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Trust Fund Deductible/Storage Tank Enforcement: Tennessee Department of Environment and Conservation Proposed Order/Assessment Addressing Henry County Facility

03/17/2025

The Tennessee Department of Environment and Conservation (“TDEC”) issued a March 13th Proposed Order and Assessment (“Order”) to Murphy Oil USA, Inc. (“Murphy Oil”) addressing alleged violations of the Tennessee Underground Storage Tank (“UST”) regulations. See Case No. FDA25-0033.

The Order addresses a facility in Henry County, Tennessee.

Murphy Oil is stated to be the owner of three USTs at the facility.

The TDEC Division of Underground Storage Tanks (“Division”) is stated to have received an email report from Murphy Oil of issues at the facility on December 2, 2024. The email is stated to have indicated that the City of Paris and County emergency management notified Murphy Oil that they were going to the facility to perform an investigation, and upon arrival a sheen was observed in the rip-rap outfall for the onsite stormwater system.

Fuel odors were also stated to be present in the sewer system, but no product was detected in observation wells.

The Division is stated to have performed a site check and inspection at the facility which was emailed to Murphy Oil with a request for compliance records. Results of Compliance Inspection letter was sent to Murphy Oil citing the following alleged violations that had not been corrected:

- Failure to conduct monthly monitoring on pressurized underground piping.
- Failure to maintain a log of at least the last twelve months of visual inspections for seeps and drips after removing the dispenser cover.
- Failure to inspect overflow prevention equipment at least once every three years.
- Failure to perform an annual walkthrough inspection.
- Failure to have spill prevention equipment that will prevent release of petroleum to the environment when the transfer hose is detached from the fill pipe.

The letter is also stated to have requested system testing to be performed on all USTs by January 8th.

The Division is stated to have received analytical tests showing groundwater samples above initial screening levels in three monitoring wells. Further, on January 3rd, the Division received an application for fund eligibility from Murphy Oil for the December 2, 2024 release.

Division personnel are stated to have determined that the facility did not meet the requirements for the minimum deductible for the release due to the previously referenced alleged violations. As a result, the deductible for the release is stated to be \$10,000. The Proposed Order outlines required release and remediation activities and a mandate to correct the alleged outstanding violations. Further, a civil penalty of \$11,200 is assessed.

The Proposed Order provides certain appeal rights.

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