



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
Division of Underground Storage Tanks
Davy Crockett Tower
500 James Robertson Parkway, 7th Floor
Nashville, Tennessee 37243

May 6, 2026

Mapco Express, LLC
c/o Cogency Global Inc., Registered Agent
992 Davidson Dr Ste B
Nashville, Tennessee 37205

Served via Private Process Server

Re: Mapco #3704
4323 Chapman Highway
Knoxville, Tennessee 37920
Facility ID # 2-470760
Case # FDA26-0025

Dear Mapco Express, LLC:

Enclosed is a Director's Order and Assessment ("Order") for violations of the Tennessee Petroleum Underground Storage Tank Act and relevant rules. This Order is issued by the State of Tennessee, Department of Environment and Conservation, Division of Underground Storage Tanks. A civil penalty of \$11,200 has been assessed against Mapco Express, LLC based on the stated violations.

The Division reviewed the Application for Fund Eligibility for the above-referenced facility and determined that this facility meets the requirements for fund eligibility for a release occurring on or after June 15, 2021. Reimbursement of the approved corrective-action costs for this release is authorized. The deductible for releases which occur on or after June 15, 2021, is \$5,000.00 provided the facility meets all requirements listed in Rule 0400-18-01-.09(6). Tenn. Comp. R. & Regs. 0400-18-01-.09. Based on the information provided on the Application for Fund Eligibility and violations discovered during the most recent inspection, the deductible for the release is **\$30,000.00**.

Please read the Order carefully and pay special attention to the **Notice of Rights** section. Please note that the required due dates in the Order are based on the date the Respondent received the Order, not the date that it was signed by the Director. Any appeal must be made in writing and be received by the Division within 30 days after your receipt of the Order.

Because there is outstanding noncompliance from the October 7, 2025 inspection, if the Respondent fails to return to compliance and/or fails to remit the assessed civil penalties, or if this Order is not appealed and becomes final, the facility may be placed on the petroleum **Delivery Prohibition List**. Red tags will be installed at the facility's fill ports. Documentation establishing the facility's return to compliance shall be submitted to the Division by the due date established in the Order.

If you have any questions about this matter, please contact Matthew Bargery at (901) 422-3896 or Matthew.Bargery@tn.gov.

Sincerely,

A handwritten signature in black ink that reads "Stanley R. Boyd". The signature is written in a cursive style with a large, stylized initial 'S'.

Stanley R. Boyd
Director

cc: Enforcement File
Knoxville Environmental Field Office

STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

IN THE MATTER OF:)	
)	DIVISION OF UNDERGROUND
)	STORAGE TANKS
)	
MAPCO EXPRESS, LLC,)	CASE NO. FDA26-0025
)	
)	
RESPONDENT.)	FACILITY: MAPCO #3704
)	

ORDER AND ASSESSMENT

David W. Salyers, P.E., Commissioner of the Tennessee Department of Environment and Conservation (Commissioner), states:

PARTIES

I.

David W. Salyers, P.E., is the duly appointed Commissioner of the Department of Environment and Conservation (Department) and is charged with administering and enforcing the Tennessee Petroleum Underground Storage Tank Act (Act), Tenn. Code Ann. §§ 68-215-101 to -204. Stanley R. Boyd is the duly appointed Director of the Division of Underground Storage Tanks ("Division"). He has received written delegation from the Commissioner to administer and enforce the Act.

II.

Mapco Express, LLC (Respondent) is a limited liability company created in Delaware and is registered to conduct business in Tennessee. The Respondent is the property owner and registered owner of four underground storage tank (UST) systems located in Knox County at 4323 Chapman Highway, Knoxville, Tennessee 37920. Service of process may be made on the Respondent's Registered Agent, Cogency Global Inc., at 992 Davidson Dr Ste B, Nashville, Tennessee 37205.

JURISDICTION

III.

When the Commissioner finds that the Act is being violated or that effective measures are not in place to comply with the provisions of the Act, the Commissioner may issue an order for correction to the responsible party and assess civil penalties of up to \$10,000.00 for each day a violation exists. Tenn. Code Ann. §§ 68-215-114 and -121. If this Order becomes final, the Commissioner may affix a notice of petroleum delivery prohibition (also known as a “red tag”) to the facility fill ports or dispensers or give notice on the Department’s website of petroleum delivery prohibition. Tenn. Code Ann. § 68-215-106(c). Rules governing underground storage tanks have been promulgated and are effective as Tenn. Comp. R. & Regs. 0400-18-01-.01 to -.17 (“Rules”). Tenn. Code Ann. § 68-215-107(f).

IV.

The Respondent is a “person,” Tenn. Code Ann. § 68-215-103(11), a “responsible party,” Tenn. Code Ann. § 68-215-103(17)(A), and has violated the Act.

FACTS

V.

On July 1, 2009, the Division received a Notification for Underground Storage Tanks form, listing the Respondent as the owner of four UST systems located in Knox County at 4323 Chapman Highway, Knoxville, Tennessee, 37920 (Facility). The facility ID number is 2-470760.

VI.

On September 24, 2025, Division personnel emailed the Respondent’s compliance contractor, Majors Management, scheduling a compliance inspection for October 7, 2025.

VII.

On October 3, 2025, Division personnel mailed a Confirmation of Compliance Inspection Appointment letter confirming the compliance inspection date.

VIII.

On October 7, 2025, Division personnel performed a compliance inspection at the Facility. The inspector discovered several violations. The following violations have not been addressed:

- Failure to maintain the last 12 months of records for release detection in accordance with Rule 0400-18-01-.04(2)(a). Specifically, automatic tank gauge (ATG) records were not available for Tank #8A (12,000 gallon Premium), for October 2024, December 2024, January 2025, February 2025, March 2025, April 2025, May 2025, June 2025, July 2025, August 2025, and September 2025 (11 months missing).
- Failure to report a suspected release within 72 hours to the Division in accordance with Rule 0400-18-01-.05(1)(a). Specifically, at the time of inspection, it was discovered that Tank #8A (12,000 gallon Premium) had periodic test failing reports on November 28, 2024, February 13, 2025, August 14, 2025, and October 7, 2025 (Three failures to report violations). No documentation addressing the first three alarms was provided during the inspection.
 - After further review following the inspection, it was discovered that Tank 7A (10,000 Regular) had periodic test failing reports in November 2023, December 2023, January 2024, February 2024, March 2024, April 2024, May 2024, July 2024, and September 2024.
- Failure to inspect overfill prevention equipment at least once every three years in accordance with Rule 0400-18-01-.02(3)(c)(2). At a minimum, the inspection must ensure that overfill prevention equipment is set to activate at the correct level specified in subpart (a)1(ii) of this paragraph and will activate when petroleum reaches that level. Inspections must be conducted in accordance with one of the criteria in items 1(ii)(I) through (IV) of this subparagraph. Specifically, during the inspection, overfill prevention testing was not available for Tank #6A (12,000 gallon Regular), Tank #7A (10,000 gallon Regular), Tank #8A (12,000 gallon Premium), and Tank #9A (8,000 gallon Diesel).

While the following violations have been addressed by the Respondent, they impact the deductible as set forth in Rule 0400-18-01-.09:

- Failure to conduct annual line tightness test or do monthly monitoring on pressurized underground piping in accordance with Rule 0400-18-01-.04(2)(b)1(ii). Specifically, no record of line tightness testing for the piping associated with Tank #6A (12,000 gallon Regular), Tank #7A (10,000 gallon Regular), Tank #8A (12,000 gallon Premium), and Tank #9A (8,000 gallon Diesel) were available at the time of the inspection.
- Failure to test line leak detectors annually in accordance with Rule 0400-18-01-.04(4)(a). Specifically, records of testing of the line leak detectors associated with Tank #6A (12,000 gallon Regular), Tank #7A (10,000 gallon Regular), Tank #8A (12,000 gallon Premium), and Tank #9A (8,000 gallon Diesel) were not available at the time of the inspection.

- Failure to test electronic and mechanical components at least annually for proper operation in accordance with Rule 0400-18-01-.04(1)(a)3. Specifically at the time of inspection, an Automatic Tank Gauge (ATG) operability test performed in the last twelve months was not available.

IX.

On October 10, 2025, the Division 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.

X.

On October 22, 2025, Division personnel sent a Release Investigation – Site Check letter, requiring a site check be conducted in response to the August 18, 2025 suspected release, and required submittal of the site-check report to the Division by December 8, 2025.

XI.

On October 27, 2025, the Division received an Application for Fund Eligibility from the Respondent for the August 18, 2025 release at the Facility.

XII.

On November 10, 2025, Division personnel received an email from the Respondent's contractor (Major's Management), showing passing Tank Tightness tests dated October 23, 2025 for all tanks.

XIII.

On December 12, 2025, Division personnel sent a Site Check Report – Not Provided letter, citing the following violation:

- Failure to conduct a site check in accordance with Rule 0400-18-01-.05(3)(b).

The letter required a site check be conducted and the report be submitted to the Division by January 23, 2026, consistent with Respondent's request for an extension on the due-date. The Division advised the Respondent that failure to meet the newly-extended due date would result in enforcement action.

XIV.

On February 4, 2026, the Division received a Site Check report for the facility. After review, the report was determined to be inadequate.

XV.

On February 17, 2026, Division personnel sent a Site Check Report letter detailing the inadequacies of the provided site check report, and required the submittal of a new site-check report to the Division by April 6, 2026.

XVI.

On April 7, 2026, Division Personnel received a revised Site Check report for the facility. The Site Check report indicated that a release had not occurred at the facility.

XVII.

On April 9, 2026, Division Personnel issued a Closure of Suspected Release Investigation letter, closing the remediation case.

XVIII.

Division personnel reviewed the Application for Fund Eligibility along with the documentation required by Rule 0400-18-01-.09. Based upon this review, Division personnel determined that this facility did not meet the requirements for the minimum deductible for the release due to the following:

- Failure to maintain the last 12 months of records for release detection in accordance with Rule 0400-18-01-.04(2)(a).
- Failure to conduct annual line tightness test or do monthly monitoring on pressurized underground piping in accordance with Rule 0400-18-01-.04(2)(b)1(ii).
- Failure to test line leak detectors annually in accordance with Rule 0400-18-01-.04(4)(a).
- Failure to report a suspected release within 72 hours to the Division in accordance with Rule 0400-18-01-.05(1)a.
- Failure to test electronic and mechanical components at least annually for proper operation in accordance with Rule 0400-18-01-.04(1)(a)3.
- Failure to inspect overfill prevention equipment at least once every three years in accordance with Rule 0400-18-01-.02(3)(c)(2).

The deductible for the release is \$30,000.00.

VIOLATIONS

IX.

By failing to operate a UST in compliance with the Act, the Respondent violated Tennessee Code Annotated section 68-215-104(2), which states:

It is unlawful to: Construct, alter or operate a petroleum underground storage tank in violation of this chapter or the rules or regulations established pursuant thereto[.]

XX.

The Respondent violated Rule 0400-18-01-.04(2)(a), which states:

0400-18-01-.04 RELEASE DETECTION.

(2) Requirements for petroleum UST systems.

Owners and/or operators of petroleum UST systems shall provide release detection for tanks and piping as follows:

(a) Tanks.

Tanks shall be monitored at least monthly for releases using one of the methods listed in subparagraphs (3)(c) through (f) of this rule, except that tanks which meet the volume, diameter, and test duration requirements as set forth in subpart (3)(a)1.(i) of this rule may use manual tank gauging (conducted in accordance with subparagraph (3)(a) of this rule).

XXI.

The Respondent violated Rule 0400-18-01-.04(2)(b)1(ii), which states:

0400-18-01-.04 RELEASE DETECTION

(2) Requirements for petroleum UST systems.

Owners and/or operators of petroleum UST systems shall provide release detection for tanks and piping as follows:

(b) Piping

Underground piping that routinely contains petroleum shall be monitored for releases in a manner that meets one of the following requirements:

1 Pressurized piping.

Underground piping that conveys petroleum under pressure shall:

- (ii) Have an annual line tightness test conducted in accordance with subparagraph (4)(b) of this rule or have monthly monitoring conducted in accordance with subparagraph (4)(c) of this rule.

XXII.

The Respondent violated Rule 0400-18-01-.04(4)(a), which states:

0400-18-01-.04 RELEASE DETECTION

- (4) Methods of release detection for piping.

Each method of release detection for piping used to meet the requirements of paragraph (2) of this rule shall be conducted in accordance with the following:

- (a) Automatic line leak detectors.

Methods which alert the operator to the presence of a leak by restricting or shutting off the flow of petroleum through piping or triggering an audible or visual alarm may be used only if they detect leaks of three gallons per hour at ten pounds per square inch line pressure within one hour. An annual test of the operation of the leak detector shall be conducted in accordance with guidance provided by the Division.

XXIII.

The Respondent violated Rule 0400-18-01-.05(1)a, which states:

0400-18-01-.05 RELEASE REPORTING, INVESTIGATION AND CONFIRMATION.

- (1) Reporting Of Suspected Releases.

- (a) Owners and/or operators of UST systems shall report to the division within 72 hours and follow the procedures in paragraph (3) of Rule 0400-18-01-.05 for any of the following conditions:

XXIV.

The Respondent violated Rule 0400-18-01-.04(1)(a)3, which states:

0400-18-01-.04 RELEASE DETECTION

- (1) General requirements for release detection.

- (a) Owners and/or operators of UST systems shall provide a method, or combination of methods, of release detection that:

- 3. Ensures that electronic and mechanical components are tested for proper operation in accordance with subparts 2.(i) through (iii) of this subparagraph. The

test must be performed at least annually, and at a minimum, as applicable to the facility, cover the following components and criteria:

- (i) Automatic tank gauge and other controllers: test alarm; verify system configuration; test battery backup[.]

XXV.

The Respondent violated Rule 0400-18-01-.02(3)(c)2, which states:

0400-18-01-.02 UST SYSTEMS: INSTALLATION AND OPERATION.

(3) Spill and overfill prevention.

(c) Periodic testing of spill prevention equipment and periodic inspection of overfill prevention equipment.

- 2 Inspections. Overfill prevention equipment must be inspected at least once every three years. At a minimum, the inspection must ensure that overfill prevention equipment is set to activate at the correct level specified in subpart (a)1.(ii) of this paragraph and will activate when petroleum reaches that level. Inspections must be conducted in accordance with one of the criteria in items 1.(ii)(I) through (IV) of this subparagraph.

ORDER AND ASSESSMENT

XXVI.

Pursuant to the authority vested by sections 68-215-107, -114, and -121 of the Act, the Respondent is issued the following Order:

1. The Application for Fund Eligibility for the August 18, 2025 release is approved with a deductible of \$30,000.00.
2. The Respondent shall perform release investigation and remediation activities of Rule 0400-18-01-.06 within the timeframes determined by the Division.
3. If the Respondent fails to comply with this order and/or file an appeal within the timeframes stated below, **the above referenced facility will be placed on the Delivery Prohibition List and the fill ports or dispensers will be red tagged until compliance is achieved.** Tenn. Code Ann. § 68-215-106(c).
4. **Remedial Action:** The Respondent shall perform all actions necessary to correct the outstanding violations and to bring the facility into full compliance with regulatory requirements.

- i. On or before the thirty-first day after receipt of this Order, the Respondent shall
 - a. If available, please submit the October 2024, December 2024, January 2025, February 2025, March 2025, April 2025, May 2025, June 2025, July 2025, August 2025, and September 2025 ATG release detection reports for Tank #8A (12,000 gallon Premium) to the Division. If records are unavailable, the Division requires a copy of the next month's tank release detection results be submitted for review.
 - b. Provide documentation showing completion of a current overfill prevention equipment inspection.
5. **Civil Penalty:** On or before the thirty-first day after receipt of this Order, the Respondent shall pay a total civil penalty in the amount of \$11,200. This amount consists of the following:
 - i. One violation assessed at \$3,200 per tank compartment for a total of \$3,200 for failing to monitor tanks at least monthly.
 - ii. Four violations assessed at \$2,000 per tank compartment for a total of \$8,000 for failing to inspect overfill prevention equipment at least once every three years.
7. All payments should be sent to the following address:

Treasurer, State of Tennessee
Division of Fiscal Services – Consolidated Fees Section
Davy Crockett Tower
500 James Robertson Parkway, 6th Floor
Nashville, Tennessee 37243
8. Failure to comply with any of the requirements of this Order could lead to further enforcement actions which may include additional civil penalties, assessment of damages and recovery of costs.
9. With the exception of the deadline for filing the appeal of this Order, the Department may extend the compliance dates contained within this Order for a fixed time period for good cause shown by the Respondent. To be eligible for this time extension, the Respondent shall submit a written request to be received in advance of the compliance date. The written request must include sufficient detail to justify such an extension and include at a minimum the anticipated length of the delay. The Department will reply to the Respondent's request in writing, establishing a new deadline for compliance with this Order. Should the Respondent fail to meet the requirements of this Order by the new deadline, then any

associated civil penalty shall be due within thirty days after that deadline. The request for an extension of time does not change the deadline to submit an appeal. See Notice of Rights.

RESERVATION OF RIGHTS

In issuing this Order, the Department does not implicitly or expressly waive any provision of the Act or the regulations promulgated thereunder or the authority to assess costs, civil penalties, or damages incurred by the State against the Respondent. The Department expressly reserves all rights it has at law and in equity to order further corrective action, assess civil penalties or damages, and to pursue further enforcement action including, but not limited to, monetary and injunctive relief. Compliance with this Order will be considered as a mitigating factor in determining the need for future enforcement action(s).

NOTICE OF RIGHTS

The Respondent may appeal this Order. Tenn. Code Ann. § 68-215-119. To do so, a written petition setting forth the reasons for requesting a hearing must be received by the Commissioner within thirty days of the date the Respondent received this Order or this Order will become final.

If an appeal is filed, an initial hearing of this matter will be conducted by an Administrative Judge as a contested case hearing. Tenn. Code Ann. § 68-215-119; Tenn. Code Ann. §§ 4-5-301 to -326 (the Uniform Administrative Procedures Act); and Tenn. Comp. R. & Regs. 1360-04-01 (the Department of State's Uniform Rules of Procedure for Hearing Contested Cases Before State Administrative Agencies). Such hearings are legal proceedings in the nature of a trial. Individual Respondents may represent themselves or be represented by an attorney licensed to practice law in Tennessee. Artificial Respondents (corporations, limited partnerships, limited liability companies, etc.) cannot engage in the practice of law and therefore may only pursue a contested case through an attorney licensed to practice law in Tennessee. Low-income individuals may be eligible for representation at reduced or no cost through a local bar association or legal aid organization.

At the conclusion of any initial hearing, the Administrative Judge has the authority to affirm, modify, or deny the Order. Furthermore, the Administrative Judge on behalf of the Board has the authority to assess additional damages incurred by the Department including, but not limited to, all docketing expenses associated with the setting of the matter for a hearing and the hourly fees incurred due to the presence of the Administrative Judge and a court reporter.

Any petition for review (appeal) must be directed to the Commissioner of the Tennessee Department of Environment and Conservation, c/o Jenny L. Howard, Deputy Commissioner and General Counsel, Department of Environment and Conservation, Davy Crockett Tower, 500 James Robertson Pkwy, 5th Floor, Nashville, Tennessee 37243. The petition may be mailed or delivered to this address, or it may be sent to TDEC.Appeals@tn.gov. Payments of the civil penalty and/or damages shall be made payable to the "Treasurer, State of Tennessee" and sent to the Division of Fiscal Services – Consolidated Fees Section,

Department of Environment and Conservation, Davy Crockett Tower, 500 James Robertson Pkwy, 6th Floor, Nashville, Tennessee 37243. Technical questions and other correspondence involving compliance issues should be sent to Matthew Bargery, Memphis Environmental Field Office, 8383 Wolf Lake Dr, Bartlett, TN 38133. Attorneys should contact the undersigned counsel of record. **The case number, FDA26-0025, should be written on all correspondence regarding this matter.**

Issued by the Director of the Division of Underground Storage Tanks, Tennessee Department of Environment and Conservation, on this 6th day of May , 2026.



Stanley R. Boyd, Director
Division of Underground Storage Tanks
TN Department of Environment and Conservation

Reviewed by:



James Marr
BPR# 034936
Associate Counsel
Department of Environment and Conservation
3711 Middlebrook Pike, Suite 101
Knoxville, Tennessee 37921
(865) 393-6018
James.Marr@tn.gov