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# Storage Tank Enforcement: Tennessee Department of Environment and Conservation and Lakeland, Tennessee Operator Enter into Settlement Agreement

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The Tennessee Department of Environment and Conservation ("TDEC") and Carroll's Roofing & Construction, LLC, ("CRC") entered into an August 6th Settlement Agreement and Order ("Agreement") addressing an alleged violation of the Tennessee underground storage tank ("UST") regulations. See Case No. UST19-0045.

The Agreement provides that CRC is the registered owner of three UST systems in Lakeland, Tennessee.

The Division of Underground Storage Tanks ("Division") of TDEC is stated to have received a Notification for UST form on or about March 31, 2016, listing CRC as the owner of three UST systems in Lakeland, Tennessee. Division personnel are stated to have performed a compliance inspection on August 14, 2018, of the Lakeland USTs. The inspection allegedly identified a violation. The violation is described as:

Failure to ensure that cathodic protection system is tested within 6 months of installation and every 3 years thereafter in accordance with Rule 0400-18-01.02(4)(c)2(i). Specifically, at the time of inspection, the results from a cathodic protection ("CP") system test conducted within the previous 3 years were not available for review. The passing results from a test conducted January 17, 2015 were available.

The Agreement provides that correspondence was sent by the Division to the UST operator referencing the inspection and the results. Contact was made with CRC personnel who indicated a technician had been out to look at the "CP system" but did not make repairs that day.

A Notice of Violation was subsequently issued by the Division.

Because of an alleged failure of CRC personnel to communicate with the Division, an additional violation is described as:

Failure to cooperate with the Division by failing to provide documents, testing, or monitoring records to the Division in accordance with Rule 0400-18-01-.03(2).

The Agreement provides that the USTs may be inspected by the Division at any time over the next 12 months and that the operator of record must attend the TDEC Tank School within 120 days of the issuance of the Agreement.

A civil penalty of \$1,440 is assessed.

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