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# Storage Tank Enforcement: Tennessee Department of Environment and Conservation Proposed Order/Assessment Addressing Parsons Underground Storage Tank Owner

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The Tennessee Department of Environment and Conservation (“TDEC”) issued a May 18th proposed Order and Assessment (“Order”) to Parson Sky Holdings, LLC, (“PSH”) addressing alleged violations of the underground storage tank (“UST”) regulations. See Case No. UST21-0003.

PSH is stated to be the registered owner of three USTs in Parson, Tennessee.

The Underground Storage Tank Division (“Division”) of the TDEC is stated to have received a Notification for UST form listing PSH as the owner of the three previously referenced USTs.

Division personnel are stated to have sent a Confirmation of Compliance Inspection Appointment on or about December 26, 2019, to PSH. The letter is stated to have confirmed that a compliance inspection would be conducted at the facility on January 28, 2020.

Division personnel are stated to have conducted a compliance inspection at the facility utilizing the USTs on January 28, 2020. The Division is alleged to have discovered the following violations:

- Failure to operate and maintain corrosion protection system to provide continuous protection accordance with Rule 0400-18-01-.02(4)(c)1. Specifically, at the time of inspection, the inconclusive results of an impressed current cathodic protection (“CP”) test conducted January 22, 2020 were provided.
- Failure to report a change in status for a UST system within 30 days in accordance with Rule 0400-18-01-.03(1)(g). Specifically, at the time of inspection, it was discovered that Tank #2A (10,000 gallon gasoline) had been out-of-service and pumped to less than one inch of liquid since January 2019.

An amended Notification for USTs form properly registering Tank #2A as Temporarily Out-of-Service was subsequently received. The documentation is stated to have confirmed that Violation #2 discovered during the inspection had been addressed.

On or about June 30, 2020, documents were provided stating that a review had been completed of the inconclusive CP test and an estimate of the necessary repairs was being sent to PSH.

In regards to the previously referenced estimate, that was stated to have not yet been provided.

The alleged failure to meet a January 4, 2020, deadline is stated to have added the following violation:

- 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 Order provides that if PSH fails to comply with this Order and/or file an appeal within the timeframes, the above referenced facility will be placed on the Delivery Prohibition List and the fill ports and dispensers will be red ragged until compliance is achieved. The Order requires that PSH perform all actions necessary to correct the outstanding violations.

A civil penalty of \$2,400 is assessed.

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