

# Storage Tank Enforcement: Tennessee Department of Environment and Conservation Proposed Order and Assessment for Knoxville Facility



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The Tennessee Department of Environment and Conservation (“TDEC”) issued a proposed April 27th Order and Assessment (“Order”) to Mapco Express, Inc. (“Mapco”) addressing alleged violations of the Tennessee Underground Storage Tank (“UST”) rules. See Case No. UST 21-0029.

The Order provides that Mapco is the registered owner of five UST systems (“Facility”) in Knoxville, Tennessee.

Mapco is stated to have been previously the subject of enforcement action. Further, the company was stated to have been offered the opportunity to attend UST training provided by TDEC Division of Underground Storage Tanks (“Division”).

Division personnel are stated to have conducted a compliance inspection at the Facility on June 29, 2020. The inspector allegedly identified the following violations:

- Failure to use spill prevention system that will prevent a release of petroleum to the environment when the transfer hose is detached in accordance with Rule 0400-18-01-.02(3)(a)1(i).
- Failure to install, calibrate, operate, or maintain release detection method for tank in accordance with manufacturer’s instructions in accordance with Rule 0400-18-01-.04(1)(a)2.

The Order provides that on or about January 14th the Division received compliance documentation pertaining to a violation discovered at the time of the inspection. It further provides:

... The passing result of a spill bucket integrity test conducted on the new spill bucket on the referenced tank was received; however, the test report indicated the test was conducted at 11 inches of vacuum and integrity tests on the interstice of a spill bucket should be conducted at a minimum of 15 inches of vacuum.

Additional documentation was provided by Mapco which indicated that an additional spill bucket integrity test had been conducted and that that violation had been addressed.

The Division is stated to have received on March 3rd compliance documentation addressing a violation discovered at the time of the inspection. It specifically provides:

... An ATG setup detailing all the tanks at the facility had been calibrated to a 4-point profile. The documentation confirmed that Violation #2 discovered during the inspection had been addressed, and the facility had returned to operational compliance.

The Order proposes a civil penalty of \$14,800. However, it provides options for reducing the penalty if certain actions are undertaken.

The Order provides certain appeal rights.

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