



Department of
**Environment &
Conservation**

Underground Storage Tanks Proposed Rulemaking

Underground Storage Tanks and
Solid Waste Disposal Control Board
December 3, 2025

Proposed Revisions

- Under the current rules:
 - An owner or operator's compliance history determines the amount of the fund deductible.
 - Deductible = \$5,000
 - Increased to \$10,000, \$20,000, or \$30,000 depending on compliance history
- Proposed rules (page 6):
 - An owner or operator's compliance history will have no impact on the fund deductible.
 - Deductible = \$5,000
 - Can be decreased up to 100% depending on certain criteria (pages 7-8)

Proposed Revisions

- Costs for site checks required by the rules will be covered in full at the Division's reasonable rate schedule (pages 6 and 7)
- Annual tank fee suspension will be extended from June 30, 2026 to June 30, 2031 (page 10)
- Clarify fund payment procedures: reimbursement payments will only be made via direct deposit and the documentation needed for the application is now itemized in the rule (page 9)
- Remove a reference to the partial exclusion of UST systems that contain radioactive material (page 2)

Public Comments (Page 13)

- I'd like to thank all the UST staff and the Lee administration for this piece of rulemaking. It's definitely a good step forward. I'm so proud to be in Tennessee where we have one of the best UST programs in the US and certainly, if not the most stable, one of the most stable funds in the US. And that has been due to really hard work by a lot of people at the Underground Storage Tank Division managing the fund as well as cooperation with industry groups. So thanks to everyone that was involved in this. TFCA, representing tank owners, is fully in favor of this rule. We think it's a good program. It's very thoughtful and we appreciate all the background work that's been done to get us here.

Public Comments (Page 13)

- There was a very minor language question asked when the rule came before the Underground Storage Tank Solid Waste Board. I believe that is being worked out. Again, very minor. Other than that, we don't see any reason not to go forward with this.
 - Response: During the August 13, 2025, Underground Storage Tanks and Solid Waste Disposal Control Board Meeting, Board Member, Daphne Berry, asked for clarification regarding the tank and pipe closure incentive and when that incentive applied. To provide clarity for when this incentive may be applicable, the proposed revisions have been modified to state that this reduction may only be used for the fund eligible release associated with the tanks and piping that were closed.

Public Comments

- Rule 0400-18-01-.09(6)(d)2 (page 8)

Closure of all Tanks ~~or~~ and Piping Installed at a site Over 30 Years Ago in accordance with Paragraphs (4) and (5) of Rule 0400-18-01-.07 and Completed after the Effective Date of this Rule*

* This reduction may only be used ~~once~~ for the fund eligible release associated with the tanks and piping that were closed.

Questions?

