



Department of
**Environment &
Conservation**

Underground Storage Tank Enforcement Update

Underground Storage Tanks and
Solid Waste Disposal Control Board
December 4 , 2024

Rhonda Key, Environmental Manager

ENFORCEMENT OVERVIEW

The Division issued 76 orders between July 1, 2024, and September 30, 2024. 12 were Fund Deductible Orders and 2 were Fund Denial Orders. Of the remaining compliance orders, 5 have been closed, 13 were Appealed, 2 are Final-Probation, 2 were non-suited, 6 are Signed, 10 are Signed-Pending SOP and 24 are in Final status.

Enforcement Overview (cont'd)

In the State's fourth quarter
(July 1, 2024, through September 30, 2024)

- The Division assessed \$1,409,637.60 in civil penalties.
- The Division collected \$475,744 in civil penalties.

Final Orders

Final Order

Summary of FDA24-0031

Fac. ID No. 9-792617/ Circle K. Store No. 4703678, Memphis, Shelby County

- Fund Deductible Amount Order signed August 23, 2024.
- Violations on Order:
 - Failure to report a suspected release within seventy-two (72) hours.
 - Failure to conduct release investigation activities.
 - Failure to test electronic and mechanical components at least annually for proper operation.
 - Failing to repair, replace or close the UST system and begin corrective action if test results indicate that a release exists.
- Application for Fund Eligibility is approved with a deductible of \$30,000.00.
- The order became final October 3, 2024. The case is currently in OGC.

Final Order

Summary of FDA24-0035

Fac. ID No. 5-430107/ Hunt's Outdoors, Nashville, Humphreys County

- Fund Deductible Amount Order signed July 30, 2024.
- Violations on Order:
 - Failure to test spill prevention equipment at least once every three years.
 - Failure to inspect overfill prevention equipment at least once every three years.
 - Failure to monitor tanks at least monthly.
 - Failure to provide release detection method capable of detecting a release from tank that routinely contains product.
 - Failure to comply with requirements concerning design, construction, utilization, and or upgrade of corrosion protection for piping.
 - Failure to perform periodic and annual walkthrough inspections.
 - Failure to conduct annual line tightness test on pressurized underground piping.

Final Order-Continued

Summary of FDA24-0035

Fac. ID No. 5-430107/ Hunt's Outdoors, Nashville, Humphreys County

- Fund Deductible Amount Order signed July 30, 2024.
- Violations on Order:
 - 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.
 - Failure to test electronic and mechanical components at least annually for proper operation.
 - Failure to test line leak detectors annually in accordance with guidance provided by the Division and manufacturer's instructions.
 - Failing to repair, replace or close the UST system and begin corrective action if test results indicate that a release exists.
- Application for Fund Eligibility is approved with a deductible of \$20,000.00.
- The order became final September 9, 2024. The case is currently in OGC.

Final Order

Summary of FDA24-0049

Fac. ID No. 3-330910/Lela's Quick Shop, Chattanooga, Hamilton County

- Fund Deductible Amount Order signed August 21, 2024.
- Violations on Order:
 - Failure to report a change of status for a UST system within thirty (30) days.
 - Failure to monitor tanks at least monthly.
 - Failure to conduct a system test when there is a suspected release to determine whether a leak exists in the tank or delivery piping or a breach exists in either wall of secondary containment.
- Application for Fund Eligibility is approved with a deductible of \$20,000.00.
- The order became final September 30, 2024. The case is currently in OGC.

Final Order

Summary of FED24-0020

Fac. ID No. 4-800128/ Harry's, Cookeville, Cumberland County

- Fund Eligibility Denial Order signed July 30, 2024.
- Violations on Order:
 - Failure to perform periodic walkthrough inspections .
 - Failure to remove dispenser cover and visually inspect for releases, seeps, drips at least quarterly.
 - Failure to test spill prevention equipment at least once every three years.
 - Failure to test line leak detectors annually.
 - Failure to maintain the results of testing for three years.
 - Failure to ensure that electronic and mechanical components are tested annually for proper operation.
 - Failure to monitor tanks at least monthly.
 - Failure to comply with requirements concerning design, construction, utilization, and or upgrade of corrosion protection for piping.

Final Order-Continued

Summary of FED24-0020

Fac. ID No. 4-800128/ Harry's, Cookeville, Cumberland County

- Fund Eligibility Denial Order signed July 30, 2024.
- Violations on Order:
 - Failure to inspect overfill prevention equipment at least once every three years.
 - Failure to conduct annual line tightness test or do monthly monitoring on pressurized underground piping.
 - Failure of facility having one or more petroleum UST systems to have one or more persons designated as Class A, Class 8, and Class C Operators.
 - At the inspection, the Respondent was also alerted that free product was found in the UDC sumps below dispensers 3/4 and 9/10 which constitutes an unusual operating condition.
 - Failure to submit the application for fund eligibility within ninety days of the suspected release.
- The Application for Fund Eligibility is denied.
- Order became Final on September 10, 2024 and is in OGC.

Final Order

Summary of UST23-0116

Fac. ID No. 9-792019 / Park Avenue Food Mart, Memphis, Shelby County

- Director's Order signed July 31, 2024.
- Violations on Order:
 - Failure to have one or more petroleum UST systems to have one or more persons designated as Class A, Class B, and Class C Operators.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$4,600.00.
- The order became final September 12, 2024, and is currently in OGC.

Final Order

Summary of UST23-0137

Fac. ID No. 9-792184 / Corner Grocery, Memphis, Shelby County

- Director's Order signed September 12, 2024.
- Violations on Order:
 - Failure to have overfill prevention equipment that will alert the transfer operator when the tank is no more than ninety percent (90%) full by restricting the flow into the tank or triggering a high-level alarm.
 - Failure to install, calibrate, operate, or maintain release detection method for tank in accordance with manufacturer's instructions
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$17,040.00.
- The order became final October 24, 2024, and is currently in OGC.

Final Order

Summary of UST23-0200

Fac. ID No. 8-570451 / Highland Express, Jackson, Madison County

- Director's Order signed September 12, 2024.
- Violations on Order:
 - Failure to ensure that cathodic protection system is tested every 3 years.
 - Failure to cap and secure all other lines, pumps, manways, and ancillary equipment.
 - 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.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$25,200.00.
- The order became final October 20, 2024, and is currently in OGC.

Final Order

Summary of UST23-0202

Fac. ID No. 1-370085 / Rock Hill Grocery, Johnson City, Hawkins County

- Director's Order signed August 21, 2024.
- Violations on Order:
 - Failure to monitor spill prevention equipment, for UST systems no less frequently than walkthrough inspections are conducted, or to test spill prevention equipment at least once every three years.
 - Failure to operate and maintain corrosion protection system in accordance with a corrosion expert's design to provide continuous protection.
 - Failure to inspect overfill prevention equipment at least once every three years.
 - Failure of the facility to have one or more petroleum UST systems to have one or more persons designated as Class A, Class B, and Class C Operators.

Final Order-Continued

Summary of UST23-0202

Fac. ID No. 1-370085 / Rock Hill Grocery, Johnson City, Hawkins County

- Director's Order signed August 21, 2024.
- Violations on Order:
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$16,560.00.
- The order became final September 30, 2024, and is currently in OGC.

Final Order

Summary of UST23-0215

Fac. ID No. 7-170049/ ABC Mart 2, Jackson, Crockett County

- Director's Order signed September 12, 2024.
- Violations on Order:
 - Failure to continue operation and maintenance of release detection in a temporarily closed tank system that contains greater than 1 inch of liquid and or residue.
 - Failure to tightness test UST system after 3 months but no later than 6 months after the installation of anodes.
 - Failure to report a change of status for a UST system within thirty (30) days.
 - Failure to conduct annual line tightness test or monthly monitoring on pressurized underground piping.
 - Failure to test line leak detectors annually.

Final Order-Continued

Summary of UST23-0215

Fac. ID No. 7-170049/ ABC Mart 2, Jackson, Crockett County

- Director's Order signed September 12, 2024.
- Violations on Order:
 - Failure to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the Division when a significant operational compliance violation is discovered.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$16,800.00.
- The order became final November 3, 2024. UST is working with the Respondent to correct the violations.

Final Order

Summary of UST23-0225

Fac. ID No. 4-210123/ 56 Hwy Market, Cookeville, DeKalb County

- Director's Order signed September 19, 2024.
- Violations on Order:
 - Failure to monitor tanks at least monthly.
 - Failure to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the division when a significant operational compliance violation is discovered.
 - Failure to report a change of status for a UST system within 30 (thirty) days.
 - Failure to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$12,960.00.
- The became final on November 4, 2024, and is currently in OGC.

Final Order

Summary of UST23-0226

Fac. ID No. 9-791966 / Quick Mini Mart, Memphis, Shelby County

- Director's Order signed September 12, 2024.
- Violations on Order:
 - Failure to use spill prevention system that will prevent release of petroleum to the environment when the transfer hose is detached.
 - Failure to monitor tanks at least monthly.
 - Failing to have overfill prevention equipment that will alert the transfer operator when the tank is no more than 90% full by restricting the flow into the tank.
 - Failing to 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.

Final Order-Continued

Summary of UST23-0226

Fac. ID No. 9-791966 / Quick Mini Mart, Memphis, Shelby County

- Director's Order signed September 12, 2024.
- Violations on Order:
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$14,880.00.
- The order became final October 23, 2024. UST is working with the Respondent to correct the violations.

Final Order

Summary of UST23-0249

Fac. ID No. 5-750300 / Gordon's Grocery, Nashville, Rutherford County

- Director's Order signed August 1, 2024.
- Violations on Order:
 - 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.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$4,560.00.
- The order became final September 14, 2024. and is currently in OGC.

Final Order

Summary of UST24-0046

Fac. ID No. 2-050334 / Murphy USA No. 7450, Knoxville, Blount County

- Director's Order signed August 21, 2024.
- Violations on Order:
 - Failure to install, calibrate, operate, or maintain release detection method for piping in accordance with manufacturer's instructions.
 - Failure to ensure that electronic and mechanical components are tested annually.
 - Failure to inspect overfill prevention equipment at least once every three years.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$13,440.00.
- The order became final September 28, 2024. and is currently in OGC.

Final Order

Summary of UST23-0200

Fac. ID No. 8-570451 / Highland Express, Jackson, Madison County

- Director's Order signed September 12, 2024.
- Violations on Order:
 - Failure to ensure that cathodic protection system is tested every 3 years.
 - Failure to cap and secure all other lines, pumps, manways, and ancillary equipment.
 - 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.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$25,200.00.
- The order became final October 20, 2024, UST is working with the Respondent to correct the violations.

Final Order

Summary of UST24-0068

Fac. ID No. 7-230054 / H and S Market, Jackson, Dyer County

- Director's Order signed July 31, 2024.
- Violations on Order:
 - Failure to operate and maintain corrosion protection system in accordance with a corrosion expert's design to provide continuous protection.
 - Failure to use spill prevention system that will prevent release of petroleum to the environment when the transfer hose is detached.
 - Failure to monitor tanks at least monthly.
 - Failure to install, calibrate, operate, or maintain release detection method for piping.
 - Failure to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the Division when a significant operational compliance violation is discovered

Final Order-Continued

Summary of UST24-0068

Fac. ID No. 7-230054 / H and S Market, Jackson, Dyer County

- Director's Order signed July 31, 2024.
- Violations on Order:
 - Failure to report a change of status for a UST system within thirty (30) days.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$20,160.00.
- The order became final September 6, 2024 and is currently in OGC.

Final Order

Summary of UST24-0083

Fac. ID No. 7-920002 / Eddie's Full Service, Jackson, Weakley County

- Director's Order signed August 22, 2024.
- Violations on Order:
 - Failure to apply for permanent closure or change-in-service at least 30 days prior to permanent closure or change-in-service.
 - Failure to submit a PCA in Division format per Division instructions.
 - Failure to obtain Division approval prior to permanent closure of UST systems.
- Penalty:
 - Total fees and penalties: \$7,000.00.
- The order became final September 28, 2024. and is currently in OGC.

Final Order

Summary of UST24-0096

Fac. ID No. 8-490118 / Walton's Tire and Service, Jackson, Lauderdale County

- Director's Order signed August 21, 2024.
- Violations on Order:
 - Failure to ensure that cathodic protection system is tested every three years.
 - Failure to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$1,440.00.
- The order became final October 3, 2024. and is currently in OGC.

Final Order

Summary of UST24-0100

Fac. ID No. 2-150157/ Lane's Grocery, Knoxville, Cocke County

- Director's Order signed September 19, 2024.
- Violations on Order:
 - Failure to report a change of status for a UST system within thirty (30) days.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$2,160.00.
- The order became final November 2, 2024. and is currently in OGC.

Final Order

Summary of UST24-0109

Fac. ID No. 9-790823/ Express Gas, Memphis, Shelby County

- Director's Order signed September 19, 2024.
- Violations on Order:
 - Failure to have overfill prevention equipment that will automatically shut off the flow into the tank when the tank is no more than ninety-five (95%) full.
 - Failure to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the division when a significant operational compliance violation is discovered.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$11,760.00.
- The order became final September 11, 2024. and is currently in OGC.

Final Order

Summary of UST24-0111

Fac. ID No. 2-320404/ Plaza Market, Knoxville, Hamblen County

- Director's Order signed July 31, 2024.
- Violations on Order:
 - Failure to monitor tanks at least monthly.
 - Failure to test line leak detectors annually.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$16,320.00.
- The order became final October 21, 2024. and is currently in OGC.

Final Order

Summary of UST24-0135

Fac. ID No. 8-240130/ Hari Krishana 2 Inc, Memphis, Fayette County

- Director's Order signed August 21, 2024.
- Violations on Order:
 - Failure to provide adequate overfill prevention system.
 - Failure to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the division when a significant operational compliance violation is discovered.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$11,760.00.
- The order became final September 27, 2024. and is currently in OGC.

Final Order

Summary of UST24-0139

Fac. ID No. 8-120089/ Rom Enterprise Inc., Jackson, Chester County

- Director's Order signed July 31, 2024.
- Violations on Order:
 - Failure to monitor tanks at least monthly.
 - Failure to keep spill catchment basins free of water, dirt, debris, etc.
 - Failure to conduct release investigation activities.
 - Failure to inspect overfill prevention equipment at least once every three years.
 - Failure to perform periodic walkthrough inspections.
 - Failure to meet Class C Operator requirements by posting appropriate signage conspicuously.
 - Failure to conduct annual line tightness test (LTT) on pressurized underground piping.
 - Failure of a facility having one or more petroleum UST systems to have one or more persons designated as Class A, Class B, and Class C Operators.

Final Order-Continued

Summary of UST24-0139

Fac. ID No. 8-120089/ Rom Enterprise Inc., Jackson, Chester County

- Director's Order signed July 31, 2024.
- Violations on Order:
 - Failure to report a suspected release to the Division within seventy-two (72) hours.
 - Failure to test electronic and mechanical components at least annually for proper operation.
 - Failure to test line leak detectors (LLD) annually in accordance with guidance provided by the Division and manufacturer's instructions.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$41,640.00.
- The order became final September 16, 2024. and is currently in OGC.

Final Order

Summary of UST24-0111

Fac. ID No. 2-320404/ Plaza Market, Knoxville, Hamblen County

- Director's Order signed July 31, 2024.
- Violations on Order:
 - Failure to monitor tanks at least monthly.
 - Failure to test line leak detectors annually.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$16,320.00.
- The order became final October 21, 2024. and is currently in OGC.

Final Order

Summary of UST24-0140

Fac. ID No. 9-791228/ Elvis Presley's LLC, Memphis, Shelby County

- Director's Order signed July 31, 2024.
- Violations on Order:
 - Failure to monitor spill prevention equipment, for UST systems no less frequently than walkthrough inspections are conducted, or to test spill prevention equipment at least once every three years.
 - Failure to inspect overfill prevention equipment at least once every three years.
 - Failure to perform periodic walkthrough inspections.
 - Failure to test electronic and mechanical components at least annually for proper operation.
 - Failure to conduct annual line tightness test on pressurized underground piping.
 - Failure to test line leak detectors annually.

Final Order-Continued

Summary of UST24-0140

Fac. ID No. 9-791228/ Elvis Presley's LLC, Memphis, Shelby County

- Director's Order signed July 31, 2024.
- Violations on Order:
 - Failure to report a change of status for a UST system within 30 days.
 - Failure to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the division when a significant operational compliance violation is discovered.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$57,120.00.
- The order became final September 11, 2024. and is currently in OGC.

Final Order

Summary of UST24-0151

Fac. ID No. 9-791568/ County Line Express, Memphis, Shelby County

- Director's Order signed August 2, 2024.
- Violations on Order:
 - Failure to provide a release detection method capable of detecting a release from tank that routinely contains product.
 - Failure to operate and maintain corrosion protection system in accordance with a corrosion expert's design to provide continuous protection.
 - Failure to ensure that a cathodic protection system is tested within six months of installation and every three years thereafter.
 - Failure to inspect IC corrosion protection systems every sixty (60) days.
 - Failure to report a change of status for a UST system within thirty (30) days.
 - Failure to permanently close a UST system where the impressed current cathodic protection system has been turned off or has been inoperable for more than 12 months or request to the Division to direct otherwise.

Final Order-Continued

Summary of UST24-0151

Fac. ID No. 9-791568/ County Line Express, Memphis, Shelby County

- Director's Order signed August 2, 2024.
- Violations on Order:
 - Failure to test spill prevention equipment at least once every three years.
 - Failure to inspect overfill prevention equipment at least once every three years.
 - Failure to perform periodic walkthrough inspections.
 - Failure to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the division when a significant operational compliance violation is discovered.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$60,960.00.
- The order became final October 9, 2024. and is currently in OGC.

Final Order

Summary of UST24-0153

Fac. ID No. 4-710257/ East Spring BP Shop, Cookeville, Putnam County

- Director's Order signed August 1, 2024.
- Violations on Order:
 - Failure to ensure that a cathodic protection system is tested every three years.
 - Failure to inspect overfill prevention equipment at least once every three years.
 - Failure to install or provide an adequate overfill prevention system.
 - Failure to conduct an annual line tightness test on pressurized underground piping.
 - Failure to test line leak detectors annually in accordance with guidance provided by the Division and manufacturer's instructions.
 - Failure to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the division when a significant operational compliance violation is discovered.

Final Order-Continued

Summary of UST24-0153

Fac. ID No. 4-710257/ East Spring BP Shop, Cookeville, Putnam County

- Director's Order signed August 1, 2024.
- Violations on Order:
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$32,880.00.
- The order became final September 21, 2024. and is currently in OGC.

Final Order

Summary of UST24-0154

Fac. ID No. 4-710240/ South Willow Exxon, Cookeville, Putnam County

- Director's Order signed August 1, 2024.
- Violations on Order:
 - Failure to inspect overfill prevention equipment at least once every three years.
 - Failure to install or provide an adequate overfill prevention system.
 - Failure to comply with requirements concerning design, construction, utilization, and or
 - upgrade of corrosion protection for piping.
 - Failure to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the division when a significant operational compliance violation is discovered.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$22,800.00.
- The order became final September 22, 2024. and is currently in OGC.

Final Order

Summary of UST24-0159

Fac. ID No. 9-792029/ LT Food Express, Memphis, Shelby County

- Director's Order signed August 21, 2024.
- Violations on Order:
 - Failure of facility having one or more petroleum UST systems to have one or more persons designated as Class A and Class B Operators.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$4,560.00.
- The order became final October 9, 2024. and is currently in OGC.

Final Order

Summary of UST24-0199

Fac. ID No. 2-471519/ The Lodge at Shannondale, Knoxville, Knox County

- Director's Order signed September 23, 2024.
- Violations on Order:
 - Failure of facility having one or more petroleum UST systems to have one or more persons designated as Class A and Class B Operators.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$720.00.
- The order became final November 1, 2024. and is currently in OGC.

Final Probation Orders

Final-Probation Order

Summary of FDA24-0040

Fac. ID No. 5-830007/ Bethpage Store, Nashville, Sumner County

- Fund Deductible Amount Order Signed July 11, 2024.
- Violations on Order:
 - Failure to repair, replace or close the UST system and begin corrective action if test results indicate that a release exists.
 - Failure to report a suspected release to the Division within seventy-two (72) hours.
- Application for Fund Eligibility is approved with a deductible of \$30,000.00.
- A settlement agreement was entered on November 12, 2024, and the Respondent is on probation for one year.

Final-Probation Order

Summary of UST23-0036

Fac. ID No. 6-280178/ HP Max Columbia, Giles County

- Director's Order signed July 31, 2024.
- Violations on Order:
 - Failure to monitor spill prevention equipment, for UST systems no less frequently than walkthrough inspections are conducted, or to test spill prevention equipment at least once every three years.
 - Failure to perform periodic walkthrough inspections.
 - Failure to monitor tanks at least monthly.
 - Failure of containment sumps used for interstitial monitoring of piping to be double walled and is periodically monitored at a frequency no less than the frequency of the walkthrough or be tested every three years.
 - Failure to conduct annual line tightness test or do monthly monitoring on pressurized underground piping.
 - Failure to maintain the results of testing conducted.

Final-Probation Order-Continued

Summary of UST23-0036

Fac. ID No. 6-280178/ HP Max Columbia, Giles County

- Director's Order signed July 31, 2024.
- Violations on Order:
 - Failure to maintain the results of testing conducted.
 - Failure to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$7,200.00.
- A settlement agreement was entered on September 18, 2024, and the Respondent is on probation for one year.

Final-Probation Order

Summary of UST23-0250

Fac. ID No. 9-792219/ Amba Express, Memphis, Shelby County

- Director's Order signed August 21, 2024.
- Violations on Order:
 - 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.
 - Failure to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$4,560.00.
- A settlement agreement was entered on November 6, 2024, and the Respondent is on probation for one year.

Final Remediation Orders

Final-Remediation Order

Summary of FDA24-0039

Fac. ID No. 8-570042/ Casey Jones Mini Mart, Jackson, Madison County

- Fund Deductible Amount Order Signed July 12, 2024.
- Violations on Order:
 - Failure to maintain results of annual testing of electronic and mechanical components for three years.
- Application for Fund Eligibility is approved with a deductible of \$20,000.00.
- The Division is working with the Respondent to perform the remediation activities at the facility.

Final-Remediation Order

Summary of FED24-0019

Fac. ID No. 9-790809/ Perkins Express, Memphis, Shelby County

- Fund Eligibility Denial Order Signed July 9, 2024.
- Violations on Order:
 - Failure to conduct a system test when there is a suspected release to determine whether a leak exists in the tank or delivery piping, or a breach exists in either wall of secondary containment.
 - Failure to submit the application for fund eligibility within ninety (90) days of the suspected release.
- Application for Fund Eligibility is denied.
- The Division is working with the Respondent to perform the remediation activities at the facility.

Appealed Orders

Appealed Order

Summary of FDA24-0033

Fac. ID No. 8-570117/ Circle K Store No. 5145, Jackson, Madison County

- Fund Deductible Amount Order signed July 10, 2024.
- Violations on Order:
 - Failure to test spill prevention equipment at least once every three years.
 - Failure to install, calibrate, operate, or maintain release detection method for a tank in accordance with manufacturer's instructions.
 - Failure to conduct annual line tightness test on pressurized underground piping.
 - Failure to maintain a log of at least the last 12 months of visual inspections for seeps and drips after removing the dispenser cover.
 - Failure to repair or replace any tanks or piping which have had a structural failure.
 - Failure to inspect overfill prevention equipment at least once every three years.
 - Failure to perform annual and periodic walkthrough inspections.
 - Failure to report a change of status for a UST system within thirty (30) days.

Appealed Order-Continued

Summary of FDA24-0033

Fac. ID No. 8-570117/ Circle K Store No. 5145, Jackson, Madison County

- Fund Deductible Amount Order signed July 10, 2024.
- Violations on Order:
 - Failure to test electronic and mechanical components at least annually for proper operation.
 - Failure to test line leak detectors annually in accordance with guidance provided by the Division.
- The Application for Fund Eligibility is approved with a deductible of \$20,000.00
- The order was appealed on August 9, 2024, and is currently in OGC.

Appealed Order

Summary of FDA24-0046

Fac. ID No. 7-920148 / Essary's Conv 2, Jackson, Weakley County

- Fund Deductible Amount Order signed September 10, 2024.
- Violations on Order:
 - Failing to report a suspected release within seventy-two (72) hours to the Division.
 - Failure to install, calibrate, operate, or maintain release detection method for piping in accordance with manufacturer's instructions.
- The Application for Fund Eligibility is approved with a deductible of \$30,000.00
- The order was appealed on October 11, 2024, and is currently in OGC.

Appealed Order

Summary of FDA24-0047

Fac. ID No. 8-570123 / Coastal Gold Line, Jackson, Madison County

- Fund Deductible Amount Order signed August 7, 2024.
- Violations on Order:
 - Failure to inspect impressed current corrosion protection system every sixty (60) days.
 - Failure to ensure that cathodic protection system is tested within six months of installation and every three years thereafter.
 - Failure to operate and maintain corrosion protection system in accordance with a corrosion expert's design to provide continuous protection.
 - Failure to cap and secure all other lines, pumps, manways, and ancillary equipment.
 - Failure to tightness test the UST system.
 - Failure to conduct a site check.
 - Failure to conduct a system test.
- The Application for Fund Eligibility is approved with a deductible of \$10,000.00
- The order was appealed on September 6, 2024, and is currently in OGC.

Appealed Order

Summary of UST23-0154

Fac. ID No. 5-810016 / Spring Street Market, Nashville, Stewart County

- Director's Order signed August 21, 2024.
- Violations on Order:
 - Failure to monitor tanks at least monthly.
 - Failure to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the Division when a significant operational compliance violation is discovered.
 - Failing to cooperate with the Division.
- Penalty:
 - Total civil penalty: \$16,080.00.
- The Order was appealed on September 4, 2024, and is currently in OGC.

Appealed Order

Summary of UST23-0168

Fac. ID No. 5-830172/ Cox Market aka Traveland Market, Nashville, Sumner County

- Director's Order signed September 12, 2024.
- Violations on Order:
 - Failure to have one or more persons designated as Class A, Class B, and Class C Operators.
 - Failure to report a change of status for a UST system within 30 days.
 - Failure to conduct periodic walkthrough inspections.
 - Failure to operate and maintain corrosion protection system.
 - Failure to inspect the impressed current corrosion protection system every sixty (60) days.
 - Failure to provide a release detection method capable of detecting a release from a tank that routinely contains product.
 - Failure to conduct annual line tightness tests or do monthly monitoring on pressurized underground piping.

Appealed Order-Continued

Summary of UST23-0168

Fac. ID No. 5-830172/ Cox Market aka Traveland Market, Nashville, Sumner County

- Director's Order signed September 12, 2024.
- Violations on Order:
 - Failure to test line leak detectors annually.
 - Failure to maintain a log of at least the last 12 months of visual inspection for seeps and drips after removing the dispenser cover.
 - Failure to conduct a system test when there is a suspected release to determine whether a leak exists in the tank or delivery piping.
 - Failure to cooperate with the Division.
- Penalty:
 - Total civil penalty: \$40,560.00.
- The Order was appealed on November 7, 2024, and is currently in OGC.

Appealed Order

Summary of UST23-0242

Fac. ID No. 9-791296 / 1890 S. 3rd Street, Memphis, Shelby County

- Director's Order signed September 12, 2024.
- Violations on Order:
 - Failure to designate Class A, Class B, and Class C Operators.
 - Failure to cooperate with the Division.
- Penalty:
 - Total civil penalty: \$4,560.00
- The Order was appealed on October 3, 2024, and is currently in OGC.

Appealed Order

Summary of UST24-0019

Fac. ID No. 9-791626 / Flash Market No. 161, Memphis, Shelby County

- Director's Order signed September 19, 2024.
- Violations on Order:
 - Failure to designate Class A, Class B, and Class C Operators.
 - Failure to cooperate with the Division.
- Penalty:
 - Total civil penalty: \$4,560.00
- The Order was appealed on October 28, 2024, and is currently in OGC.

Appealed Order

Summary of UST24-0056

Fac. ID No. 9-792738/ Jackson Xpress, Inc., Memphis, Shelby County

- Director's Order signed August 22, 2024.
- Violations on Order:
 - Failure to monitor tanks at least monthly.
 - Failure to conduct annual line tightness test or do monthly monitoring on pressurized underground piping.
 - Failure to perform periodic walkthrough inspections.
 - Failure to keep spill catchment basins free of water, dirt, debris, etc.
 - Failure to cooperate with the Division.
- Penalty:
 - Total civil penalty: \$35,520.00
- The Order was appealed on September 23, 2024, and is currently in OGC.

Appealed Order

Summary of UST24-0092

Fac. ID No. 3-040033/ Valley Market, Chattanooga, Bledsoe County

- Director's Order signed August 21, 2024.
- Violations on Order:
 - Failure to inspect an impressed current corrosion protection system every sixty (60) days.
 - Failure to ensure that a cathodic protection system is tested every three years.
 - Failure to have corrosion protection that is properly designed and constructed and/or upgraded.
 - Failure to use an overfill prevention system that alerts the transfer operator when the tank is no more than 90% full.
 - Failure to test spill prevention equipment (spill bucket) at least once every three years.
 - Failure to continue operation and maintenance of release detection for a temporarily closed tank system that contains greater than one inch of liquid and/or residue.
 - Failure to inspect overfill prevention equipment at least once every three years.

Appealed Order-Continued

Summary of UST24-0092

Fac. ID No. 3-040033/ Valley Market, Chattanooga, Bledsoe County

- Director's Order signed August 21, 2024.
- Violations on Order:
 - Failure to maintain a log of at least the last 12 months of visual inspections (performed quarterly) for seeps and drips after removing the dispenser cover.
 - Failure to perform periodic monthly walkthrough inspections.
 - Failure to cooperate with the Division.
- Penalty:
 - Total civil penalty: \$42,000.00
- The Order was appealed on November 1, 2024, and is currently in OGC.

Appealed Order

Summary of UST24-0105

Fac. ID No. 8-840105/ 5000 Mueller Brass Road, Memphis, Tipton County

- Director's Order signed August 21, 2024.
- Violations on Order:
 - Failure to provide release detection method capable of detecting a release from tank that routinely contains product.
 - Failure to cap and secure all other lines, pumps, manways, and ancillary equipment.
 - Failure to report a change of status for a UST system within thirty (30) days.
 - 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.
 - Failure to cooperate with the Division.
- Penalty:
 - Total civil penalty: \$30,480.00.
- The Order was appealed on September 9, 2024, and is currently in OGC.

Appealed Order

Summary of UST24-0138

Fac. ID No. 2-780246 / JS Market, Knoxville, Sevier County

- Director's Order signed July 31, 2024.
- Violations on Order:
 - Failure to report a suspected release to the division within seventy-two (72) hours.
 - Failure to install piping in accordance with manufacturer's installation instructions.
 - Failure to cooperate with the Division.
- Penalty:
 - Total civil penalty: \$15,840.00
- The Order was appealed on September 11, 2024, and is currently in OGC.

Appealed Order

Summary of UST24-0158

Fac. ID No. 5-830232/Hendersonville Keystop Express, Nashville, Sumner County

- Director's Order signed July 31, 2024.
- Violations on Order:
 - Failure to operate and maintain a corrosion protection system in accordance with a corrosion expert's design to provide continuous protection.
 - Failure to cooperate with the Division.
- Penalty:
 - Total civil penalty: \$12,480.00
- The Order was appealed on August 30, 2024, and is currently in OGC.

Appealed Order

Summary of UST24-0171

Fac. ID No. 9-792096/Big D Collierville, Memphis, Shelby County

- Director's Order signed September 23, 2024.
- Violations on Order:
 - Failure to operate and maintain a corrosion protection system in accordance with a corrosion expert's design to provide continuous protection.
 - Failure to cooperate with the Division.
- Penalty:
 - Total civil penalty: \$11,760.00.
- The Order was appealed on October 21, 2024, and is currently in OGC.

Appealed Order

Summary of UST24-0186

Fac. ID No. 4-210067/On the Way South Congress, Cookeville, Dekalb County

- Director's Order signed September 23, 2024.
- Violations on Order:
 - UST24-0105
- Penalty:
 - Total civil penalty: \$39,360.00.
- The Order was appealed on November 7, 2024, and is currently in OGC.

Appealed Order

Summary of UST24-0193

Fac. ID No. 8-840106 / Bull Market No. 12, Memphis, Tipton County

- Director's Order signed July 31, 2024.
- Violations on Order:
 - Failure to pay fees, penalties, and interest on a tank.
- Penalty:
 - Total civil penalty: \$25,000.00.
- The Order was appealed on August 16, 2024, and is currently in OGC.

Appealed Order

Summary of UST24-0195

Fac. ID No. 9-7918148 / The One, Memphis, Tipton County

- Director's Order signed August 21, 2024.
- Violations on Order:
 - Failure to inspect overfill prevention equipment at least once every three years.
 - Failure to test line leak detectors annually
 - Failure to perform tank tightness testing and line tightness testing at the completion of the installation process and prior to dispensing fuel
 - Failure to cooperate with the Division.
- Penalty:
 - Total civil penalty: \$20,520.00.
- The Order was appealed on September 11, 2024, and is currently in OGC.

Closed Orders

Closed Order

Summary of FDA24-0045

Fac. ID No. 3-580060/ Pilot No. 4599, Chattanooga, Marion County

- Fund Deductible Amount Order signed August 7, 2024.
 - Violations on Order:
 - Failure of piping installed after July 25, 2007, to be 100% double walled or to be secondarily contained with a single wall that ends in sumps.
 - Failure to report a suspected release within seventy-two (72) hours.
 - Failure to conduct a system test.
- The Application for Fund Eligibility is approved with a deductible of \$30,000.00
- The Respondent paid the civil penalty, completed retraining and the remediation case closed. The case was closed September 24, 2024.

Closed Order

Summary of FDA25-0002

Fac. ID No. 1-300298/ Okee Dokee No. 144, Johnson City, Greene County

- Fund Deductible Amount Order signed August 7, 2024.
- Violations on Order:
 - Failure to conduct annual line tightness test or do monthly monitoring on pressurized underground piping.
 - Failure to test line leak detectors annually.
- The Application for Fund Eligibility is approved with a deductible of \$10,000.00
- No civil penalty is due, and the remediation case closed. The case was closed November 4, 2024.

Closed Order

Summary of UST23-0098

Fac. ID No. 9-791658/ Church Street Exxon, LLC, Memphis, Shelby County

- Director's Order signed July 31, 2024.
- Violations on Order:
 - Failure to report a change of status for a UST system within thirty (30) days.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$5,280.00.
- The penalties have been paid in full and the facility is back in compliance. The case was closed November 5, 2024.

Closed Order

Summary of UST23-0144

Fac. ID No. 6-910047/ Church Street Exxon, LLC, Columbia, Wayne County

- Director's Order signed August 1, 2024.
- Violations on Order:
 - Failure to ensure that mechanical and electronic components are tested annually for proper function.
 - Failure to have one or more persons designated as Class B Operator.
 - Failure to register a Class A Operator for each facility where petroleum UST systems are located.
 - Failure to verify that a trained individual meeting Class C Operator requirements will be on site whenever the facility is operating.
 - Failing to cooperate with the Division.

Closed Order-Continued

Summary of UST23-0144

Fac. ID No. 6-910047/ Church Street Exxon, LLC, Columbia, Wayne County

- Director's Order signed August 1, 2024.
- Penalty:
 - Total fees and penalties: \$11,760.00.
- The facility changed ownership. The case was closed August 26, 2024.

Closed Order

Summary of UST23-0098

Fac. ID No. 9-791658/ Church Street Exxon, LLC, Memphis, Shelby County

- Director's Order signed July 31, 2024.
- Violations on Order:
 - Failure to report a change of status for a UST system within thirty (30) days.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$5,280.00.
- The penalties have been paid in full and the facility is back in compliance. The case was closed November 5, 2024.

Closed Order

Summary of UST23-0207

Fac. ID No. 2-471119/ Casey's General Store No. 4209, Knoxville, Knox County

- Director's Order signed August 1, 2024.
- Violations on Order:
 - 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.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$4,800.00.
- The penalties have been paid in full and the facility is back in compliance. The case was closed September 27, 2024.

Closed Order

Summary of UST24-0033

Fac. ID No. 1-900059/ Campbells Mill, Johnson City, Washington County

- Director's Order signed August 1, 2024.
- Violations on Order:
 - Failure to ensure that cathodic protection is functioning as designed and is effectively preventing corrosion.
 - Failure to complete operator training requirements.
 - Failure to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$6,960.00.
- The penalties have been paid in full and the facility is back in compliance. The case was closed October 4, 2024.

Closed Order

Summary of UST24-0209

Fac. ID No. 9-792618/ Circle K. Store No. 4703665, Memphis, Shelby County

- Director's Order signed September 23, 2024.
- Violations on Order:
 - Failure to install, calibrate, operate, or maintain release detection method for tank in accordance with manufacturer's instructions.
 - Failure to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$3,840.00.
- The penalties have been paid in full and the facility is back in compliance. The case was closed October 28, 2024.

Non-Suit Orders

Non-Suit Order

Summary of UST223-0126

Fac. ID No. 2-010051/ Big O's Git and Go, Knoxville, Anderson County

- Director's Order signed August 1, 2024.
- Violations on Order:
 - Failure to inspect overfill prevention equipment at least once every three years.
 - Failure to conduct annual line tightness test or do monthly monitoring on pressurized underground piping.
 - Failure to monitor tanks at least monthly.
 - Failure to test line leak detectors annually.
 - Failure to report a change of status for a UST system within thirty (30) days.
 - Failure to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$48,480.00.
- The Respondent sold the facility. Non-suit issued and case closed September 19, 2024.

Non-Suit Order

Summary of UST24-0107

Fac. ID No. 9-792322/ Blooming Poplar LLC, Memphis, Shelby County

- Director's Order signed August 21, 2024.
- Violations on Order:
 - Failure to monitor spill prevention equipment, for UST systems no less frequently than walkthrough inspections are conducted, or to test spill prevention equipment at least once every three years.
 - Failure to inspect overfill prevention equipment at least once every three years.
 - Failure to perform periodic walkthrough inspections.
 - Failure to monitor tanks at least monthly.
 - Failure to conduct annual line tightness test on pressurized underground piping.

Non-Suit Order-Continued

Summary of UST24-0107

Fac. ID No. 9-792322/ Blooming Poplar LLC, Memphis, Shelby County

- Director's Order signed August 21, 2024.
- Violations on Order:
 - Failure to test line leak detectors annually in accordance with guidance provided by the Division and manufacturer's instructions.
 - Failure to test electronic and mechanical components at least annually for proper operation
 - 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.
 - Failure to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$67,920.00.
- The violations were resolved before the Order was issued.. Non-suit issued and case closed October 7, 2024.

UPDATES:

Updates to Final or
Appealed Orders
from Previous Quarters

Final Order

Summary of FDA24-0021

Fac. ID No. 5-630031/ Q Pump, Nashville, Montgomery County

- Fund Deductible Amount Order signed April 2, 2024.
- Violations on Order:
 - Failing to install, calibrate, operate, or maintain release detection method for piping in accordance with manufacturer's instructions.
 - Failing to install, calibrate, operate, or maintain release detection method for tank in accordance with manufacturer's instructions.
 - Failing to repair, replace or close the UST system and begin corrective action if test results indicate that a release exists.
- Application for Fund Eligibility is approved with a deductible of \$20,000.00.
- The order became final June 20, 2024. The case is currently in OGC. Settlement reached for \$5,120 upfront and \$192.50 for service of process with a year probation.

Final Order

Summary of FDA24-0032

Fac. ID No. 9-790659/ Circle K Store No. 4703679, Memphis, Shelby County

- Fund Deductible Amount Order signed May 23, 2024.
- Violations on Order:
 - Failure to install, calibrate, operate, or maintain release detection method for tank in accordance with manufacturer's instructions.
 - Failure to conduct a system test when there is a suspected release to determine whether a leak exists in the tank or delivery piping.
- Application for Fund Eligibility is approved with a deductible of \$20,000.00.
- The order became final July 3, 2024. The Division still needs passing results for the regular line and prem line. Division received a permanent closure application for the lines. Settlement is still in process.

Final Order

Summary of FED24-0013

Fac. ID No. 2-450114/ Pilot Travel Center No. 412, Knoxville, Jefferson County

- Fund Eligibility Denial Order signed April 25, 2024.
- Violations on Order:
 - Failure to report a suspected release within 72 hours.
 - Failure to inspect overfill prevention equipment at least once every three years.
- The Application for Fund Eligibility is denied.
- The order became final June 1, 2024. The case is currently in OGC.
Remediation not required. Full Civil penalty of \$22,400 paid and case is closed.

Final Order

Summary **FED24-0015**

Fac. ID No. 3-060200/ Exit Corner, Chattanooga, Bradley County

- Fund Eligibility Denial Order signed May 24, 2024.
- Violations on Order:
 - Failure to monitor tanks at least monthly.
 - Failure to test spill prevention devices at least once every three years.
 - Failure to install, calibrate, operate, or maintain release detection method for piping in accordance with manufacturer's instructions.
 - Failure to inspect overfill prevention equipment at least once every three years.
 - Failure to comply with requirements concerning design, construction, utilization, and or upgrade of corrosion protection for piping.
 - Failure to test electronic and mechanical components at least annually for proper operation.
 - Failure to install ancillary equipment and containment systems in accordance with manufacturer's installation.

Final Order-Continued

Summary FED24-0015

Fac. ID No. 3-060200/ Exit Corner, Chattanooga, Bradley County

- Fund Eligibility Denial Order signed May 24, 2024.
- Violations on Order:
 - Failure to report a suspected release to the Division within 72 hours.
 - Failure to conduct a system test when there is a suspected release to determine whether a leak exists in the tank or delivery piping or a breach exists in either wall of secondary containment.
 - Failure to repair, replace or close the UST system if test results indicate that a release exists.
 - Failure upon confirmation of a release to immediately remove as much petroleum from an UST system as is necessary to prevent any further release.
- The Application for Fund Eligibility is denied.
- The order became final June 29, 2024. Working with Respondent to get necessary documents to return to compliance. **Compliance reached and compromise and settlement completed. Respondent will pay \$37,505 in civil penalties and \$65 for service of process and be on probation for one year.**

Final Order

Summary of UST23-0159

Fac. ID No. 8-240104 / Moscow Express, Memphis, Fayette County

- Director's Order signed April 25, 2024.
- Violations on Order:
 - Failing to have overfill prevention equipment that will automatically shut off the flow into the tank when the tanks is no more than ninety-five (95%) full.
 - Failing to equip pressurized underground piping with automatic line leak detection.
 - Failing to conduct annual line tightness test on pressurized underground piping.
 - failing to have spill prevention equipment that will prevent release of petroleum to the environment when the transfer hose is detached.
 - Failing to test spill prevention equipment at least once every three years.
 - Failing to maintain a log of at least the last twelve months of visual inspections for seeps and drips after removing the dispenser cover.

Final Order-Continued

Summary of UST23-0159

Fac. ID No. 8-240104 / Moscow Express, Memphis, Fayette County

- Director's Order signed April 25, 2024.
- Violations on Order:
 - Failing to ensure that cathodic protection system is tested every 3 years.
 - Failing to inspect impressed current corrosion protection system every sixty (60) days.
 - Failing to monitor tanks at least monthly.
 - Failing to install, calibrate, operate, or maintain release detection method for tank.
 - Failure of facility having one or more petroleum UST systems to have one or more persons designated as Class A and Class B Operators.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$69,840.00.
- The order became final June 7, 2024, and is currently in OGC. **Compromise and Settlement reached. Respondent will pay \$62,856 in upfront penalties and \$72.80 in service of process and be on probation for one year.**

Final Order

Summary of UST23-0181

Fac. ID No. 9-792718/ SAN Investments, Inc., Memphis, Shelby County

- Director's Order signed April 1, 2024.
- Violations on Order:
 - Failing to have one or more persons designated as Class A, Class B and Class C Operators.
 - Failing to have overfill prevention equipment that will alert the transfer operator when the tank is no more than 90% full by restricting the flow into the tank.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$11,760.00.
- The order became final June 2, 2024, and is currently in OGC. The facility is red-tagged. **Compromise and Settlement reached. Respondent will pay \$8,349.60 in upfront penalties and \$71.80 in service of process and be on probation for one year.**

Final Order

Summary of UST23-0252

Fac. ID No. 8-240073/ Somerville Quick Stop, Memphis, Fayette County

- Director's Order signed April 2, 2024.
- Violations on Order:
 - Failing to monitor tanks at least monthly.
 - 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.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$16,080.00.
- The order became final May 10, 2024, and is currently in the Attorney General's office. **Compromise and Settlement reached. Respondent to pay \$14,472 in upfront penalties and \$71.80 in service of process and be on probation for one year.**

Appealed Order

Summary of FDA24-0022

Fac. ID No. 9-791586 / TN0105, Memphis, Shelby County

- Fund Deductible Amount Order signed April 25, 2024.
- Violations on Order:
 - Failing to report a suspected release within seventy-two (72) hours to the Division.
 - Failure to repair, replace or close the UST system if test results indicate that a release exists.
- Application for Fund Eligibility is approved with a deductible of \$30,000.00
- The order was appealed on May 6, 2024, and is currently in OGC.
Respondent withdrew appeal as there was no release and the case is closed.

Appealed Order

Summary of FDA24-0027

Fac. ID No. 3-330786 / Stop and Save, Chattanooga, Hamilton County

- Fund Deductible Amount Order signed April 25, 2024.
- Violations on Order:
 - Failing to report a suspected release within seventy-two (72) hours to the Division.
 - Failure to perform periodic walkthrough inspections.
- Application for Fund Eligibility is approved with a deductible of \$30,000.00
- The order was appealed on May 9, 2024, and is currently in OGC. **Agreed Order reached. Respondent will pay \$4,545 in civil penalties and \$65 in service of process and be on probation for one year.**

Appealed Order

Summary of FDA24-0029

Fac. ID No. 9-791928 / City of Bartlett Public Works, Memphis, Shelby County

- Fund Deductible Amount Order signed April 25, 2024.
- Violations on Order:
 - Failing to report a suspected release within seventy-two (72) hours to the Division.
 - Failure to perform periodic walkthrough inspections.
- Application for Fund Eligibility is approved with a deductible of \$30,000.00
- The order was appealed on June 20, 2024, and is currently in OGC. **Agreed Order reached. Respondent will pay \$2,400 in civil penalties and \$85 in service of process and be on probation for one year.**

Appealed Order

Summary of UST23-0136

Fac. ID No. 6-910007 / G G's Market, Columbia, Wayne County

- Violations on Order:
 - Failure to complete the underground storage tank notification form accurately and in its entirety for each tank, tank compartment, and the piping connected thereto.
 - Failure to ensure that a cathodic protection system is tested within six months of installation and every three years thereafter.
 - Failing to cooperate with the Division.
- Penalty:
 - Total civil penalty: \$11,760.00
- The Order was appealed on May 5, 2024, and is currently in OGC. **Agreed Order reached. Tanks closed and Respondent paid \$4,500 in civil penalties and \$85 in service of process. Case is closed.**

Appealed Order

Summary of UST23-0146

Fac. ID No. 5-750458 / Blackman Station, Nashville, Rutherford County

- Violations on Order:
 - Failing to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the Division when a significant operational compliance violation is discovered.
 - Failing to report a change of status for a UST system within 30 days.
 - Failing to cooperate with the Division.
- Penalty:
 - Total civil penalty: \$5,280.00.
- The Order was appealed on June 7, 2024, and is currently in OGC. **Agreed Order reached. Respondent will pay \$3,696 in upfront civil penalties and \$80 for service of process and be on probation for one year.**

Appealed Order

Summary of UST23-0220

Fac. ID No. 2-470875/ Pilot No. 105, Knoxville, Knox County

- Violations on Order:
 - Failing to inspect overfill prevention equipment at least once every three years.
 - Failing to install adequate overfill prevention system.
 - Failing to cooperate with the Division.
- Penalty:
 - Total civil penalty: \$9,600.00
- The Order was appealed on May 17, 2024, and is currently in OGC. **Agreed Order reached and Respondent paid \$1,600 in civil penalties and \$80 in service of process. Case is closed.**

Appealed Order

Summary of UST24-0051

Fac. ID No. 9-791470/ Express Grill and Market, Memphis, Shelby County

- Violations on Order:
 - Failure to have overflow prevention equipment that will alert the transfer operator when the tank is no more than ninety percent (90%) full by restricting the flow into the tank.
 - Failing to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the Division when a significant operational compliance violation is discovered.
 - Failing to cooperate with the Division.
- Penalty:
 - Total civil penalty: \$11,760.00.
- The Order was appealed on May 30, 2024, and is currently in OGC. Respondent proved inability to pay and withdrew the appeal. This case was closed as uncollectible.

Appealed Order

Summary of UST24-0057

Fac. ID No. 9-792107/ Express Mart, Memphis, Shelby County

- Violations on Order:
 - 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.
 - Failing to cooperate with the Division.
- Penalty:
 - Total civil penalty: \$4,560.00.
- The Order was appealed on June 27, 2024, and is currently in OGC. **Agreed Order reached. Respondent to pay \$3648 in civil penalties and \$60 in service of process and be on probation for a year.**

Appealed Order

Summary of UST24-0134

Fac. ID No. 9-791239/ Crump Market, Memphis, Shelby County

- Violations on Order:
 - 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.
 - Failure to have spill prevention system that will prevent release of petroleum to the environment when the transfer hose is detached from the fill pipe.
 - Failure to have overfill prevention equipment that will alert the transfer operator when the tank is no more than ninety percent (90%) full by restricting the flow into the tank or triggering a high-level alarm.
 - Failing to cooperate with the Division.
- Penalty:
 - Total civil penalty: \$15,600.00.
- The Order was appealed on June 26, 2024, and is currently in OGC. **Agree Order reached. Respondent will pay \$11,076 in upfront civil penalties and \$120 in service of process and be on probation for a year.**