLICATION AND RED TAG REMOVAL BY A CUPA/PA.

Red Tags Affixed



Significant Violation by Type



*Liquid release means a loss detected by the release detection system and/or captured by the secondary containment. For information about UTS page, please contact Tom Henderson or [\(916\)3199128](tel:9163199128).

BACKGROUND

- **23 CCR ARTICLE 10.5 – RED TAG AUTHORITY §2717 ET SEQ ALLOWS APPLICATION OF A RED BAG WITH A RED TAG ATTACHED ON THE FILL PIPE OF A NON-COMPLIANT UST TO PROHIBIT FUEL DELIVERY UNTIL COMPLIANCE IS ACHIEVED AND VERIFIED.**
- **CHSC – 25292.3 CHANGES EFFECTIVE 1/1/2019 ADDITIONALLY ALLOWS FOR THE CUPA/PA TO PROHIBIT FUEL DISPENSING EXCEPT TO EMPTY THE UST WITHIN 48 HOURS.**

STATE OF CALIFORNIA—STATE WATER RESOURCES CONTROL BOARD



EVERYTHING STARTS WITH A PLAN

- **I&E PLAN SHOULD INCLUDE RED TAGGING AUTHORITY**
- **TRAINING OF STAFF ON THE PROCEDURE**
- **RED TAG APPLICATION KIT**
- **RED TAG TOOLS FROM THE WATERBOARD**
- **RED TAG GUIDANCE FROM SWRCB**

Enforcement

- [Guidance Document for Inspection and Enforcement \(PDF\)](#)
- [Current Enforcement Penalties for the Unified Program \(PDF\)](#)
- [Enforcement Program Evaluation Criteria \(PDF\)](#)
- [Red Tag Authority \(PDF\)](#)
- Unified Program Agency Enforcement Summaries are available upon request at CUPA@calepa.ca.gov
- [Environmental Offenses: Case-Referral Guidelines from Environmental Crimes Prosecution Manual \(PDF\)](#)
- [Sample Referral Letter to Prosecuting Agency \(CalEPA\) \(PDF\)](#)
- [Sample Referral Letter to Prosecuting Agency \(County of Humboldt\) \(PDF\)](#)
- [Sample Referral Letter to Prosecuting Agency \(County of San Diego\) \(PDF\)](#)
- [Information on Administrative Enforcement Orders](#)
- [Accessing the State Administrative Law Judge \(PDF\)](#)
- [CalEPA Recommended Guidance on Supplemental Environmental Projects \(PDF\)](#)
- [Sample Policy with Matrixes for Administrative Penalties \(PDF\)](#)

Instructions for Affixing Red Tags and Red Bags

1. Mark your agency name and contact information in the white space on the Red Tag using a permanent marker.
2. Document the level of stored product in the non-compliant underground storage tank (California Code of Regulations, title 23, division 3, chapter 16, section 2717.1 (c)) by either sticking the tank with a dipstick or printing out the tank monitor report.
3. If the fill cap was removed during step #2, replace the fill cap properly on the fill pipe of the underground storage tank system (picture 1).
4. Place an unfolded Red Bag, with the pre-attached Red Tag, over the fill pipe and cap (picture 2).
5. Use the supplied "Nylon Tamper-Resistant Straps" to secure the Red Bag around the fill pipe below the fill pipe adapter. Make sure that the embossed "State of California – State Water Resources Control Board" is visible on the nylon cable tie and is facing outward (picture 3).
6. Pull the nylon cable tie tightly around the fill pipe making sure the cable tie "locks" into place (picture 4).

If you have any questions, please contact Mr. Tom Henderson at (916) 319-9128, or tom.henderson@waterboards.ca.gov.



RED TAG APPLICATION – TOOLS

- **ICC CERTIFIED PERSONNEL**
- **HAVE PROPER EQUIPMENT:**
 - **RED TAGS**
 - **RED BAGS**
 - **SWRCB ZIP TIES**
 - **PROPER PPE**
 - **TRAFFIC /SAFETY CONTROL ITEMS**
 - **TOOLS – I.E. MULTI-TOOL KIT WITH PLIERS, LARGE SCREWDRIVER, SCISSORS, ETC.**
 - **CAMERA**
 - **TAPE MEASURE FOR UP TO 30 FT.AND RAG**
 - **WATER/GAS PASTE**



FILL OUT THE RED TAG (BOTH SIDES) BEFORE GOING OUT.



**23 CCR 2717.6(b)(4):
Local agency shall
write legibly in
permanent ink its
name and
telephone number**



STATE OF CALIFORNIA—STATE WATER RESOURCES CONTROL BOARD

23 CCR 2717 – STARTS WITH DEFINITIONS

2717. ADDITIONAL DEFINITIONS.

[a] “SIGNIFICANT VIOLATION” MEANS THE FAILURE OF A PERSON TO COMPLY WITH ANY REQUIREMENT OF CHAPTER 6.7 OF THE HEALTH AND SAFETY CODE OR ANY REGULATION ADOPTED PURSUANT TO CHAPTER 6.7, NOT INCLUDING THE CORRECTIVE ACTION REQUIREMENTS IN SECTION 25296.10 OF THE HEALTH AND SAFETY CODE AND ARTICLE 11 OF CHAPTER 16 OF TITLE 23 OF THE REGULATIONS,

THAT IS ANY OF THE FOLLOWING:

23 CCR 2717 – “SIGNIFICANT VIOLATION” CON’T.

(1) A VIOLATION THAT IS CAUSING, OR THREATENS TO CAUSE A LIQUID RELEASE OF PETROLEUM FROM AN UNDERGROUND STORAGE TANK SYSTEM, INCLUDING, BUT NOT LIMITED TO: THE FAILURE OF ANY REQUIRED OVERFILL PREVENTION SYSTEM, WHERE THE FAILURE IS CAUSING OR THREATENS TO CAUSE A RELEASE; OR THE FAILURE OF A REQUIRED SPILL CONTAINMENT STRUCTURE, WHERE THE FAILURE IS CAUSING OR THREATENS TO CAUSE A RELEASE TO THE ENVIRONMENT DUE TO A SPILL OR AN OVERFILL.

FREQUENTLY OCCUR: IMPACT VALVE IMPAIRED, METER IS IMPAIRED, FUEL RELEASE THAT CANNOT BE STOPPED, FUEL ALREADY RELEASE INTO THE INTERSTITIAL SPACE, ETC..

23 CCR 2717 – “SIGNIFICANT VIOLATION” CON’T.

(2) A VIOLATION THAT IMPAIRS THE ABILITY OF AN UNDERGROUND STORAGE TANK SYSTEM TO DETECT A LIQUID LEAK OR CONTAIN A LIQUID RELEASE OF PETROLEUM IN THE MANNER REQUIRED BY LAW, INCLUDING, BUT NOT LIMITED TO: TAMPERING WITH LEAK DETECTION EQUIPMENT SO THAT THE EQUIPMENT IS NO LONGER CAPABLE OF DETECTING A LEAK AT THE EARLIEST POSSIBLE OPPORTUNITY.

FREQUENTLY OCCUR: RAISING SENSORS, K’ING OUT SENSORS, INDISCRIMINATELY ADDING BRINE TO MASK A LEAK, ETC.....

23 CCR 2717 – “SIGNIFICANT VIOLATION” CON’T.

(3) A CHRONIC VIOLATION OR A VIOLATION THAT IS COMMITTED BY A RECALCITRANT VIOLATOR. IN DETERMINING WHETHER A VIOLATION IS CHRONIC OR A VIOLATOR IS RECALCITRANT, THE LOCAL AGENCY SHALL CONSIDER WHETHER THERE IS EVIDENCE INDICATING THAT THE VIOLATOR HAS ENGAGED IN A PATTERN OF NEGLIGENCE OR DISREGARD WITH RESPECT TO ANY REQUIREMENT OF CHAPTER 6.7 OR OF ANY REGULATION ADOPTED PURSUANT TO CHAPTER 6.7, NOT INCLUDING THE CORRECTIVE ACTION REQUIREMENTS IN SECTION 25296.10 OF THE HEALTH AND SAFETY CODE AND ARTICLE 11 OF CHAPTER 16 OF TITLE 23 OF THE REGULATIONS.

- EXAMPLES: SAME VIOLATION BEING FIXED AND A PATTERN OF NEGLIGENCE AND THE SAME VIOLATION COMES UP AGAIN..... PAPERWORK ISSUES WITH DO MONTHLY REPORTS, CREEPING FORWARD ON TESTING DATES.**

23 CCR 2717 – STARTS WITH DEFINITIONS

(B) “IMMINENT THREAT TO HUMAN HEALTH OR SAFETY OR THE ENVIRONMENT” MEANS A CONDITION THAT CREATES A SUBSTANTIAL PROBABILITY OF HARM, WHEN THE PROBABILITY AND POTENTIAL EXTENT OF HARM MAKE IT REASONABLY NECESSARY TO TAKE IMMEDIATE ACTION TO PREVENT, REDUCE, OR MITIGATE THE ACTUAL OR POTENTIAL DAMAGES TO HUMAN HEALTH OR SAFETY OR THE ENVIRONMENT.

EXAMPLES: THE HAZARDOUS SUBSTANCE HAS BEEN RELEASED FROM THE TANK.

23 CCR 2717 – STARTS WITH DEFINITIONS

PAY ATTENTION TO THE FINE PRINT AT THE END OF SECTIONS

NOTE: AUTHORITY CITED: SECTIONS 25292.3(G), 25299.3 AND 25299.7, HEALTH AND SAFETY CODE. REFERENCE: SECTION 25292.3, HEALTH AND SAFETY CODE.

23 CCR 2717 – AUTHORITY CITED/REFERENCE

CHSC 25292.3 – VIOLATIONS; NOTICE REQUIREMENTS; DEPOSITS OF PETROLEUM INTO NON-COMPLIANT SYSTEMS PROHIBITED

25292.3(F) – THE BOARD SHALL ADOPT REGULATIONS TO DEFINE SIGNIFICANT VIOLATIONS FOR THE PURPOSES OF THIS SECTION.

Statute
CHSC CH.6.7
25292.3

Regulation
23 CCR Article 10.5
Red Tag Authority

TAMPERING

**Pattern of neglect
or disregard for
statute/regs**

WHEN CAN YOU RED TAG?

- **THERE ARE THREE SCENARIOS UNDER WHICH YOU CAN RED TAG:**

1) IMMEDIATE RED TAG APPLIED DUE TO IMMINENT THREAT TO ENVIRONMENT OR THE PUBLIC SAFETY:

EX) TAMPERING; FUEL ACTIVELY LEAKING/SPILLING; LINE LEAK DETECTION IS ABSENT/REMOVED (TAMPERING)

YOU CAN ONLY ISSUE IMMEDIATE RED TAG DURING ANNUAL MONITORING CERTIFICATION IF IT MEETS CRITERIA FOR IMMEDIATE RED TAG (#1).

**SB 989 FAILURES
STILL NOT FIXED?**

**LLD OR SENSOR
FAILED, BUT NOT
REPLACED**

**NEVER SCHEDULE
TESTING UNTIL NOV
IS ISSUED**

SENSORS RAISED

TAMPERING

**SENSORS
RAISED**

WHEN CAN YOU RED TAG?

- 1) SIGNIFICANT OPERATIONAL VIOLATION – ISSUE 7 DAY NOTICE TO COMPLY (BE SPECIFIC). IF NOT CORRECTED WITHIN 7 DAYS (BUSINESS DAYS ARE TYPICALLY APPLIED); RED TAG. THIS COULD BE A FAILED LLD OR SENSOR THAT IS INSTALLED BUT NEEDS TO BE REPLACED OR A TEST THAT IS PAST DUE.**
- 2) RECALCITRANT NON-COMPLIANT; EVERY YEAR, THE SAME OR SIMILAR VIOLATIONS REPEATED. YOU CAN ISSUE A 7-DAY NOTICE TO COMPLY.**

**SB 989 FAILURES
STILL NOT FIXED?**

**LLD OR SENSOR
FAILED, BUT NOT
REPLACED**

**NEVER SCHEDULE
TESTING UNTIL NOV
IS ISSUED**

**Pattern of neglect or
disregard for
statute/regs**

WHEN CAN YOU RED TAG?

TAMPERING

**Pattern of neglect
or disregard for
statute/regs**

YOU CAN ISSUE A 7-DAY NOTICE OF SIGNIFICANT OPERATIONAL COMPLIANCE AT THE ANNUAL INSPECTION OR AS A STAND-ALONE OTHER INSPECTION/RE-INSPECTION/COMPLIANT INVESTIGATION. MANY AGENCIES ISSUE A 7-DAY NOSOC PRIOR TO PERMIT WITHHOLDING ACTIVITY. QUITE EFFECTIVE.

**SB 989 FAILURES
STILL NOT FIXED?**

**LLD OR SENSOR
FAILED, BUT NOT
REPLACED**

**NEVER SCHEDULE
TESTING UNTIL NOV
IS ISSUED**

SENSORS RAISED

HOW TO RED TAG

- **DOCUMENT WHAT VIOLATION(S) HAS/HAVE CAUSED THE APPLICATION OF RED TAG AUTHORITY.**

- **IDENTIFY THE APPLICABLE VIOLATION.**
 - **DETERMINE IF THE VIOLATION IS ELIGIBLE RED TAG.**
 - **DETERMINE IF IMMEDIATE RED TAGGING IS NEEDED.**

A CUPA APPROACH TO RED TAGGING

Onsite for Red Tag Authority - enforcement action due to causing or threatening to cause a release
Immediate Red Tag application per 23 CCR 2717 with written directive to empty UST per CHSC 25

This is a UST connected to an Emergency Back-up Generator and although the UST shall be empty
agency recognizes that a temporary AST must be set and connected prior to emptying of the UST.

[REDACTED] onsite today and is the [REDACTED] Manager for [REDACTED]

Details:

On 1/ [REDACTED], it was self-reported to the Long Beach CUPA that there was approximately 15 gallons
the annular space of the UST onsite. The annular space was emptied. Fuel level was 4,839 gallons
level was 4,835 gallons today; showing a loss of fuel. Mr. [REDACTED] checked the annular with a tank
level of fuel and identified 2 5/8 inches of fuel (identified by odor and sheen) today.

Red Tag Data:

Red Tag applied on [REDACTED] at 0950 by A.Samayoa ICC-UI 5300127

Tank ID : T1

Contents: Diesel

Gallons: 4,835 gallons

Inches: 55.32 in.

Red Tag # [REDACTED]

UST Owner/Operator Notification:

[REDACTED]

[REDACTED] at 0930

Mr. [REDACTED] was onsite.

The UST at [REDACTED] is hereby issued a Red Tag affixed to a red bag placed on the fill pipe
of petroleum into the UST due to imminent threat of release; release of fuel into the secondary from
in annular space).

Per CHSC 25292.3, you are hereby ordered to empty the noncompliant underground storage tank s

Code Citations:

- **MAKE NOTIFICATION TO THE UST OWNER/OPERATOR (THE PERMIT HOLDER) AS SOON AS POSSIBLE. 2717 ALLOWS 24 HOURS TO MAKE NOTIFICATION. I TAKE THIS PIECE SERIOUSLY AND TREAT IT AS ASAP; DOCUMENT – DOCUMENT – DOCUMENT!**

DOCUMENT PER 23 CCR 2717

An investigation/inspection/file review concerning this property was made on January 10, 2019.

Based on conditions observed by Angela Samayoa ICC UI No. 5300127, Significant UST Violations exist.

Your failure to comply within seven business days, resulted in application of a Red Tag on the fill pipe of each non-compliant UST precluding any further fuel deposits until compliance is verified per 23 CCR 2717, Effective January 1, 2019 per CHSC 25292.3 (2)(A) you are hereby ordered to empty the non-compliant UST system within 48 hours.

The following Signification UST Violation(s) exist: Annular space of UST has fuel accumulating; 5-15 gallons of product removed over last two days.

You are Hereby ordered to Comply by:

- 1) *Immediately schedule emptying of UST within 48 hours of Red Tag due to active release of petroleum into annular space. This is an imminent threat to the environment.*
- 2) *Work with City of Long Beach Fire for timely installation of back up generator to continuously support all required electrical loads onsite.*
- 3) *Apply for Repair of the Leaking UST or Removal of the UST.*

Eligible for Red Tag/Bag to be applied if compliance is not achieved by IMMEDIATE RED TAG DUE TO IMMINENT THREAT OF RELEASE

In addition, see Underground Storage Tank Inspection Report/Notice of Violation dated: 01/10/19 for details and violations that must be corrected.

This CUPA has the authority to place a Red Tag on all UST fill pipes at the above-mentioned facility until full compliance is met, including, but not limited to testing and any permitted repairs/modifications that may be required upon inspection. Application of a Red Tag prohibits fuel delivery and removal must be authorized by personnel representing this agency. No owner or operator of a facility may deposit or allow the deposit of petroleum into an underground storage tank system that has a red tag affixed to the system's fill pipe. ***Emergency Generator USTs may follow 23CCRS2717.3***

| APPLICATION OF RED TAG AUTHORITY PER 23 CCR 2717 - DATE OF RED TAG: <u>01/10/19</u> AT <u>0950</u> | | |
|----------------------------------------------------------------------------------------------------|-----------------|-----------------------|
| R | Tank Number | Tank #1 |
| e | Contents/Octane | Diesel |
| d | Gallon/Inches | 55.30 in. / 48.35 gal |
| T | Red Tag # | 1373 |
| a | Date Removed | |
| g | | |

The Long Beach Fire Department - CUPA reserves the right to issue an Administrative Enforcement Order or refer this matter to the City Attorney and/or City Prosecutor's office for review and prosecution of any or all violations which have occurred regardless of your compliance with this directive.

If you have any questions, contact the Department representative below at (562) 570 - 2542.

NOTIFICATION OF RED TAG

- **YES, I JUST SAID NOTIFICATION. APPLICATION OF RED TAG AUTHORITY IS AN ENFORCEMENT ACTION AND IS NOT AN INSPECTION REQUIRING PERMISSION.**
- **NOTIFICATION CAN BE IMMEDIATE OR TAKE PLACE WITHIN A DAY.**

| UST Inspector Email Address | | Title | |
|---------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------------------------|-----------------|
| Red Tag Applied - Notifications | Name | Date/Time Notified | Comments |
| UST Owner/Operator | [REDACTED] | [REDACTED] / 2000 @ 9:30 Am | onsite |
| Red TAG: (1) Causing or threatens to cause a release (2) Impairs the ability of UST system to detect or contain a release (3) A chronic violation | | | |

PA RED TAG ISSUANCE

FIELD INSPECTOR CONDUCTS ONSITE INSPECTION. FIELD NOTICE IS ISSUED AND ONSITE INSPECTOR DETERMINES IF THERE IS A SIGNIFICANT VIOLATION THAT NEEDS TO BE REFERRED TO THEIR SUPERVISOR FOR ENFORCEMENT.

DETERMINATION IS MADE IF THE SIGNIFICANT VIOLATIONS WILL GET AN IMMEDIATE RED TAGGING OR A NOTICE OF RED TAGGING ORDER TO COMPLY WITHIN 7 DAYS.

PA RED TAG ISSUANCE

CREATE A NOTICE OF RED TAGGING AND ORDER TO COMPLY.



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
"To Enrich Lives Through Effective and Caring Service"

980 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

MARK PESTRELLA, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1466
ALHAMBRA, CALIFORNIA 91803-1466

IN REPLY PLEASE
[REDACTED]

May 25, 2021

[REDACTED]

Dear Mr. [REDACTED]

NOTICE OF RED TAGGING AND ORDER TO COMPLY [REDACTED]
NONCOMPLIANT UNDERGROUND STORAGE TANKS
[REDACTED]

A review of office records indicates Newhall Petroleum Inc., has failed to comply with the following Notices:

- Notice of Violation and Order to Comply [REDACTED] dated February 17, 2016
- Notice of Violation and Order to Comply [REDACTED] dated February 27, 2017
- Notice of Red Tagging and Order to Comply [REDACTED] 3) dated October 3, 2017
- Notice of Violation and Order to Comply [REDACTED] dated June 28, 2019

PA - NOTICE OF RED TAGGING AND ORDER TO COMPLY

SPECIFY WHAT IS IN VIOLATION

MULTIPLE VIOLATIONS ARE LISTED BY ORDER OF SEVERITY, I.E. LLD TAMPERED WITH, SPILL BUCKET IS FAILED, CERS

LIST WHAT IS NEEDED TO BRING THE SPECIFIC VIOLATION BACK INTO COMPLIANCE.....

WHEN THE DUE DATE HAS PASSED WITHOUT COMPLIANCE....

PA RED TAG ISSUANCE

- **MEET OUR DA INVESTIGATORS AT A STAGING AREA**
- **MOBILIZE TO SITE**
- **GATHER REQUIRED INFORMATION PER 2717:**
 - **TANK VOLUME INCHES/GALLONS**
 - **TANK ID #**
 - **CONTENTS**
 - **RED TAG NUMBER**
 - **DATE/TIME APPLICATION**
- **AFFIX RED TAGS. INSTRUCT SITE TO STOP DISPENSING**
- **LEAVE SITE**

A CUPA APPROACH TO RED TAGGING

- **THE RED TAG IS APPLIED BY THE ICC-CERTIFIED UST INSPECTOR; AND SO**
- **THE INSPECTOR SHOULD BE PREPARED FOR THAT ACTIVITY.**

WHAT TO HAVE:

- **A SECOND PERSON FOR SAFETY WOULD BE BEST; YOU CANNOT COUNT ON HAVING UST TECHNICIAN TO ASSIST WITH APPLICATION.**

A CUPA APPROACH TO RED TAGGING

- TRAFFIC SAFETY VEST / SAFETY GLASSES**
- GLOVES**
- TOOL FOR OPENING OF UST FILL BUCKET ACCESS LID**
- NEEDLE-NOSE PLIERS FOR YOUR ZIP TIE**
- SWRCB ZIP TIES – WE ONLY USE THE SWRCB ZIP TIES TO FASTEN THE TAG TO THE FILL PIPE; IT IS MARKED.**

A CUPA APPROACH TO RED TAGGING

- PERMANENT MARKER
- SOMETHING WRITTEN THAT YOU CAN ISSUE IN PERSON; A PRINTED REPORT IS BEST; IF YOU HAVE THAT SAME INFORMATION JUST TO DOCUMENT NOTIFICATION AND RECEIPT OF INFORMATION ON RED TAG

| | | |
|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| R e d T a g | APPLICATION OF RED TAG AUTHORITY PER 23 CCR 2717 - DATE OF RED TAG:  AT 0950 | |
| | Tank Number | Tank #1 |
| | Contents/Octane | Diesel |
| | Gallon/Inches | 55.30 in. / 4835 gal |
| | Red Tag # | 1373 |
| | Date Removed | |

A PA APPROACH TO RED TAGGING EVENT

- **WRITTEN STANDARD OPERATING PROCEDURE AND A FLOWCHART**
 - **FIELD INSPECTOR DOES A REFERRAL TO THEIR SUPERVISOR WHO REVIEWS THE CASE AND THEN OBTAINS APPROVAL/CONFIRMATION FROM OUR HEADQUARTERS ENFORCEMENT GROUP.**
 - **COORDINATE WITH LAW ENFORCEMENT... KEEP THE PEACE.**
 - **SAFETY IS NUMBER ONE, TWO INSPECTORS GO TO EVERY EVENT WITH OUR SECURITY VAN.**

A PA APPROACH TO RED TAGGING EVENT

- **ONSITE PROCEDURE**

- **A WRITTEN NOTIFICATION IS GIVEN TO THE ONSITE PERSONNEL AND/OR EMAILED WITH DELIVERY TO THE TANK OWNER/OPERATORS.**
- **OBTAIN LEVELS OF PRODUCT WITHIN THE USTS.**
- **PHOTO DOCUMENTATION**
- **LEAVE SITE (ALL WITHIN USUALLY 10-20 MINUTES)**

A PA APPROACH TO RED TAGGING EVENT

- **ON THE NOTICE OF RED TAGGING, ORDER TO COMPLY, WE SPECIFY WHAT IS REQUIRED TO REMOVE RED TAG(S) – IF MULTIPLE VIOLATIONS WE HAVE THEM LISTED IN ORDER OF SEVERITY, I.E. TAMPERING, SPILL BUCKET IS FAILED, CERS**
- **GIVE THEM A WRITTEN STEP BY STEP PROCEDURE.....**
- **THE WHOLE GOAL IS COMPLIANCE SO YOU MUST GIVE THEM A PLAN ON HOW TO RETURN TO COMPLIANCE.**

UP TO ONE WEEK BEFORE THE EVENT DAY

CONTACTS THE DAI TO DISCUSS THEIR AVAILABILITY AND GIVE THEM THE ADDRESS WE ARE ENFORCING AGAINST.

DAI SETUP THE DATE BASED ON THEIR AVAILABILITY, THEY DETERMINE THE DATE AND TIME.

SUPERVISORS WILL MONITOR THE SITE TO TRY TO OBTAIN COMPLIANCE BEFORE THE RED TAGGING EVENT.

THE DAY BEFORE THE EVENT DAY

PULL OUT RED TAG BAGS (ONE EXTRA THEN NEEDED)

PULL OUT RED TAG ZIPS (TWO EXTRA THEN NEEDED)

PRINT RED TAG PHOTO LABELS

PRINT TANK NONCOMPLIANCE FEES (MFEE) (ATTACH TO EACH NVRT COPY)

PRINT NOTICE OF RED TAGGINGS AND ORDER TO COMPLY COPIES

ASSIGN THE INSPECTORS WHO WILL BE CONDUCTING THE RED TAGGING EVENT

ACTUAL EVENT DAY

MEET DA INVESTIGATORS AT A STAGING AREA. CONDUCT A BRIEFING.

- **DISCUSS WHO WILL BE MAKING CONTACT WITH THE ONSITE PERSONNEL AND DELIVERY OF THE NVRT COPY.**
- **DA INVESTIGATORS CAN ALSO BE USED TO IDENTIFY PERSONNEL IF NEEDED. (I.E. ASK THEM FOR THEIR DRIVER'S LICENSE)**
- **TALK WITH THE DAI ABOUT THE HISTORY OF THE SITE AND ANY ANTICIPATED PROBLEMS FROM THE PAST (I.E. A LOT OF FOOT TRAFFIC, IRATE OWNER, MULTIPLE BUSINESSES ONSITE....)**

MOBILIZE TO THE SITE.

POSITIONING OF ALL VEHICLES TO PROTECT THE INSPECTORS CONDUCTING THE RED TAGGING SO BLOCK THE TANK PAD AREA.

- **THE VAN AND DA INVESTGATORS VEHICLES SHOULD BE POSITIONED TO SHIELD THE INSPECTORS AS THE RED TAGGING ACTIVITES ARE BEING CONDUCTED.**
- **BE AWARE OF YOUR SURROUNDS. DRIVEWAYS AND PARKING SPOTS**



ACTUAL EVENT DAY

UPON ARRIVING AT THE SITE, THE DAI AND ONE INSPECTOR WILL GIVE THE ONSITE PERSONNEL A COPY OF THE NVRT.

DOCUMENT WHO IT IS GIVEN TO ONSITE (SIGNATURE).

INSPECTOR DOES NOT NEED TO DISCUSS THE NOTICE. THERE IS A PHONE NUMBER ON THE NOTICE FOR THE SITE CONTACT TO REACH OUT TO.

SITE MUST BE INFORMED THAT UPON RED TAGGING THEY WILL NO LONGER BE ABLE TO DISPENSE FUEL SO THEY MUST STOP NOW.

Mobilize to Site

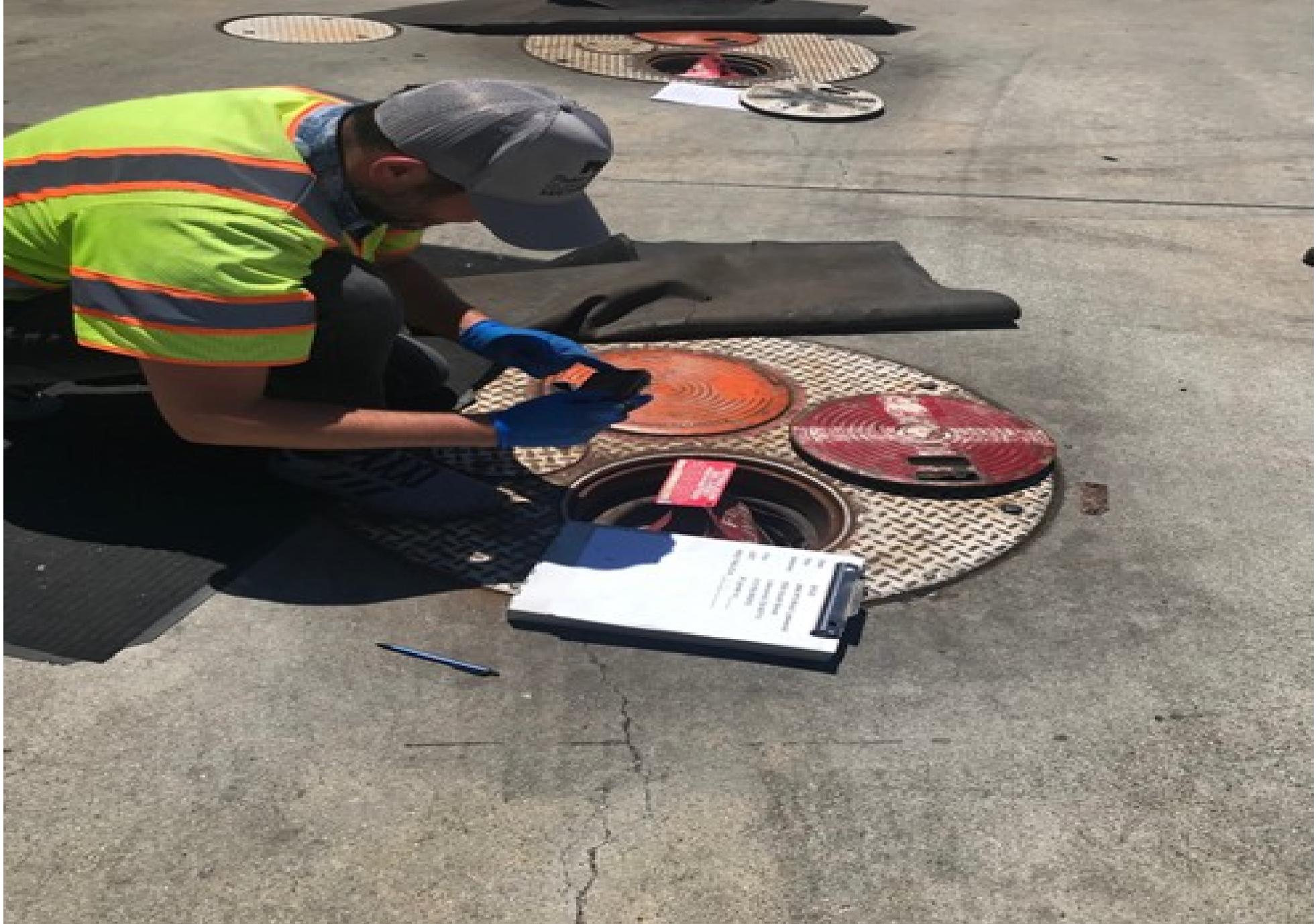


Secured the tank Riser area



Put the bags on...







**Can site still
pump?.....NO,
fuel is required
to be removed
from the tank.
Cannot be
pumped to the
customers thru
the dispensers.**



LOS ANGELES COUNTY
PUBLIC WORKS
ENVIRONMENTAL PROGRAMS DIVISION
RED TAGGING INSPECTION REPORT

• OFFICIAL
INSPECTION
REPORT
FORM...
FILLABLE
INSPECTION
FORMS - UST

Date: _____ Permit Number: _____
 Facility Name: _____ Site-File Number: _____
 Street Address: _____ City/Zip Code: _____
 Facility Contact: _____ Inspection Number: _____
 Phone No.: _____ Inspected by: _____

On (mm/dd/yy), (number) Underground Storage Tanks (USTs) were red tagged at the subject facility for failure to comply with Notice of Violation and Order to Comply (number V123456) dated (mm/dd/yy). (If a Notice of Red Tagging and Order to Comply has previously been issued to the facility list only the violation number for that Notice. If this is a straight red tagging list all violation numbers listed in the Notice of Red Tagging and Order to Comply – do not list, the violation number for the straight red tag Notice)

Los Angeles County Public Works Inspectors (name) and (name) carried out the procedures for red tagging the noncompliant UST system. Inspectors were accompanied by (District Attorney Investigators or PD and their names). The inspectors and (District Attorney Investigators or PD) arrived at the subject facility at approximately (time a.m./p.m.). Prior to affixing red tag boots to the fill ports of the USTs (owner, cashier, onsite personnel Name, title) was contacted and informed of the red tag action. Additionally, (owner, cashier, onsite personnel Name, title) was provided a copy of the Notice of Red Tagging and Order to Comply V123456 dated (mm/dd/yy) (attached) and was requested to provide an inventory printout tape from the UST system monitoring panel for all USTs (attached).

(onsite personnel/owner, name stated any comments if applicable). Inspector (name) informed (onsite personnel/owner name) that no withdrawals shall be made from the red-tagged USTs including dispensing, the dispensers should be taped off, and power to the dispensers turned off. All questions are to be directed to the point of contact whose name and contact information is listed on the last page of the Notice of Red Tagging and Order to Comply.

Red tags were affixed to (number of) fill ports as indicated below. Red tagging was completed and the above-mentioned team departed the site at approximately (time a.m./p.m.).

| Hazardous Substance | Red Tag Boot # | Inventory Amount | Photo # |
|---------------------|----------------|------------------|---------|
| | | | |
| | | | |
| | | | |
| | | | |

Inspector

Date

SUPPLMENT TO NOTICE OF RED TAGGING FOR SPECIAL SITUATIONS ONSITE

TANK CANNOT BE RED TAGGED



COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
"To Enrich Lives Through Effective and Caring Service"
www.CleanLA.com

ENVIRONMENTAL PROGRAMS DIVISION SUPPLEMENT TO NOTICE OF RED TAGGING AND ORDER TO COMPLY NONCOMPLIANT UNDERGROUND STORAGE TANK

Date _____ Site/File _____
Owner/Operator _____ Violation _____
Site Name _____
Site Address _____ City, Zip _____

During the course of installing red tag boots on underground storage tanks (UST) at the subject site, staff from this office were unable to access the fill port of the following UST system in order to affix a red tag boot to the fill port:

87 Octane _____ _____
 89 Octane _____ _____
 91 Octane _____ _____
 Diesel _____ _____

You are notified that the above UST system are considered red tagged and as such no owner or operator may deposit or allow the deposit of petroleum into a UST system that is red tagged.

Additionally, you are directed to make the above UST system accessible to this office in order that a red tag boot can be affixed to the fill port within one day of the date of this Notice. To make said arrangements or if you have any questions regarding this matter, please contact _____ Monday through Friday, 8 a.m. to 9:30 a.m. or Monday through, Thursday 7 a.m. to 5:30 p.m. at _____.

Reviewed By: _____
Print Name

Receipt of a copy of this report acknowledged by:

| | |
|-------------|--------|
| Print Name: | Title: |
| Signature: | Date: |

OFFICE COPY

AS THE LOCAL AGENCY

UPON NOTIFICATION BY THE OWNER OR OPERATOR THAT THEY HAVE COMPLIED.

WITHIN FIVE DAYS TO DETERMINE IF THE SYSTEM CONTINUES TO BE IN SIGNIFICANT VIOLATION (PER CODE)

ONCE WE DETERMINE THE SITE IS NO LONGER IN SIGNIFICANT VIOLATION AND THEY HAVE COMPLIED WITH THE NVRT OR ARE ON A COMPLIANCE SCHEDULE, WE WILL REMOVE THE RED TAG BAGS.

SO YOU RED-TAGGED A FACILITY PER 23 CCR 2717;

EFFECTIVE JANUARY 1, 2019 – CHSC 25292.3

**VIOLATIONS; NOTICE REQUIREMENTS; DEPOSITS OF PETROLEUM INTO NON-COMPLIANT
SYSTEMS PROHIBITED**

SO YOU RED-TAGGED A FACILITY PER 23 CCR 2717;

(1) AFFIX A RED TAG, IN PLAIN VIEW, TO THE FILL PIPE OF THE NONCOMPLIANT UNDERGROUND STORAGE TANK SYSTEM, PROVIDING NOTICE THAT THE PROHIBITIONS SPECIFIED IN SUBDIVISION (C) APPLY.

(2)(A) AFFIX A RED TAG, AS PROVIDED IN PARAGRAPH (1), AND ISSUE A WRITTEN DIRECTIVE TO THE NONCOMPLIANT UNDERGROUND STORAGE TANK SYSTEM OWNER OR OPERATOR TO EMPTY THE NONCOMPLIANT UNDERGROUND STORAGE TANK SYSTEM.

48 HOUR WINDOW

- **AQMD PERMIT**
- **VAC TRUCK VS FUEL DELIVERY**
- **BILL OF LADING IF TRANSFERRING TO ANOTHER STATION OWNED BY SAME OWNER.**



48 HOUR WINDOW AND SOME THINGS THAT YOU WOULD BE AWARE OF.

AQMD PERMIT – PERMITS ARE REQUIRED WHEN FUEL IS REMOVED FOR DISPOSAL FROM AN UNDERGROUND STORAGE TANK (TAKES TIME TO PERMIT AND CAN EXTEND OVER THE 48 HOUR WINDOW)

WE WILL WORK WITH A SITE IF THEY STATE THEY ARE GOING THRU THE AQMD PERMITTING PROCESS WHILE MOVING FORWARD FOR FUEL REMOVAL, IT ADDS ONE OR TWO EXTRA DAYS.... UP TO THE SITE TO DETERMINE IF AQMD PERMIT IS NEEDED NOT PW

VAC TRUCK VS FUEL DELIVERY – TWO OPTION THAT THE SITE HAS TO RESEARCH TO SEE WHAT THEY WILL DO WITH THE FUEL BEING REMOVED.

BILL OF LADING IF TRANSFERRING TO ANOTHER STATION OWNED BY SAME OWNER USUALLY DONE BY THE FUEL DELIVERY TRUCK WHICH HAS PERMITS TO TRANSPORT FUEL ALREADY.

RED TAG CONSIDERATIONS

- **IT IS SPECIFIC TO PROHIBIT FUEL DELIVERY AND NOW AS OF JANUARY 1, 2019 DISPENSING AS WELL.**
- **GENERATOR USTS CAN BE RED TAGGED; JUST MORE WORK FOR THE AGENCY.**

NON-PETROLEUM USTS

UNDER WHICH PROVISION OF 2717 CAN YOU RED TAG A NON-PETROLEUM UST?

NON-PETROLEUM USTS

CHSC 25292.3 FOR IMMINENT THREAT

**23 CCR 2717 (a)(3) MAY BE USED FOR RECALITRANT/PATTERN OF
NEGLECT/DISREGARD**

2717(a)(1) AND (2) ARE PETROLEUM-SPECIFIC.

- **REMEMBER SOMETIMES, THE RED TAG BAGS MIGHT STAY THERE FOR SOME TIME.**
- **WE WANT COMPLIANCE BUT UST OWNER/OPERATORS HAVE TO BE WILLING PARTNERS IN COMPLIANCE.**

RED TAG AUTHORITY

AFTER THE RED TAG – ENTERING THE RED TAG INTO CERS

THE PA IS ABLE TO HAND-OFF THIS TASK TO ANOTHER INDIVIDUAL...

THE CUPA COMPLETES THE PROCESS FROM START TO FINISH AND REPORTING TOO!



Submittals

Facilities

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| | | | |
|---------------|-------------------------------------------------------------|-------------|---------------------------------------------------|
| Regulator | <input type="text" value="Long Beach Environmental Heath"/> | Data Status | <input type="text"/> |
| Type | <input type="text" value="Referral to Other"/> | Formal Type | <input type="text" value="Administrative"/> |
| CERS ID | <input type="text"/> | EPA ID | <input type="text"/> |
| Facility ID | <input type="text"/> | | |
| Facility Name | <input type="text"/> | Date Range | <input type="text"/> to <input type="text"/> |
| | | | <input type="button" value="Search"/> |
| | | | <input type="button" value="Create Enforcement"/> |

Enter your search criteria above and select the Search button

Create Enforcement Action: [REDACTED] (CERS ID: [REDACTED])

Save Cancel

Enforcement Action Details

Date

Regulator ID

Type

Formal Type Administrative Civil Criminal Civil/Criminal

Docket Number

Data Entry Status

Date Referred Case Settled/Dropped

Final Fine/Penalty Assessed \$

Supplemental Environmental Projects Value \$

Red Tag Issued

Comments

Red Tag Information (UST Enforcements Only)

Red Tag Number

Violations Causing Red Tag

Date Red Tag Affixed

Date Red Tag Removed



Any Questions?

ANGELA SAMAYOA, REHS, CHMM

LONG BEACH CUPA ANGELA.SAMAYOA@LONGBEACH.GOV

MARIA BAKER

LA COUNTY PUBLIC WORKS PA MBAKER@PW.LACOUNTY.GOV

26th California Unified Program
Annual Training Conference
February 26-29, 2024

