Trust Fund Eligibility/Storage Tank Enforcement: Tennessee Department of Environment and Conservation Proposed Order/Assessment Addressing Knoxville Facility

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The Tennessee Department of Environment and Conservation ("TDEC") issued a May 6th Proposed Order and Assessment ("Order") to Mapco Express, LLC ("ME") addressing alleged violations of the Tennessee Underground Storage Tank ("UST") regulations. See Case No. FDA26-0025.

The Order provides that ME is the property owner and registered owner of four USTs in Knoxville, Tennessee.

TDEC Division of Underground Storage Tanks ("Division") is stated to have performed a compliance inspection at the facility on October 7, 2025. The following violations are alleged to have not been addressed:

- Failure to maintain the last 12 months of records for release detection.
- Failure to report a suspected release within 72 hours to the Division.
- Failure to inspect overfill prevention equipment at least once every three years.

The following violations are stated to have been addressed by ME, but impact the deductible:

- Failure to conduct annual line tightness test or do monthly monitoring on pressurized underground piping.
- Failure to test line leak detectors annually.
- Failure to test electronic and mechanical components at least annually for proper operation.

The Division is stated to have received an email from Majors Management reporting a suspected release from a loose union at dispenser 1/2 on August 18, 2025. Majors Management also provided a work order showing that repairs were completed on August 18, 2025.

The Division is stated to have sent a Release Investigation – Site Check letter, requiring a site check be conducted and required submittal of the site-check report to the Division by December 8, 2025. In November 2025, Division personnel received an email from the ME's contractor (Major's Management), showing passing Tank Tightness tests dated October 23, 2025, for all USTs. However, on December 12, 2025, Division personnel sent a Site Check Report – Not Provided letter, citing the following alleged violation:

- Failure to conduct a site check.

A Site Check report was subsequently received by the Division on February 4, 2026 – however, it was determined to be inadequate. A revised Site Check report was provided to the Division on April 7th, indicating that a release had not occurred at the facility. Division personnel on April 9th issued a Closure of Suspected Release Investigation letter, closing the remediation case.

Division personnel reviewed an Application for Fund Eligibility and determined based on various alleged violations that the deductible for the release is $30,000.00.

The Order requires that ME undertake certain release investigation remediation activities with timeframes determined by the Division. In addition, a civil penalty of $11,200 is assessed.

The Order provides certain appeal rights.

A copy of the Order can be found here.