

Storage Tank Enforcement: Tennessee Department of Environment and Conservation Proposed Order and Assessment



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The Tennessee Department of Environment and Conservation (“TDEC”) issued an August 10th Proposed Order and Assessment (“Order”) to Om Sharda LLC (“OS”), for an alleged violation of the Tennessee Underground Storage Tank (“UST”) regulations. See Case No. UST 21-0064.

The Order provides that OS is the registered owner of three UST systems in Harriman, Tennessee.

The Underground Storage Tank Division (“Division”) of the TDEC is stated to have received a Notification for Underground Storage Tanks Form listing OS as the owner of the three UST systems.

Division personnel are stated to have conducted a compliance inspection at the location of the USTs (“Facility”) on February 9th.

The inspection allegedly identified the following violations:

- Failure to ensure cathodic protection is functioning as designed and is effectively preventing corrosion
- Failure to comply with requirements concerning design, construction, utilization, and or upgrade of corrosion protection for piping
- Failure to test line leak detectors annually
- Failure to conduct annual line tightness test or do monthly monitoring on pressurized underground piping

The Order references correspondence between the company and the Division addressing the alleged violations. Further, the Division is stated to have received compliance documentation on April 15th addressing certain violations discovered at the time of the inspection. The documentation provided is stated to have included:

- Passing CP Test results;
- Passing line leak detector test results;
- Passing line tightness test results;
- Passing hydrostatic test results for the spill bucket associated with Tank 3A (diesel);
- Documentation of addition of anodes to the flexes at the STP sumps.

The Order provides that the documentation confirmed that the identified violations had been addressed and the Facility returned to compliance.

The Order provides that a violation occurred stating:

By failing to operate a petroleum underground storage tank in compliance with the Act, the Respondent has violated Tenn. Code Ann. Section 68-215-104(2).

The Order proposes three penalty options which include:

- Full Civil Penalty Payment of \$6,000
- Diminished penalties if certain actions are taken

The Order provides OS certain appeal rights.

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