

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



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The Tennessee Department of Environment and Conservation (“TDEC”) issued a September 23rd proposed Order and Assessment (“Order”) to Racetrac Petroleum, Inc. (“Racetrac”) related to the Tennessee rules addressing underground storage tanks (“USTs”). See Case No. UST21-0116.

The Order provides that Racetrac is the registered owner of five UST systems in Clarksville, Tennessee.

The TDEC Underground Storage Tank Division (“Division”) is stated to have received a Pre-Installation Notification for Underground Storage Tanks form listing Racetrac as the owner of the five UST systems in Clarksville, Tennessee.

A compliance inspection was scheduled by the Division to be conducted on September 1, 2020, at the Racetrac facility.

Division personnel are stated to have identified the following violations:

- Failure to be able to detect a leak through the inner wall of double-walled UST system piping that routinely contains petroleum in accordance with Rule 0400-18-01-.04(4)(c)1(i).
- Failure to report a change of status of a UST system within thirty days in accordance with Rule 0400-18-01-.03(1)(g)

Division personnel are stated to have sent the results of the compliance inspection on September 28, 2020, to Racetrac.

The Division subsequently received compliance documentation addressing the violations discovered at the time of the inspection. This included a Notification for Underground Storage Tanks form changing the status of all tank systems from TOS to CIU. This documentation returned Violation #2 to compliance.

The Division received on October 6, 2020, compliance documentation addressing the violations discovered at the time of inspection. This included a Work Order and photographs showing the test boots corrected and the test jumpers removed. The documentation returned Violation #1 to compliance.

The Order assesses a civil penalty of \$10,000, which could be reduced if certain other alternative measures were undertaken.

The proposed Order provides Racetrac certain appeal rights.

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