
ENVIRONMENTAL Fact Sheet



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Delivery Prohibition of Petroleum to Regulated Underground Storage Tanks

New Hampshire RSA 146-C now prohibits facility owners/operators and oil delivery companies from filling a tank or tanks at an underground storage tank facility that continues to violate spill prevention, overfill protection, release detection, leak monitoring or corrosion protection requirements of the New Hampshire Administrative Rules Env-Or 400 *Underground Storage Tank Facilities* by Red Tag authority.

New Hampshire's Red Tag procedures

1. The Department of Environmental Services will inspect the tank/facility to assess compliance with Env-Or 400. Written notification will be provided to the owner and operator listing the compliance deficiencies, compliance options and time frame to correct the deficiencies that were noted during the inspection.
2. If the owner/operator fails to correct the deficiencies within the required time frame, NHDES will issue a "Notice of Intent to Red-Tag" letter to the owner and operator. The Notice of Intent to Red-Tag letter will include an additional time frame to correct the deficiencies, after which NHDES will affix the red-tag to the tank/facility, thereby prohibiting the delivery of oil to the tank/facility.



NHDES will also provide any requesting delivery company a list of the tank/facilities that were issued a Notice of Intent to Red-Tag letter and a list of the tank/facilities that are red tagged.

3. NHDES will post a list of red tagged tanks/facilities on the NHDES Waste Management Division Underground Storage Tank web page and OneStop data retrieval site at www2.des.state.nh.us/UST_RED_TAG/Main.aspx.
4. Should the owner or operator bring the tank/facility into compliance, NHDES will remove the red tag from the tank/facility and remove the tank/facility from the list of red tagged tanks/facilities on the web page. The tank/facilities can then resume receiving oil deliveries.

DISCLAIMER: Information contained in this fact sheet is current as of September 1, 2013. Statutory or regulatory changes that may occur after that date may cause part or all of the information to become invalid. If there are any questions concerning the current status of this information, please contact us at (603) 271-3899 or email us at ORCB.WMD@des.nh.gov.