Fund Eligibility/Storage Tank Enforcement: Tennessee Department of Environment and Conservation Proposed Order/Assessment Addressing Davidson County Bus Garage



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05/15/2026

The Tennessee Department of Environment and Conservation ("TDEC") issued a March 19th Proposed Order and Assessment ("Order") to Metro Transit Authority ("MTA") addressing alleged violations of the Tennessee Underground Storage Tank ("UST") regulations. See Case No. FDA26-0033.

The Order states that MTA is the property owner and registered owner of two USTs located in Davidson County, Tennessee.

The TDEC Division of Underground Storage Tanks ("Division") is stated to have received an application for permanent closure of UST systems from MTA on April 14, 2025. A permanent closure application – approved with comments letter was sent to MTA on April 22, 20225.

The Division is stated to have received an email from MTA's Corrective Action Contractor, Ensafe, on September 30, 2025, with a soil sample analytical report dated September 2, 2025. This report showed detectable amounts of EPH in the samples.

The Division is stated to have received an application for fund eligibility from MTA for the release at the facility identified in the September 2, 2025, report. Division personnel are stated to have reviewed the application for fund eligibility along with the required documentation.

Based on this review, Division personnel are stated to have determined that the facility did not meet the requirements for the minimum deductible for the release because of an alleged failure to report a suspected release to the Division within 72 hours.

Cited was the soil sample analytical report dated September 2, 2025, which showed detectable amounts of EPH in the soil and was not reported to the Division until September 30, 2025.
Therefore, the deductible for the release is stated to be $30,000.

The Order proposes a civil penalty of $3,200 for alleged failure to report a suspected release if the release is subsequently confirmed and additional action is required.

The Order provides certain appeal rights.

A copy of the Order can be found here.