

Storage Tank Enforcement: Tennessee Department of Environment & Conservation and Benton County Facility Enter into Settlement Agreement



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The Tennessee Department of Environment & Conservation (“TDEC”) and CGS Stores, LLC (“CGS”) entered into a June 18th Settlement Agreement and Order (“Agreement”) addressing alleged violations of the Tennessee Underground Storage Tank (“UST”) regulations. See Case No. UST23-0214.

The Agreement provides that CGS is the registered owner of two UST systems in Benton County, Tennessee.

TDEC Division of Underground Storage Tanks (“Division”) personnel are stated to have performed a Compliance Inspection at the CGS facility on April 21, 2023. The Division inspector is stated to have discovered several violations.

Division personnel are stated to have subsequently sent a “Results of Compliance Inspection – Action Required” letter to CGS on May 1, 2023. CGS is stated to have been requested to submit documentation regarding correction of the violations. Extension requests by CGS were submitted to the Division on multiple occasions.

The Agreement provides that CGS has committed the following violations:

- Failure to meet deadlines
- Failure to inspect overflow prevention equipment at least once every three years

Division personnel are stated to have received on May 15th overflow prevention device operability test results. The Division accepted the test which brought the facility into operational compliance.

The Agreement assesses a civil penalty of \$1,700. Further, CGS is required to pay an additional \$720 if:

- Fails to comply with Paragraph 1.
- The Division determines there is an operator retraining violation at the facility within 12 months of the effective date of the Agreement.

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