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# Storage Tank Enforcement: Tennessee Department of Environment and Conservation Proposed Order Addressing University of Tennessee Health Science Center

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The Tennessee Department of Environment and Conservation (“TDEC”) issued a May 31st Proposed Order and Assessment (“Order”) to the University of Tennessee Health Science Center (“UT”) addressing alleged violations of the Tennessee Underground Storage Tank (“UST”) regulations. See Case No. UST22-0115R.

UT is a public medical school (“School”) in Memphis, Tennessee.

The School is stated to be a registered owner of one UST located in Memphis, Tennessee.

TDEC Division of Underground Storage Tanks (“Division”) personnel are stated to have contacted a contractor for the School on May 24, 2022, to schedule a compliance inspection.

Division personnel are stated to have conducted a compliance inspection on May 25, 2022, and identified the following violations:

- Failure to meet the requirements for the UST System Release Detection
- Failure to provide a release detection method capable of detecting a release from the tank or piping that routinely contains product
- Failure to meet the requirements for UST System Installation and Operation
- Failure to inspect containment sumps as part of the required annual walkthrough inspection

Division personnel are stated to have sent a Results of Compliance Inspection – Action Required letter to UT identifying the violations and asking for documentation regarding their correction.

Division personnel are stated to have received an email from UT’s contractor on June 13, 2022, providing the following documentation regarding the alleged violations:

- A Tank Tightness Test conducted by Hassan Najdawi with ECT of Tennessee on June 8, 2022.
- A Precision Line Tightness and Leak Detector Test conducted on June 8, 2022.
- A UST Overfill Prevention Operability Test conducted on June 8, 2022.

Because of the alleged failure to meet a certain deadline the Order also alleges the following violation:

- Failure to cooperate with the Division by failing to provide documents, testing or monitoring records to the Division

The School subsequently provided documentation regarding the annual walkthrough inspection which was completed on September 22, 2022.

The proposed Order states that:

- If the School fails to comply and/or file an appeal within certain timeframes, the facility will be placed on the Delivery Prohibition List and the fill ports and dispensers will be red-tagged until compliance is achieved.
- Actions necessary to correct the outstanding violations and bring the facility into full compliance with the regulatory requirements are required within a specified timeframe.
- A civil penalty in the amount of \$3,480 is assessed.

The proposed Order provides certain appeal rights.

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