



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

January 5, 2022

Lafayette School Corporation
Attn: Les Huddle, Superintendent
2300 Cason St
Lafayette, IN 47904

Lafayette School Corporation
Attn: Les Huddle and Jim Scroggin
Via email: lhuddle@lsc.k12.in.us
jscroggin@lsc.k12.in.us

Re: Violation Letter
Lafayette School Corporation Warehouse
611 N 22nd St
Lafayette, Tippecanoe County
UST Facility ID # **11926**

Dear Messrs. Huddle and Scroggin:

An inspector from the Indiana Department of Environmental Management (IDEM), Underground Storage Tank (UST) Section, conducted an inspection of the site referenced above on December 7, 2021.

The inspection was conducted pursuant to Indiana Code (IC) 13-14-2-2 to determine compliance with the provisions of IC 13-23 and 329 IAC 9. In accordance with IC 13-14-5, a summary of the inspection is provided below:

Type of Inspection: Initial

Results of Inspection: Violations were discovered and require a submittal.

Within thirty (30) days of receipt of this letter, documentation demonstrating compliance with each of the requirements listed in the attached Inspection Report and Description of Violations (DOV) must be submitted to IDEM. Failure to submit this documentation may lead to this facility being referred for enforcement.

An enforcement action may include civil penalties of up to \$10,000 per UST. Enforcement actions may also affect the owner's and/or operator's eligibility for reimbursement from the Excess Liability Trust Fund (ELTF). Additionally, IDEM may deem the UST's at this facility ineligible for delivery, deposit or acceptance of regulated substances pursuant to IC 13-23-1-4. Finally, federal and criminal penalties may apply for failure to provide required notification; or submitting false information pursuant to IC 13-23-14-2 and liable under IC 13-30-10.

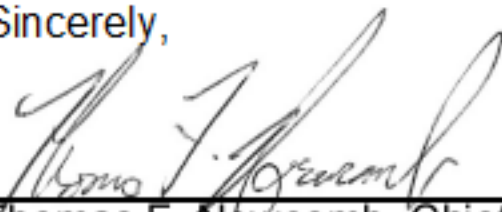
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at USTCompliance@idem.in.gov. Include in the subject line of the response the UST Facility ID # **11926**.

Inspector: Matt Rozycki
Phone: (317) 296-1853

Direct any questions regarding the inspection to:

Compliance Manager: Loic Maniet
Phone: (317) 232-3592

Sincerely,



Thomas F. Newcomb, Chief
UST Compliance Section
Office of Land Quality

cc: Loic Maniet
Matt Rozycki
UST Facility ID File # 11926

DESCRIPTION OF VIOLATIONS

This inspection or records review revealed that the owner and/or operator of this facility is in violation of Indiana UST Rule 329 IAC 9. 329 Indiana Administrative Code ("IAC") 9 incorporates certain federal underground storage tank requirements found in 40 Code of Federal Regulations ("CFR") Part 280, including those identified below. The Description of Violations (DOV) and corrective measures are as follows:

FACILITY NAME: Lafayette School Corporation	UST FACILITY ID: 11926
ADDRESS: 611 N 22nd St, Lafayette, Tippecanoe County	INSPECTION DATE: 12/7/2021

VIOLATIONS NOTED IN THIS INSPECTION

329 IAC 9-8-11(b) – Failure to demonstrate the ability to pay the deductible amount

Citation:

Pursuant to 329 IAC 9-8-11(b), an owner or operator of:

- (1) twelve (12) or fewer USTs shall demonstrate the ability to pay the applicable deductible amount under IC 13-23-9-1.3; or
- (2) more than twelve (12) USTs shall demonstrate the ability to pay two (2) times the applicable deductible amount under IC 13-23-9-1.3.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because no current financial responsibility mechanism was provided.

Corrective Action:

The owner and/or operator of the UST systems at this site shall submit a copy of the instrument proving they have the coverage required by this rule within thirty (30) days of receipt of this notice.

§ 280.43(d) – Failure to perform Automatic Tank Gauging to standard

Citation:

Pursuant to 40 CFR 280.43(d), equipment for automatic tank gauging that tests for the loss of product and conducts inventory control must meet the following requirements:

- (1) The automatic product level monitor test can detect a 0.2 gallon per hour leak rate from any portion of the tank that routinely contains product;
- (2) The automatic tank gauging equipment must meet the inventory control (or other test of equivalent performance) requirements of § 280.43(a); and
- (3) The test must be performed with the system operating in one of the following modes:
 - (i) In-tank static testing conducted at least once every 30 days; or
 - (ii) Continuous in-tank leak detection operating on an uninterrupted basis or operating within a process that allows the system to gather incremental measurements to determine the leak status of the tank at least once every 30 days.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because the leak test history print outs were out of order. Tank 1 only had 3 months print, while tank 2 had 18 months of records, all within the 2021 calendar year. Tank 2 appeared to have tank 1's records mixed in. We collected all of the release detection records, but they should print for their appropriate tank.

Corrective Action:

The owner and/or operator of the UST systems at this site shall have any UST system found to have had automatic tank gauging not performed to the standard tightness tested within thirty (30) days of receipt of this notice and submit the results within forty five (45) days of receipt of this notice. The owner and/or operator of the UST systems at this site shall have a contractor certified by the Indiana Office of the State Fire Marshall inspect, reprogram, repair or otherwise correct the deficiencies of the automatic tank gauging system within thirty (30) days of receipt of this notice and submit the results within forty five (45) days of receipt of this notice.

§ 280.245 – Failure to maintain list of designated operators and/or training records

Citation:

Pursuant to 40 CFR 280.245, owners and operators of underground storage tank systems must maintain a list of designated Class A, Class B, and Class C operators and maintain records verifying that training and retraining, as applicable, have been completed, in accordance with § 280.34.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because updated operator C certificates are needed.

Corrective Action:

The owner or operator of the UST systems at this site shall submit a list of those employees designated to be Class C operators. Those so designated must be trained and certification of that training submitted within thirty (30) days of receipt of this notice.



**UNDERGROUND STORAGE
TANK INSPECTION REPORT**

INDIANA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

UST FAC ID: **11926**

Inspector's Name:	Matt Rozycki
Date:	December 7, 2021
Time In:	10:20
Time Out:	10:45
Inspection Type:	Initial

FACILITY NAME / LOCATION

FACILITY NAME Lafayette School Corporation Warehouse		FACILITY ADDRESS (number and street) 611 N 22nd St			
ADDRESS (line 2)	CITY Lafayette	STATE IN	ZIP CODE 47904	COUNTY Tippecanoe	

UST OWNER

UST Owner Name (if in Individual Capacity) Lafayette School Corporation					BUSINESS ID (From the Secretary of State)
PREFIX Mr	FIRST NAME Les	MI	LAST NAME Huddle	SUFFIX	
TELEPHONE NUMBER		EMAIL ADDRESS lhuddle@lsc.k12.in.us			

UST OPERATOR

UST Operator Name (if in Individual Capacity) Lafayette School Corporation					BUSINESS ID (From the Secretary of State)
PREFIX Mr	FIRST NAME Les	MI	LAST NAME Huddle	SUFFIX	
TELEPHONE NUMBER		EMAIL ADDRESS lhuddle@lsc.k12.in.us			

PROPERTY OWNER

UST Property Owner Name (if in Individual Capacity) Lafayette School Corporation					BUSINESS ID (From the Secretary of State)
PREFIX Mr	FIRST NAME Les	MI	LAST NAME Huddle	SUFFIX	
TELEPHONE NUMBER		EMAIL ADDRESS lhuddle@lsc.k12.in.us			

COMPLIANCE ELEMENTS

All USTs properly registered and up-to-date notification form on file	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	UNK
O/O is in compliance with reporting & record keeping requirements	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	UNK
O/O is in compliance with release reporting or investigation	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>	N/A
O/O is in compliance with all UST closure requirements	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>	N/A
O/O has met all financial responsibility requirements	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	N/A
No current financial responsibility mechanism was provided						
40 CFR 280, Subpart A installation requirements (partially excluded) met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A
40 CFR 280, Subpart B installation and upgrade requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	UNK
40 CFR 280, Subpart C spill/overfill control requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A
40 CFR 280, Subpart C compatibility requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A
40 CFR 280, Subpart C O&M and testing requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	UNK
40 CFR 280, Subpart D release detection requirements met	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK
ATG to standard						
40 CFR 280, Subpart J operator training requirements met	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK
Operator C certificates are not dated						

The information contained on this page is based upon a review of files related to this site and/or observations from an underground storage tank inspector. This page may contain information not specifically related to possible violations found during the review or inspection and is meant to give the owners and/or operator specific information to assist them.

Site Maintains:

- Two (2) FG DW (Xerxes) USTs installed in July 1991
- One (1) 12K DSL
- One (1) 4K REG GSL

Section Chief Note: The normal operational lifespan of a UST before failing is 25 to 30 years old. The USTs at this site are now 32 years old and the owner should start planning on removing or replacing them soon.

- Piping is Flex DW (Environ Geo) and EU suction

RD UST = ATG, INT (not performed)

RD Piping = ATG, INT (not performed and not required since EU)

Overfill/Spill = Spill Buckets + Auto Shutoff (consistent)

ATG Certification = Y (7/28/2021)

Overfill Protection Test = Y (7/28/2021)

Spill bucket Test = Y (7/28/2021)

Containment Sumps Test (not required) = N

INT does not appear to be performed for either USTs or piping. Since pre 2009, not required. Will need updated NF.

Site History:

Site is an school garage with fueling capability. Four (4) USTs were filled in place in 1991 (Closure Report on file).

Contact Information

Les Huddle lhuddle@lsc.k12.in.us

Jim Scroggin jscroggin@lsc.k12.in.us

Documentation provided at the time of the file review:

- (NF 9/11/2017, no formal approval - INT selected but not performed based on prior records)
- Operator Certificates A, B, C
- Release Detection Records (DSL, REG) 10/2020, 1/2021 to 10/2021
- ATG/Probes Certification (7/28/2021)
- Spill bucket test (REG, DSL) 7/28/2021
- Overfill Equipment Test (REG, DSL) 7/28/2021 - Auto
- Monthly Walkthrough 1/2021 to 10/2021

The information contained on this page is based upon a review of files related to this site and/or observations from an underground storage tank inspector. This page may contain information not specifically related to possible violations found during the review or inspection and is meant to give the owners and/or operator specific information to assist them.

The following are AREAS OF CONCERN found during the inspection that will need to be addressed by the owner and/or operator:

1. The spill bucket that goes under the dispensers contained some fluid, it should be monitored and cleaned out as needed
2. Both spill buckets had some warping noted at the time of inspection, they should be monitored and replaced if a crack develops
3. The UST away from the dispensers did not allow access to the STP sump. The lid was seized in place by debris. There should be a metal fitting around the top of the hole to create a tighter fit for the steel cover, and prevent any gravel from falling around the STP lid. The lid should be cleaned to allow access for inspection / monthly walkthroughs
4. The notification form has interstitial monitoring selected as a form of release detection for the piping and USTs. The piping is European suction and not required to have a release detection method.
5. The tanks are capable of performing interstitial monitoring, however we did not receive 12 months of interstitial records. Inspector did collect 12 months of ATG records for the tanks but could only obtain 1 month of interstitial for the USTs. If interstitial is the preferred method then it should be performed as such, if ATG (CSLD) is the preferred method then a new notification form may be needed reflecting that change

The following are VIOLATIONS discovered during the inspection that will need to be corrected within 30 days of receipt of this inspection report to avoid further action and achieve compliance with the state underground storage tank program:

1. A current financial responsibility mechanism was not provided
2. ATG is not being performed to standard because the leak test history print outs were out of order. Tank 1 only had 3 months print, while tank 2 had 18 months of records, all within the 2021 calendar year. Tank 2 appeared to have tank 1's records mixed in. Inspector collected all of the release detection records, but they should print for their appropriate tank
3. All operator C certificates provided did not have dates on them

The following are RECORDS to be submitted to the inspector within 30 days of receipt of this inspection report to avoid further action and achieve compliance with the state underground storage tank program (update accordingly):

- Certificate of Financial Responsibility
- Documentation showing that the ATG has been updated and prints correctly
- Updated operator C certificates