

# Storage Tank Enforcement: Tennessee Department of Environment and Conservation Proposed Order Addressing Williamson County Facility



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The Tennessee Department of Environment and Conservation (“TDEC”) issued a Proposed Order and Assessment (“Order”) for alleged violations of the Tennessee Petroleum Underground Storage Tank Act and relevant rules. See Case No. UST-24-0244.

The Order provides that Farhad and Mehmoosh Davachi (collectively, “Respondents”) operate petroleum underground storage tanks (“USTs”) in Williamson County, Tennessee.

The facility operating USTs is stated to be Caldwell Shell Service.

TDEC Division of Underground Storage Tanks (“Division”) personnel are stated to have conducted a compliance evaluation inspection at the facility on February 13, 2024. The inspection allegedly identified the following violations which have not been addressed:

- Failure to inspect impressed current corrosion protection system every sixty (60) days.
- Failure to ensure that cathodic protection system is tested every three years.
- Failure to ensure that cathodic protection is functioning as designed and is effectively preventing corrosion.
- Failure of facility having one or more petroleum UST systems to have one or more persons designated as Class A, Class B, and Class C Operators.

The Division is stated to have sent a Results of Compliance Inspection – Action Required Letter to the Respondents on February 14, 2023. Additional letters are stated to have been sent citing the alleged violations. The Respondents are stated to have failed to meet the deadlines.

The Order provides that if the Respondents fail to comply or file an appeal within the relevant timeframes, the facility will be placed on the Delivery Prohibition List and red tagged. In addition, the Order proposes a total civil penalty of \$9,840.00.

Respondents are also required to perform all actions necessary to correct the outstanding violations and to bring it into full compliance with regulatory requirements. Certain deadlines are set.

The Order provides certain appeal rights.

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