

Storage Tank Enforcement: Tennessee Department of Environment and Conservation Order and Assessment Addressing Henderson Facility



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The Tennessee Department of Environment and Conservation (“TDEC”) issued a June 10th Order and Assessment (“Order”) related to a Henderson, Tennessee, facility (“Facility”), Thomas Corner Grocery (“Thomas”). See Division of Underground Storage Tanks Case No. UST20-0014.

The Facility is stated to be the registered owner of three underground storage tanks (“USTs”).

The TDEC Division of Underground Storage Tanks is stated to have contacted Thomas on May 22, 2019, and scheduled a compliance inspection. A compliance inspection was stated to have been performed on June 5, 2019, at the Facility and the following violations were allegedly identified:

1. Failure to continue operation and maintenance of release detection in a temporarily closed tank system that contains product
2. Failure to monitor tanks at least monthly
3. Failure to report a change of status for a UST within 30 days
4. Failure to measure the water level in the bottom of the tank to the nearest 1/8th inch monthly
5. Failure to install, calibrate, operate, or maintain a release detection method for a tank
6. Failure to have equipment capable of taking measurements to the nearest 1/8th inch
7. Failure to provide a release detection method capable of detecting a release from a tank that routinely contains product
8. Failure to have Statistical Inventory Reconciliation reports generated before the end of the month after the end of the data collection for that time period

The Order requires that the Facility undertake certain actions to correct the alleged violations which include:

- Submit a disposal manifest for the removal of all residue in Tank 6A to properly register the tank as Temporarily Out of Service or begin release detection
- Submit Statistical inventory Reconciliation records for Tank 5A for the previous 12 months
- Submit payment of all tank fees and late penalties for the Facility

A civil penalty of \$7,680 is proposed.

The Order provides certain appeal rights.

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