



## Tennessee Tank Talk

### Suspected Releases and Fund Eligibility

**\* REPORT AND APPLY \***

#### WHAT TO DO IF YOU HAVE A SUSPECTED RELEASE?

- Report suspected releases to the Division of Underground Storage Tanks ([Division](#)) within **72 hours**.
- Verify if dispensing and release detection equipment is operating properly. If equipment is not operating properly, have it repaired or replaced and keep accurate records for each equipment repair or replacement.
- Conduct system tightness tests, or other appropriate testing. If tests indicate a release has occurred, report it to the [Division](#) within **72 hours**.
- If the system equipment is found to be defective but not leaking, is immediately repaired or replaced and additional monitoring within 30 days does not confirm the initial result, reporting would not be required.
- Submit an [Application for Fund Eligibility \(CN-0943\)](#) to [UST.Fund@tn.gov](mailto:UST.Fund@tn.gov).

#### FUND ELIGIBILITY PROCESS

Rule 0400-18-01-.05(1)(a) and Rule 0400-18-01-.06(3)(a) require releases be reported to the Division within 72 hours. Violations of these rules impact the Responsible Parties' deductible in accordance with Rule 0400-18-01-.09(6)(b)7.(iii) and set the deductible at 30,000.00

All fund eligible releases are entitled to the fund with scaled deductibles that are determined by the compliance history at the site at the time of the release. To confirm a facility's compliance status at the time of a release, the Division performs a full operational inspection within 10 days of the reported and/or discovered release. These inspection results determine the deductible a facility will receive to address a release. The deductible for sites that are compliant at the time of their release is \$5,000, while sites in noncompliance will incur a deductible of \$10,000, \$20,000, or \$30,000 depending on the severity of the violations. Violations that impact the deductible amount are identified in [Rule 0400-18-01-.09\(6\)\(b\)7](#).

All tanks at the site must be registered prior to the release occurring and the fund eligibility application must be submitted within 90 days of a release that is subsequently confirmed or within 60 days of a release that was identified in any manner other than the process for confirmation of a suspected release. The 90 day deadline applies even if confirmation of a release does not occur within 90 days of the discovery of evidence of a suspected release. An application should be filed as soon as possible after a release is suspected, even if all the confirmation steps have not been taken. Sites that do not establish eligibility receive denials to the fund through administrative orders.

Please submit all [Application for Fund Eligibility \(CN-0943\)](#) to [UST.Fund@tn.gov](mailto:UST.Fund@tn.gov) .

For more information on the current fund process, please visit the Division's website [here](#).

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## Additional Resources

[Division Updates and Outreach](#)

[Current Tennessee UST Rules](#)

[2018 Federal Rule Change Quick Reference Guide](#)

[Standardized Inspection Manual \(SIM\)](#)

[UST Contact Information](#)

[Contact Your Local Field Office](#)

[UST Forms and Guidance](#)

[EPA -Must For USTs](#)

[TDEC Underground Storage Tanks Home Page](#)

[EPA- Underground Storage Tanks Home Page](#)

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