

Requesting Red Tag Removal for Underground Storage Tanks Subject to Delivery Prohibition

Overview

This fact sheet summarizes how to communicate with DEQ about underground storage tanks (USTs) that are subject to delivery prohibition ("red tags"). Topics include how to request temporary tag removal – if needed to perform repairs or testing – and resolving issues to make USTs eligible for delivery again (permanent tag removal).

Who to Contact at DEQ

- Unless otherwise specified, please submit compliance documents and tag removal requests to the DEQ contact identified on the Delivery Prohibition Decision letter.
- The DEQ tank inspector may also be consulted for assistance with understanding how to correct compliance issues.
- If you are unsure who to contact, reach out to your regional DEQ Office: <https://www.deq.virginia.gov/get-involved/about-us/contact-us>

When to Contact DEQ

Anyone who takes the below actions without prior written approval from the Virginia Department of Environmental Quality may be subject to civil penalties up to \$32,500 per day pursuant to State Water Control Law.

Contact DEQ *before*:

- Accepting or making a delivery of any size for any reason to a red-tagged UST.
- Taking any action that may constitute removing, altering, or tampering with a red tag (e.g., while performing repairs that affect the fill area).



Requesting Temporary Removal of Tags for Repairs or Testing

Occasionally, DEQ approves temporary removal of red tags for repair or testing purposes. If a delivery is requested for testing purposes, DEQ will only approve a one-time delivery of the minimum amount required.

1. Submit a written request (email or mail) to your DEQ contact. Please ensure that DEQ receives the request 2-3 business days in advance of the requested tag removal date/time to allow sufficient time for review. You may be asked to adjust the request if information is missing. The request must include:
 - a) Clear identification of the tank(s) affected (e.g., ID number, size, product type)
 - b) Justification for requesting temporary tag removal (e.g., testing/repair parameters)
 - c) Date and time tag(s) will need to be removed
 - d) If a delivery is needed, include the type of product (e.g., regular or premium gasoline, diesel, kerosene), the amount of product requested, and the calculation for determining the minimum amount necessary (i.e., cite equipment manual, testing procedures).
2. Await DEQ's response. **Do NOT remove or alter any red tag without prior written approval from DEQ.**
 - If the request is rejected, DEQ will provide the rationale, and you may make another request.
 - If the request is approved, DEQ will reply with a written approval communication, including:
 - a) Conditions under which the tag(s) can be removed, including timing
 - b) Whether or not regional staff will be on site to remove and reattach the tag (under some circumstances, DEQ may authorize you to remove and reattach the tag)
 - c) If receiving a delivery, the type and amount of product approved and whether it must be removed after testing

Requesting Permanent Removal of Tags

1. Submit written requests to remove tags permanently to your DEQ contact. You must demonstrate that all compliance issues subject to delivery prohibition have been resolved. Include an explanation of work completed (e.g., invoice, work order) and any requested records, such as test reports and repair records.
2. Await DEQ's response. **Do NOT remove any red tag without prior written approval from DEQ.**
 - If the documentation is incomplete, the response will explain any additional steps and/or documentation required to resolve the compliance issues.
 - If the documentation is complete, DEQ will issue an official Delivery Prohibition Tag Removal letter, specifying which red tags will be removed.

Red Tag Removal Process

- Once DEQ issues a Delivery Prohibition Tag Removal letter, regional compliance staff (e.g., a tank inspector) will return to the facility within 2 business days to remove the red tag(s).
 - **Do NOT accept or deliver fuel into a tank until the red tag has been removed by DEQ staff (or an individual authorized by DEQ in writing).**
 - Occasionally, DEQ may authorize the tank owner/operator to remove the red tags from specified tanks. **Do NOT remove or alter any red tag without prior written approval from DEQ.** If you are authorized to remove red tag(s), keep them on site until DEQ staff return to collect them.
- **Please Note:** If compliance issues have been resolved for some but not all USTs on site, the compliant tanks may be authorized for tag removal, but the facility will remain on the [Red Tagged Facility List](#) until all USTs are returned to compliance. **Failure to return all tagged tanks to compliance within 90 days may result in facility-wide delivery prohibition.**
- Once all tanks are returned to compliance, the facility will be removed from the Red Tagged Facility List posted on the agency's public website (<https://www.deq.virginia.gov/our-programs/land-waste/petroleum-tanks/underground-storage-tanks/delivery-prohibition>).

For more information:

- Contact the Office of Spill Response & Remediation at tank@deq.virginia.gov, or contact your regional DEQ Office: <https://www.deq.virginia.gov/get-involved/about-us/contact-us>
- Visit the Delivery Prohibition webpage on DEQ's public website: <https://www.deq.virginia.gov/our-programs/land-waste/petroleum-tanks/underground-storage-tanks/delivery-prohibition>