



Department of
**Environment &
Conservation**

Underground Storage Tank Enforcement Update

Underground Storage Tanks and
Solid Waste Disposal Control Board
February 5 , 2025

Rhonda Key, Environmental Manager

ENFORCEMENT OVERVIEW

The Division issued 39 orders
between October 1, 2024
and December 31, 2024.

8 were Fund Deductible Orders. Of the
remaining compliance orders, 1 has been
closed, 6 were Appealed, 5 are in Final status, 1
is in Final-Payment Plan status, 5 are in Signed
status and, 13 are in Signed-Pending SOP
status.

Enforcement Overview (cont'd)

From October 1, 2024, to December 31, 2024:

- The Division assessed \$684,740.00 in civil penalties.
- The Division collected \$470,476 in civil penalties.

Final Orders

Final Order

Summary of UST23-0167

Fac. ID No. 9-791399/ Thomas Street BP, Memphis, Shelby County

- Director's Order signed October 9, 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.
 - 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: \$6,720.00.
- The order became final November 23, 2024. The Division and OGC are currently working with the Respondent to bring them back into compliance.

Final Order

Summary of UST24-0180

Fac. ID No. 9-792715/ Go Mart, Memphis, Shelby County

- Director's Order signed December 10, 2024.
- Violations on Order:
 - Failure to test an over fill prevention device within 30 days following repair to ensure it is operating properly .
 - 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.
 - Failure to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$7,4440.00.
- The order became final January 15, 2024, and is currently in OGC.

Final Order

Summary of UST24-0201

Fac. ID No. 8-840179/ Brighton Shell, Memphis, Shelby County

- Director's Order signed November 7, 2024.
- Violations on Order:
 - Failure to inspect overfill prevention equipment at least once every three years.
 - Failure to perform periodic or annual walkthrough inspections.
 - Failure to maintain a log of at least the last twelve (12) months of visual inspections for seeps and drips after removing the dispenser cover
 - 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: \$33,000.00.
- The order became final December 22, 2024, and is currently in OGC.

Final Order

Summary of UST24-0203

Fac. ID No. 9-791900/ PRP Properties, Memphis, Shelby County

- Director's Order signed October 29, 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 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: \$11,760.00.
- The Order became final December 2, 2024 and is currently in OGC.

Final Order

Summary of UST24-0220

Fac. ID No. 9-790783/ Winchester BP, Memphis, Shelby County

- Director's Order signed December 12, 2024.
- Violations on Order:
 - Failure of piping to prevent the release of petroleum to the environment for the operational life of the piping.
 - Failure to provide release detection capable of detecting a release on piping that routinely contains product.
 - Failure to apply for permanent closure of UST systems/components (piping) at least 30 days prior to permanent closure
 - Failure to submit a PCA per Division instructions
 - Failure to notify and obtain Division approval before closing piping.

Final Order-Continued

Summary of UST24-0220

Fac. ID No. 9-790783/ Winchester BP, Memphis, Shelby County

- Director's Order signed December 12, 2024.
- Penalty:
 - Total fees and penalties: \$44,100.00.
- The Order became final January 13, 2024, and is currently in OGC.

Final Payment Plan Orders

Final Payment Plan Order

Summary of UST24-0071

Fac. ID No. 3-330412/ Eagle Express No. 3, Chattanooga, Hamilton County

- Director's Order signed October 4, 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.
 - 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: \$7,440.00.
- A compromise and settlement was entered on November 26, 2024. The Respondent is to make monthly installments and no violations for one year.

Final Remediation Orders

Final Remediation Order

Summary of FDA25-0008

Fac. ID No. 2-470756/ Mapco No. 3705, Knoxville, Knox County

- Director's Order signed October 29, 2024.
- Violations on Order:
 - Failure to install, calibrate, operate, or maintain release detection method for piping in accordance with manufacturer's instructions.
 - Failure to report a suspected release to the Division within seventy-two (72) hours after discovery.
 - Failure to conduct a system test when there is a suspected release .
 - Failure to monitor spill prevention equipment, for UST systems no less frequently than walkthrough inspections are conducted.
 - Failure to perform periodic walkthrough inspections.
- Application for Fund Eligibility is approved with a deductible of \$30,000.00.
- The civil penalty was received January 2, 2025, the remediation case is open.

Appealed Orders

Appealed Order

Summary of FDA24-0043

Fac. ID No. 2-471097/ Pilot Travel Center No. 219, Knoxville, Knox County

- Fund Deductible Amount Order signed November 18, 2024.
- Violations on Order:
 - Failure to report a suspected release to the Division within seventy-two (72) hours.
 - 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 or do monthly monitoring on pressurized underground piping.
 - Failure to submit the application for fund eligibility within sixty and/or ninety (60/90) days of the confirmed/suspected release.

Appealed Order-Continued

Summary of FDA24-0043

Fac. ID No. 2-471097/ Pilot Travel Center No. 219, Knoxville, Knox County

- Fund Deductible Amount Order signed November 18, 2024.
- The Application for Fund Eligibility is approved with a deductible of \$30,000.00
- The order was appealed on December 20, 2024, and is currently in OGC.

Appealed Order

Summary of FDA25-0006

Fac. ID No. 2-730042/ Fuel Stop No. 7, Knoxville, Roane County

- Fund Deductible Amount Order signed October 11, 2024.
- Violations on Order:
 - Failure to ensure that cathodic protection is functioning as designed and is effectively prevention corrosion.
- Application for Fund Eligibility is approved with a deductible of \$10,000.00.
- The Order was appealed on November 15, 2024, and is currently in OGC.

Appealed Order

Summary of UST24-0055

Fac. ID No. 2-470790/ Pilot No. 251, Knoxville, Knox County

- Director's Order signed October 30, 2024.
- Violations on Order:
 - Failure to use a spill prevention system that will prevent a release of petroleum to the environment when the transfer hose is detached.
 - Failure to have a properly functioning overfill prevention system that will prevent a overfill.
 - Failure to inspect overfill prevention equipment at least once every three years.
 - Failure to ensure that the cathodic protection system is tested within six months of installation and every three years thereafter.
 - Failure to inspect the impressed current corrosion protection systems every sixty (60) days.
 - Failure to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$10,560.00.
- The Order was appealed on December 6, 2024, and is currently in OGC.

Appealed Order

Summary of UST24-0065

Fac. ID No. 9-792626/Shelby Food Center, Memphis, Shelby County

- Director's Order signed October 18, 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 conduct annual line tightness test on pressurized underground piping
 - Failure to test line leak detectors annually.
 - Failure to test electronic and mechanical components at least annually for proper operation.

Appealed Order-Continued

Summary of UST24-0065

Fac. ID No. 9-792626/Shelby Food Center, Memphis, Shelby County

- Director's Order signed October 18, 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.
 - Failure to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$40,560.00
- The Order was appealed November 29, 2024, and is currently in OGC.

Appealed Order

Summary of UST24-0182

Fac. ID No. 2-010088/ Casey's No. 4228, Knoxville, Anderson County

- Director's Order signed October 11, 2024.
- Violations on Order:
 - Failure to report a suspected release to the Division within seventy-two (72) hours.
 - Failure to conduct an annual line tightness test or do monthly monitoring on pressurized underground piping.
 - Failure to monitor tanks at least monthly.
 - Failure to install, calibrate, operate, or maintain a release detection method for tanks in accordance with manufacturer's instructions.
 - Failure of an unmanned facility to meet Class C Operator requirements by posting appropriate signage conspicuously.
 - Failure to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$67,680.00.
- The Order was appealed on November 18, 2024 and is currently in OGC.

Appealed Order

Summary of UST24-0217

Fac. ID No. 9-792157/ Fleet Services, Memphis, Shelby County

- Director's Order signed December 10, 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.
- The Order was appealed on January 9, 2025 and is currently in OGC.

Appealed Order

Summary of UST24-0229

Fac. ID No. 2-130103/ Ian's Market No. 37, Knoxville, Claiborne County

- Director's Order signed October 22, 2024.
- Violations on Order:
 - Failure to conduct 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 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 report a change of status for a UST system within thirty (30) days.
 - Failure to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$19,680.00.
- The Order was appealed on November 26, 2024 and is currently in OGC.

Closed Orders

Signed Order

Summary of UST24-0218

Fac. ID No. 3-331289/ Home of the Hams, Chattanooga, Hamilton County

- Director's Order signed October 9, 2024.
- Violations on Order:
 - Failure to install, calibrate, operate, or maintain release detection method for piping in accordance with manufacturer's instructions.
 - Failure to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$2,400.00.
- The facility returned to compliance. The civil penalty was paid in full. The case was closed December 18, 2024.

UPDATES:

Updates to Final or
Appealed Orders
from Previous Quarters

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. A settlement was reached and the Respondent paid \$9,201.60 in civil penalties and \$155 for SOP. The remaining civil penalty of \$3,758.40 is contingent on one year probation.

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. Facility returned to compliance and paid the full civil penalty, so the case is now closed.

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. Remediation was completed and the case was closed.

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. Facility returned to compliance. Respondent to pay \$24,864 plus \$60 in SOP in 10 monthly installments. The remaining civil penalty is contingent on probation for one year.