Storage Tank Enforcement: Tennessee Department of Environment and Conservation Proposed Order Addressing City of Brownsville Public Works



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The Tennessee Department of Environment and Conservation ("TDEC") issued a September 2nd Proposed Order and Assessment to the City of Brownsville, Tennessee Public Works for alleged violations of the Tennessee Underground Storage Tank ("UST") regulations.

Brownsville is stated to be the registered owner of three UST systems located in Haywood County, Tennessee.

The TDEC Division of Underground Storage Tanks ("Division") is stated to have performed a compliance inspection at the facility utilizing the USTs on February 27th. The violations allegedly discovered and that have not been addressed include:

- Failure to inspect an impressed current corrosion protection system every 60 days.
- Failure to keep spill catchment basins free of water, dirt, debris, etc.

The Division is also stated to have sent multiple letters to Brownsville citing the alleged violations and the failure to return to compliance. Brownsville is alleged to violate an additional Tennessee rule when it failed to meet certain deadlines.

The Proposed Order states that if Brownsville does not comply or file an appeal within the relevant timeframes, the facility will be placed on the Delivery Prohibition List. Further, a civil penalty of $2,160.00 is assessed.

In addition, Brownsville is required to perform all actions necessary to correct the outstanding violations by certain dates specified in the Proposed Order.

The Proposed Order provides certain appeal rights.

A copy of the Proposed Order can be downloaded here.