

Storage Tank Enforcement: Proposed Tennessee Department of Environmental and Conservation Order Addressing Knoxville Retail Motor Facility



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The Tennessee Department of Environment and Conservation (“TDEC”) issued an August 1st Proposed Order and Assessment (“Order”) to CGS Stores, LLC (“CGS”) addressing alleged violations of the Tennessee Underground Storage Tank (UST) regulations. See Case No. UST-23-0207.

The Order provides that CGS is the registered owner of four UST systems in Knoxville, Tennessee.

TDEC Division of Underground Storage Tanks (“Division”) personnel are stated to have performed a compliance inspection at the facility on May 16, 2023.

The inspection allegedly identified the following violations that have not been addressed:

- Failure to install, calibrate, operate, or maintain release detection method for piping in accordance with manufacturer’s instructions.
- Failure to install ancillary equipment and containment systems in accordance with manufacturer’s installation instructions.

The Division is stated to have sent BGS letters citing the violations discovered during the inspection and a failure to return to compliance .

CGS is stated have not cooperated fully and remains in non-compliance with the Division.

The Order provides that if CGS fails to comply with this Order or file an appeal within the referenced time frames, the facility will be placed on the delivery prohibition list and the fill ports or dispensers red tagged until compliance is achieved.

A civil penalty of \$4,800.00 is proposed.

CGS is also required to perform all the actions necessary to correct the outstanding violations and bring the facility into full compliance with regulatory requirements. Documentation is required to be provided

to the Division of the remedial action performed and that such documentation must be sufficient to establish a return to full compliance.

A schedule for such actions is provided.

The Order provides certain appeal rights.

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