

# Storage Tank Enforcement: Tennessee Department of Environment and Conservation and Maynardville Operator Enter into Settlement Agreement



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The Tennessee Department of Environment and Conservation (“TDEC”) and Hickory Star Restaurant & Marina, LLC (“Hickory Star”) entered into an April 18th Settlement Agreement and Order (“Agreement”) addressing alleged violations of the Tennessee underground storage tank (“UST”) regulations. See Case No. UST 21-0169.

The Agreement provides that Hickory Star is the registered owner of one UST system (“Facility”) located in Maynardville, Tennessee.

TDEC Division of Underground Storage Tanks (“Division”) personnel are stated to have performed a compliance inspection at the Facility on June 8, 2021. The inspection allegedly identified the following violations:

- Failure to conduct annual line tightness test or do monthly monitoring 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 ensure that cathodic protection system is tested every three years
- Failure to conduct release detection monitoring at least monthly

In response to correspondence from the Division, Hickory Star emailed on September 14, 2021, correspondence containing compliance documentation addressing alleged violations discovered at the time of the inspection. A precision line tightness and line leak detector test were stated to have been conducted on May 27, 2021, which confirmed that the first two referenced violations had been addressed. Further, the Division is stated to have received correspondence on September 30, 2021, containing compliance documentation addressing alleged violations which indicated an impressed current cathodic protection test conducted on September 23, 2021, indicated that a tank received failing results and was not adequately protected from corrosion.

The previously referenced alleged violation #3 was amended.

A total of \$7,440 in civil penalties is assessed. However, a portion of the civil penalties is only triggered in the event that Hickory Star fails to undertake certain requirements such as training and addressing the impressed current corrosion protection system.

A copy of the Agreement can be downloaded [here](#).