



Department of  
**Environment &  
Conservation**

# Underground Storage Tank Proposed Rulemaking

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

# Summary

- Address the observation identified in the 2022 Tennessee Comptroller Performance Audit Report that the Underground Storage Tank rules should be amended to allow for reporting extensions.
- Adopt the proposals made during the Retrospective Rule Review to ensure that the UST rules are up-to-date, legally compliant, and not unduly burdensome.

# Regulatory Extensions

- Provide authority for the Division of Underground Storage Tanks to allow extensions for
  - Investigating and confirming releases,
  - Closing UST systems,
  - Reporting sampling results, and
  - Applying for Corrective Action Contractor approval.

# Retrospective Rule Review

- Update the references to the National Association of Corrosion Engineers to the Association for Materials Protection and Performance
- Better define “site specific cleanup level”
- Update corrective action requirements regarding routine field activities, vapor hazard control, free product investigation, risk analysis reporting, and corrective action plans

# Retrospective Rule Review (continued)

- Update UST permanent closure requirements regarding approved methods of closure similar to federal law, vapor purging, and notification requirements for closure and field activities
- Delete a cost recovery provision that unnecessarily duplicates statutory provisions
- Update retraining requirements to allow for flexibility similar to federal law

# Additional Updates

- Added clarity regarding deductible determinations for fund eligible releases, which are dependent upon compliance with the requirements of Rule 0400-18-01-.09(6)(b)7
- Ensure the payment of current and outstanding annual tank fees for USTs that were not timely reported to the Division pursuant to statutory requirements

# Questions?

