



Department of
**Environment &
Conservation**

Underground Storage Tank Enforcement Update

Underground Storage Tanks and
Solid Waste Disposal Control Board
August 13, 2025

Rhonda Key, Environmental Manager

ENFORCEMENT OVERVIEW

The Division issued 43 orders between April 1, 2025, and June 30, 2025.

- 23 are Fund Orders of those Fund Orders.
 - 3 are in Final status.
 - 1 in Final-Probation.
 - 1 in Final-Remediation.
 - 3 were Appealed
 - 3 were closed.
 - 6 are in Signed Status.
 - 6 are in Signed-Pending SOP status.
- 20 are Compliance orders of those orders.
 - 1 is in Final status.
 - 4 were Appealed.
 - 5 are in Signed Status.
 - 10 in Signed-Pending SOP status.

Enforcement Overview (cont'd)

From March 1, 2025, to June 30, 2025:

The Division assessed \$250,485 in civil penalties.

Final Orders

Final Order

Summary of FDA25-0022

Fac. ID No. 5-190078/ Ben Little's, Inc., Nashville, Davidson County

- Fund Deductible Amount Order signed April 9, 2025.
- Violations in Order:
 - Failure to conduct a site check.
 - Failure to conduct a system test when there is a suspected release.
 - Failure to report a confirmed release to the Division within seventy-two (72) hours.
- The Application for Fund Eligibility is approved with a deductible of \$20,000.
- The order became final June 20, 2025. The Division is currently working with the Respondent to come into compliance.

Final Order

Summary of FDA25-0038

Fac. ID No. 1-820109/ Cupboard Food Market, Johnson City, Sullivan County

- Fund Deductible Amount Order signed April 23, 2025.
- Violations in 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 conduct annual line tightness test or do monthly monitoring on pressurized underground piping.
 - Failure to conduct a system test when there is a suspected release.
 - Failure to report a change of status for a UST system within 30 days.
- The Application for Fund Eligibility is approved with a deductible of \$20,000.
- The order became final June 5, 2025. The facility is red-tagged and is currently in OGC.

Final Order

Summary of FED25-0003

Fac. ID No. 5-740013/ AM Express 1, Nashville, Robertson County

- Fund Eligibility Denial Order signed April 24, 2025.
- Violations in Order:
 - Failure to install, calibrate, operate, or maintain release detection method for tank in accordance with manufacturer's instructions.
 - Failure to report a suspected release to the Division within seventy-two (72) hours.
 - Failure to monitor tanks at least monthly, if appropriate.
 - Failure to repair, replace or close the UST system if test results indicate that a release exists.
- The Application for Fund Eligibility is denied.
- The order became final June 6, 2025. The Respondent has until August 6 to correct the outstanding violations or there will be further enforcement actions.

Final Order

Summary of UST25-0029

Fac. ID No. 9-790723/ 494 E. E. H. Crump Blvd., Memphis, Shelby County

- Director's Order signed April 8, 2025.
- Violations in Order:
 - Failure to remove dispenser cover and visually inspect for releases, seeps, and drips at least quarterly.
 - Failure to perform periodic walkthrough inspections.
 - Failure to test line leak detectors annually.
 - Failure to conduct line tightness test on pressurized underground piping.
 - Failure to ensure that the cathodic protection system is tested every 3 years.
- Penalty:
 - Total fees and penalties: \$10,440.00.
 - The Order became final on May 15, 2025 and is currently in OGC.

Final-Probation Orders

Final – Probation Order

Summary of FDA25-0007

Fac. ID No. 5-191335/ Porter Road Citgo, Nashville, Davidson County

- Fund Deductible Amount Order signed February 4, 2025.
- Violations in Order:
 - 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.
 - Failure to perform periodic walkthrough inspections.
 - Failure to provide release detection method capable of detecting a release from tank that routinely contains product.
 - Failure to conduct annual line tightness test or do monthly monitoring on pressurized underground piping.
 - Failure to test line leak detectors annually.
 - Failure to maintain results of annual testing of electronic and mechanical components for three years.
 - Failure to cooperate with the Division.

Final – Probation Order-Continued

Summary of FDA25-0007

Fac. ID No. 5-191335/ Porter Road Citgo, Nashville, Davidson County

- Fund Deductible Amount Order signed February 4, 2025.
- Violations in Order:
 - Failure to repair, replace or close the UST system and begin corrective action if test results indicate that a release exists.
 - Failure to successfully complete retraining.
- The Fund Eligibility application is approved with a deductible of \$20,000.
- Penalty:
 - Total fees and penalties: \$3,200.00.
- An Agreed Order was entered on March 31, 2025. The Respondent is to pay an upfront penalty of \$1,760.00 and have no probation violations for one year. A contingent penalty will be due if there is a violation during the year probation time.

Final Remediation Orders

Final Remediation Order

Summary of FED25-0004

Fac. ID No. 8-200067/ Scotts Hill Plaza, Jackson, Decatur County

- Fund Deductible Amount Order signed February 5, 2025.
- Violations in Order:
 - Failure to operate and maintain corrosion protection system in accordance with a corrosion expert's design to provide continuous protection.
 - Failure to report a suspected release to the Division within 72 (seventy-two) hours.
- The Application for Fund Eligibility is denied.
- The order became final June 6, 2025. The Respondent has until August 6 to correct the outstanding violations or there will be further enforcement action.

Appealed Orders

Appealed Order

Summary of FDA25-0024

Fac. ID No. 2-050315/ Gas Express, Knoxville, Blount County

- Fund Deductible Amount Order signed April 22, 2025.
 - Violations in Order:
 - Failure to test electronic and mechanical components at least annually.
 - Failure 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.
- The Application for Fund Eligibility is approved with a deductible of \$10,000.00.
- Penalty:
 - Total fees and penalties: \$23,000.00.
- The order was appealed on May 28, 2025, and is currently in OGC.

Appealed Order

Summary of FDA25-0025

Fac. ID No. 2-760014/ Big Orange Country Store, Knoxville, Scott County

- Fund Deductible Amount Order signed May 22, 2025.
 - Violations in Order:
 - Failure to perform periodic walkthrough inspections.
 - Failure to provide release detection method capable of detecting a release from tank that routinely contains product.
 - Failure to maintain a log of quarterly visual inspections for seeps and drips after removing the dispenser cover.
 - Failure to install calibrate or maintain release detection method for piping in accordance with manufacturer's instructions.
 - Failure to report a suspected release to the division within 72 (seventy-two) hours.
 - Failure to repair, replace or close a UST system if test results indicate that a release exists.

Appealed Order-Continued

Summary of FDA25-0025

Fac. ID No. 2-760014/ Big Orange Country Store, Knoxville, Scott County

- Fund Deductible Amount Order signed May 22, 2025.
- The Application for Fund Eligibility is approved with a deductible of \$30,000.00.
- Penalty:
 - Total fees and penalties: \$34,400.00.
- The order was appealed on July 7, 2025, and is currently in OGC.

Appealed Order

Summary of FDA25-0039

Fac. ID No. 1-900222/ Quick Stop Market No. 31, Johnson City, Washington County

- Fund Deductible Amount Order signed January 9, 2025.
 - Violations in Order:
 - Failure to operate and maintain a corrosion protection system in accordance with a corrosion expert's design to provide continuous protection.
 - Failure to repair or replace any tanks or piping which have had a structural failure.
 - Failure to report a change of status for a UST system within 30 days.
- The Application for Fund Eligibility is approved with a deductible of \$10,000.00.
- Penalty:
 - Total fees and penalties: \$11,800.00.
- The order was appealed on July 2, 2025, and is currently in OGC.

Appealed Order

Summary of UST24-0194

Fac. ID No. 9-792329/ XPO Logistics, Memphis, Shelby County

- Commissioner's Order signed April 21, 2025.
- Violations in Order:
 - Failure to have the installation certified within 15 days following completion of installation.
 - Failure to submit notification form within 15 days of completion of installation process.
 - Failure to submit pre-installation notification form prior to installation/construction.
 - Failure to register an underground storage tank in accordance with statute.
 - Placing/causing to be placed, petroleum substances in a petroleum UST or to dispense petroleum from a petroleum UST when owner of tank is required to notify the Commissioner.
- Penalty:
 - Total fees and penalties: \$110,140.00.
- The Order was appealed on May 23, 2025, and is currently in OGC.

Appealed Order

Summary of UST24-0245

Fac. ID No. 5-191140/ Kwik Sak No. 601, Nashville, Davidson County

- Director's Order signed April 14, 2025.
- Violations in Order:
 - Failure to ensure that cathodic protection is functioning as designed and is effectively preventing corrosion.
 - Failure to install, calibrate, operate, or maintain release detection method for piping in accordance with manufacturer's instructions .
 - Failure of a facility having one or more petroleum UST systems to have one or more trained persons designated as Class A, Class B, and Class C Operators .
 - Failure to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$20,160.00.
- The Order was appealed on May 22, 2025, and is currently in OGC.

Appealed Order

Summary of UST24-0266

Fac. ID No. 3-3100812/ Summerfield Market, Chattanooga, Grundy County

- Director's Order signed May 5, 2025.
- Violations in Order:
 - Failure to have a spill bucket lid that is in good condition and not in contact with the fill cap.
 - Failure of facility having one or more UST systems to have one or more trained persons designated as Class A, Class B and Class C Operators.
 - Failure to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$4,680.00.
- The Order was appealed on June 12, 2025, and is currently in OGC.

Appealed Order

Summary of UST25-0026

Fac. ID No. 3-260061/ B and J's Market, Columbia, Franklin County

- Director's Order signed June 2, 2025.
- Violations in Order:
 - Failure to ensure that a cathodic protection system is tested every three years.
 - Failure of a facility having one or more petroleum UST systems to have one or more person(s) designated as Class A and Class B operators.
 - Failure to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$6,200.00.
- The Order was appealed on July 6, 2025, and is currently in OGC.

Closed Orders

Closed Orders

Summary of FDA25-0030

Fac. ID No. 1-820075/ Friendly Mart, Johnson City, Sullivan County

- Fund Deductible Amount Order signed April 21, 2025.
 - Violations in Order:
 - Failure to provide release detection method capable of detecting a release from tank that routinely contains product.
- The Application for Fund Eligibility is approved with a deductible of \$20,000.00.
- Penalty:
 - There is no civil penalty assessed with this order.
- The case went final without appeal, no remedial action or civil penalty assessed. remediation case closed. Closing case.

Closed Orders

Summary of FDA25-0032

Fac. ID No. 4-710270/ Breadbox No. 55, Cookeville, Putnam County

- Fund Deductible Amount Order signed April 10, 2025.
 - Violations in Order:
 - Failure to of piping to be monitored for release at least every 30 days.
 - Failure to report a suspected release suspected release to the division within 72 (seventy-two) hours.
 - Failure of containment sumps for interstitial monitoring of piping periodically monitored no less than a walkthrough or tested every three years.
 - The Application for Fund Eligibility is approved with a deductible of \$30,000.00.
- Penalty:
 - There is no civil penalty assessed with this order.
- The case went final without appeal, no remedial action or civil penalty assessed. remediation case closed. Closing case.

Closed Orders

Summary of FDA25-0035

Fac. ID No. 2-470307/ Triangle Food Mart, Knoxville, Knox County

- Fund Deductible Amount Order signed April 24, 2025.
 - Violations in Order:
 - Failure to provide release detection method capable of detecting a release from tank that routinely contains product.
- The Application for Fund Eligibility is approved with a deductible of \$20,000.00.
- Penalty:
 - There is no civil penalty assessed with this order.
- The order went final with a 20k deductible. There were no remedial activities or civil penalties, and the remediation case is closed.

Final or Appealed Orders from Previous Quarter with Updates

Final Order

Summary of CRF24-0001

Fac. ID No. 4-250051/ Midway Quick Stop, Cookeville, Fentress County

- Cost Recovery Order signed January 8, 2025.
- Violations in Order:
 - Failure to provide release detection records for UST systems
 - Failure to report a suspected release within 72 hours.
- Penalty:
 - Total fees and penalties: \$34, 335.64.
- An Agreed Order was entered on January 13, 2025. The Respondent is to pay an upfront penalty of \$34,335.64. Failure to comply could result in further enforcement actions. **The Respondent paid the full amount of the cost recovery, and the case is now closed.**

Final Order

Summary of FDA25-0009

Fac. ID No. 5-190863/ Mapco Express No. 3065, Nashville, Davidson County

- Fund Deductible Amount Order signed January 22, 2025.
- Violations in Order:
 - Failure to inspect overfill 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 install, calibrate, operate, or maintain release detection method for tank in accordance with manufacturer's instructions.
- The Application for Fund Eligibility is approved with a deductible of \$20,000.
- Penalty:
 - Total fees and penalties: \$4,400.00.
- The order became final February 24, 2025, and is currently in OGC. The case is closed. The Respondent returned to compliance and paid the full civil penalty.

Final Order

Summary of FED25-0001

Fac. ID No. 3-330758/ Town of Lookout Mountain, Chattanooga, Hamilton County

- Fund Eligibility Denial Order signed January 23, 2025.
- Violations in Order:
 - Failure to test line leak detectors annually.
 - Failure to report a suspected release to the Division within seventy-two (72) hours after discovery of released petroleum.
 - Failure to submit the application for fund eligibility within ninety (90) days of the suspected release.
- The Application for Fund Eligibility is denied.
- The order became final on March 30, 2025, and is currently in OGC. The case is closed. No civil penalty or remedial action was required.

Final Order

Summary of UST24-0265

Fac. ID No. 3-331252/ Kanku's No. 11, Chattanooga, Hamilton County

- Director's Order signed January 16, 2025.
- Violations in Order:
 - Failure to repair, replace or close a UST system and begin corrective action if test results indicate that a release exist.
 - Failure to conduct a site check properly when there is environmental contamination present.
 - Failing to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$7,680.00.
- The Order became final February 24, 2025, and is currently in OGC. The Respondent returned to compliance and paid the full civil penalty, so the case is closed.

Appealed Order

Summary of UST24-0176

Fac. ID No. 4180173/ Ian's Market, Cookeville, Cumberland County

- Director's Order signed January 13, 2025.
- Violations in Order:
 - Failure to have a designated A and B Operator.
 - Failure to properly anchor sheer valves under dispenser 7/8
 - Failure to test pressurized piping annually
 - 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. An Agreed Final order was reached. Respondent to pay \$2,280 in civil penalties and \$160 for SOP. \$4560 is contingent on one year probation.

Appealed Order

Summary of UST24-0263

Fac. ID No. 6-600342/ Sara's Cooking Shack, Columbia, Maury County

- Director's Order signed February 14, 2025.
- Violations in Order:
 - Failure to monitor tanks at least monthly.
 - Failure to cooperate with the Division.
- Penalty:
 - Total fees and penalties: \$3,840.00.
- The Order was appealed on March 12, 2025, and is currently in OGC. Agreed Final order was reached. Respondent will pay \$1620 in civil penalties and \$160 in SOP. \$1920 is contingent on one year of probation.