



Tennessee Tank Talk

2023 Top Compliance Violations Review

Most of us are familiar with the famous quote from Benjamin Franklin when speaking to Philadelphians in 1736 about fire prevention, “*An ounce of prevention is worth a pound of cure*”. It just so happens the Division of Underground Storage Tanks has a prevention component of our mission as well; preventing petroleum releases. We do this primarily by implementing a robust inspection program, inspecting each regulated petroleum underground storage tank/compartments (UST) at least once every 3 years. The state’s regulated universe amounts to roughly 5K facilities with about 16K compartments. These inspections have a single purpose; are the UST systems located at the facilities compliant with the regulations established to prevent petroleum releases?

We’re entering our last annual cycle since the regulations went fully into effect October 18, 2021. That means by October 2024, all facilities will have at least 1 inspection conducted under the requirements of the new regulations.

Well, how are we doing? With any dataset there are many ways to look at the information, is the glass half-full or half-empty? Detailed below are the most common violations of 2023. These are the same violations in the same ranking as 2022 – they remain too frequent. However, the good news in 2023 is that violations related to spill buckets have decreased in total by over 9%, maintaining overfill testing records have fallen more than 8%, and maintaining operability test records of mechanical release detection equipment by over 4% compared to 2022.

We look forward to 2024 and are optimistic that compliance rates will continue to improve. In the meantime, take a close look at the facility/facilities you own or operate. Has your facility conducted the required tests and are you maintaining the test records? If so, that’s fantastic. If not, make this an opportunity to increase your compliance rates in 2024!

Sincerely,

Stanley Boyd

Director

VIOLATION

- Failure to inspect overfill prevention equipment at least once every three years.

TESTING REQUIREMENTS

- All overfill prevention equipment must be inspected at least once every 3 years. At a minimum, the inspection must ensure that overfill prevention equipment is set to activate at the correct level and will activate when petroleum reaches that level.
- Tank charts must be used for correct calculations for overfill inspections and testing. Tank charts can be obtained from the tank manufacturer, calculated from inventory records (ATG or SIR), or generated using a manufacturer's website.
- Flow Restriction Overfill Devices (Ball Float Valves) **cannot** be repaired or replaced if found damaged or defective. Another method of overfill prevention must be installed within 30 days (Automatic Shutoff Device or High-Level Alarm). If the ball float device is not removed and an automatic shutoff flapper valve is installed, the flapper valve must activate at 90% full tank volume, and below the length of ball float piping in the tank.

RECORD KEEPING

- Overfill prevention equipment test results must be maintained for 3 years.

FORMS AND DOCUMENTS

- [Overfill Inspection Form \(CN-2584\)](#)

SPILL PREVENTION EQUIPMENT TESTING

VIOLATION

- Failure to monitor UST system spill prevention equipment no less frequently than walkthrough inspections. Spill prevention equipment must be tested at least once every 3 years.

TESTING REQUIREMENTS

- Single wall spill prevention equipment must be integrity tested at least once every 3 years or use a double-walled spill bucket monitored with an interstitial sensor.

RECORD KEEPING

- Spill bucket integrity test results must be maintained for 3 years.
- Records for double-walled spill prevention monitored with an interstitial sensor must be maintained for as long as the equipment is in use. Integrity testing must be conducted within 30 days of discontinuing the interstitial sensor monitoring.

FORMS AND DOCUMENTS

- [Spill Prevention Device Hydrostatic Test Report \(CN-1366\)](#)

ANNUAL ELECTRONIC AND MECHANICAL RELEASE DETECTION EQUIPMENT OPERABILITY TESTING

VIOLATION

- Failure to maintain results of annual testing of electronic and mechanical components for 3 years.

RECORD KEEPING

- The following tests must be conducted annually and test results must be maintained for 3 years
 - Automatic Tank Gauge (ATG) Operability Test
 - Electronic Interstitial Monitoring (IM) Sensor Test
 - Automatic Line Leak Detector Test

FORMS AND DOCUMENTS

- [Annual ATG Operability Test Form \(CN-2624\)](#)
- [Annual Electronic Interstitial Monitoring Test Report \(CN-1339\)](#)
- [Precision Line Tightness And Leak Detector Test Report \(CN-1341\)](#)

Additional Resources

[Division Updates and Outreach](#)

[Current Tennessee UST Rules](#)

[2018 Federal Rule Change Quick Reference Guide](#)

[Standardized Inspection Manual \(SIM\)](#)

[UST Contact Information](#)

[Contact Your Local Field Office](#)

[UST Forms and Guidance](#)

[EPA -Must For USTs](#)

[TDEC Underground Storage Tanks Home Page](#)

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