

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



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The Tennessee Department of Environment and Conservation (“TDEC”) and US Angels, Inc. and Jay Chudhari (collectively “US Angels”) entered into a June 6th Settlement Agreement (“Agreement”) addressing alleged violations of the Tennessee Petroleum Underground Storage Tank Act and certain provisions of the Tennessee Code. See UST19-0116.

The Agreement provides that US Angels is the registered owners and/or operators of three petroleum underground storage tanks (“USTs”) located in Chattanooga, Tennessee.

Certain alleged violations were stated to have been in an Administrative Order and Assessment (“Order”) on November 26, 2019. The Order alleged that US Angels committed the following violations:

1. Failure to operate and maintain the corrosion protection system to provide continuous protection in accordance with Rule 0400-18-01-.02(4)(c)1; and
2. Failure to cooperate fully with the Division by not submitting requested documents in a timely manner in accordance with Rule 0400-18-01-.03(2).

The Order is stated to have assessed a civil penalty of \$2,400. Further, it requires US Angels to take certain steps to return to operational compliance which include:

- Inspect, retest, and make any necessary repairs to the impressed current system and submit the results to the Division. If repairs were necessary, a corrosion expert needed to approve the repairs.

The TDEC is stated to have received satisfactory documentation and is now reasonably satisfied that US Angels has performed the corrective action required by the Order.

The Agreement does provide that \$500 of the civil penalty is only due in the event of failure to comply with certain specified provisions.

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