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## Storage Tank Enforcement: Tennessee Department of Environment and Conservation Order and Assessment Addressing Portland, Tennessee Facility

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The Tennessee Department of Environment and Conservation (“TDEC”) issued a July 30th Order and Assessment (“Order”) addressing a Portland, Tennessee facility (“Swifty No. 286” [“Swifty”]).

Swifty is stated to be the site of four underground storage tanks (“USTs”) in Portland, Tennessee.

TDEC personnel are stated to have conducted a compliance inspection at the Swifty facility. Violations identified are alleged to include:

- Failure to ensure that cathodic protection system was tested within the six months of the installation and every three years thereafter. . .
- Failure to have one or more persons designated as Class A and Class B operators. . .

The Order requires that the Swifty facility undertake:

- Submission of results of a corrosion protection test
- Designation of a Class A and Class B operator for the facility
- Submission of documentation in a timely manner
- Submission of payment of all back fees and late penalties for the facility

The Order proposes a civil penalty of \$10,320.

The facility has certain appeal rights pursuant to Tennessee law.

A copy of the Order can be downloaded [here](#).