Storage Tank Enforcement: Tennessee Department of Environment and Conservation and Jackson Facility Enter into Agreed Final Order

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The Tennessee Department of Environment and Conservation ("TDEC") and Bowling Convenience, Inc. ("BCI") entered into an April 4th Agreed Final Order ("AFO") addressing alleged violations of the Tennessee Underground Storage Tank ("UST") regulations. See Case No. UST 23-0117.

The AFO provides that BCI operates a facility in Jackson, Tennessee that has one UST system with a total of two compartments.

TDEC Division of Underground Storage Tank ("Division") personnel are stated to have performed a compliance inspection at the facility on March 22, 2023. The inspection is stated to have identified the following violations:

- Failure to conduct the line tightness test.
- Failure to install, calibrate, operate, or maintain release detection method for piping in accordance with manufacturer's instructions.
- Failure to test line leak detectors annually in accordance with guidance provided by the Division and manufacturer's instructions.
- Failure to monitor spill prevention equipment.
- Failure to inspect overfill prevention equipment at least once every three years.
- Failure to test electronic and mechanical components at least annually.
- Failure to perform and annual walk-through inspection.

The Division personnel are stated to have sent a release investigation-system test letter BCI on March 29, 2023. Further, a Results of Compliance Inspection - Action Required letter is stated to have been sent on March 30, 2023. A follow-up letter and enforcement action notice was sent on May 1, 2023.

The AFO identifies an additional violation of failing to conduct a system test when there is a suspected release to determine whether a leak exists in the tank or delivery piping, or a breach exists in either wall of secondary containment.

BCI completed all operator training modules with the Division's Tank Helper Online Program on May 6, 2023.

An additional violation for failure to cooperate is cited because of an alleged failure to meet the July 9, 2023 deadline.

BCI is stated to have submitted documentation to the Division showing that the outstanding violations in the AFO have been addressed.

The AFO provides that BCI shall not allow any probation violations to occur at the facility for a period of one year from the effective date of the document. Further, a civil penalty of $34,080.00 is assessed.

A copy of the AFO can be downloaded here.