



## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • [www.idem.IN.gov](http://www.idem.IN.gov)

Eric J. Holcomb  
Governor

Brian C. Rockensuess  
Commissioner

February 21, 2022

Shilpa LLC  
Attn: Tushar Patel, Registered Agent  
15313 US Highway 50  
Dillsboro, IN 47018

Chanda Petroleum Inc  
Attn: Tushar Patel, Registered Agent  
15313 US Highway 50  
Dillsboro, IN 47018

Re: Violation Letter  
Dillsboro BP Food Mart  
15313 US Hwy 50  
Dillsboro, Dearborn County  
UST Facility ID # **24306**

Dear Mr. Patel:

An inspector from the Indiana Department of Environmental Management (IDEM), Underground Storage Tank (UST) Section, conducted an inspection of the site referenced above on January 25, 2022.

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.

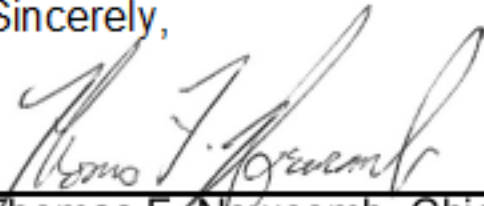
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at [USTCompliance@idem.in.gov](mailto:USTCompliance@idem.in.gov). Include in the subject line of the response the UST Facility ID # **24306**.

Inspector: Matt James  
Phone: (317) 750-2591

Direct any questions regarding the inspection to:

Compliance Manager: Caitlin Shaffer  
Phone: (317) 234-4112

Sincerely,



---

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

cc: Caitlin Shaffer  
Matt James  
UST Facility ID File # 24306  
Dillsboro BP Food Mart  
Attn: Tushar Patel  
Via email: [patel\\_tushar1999@yahoo.com](mailto:patel_tushar1999@yahoo.com)

**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:

<b>FACILITY NAME: Dillsboro BP Food Mart</b>	<b>UST FACILITY ID: 24306</b>
<b>ADDRESS: 15313 US Hwy 50, Dillsboro, Dearborn County</b>	<b>INSPECTION DATE: 1/25/2022</b>

**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 an FR mechanism is needed.*

**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.

**§ 280.240 – Failure to designate Class A, Class B or Class C operators that meet requirements**

**Citation:**

Pursuant to 40 CFR 280.240, not later than October 13, 2018, all owners and operators of UST systems must ensure they have designated Class A, Class B, and Class C operators who meet the requirements of this subpart.

**Violation Details:**

*The owner and/or operator of the UST system(s) at this site are in violation of this rule because operator A, B and C training 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 A, Class B and 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: **24306**

Inspector's Name:	Matt James
Date:	January 25, 2022
Time In:	12:00
Time Out:	01:00
Inspection Type:	Initial

**FACILITY NAME / LOCATION**

FACILITY NAME Dillsboro BP Food Mart		FACILITY ADDRESS (number and street) 15313 US Hwy 50			
ADDRESS (line 2)	CITY Dillsboro	STATE IN	ZIP CODE 47018	COUNTY Dearborn	

**UST OWNER**

UST Owner Name (Business Name as registered with the Secretary of State) Shilpa LLC				BUSINESS ID (From the Secretary of State) 2015022000372	
PREFIX	FIRST NAME Tushar	MI	LAST NAME Patel		SUFFIX
TELEPHONE NUMBER (812) 655-1378		EMAIL ADDRESS patel_tushar1999@yahoo.com			

**UST OPERATOR**

UST Operator Name (Business Name as registered with the Secretary of State) Chanda Petroleum Inc				BUSINESS ID (From the Secretary of State) 2015022000345	
PREFIX	FIRST NAME Tushar	MI	LAST NAME Patel		SUFFIX
TELEPHONE NUMBER (812) 655-1378		EMAIL ADDRESS patel_tushar1999@yahoo.com			

**PROPERTY OWNER**

UST Property Owner Name (Business Name as registered with the Secretary of State) Shilpa LLC				BUSINESS ID (From the Secretary of State) 2015022000372	
PREFIX	FIRST NAME Tushar	MI	LAST NAME Patel		SUFFIX
TELEPHONE NUMBER (812) 655-1378		EMAIL ADDRESS patel_tushar1999@yahoo.com			

**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	<input type="checkbox"/>	UNK
O/O is in compliance with all UST closure requirements	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>	UNK
O/O has met all financial responsibility requirements	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	N/A	<input type="checkbox"/>	UNK
Need FR mechanism.								
40 CFR 280, Subpart A installation requirements (partially excluded) met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	<input type="checkbox"/>	UNK
40 CFR 280, Subpart B installation and upgrade requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	<input type="checkbox"/>	<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	<input type="checkbox"/>	UNK
Spill Bucket and Overfill testing submitted after the inspection								
40 CFR 280, Subpart C compatibility requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	<input type="checkbox"/>	UNK
40 CFR 280, Subpart C O&M and testing requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	UNK
LDT, ATG testing, January walkthrough inspection submitted after the inspection								
40 CFR 280, Subpart D release detection requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	UNK
40 CFR 280, Subpart J operator training requirements met	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	UNK
Need operator training certificates.								

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:

Three (3) fiberglass USTs installed in October 1999

- One (1) 12k GSL
- One (1) 10k GSL
- One (1) 8k DSL

Piping is DW flex and pressurized (OPW)

RD UST = ATG

RD Piping = LLD, LTT, ATG

Overfill/Spill = Spill Buckets + Auto Shutoff

ATG Certification = Yes 1/11/2022

Overfill Protection Test = Yes 1/11/2022

Spill Bucket Test = Yes 1/11/2022

Documentation provided at the time of the file review:

- Notification form approved 2/21/2020
- NONE

Documents provided after the inspection:

- ATG functionality, LDT, Spill Bucket, Overfill testing completed 1/11/2022 - all pass
- Monthly and Annual walkthrough inspection completed 1/11/2022

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 buckets contained fluids/debris and should be monitored and cleaned out when needed.
2. The diesel and regular gasoline sump compartments contained a small amount of fluids around the outer edges that should be monitored and removed when needed.
3. The auxiliary dispenser for the diesel (truck #9) contained fluids and should be monitored and cleaned out when needed.

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:

4. Financial responsibility mechanism is needed.
5. Operator training certificates are needed.