



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

February 25, 2022

Jaswinder Singh and Gurwinder Kaur
422 N Michigan St
Plymouth, IN 46563
Via email: ashrobin123@gmail.com

GK Mini Mart Inc
Attn: Gurwinder Kaur, Registered Agent
422 N Michigan St
Plymouth, IN 46563

Re: Violation Letter
GK Mini Mart
422 N Michigan St
Plymouth, Marshall County
UST Facility ID # **7201**

Dear Mr. Singh and Ms. Kaur:

An inspector from the Indiana Department of Environmental Management (IDEM), Underground Storage Tank (UST) Section, conducted an inspection of the site referenced above on February 22, 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.

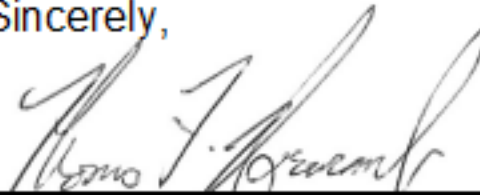
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at USTCompliance@idem.in.gov. Include in the subject line of the response the UST Facility ID # **7201**.

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

Direct any questions regarding the inspection to:

Compliance Manager: Carrie Maniet
Phone: (317) 233-3533

Sincerely,



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

cc: Carrie Maniet
Matt Rozycki
UST Facility ID File # 7201

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: GK Mini Mart	UST FACILITY ID: 7201
ADDRESS: 422 N Michigan St, Plymouth, Marshall County	INSPECTION DATE: 2/21/2022

VIOLATIONS NOTED IN THIS INSPECTION

329 IAC 9-2-2(c) – Failure to register/notify with complete information

Citation:

Pursuant to 329 IAC 9-2-2(c), an owner required to submit a notification under this section shall provide:

- (1) a notification for each UST owned;
- (2) complete information required on the form for each UST owned; and
- (3) if applicable, a separate notification form for each separate place of operation at which the USTs are located.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because an updated notification form is needed reflecting the proper overfill and system information.

Corrective Action:

The owner and/or operator of the UST systems at this site shall fill out and submit to IDEM a correct and complete copy of the appropriate state form with required attachments, within fifteen (15) days of receipt of this notice.

329 IAC 9-6-2.5(d) – Failure to complete closure process

Citation:

Pursuant to 329 IAC 9-6-2.5(d), the permanent closure or change-in-service is not considered complete until all permanent closure or change-in-service requirements and site assessment requirements are met.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because no closure documents were provided for both of the 1K USTs that used to be on site.

Corrective Action:

The owner and/or operator of the UST systems at this site shall submit to IDEM the complete documentation as required by this rule within thirty (30) days of receipt of this notice.

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:
<i>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.</i>
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.
§ 280.20(b) – Failure to install, design, construct or protect piping from corrosion
Citation:
Pursuant to 40 CFR 280.20(b), the piping that routinely contains regulated substances and is in contact with the ground must be properly designed, constructed, and protected from corrosion in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory.
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because metal components of the piping at the REG STPs appear to be in contact with backfill.</i>
Corrective Action:
The owner and/or operator of the UST systems at this site shall, within fifteen (15) days of receipt of this notice, contract with a certified contractor to determine if the piping or metal components in contact with the ground are substandard and what steps will be taken to provide corrosion protection. The UST owner and/or operator must inform IDEM of the proposed work within thirty (30) days of receipt of this notice and receive approval before completing the work. The work must be completed within forty five (45) days of receipt of this notice. If the piping or metal components are determined to be substandard, the UST owner and/or operator shall immediately notify IDEM of their intent to remove or replace the affected components.

§ 280.21(b)(1)(ii) – Failure to inspect tank liner or close tank
Citation:
Pursuant to 40 CFR 280.21(b)(1)(ii), within 10 years after lining, and every 5 years thereafter, the lined tank is internally inspected and found to be structurally sound with the lining still performing in accordance with original design specifications. If the internal lining is no longer performing in accordance with original design specifications and cannot be repaired in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory, then the lined tank must be permanently closed in accordance with 329 IAC 9-6.
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because liner inspections are needed for 1K UST.</i>
Corrective Action:
The owner and/or operator of the UST systems at this site shall, within thirty (30) days of receipt of this notice, contract with a certified contractor to assess the liners and tanks to ensure the liner is still performing in accordance with original design specifications. The results of the assessment must be submitted to IDEM within 45 days of receipt of this notice. If the tanks and/or liners fail the assessment and the liners cannot be repaired in accordance with a recommended practice allowed under the rule, the owner and/or operator will permanently close the affected UST systems within sixty (60) days of receipt of this notice.
§ 280.32(b)(1) – Failure to demonstrate compatibility of entire UST system
Citation:
Pursuant to 40 CFR 280.32(b)(1), owners and operators with UST systems storing these regulated substances must demonstrate compatibility of the UST system (including the tank, piping, containment sumps, pumping equipment, release detection equipment, spill equipment, and overfill equipment).
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because compatibility documents are needed for the 8K UST.</i>
Corrective Action:
The owner and/or operator of the UST systems at this site shall, within fifteen (15) days of receipt of this notice submit documentation to IDEM proving the required UST system components are fully compatible with the product found stored in the tanks during the inspection. If the owner and/or operator cannot prove compatibility, they must immediately cease storing the substance in the UST system until such a time as they can prove compatibility, upgrade the UST system or switch the product to one that is compatible. The UST owner and/or operator must submit proof of compliance with these requirements within forty five (45) days of receipt of this notice.

§ 280.36(a)(1)(i) – Failure to perform 30 day walkthrough inspections

Citation:

Pursuant to 40 CFR 280.36(a)(1)(i), to properly operate and maintain UST systems, not later than June 28, 2021, owners and operators must conduct a walkthrough inspection every 30 days that, at a minimum, checks spill prevention equipment and release detection equipment (Exception: spill prevention equipment at UST systems receiving deliveries at intervals greater than every 30 days may be checked prior to each delivery).

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because monthly walkthroughs have not been provided since the rule took effect.

Corrective Action:

The owner and/or operator of the UST systems at this site shall, within seven (7) days of receipt of this notice, perform the 30 day walkthrough inspection for all UST systems at the site in accordance with a standard of practice referenced in the rule. Documentation, to include photographs, inspection forms, repair documents, and waste disposal records, showing the walkthrough inspection has been completed must be submitted within forty five (45) days of the receipt of this notice.

§ 280.41(a)(1) – Failure to monitor tanks every 30 days if installed before 9/2/2009

Citation:

Pursuant to 40 CFR 280.41(a)(1), considering previous Indiana rule at 329 IAC 9-3-1.3 (repealed 2018), tanks installed on or before September 2, 2009 must be monitored for releases at least every 30 days using one of the methods listed in § 280.43(d) through (i).

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because 12 months of records were not provided for the tanks.

Corrective Action:

The owner and/or operator of the UST systems at this site shall have any UST or line that contains a regulated amount of product and found to not have been monitored every thirty (30) days 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 shall continue to perform proper monthly release detection and submit the results monthly for a period of six (6) months after the 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:
<i>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 certificates are needed.</i>
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: **7201**

Inspector's Name:	Matt Rozycki
Date:	February 21, 2022
Time In:	11:15
Time Out:	12:00
Inspection Type:	Initial

FACILITY NAME / LOCATION

FACILITY NAME GK Mini Mart		FACILITY ADDRESS (number and street) 422 N Michigan St			
ADDRESS (line 2)	CITY Plymouth	STATE IN	ZIP CODE 46563	COUNTY Marshall	

UST OWNER

UST Owner Name (if in Individual Capacity) GK Mini Mart Inc				BUSINESS ID (From the Secretary of State) 2016021100376	
PREFIX	FIRST NAME Gurwinder	MI	LAST NAME Kaur	SUFFIX	
TELEPHONE NUMBER		EMAIL ADDRESS ashrobin123@gmail.com			

UST OPERATOR

UST Operator Name (if in Individual Capacity) GK Mini Mart Inc				BUSINESS ID (From the Secretary of State) 2016021100376	
PREFIX	FIRST NAME Gurwinder	MI	LAST NAME Kaur	SUFFIX	
TELEPHONE NUMBER		EMAIL ADDRESS ashrobin123@gmail.com			

PROPERTY OWNER

UST Property Owner Name (if in Individual Capacity) Jaswinder Singh and Gurwinder Kaur				BUSINESS ID (From the Secretary of State)	
PREFIX	FIRST NAME Gurwinder	MI	LAST NAME Kaur	SUFFIX	
TELEPHONE NUMBER		EMAIL ADDRESS ashrobin123@gmail.com			

COMPLIANCE ELEMENTS

All USTs properly registered and up-to-date notification form on file	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK
Updated notification form with the correct overfill information / system layout						
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 checked="" type="checkbox"/>	NO	<input type="checkbox"/>	N/A
Closure documents for two 1k USTs were not provided						
O/O has met all financial responsibility requirements	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	N/A
A current financial responsibility mechanism was not 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 type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK
Both REG appeared to have metal components of the piping in contact with backfill, liner insp.						
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 type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	N/A
Need compatibility documents for 8K REG UST						
40 CFR 280, Subpart C O&M and testing requirements met	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK
Monthly walkthrough inspections were not provided						
40 CFR 280, Subpart D release detection requirements met	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK
Missing March-July 2021 monthly records for the tanks						
40 CFR 280, Subpart J operator training requirements met	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK
Current A B & C operator certificates were not provided						

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 five (5) USTs - Installed 1/1/1971

One (1) 8K GSL - FG

One (1) 3K PREM - Steel (Manifolded to 4K)

One (1) 4K PREM - Steel (Manifolded to 3K)

One (1) 5K GSL - Steel

One (1) 1K Used oil - Steel

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 51 years old and the owner should start planning on removing or replacing them immediately.

Piping - FG - Pressurized

RD UST - ATG

CP UST - Liner installed 1988

RD Piping - ATG - LTT - LD

Spill protection/Overfill - Spill bucket - Alarm

ATG Certification = Y 6/15/2021

Overfill Protection Test = Y 6/15/2021

Spill bucket Test = Y 6/15/2021

Containment Sumps Test Required N

Last known Liner inspection 9/11/2017 (3,4,5K USTs) no CP history for 1K used oil.

Site is an active gas station

Any Site history or concerns - No records of CP located on file for 1K used oil, 1988 NF lists USTs as 26 years old, this would age the USTs to 1962. Per 2019 inspection only 4 USTs observed and site NFs have history of two 1K USTs that no longer appear on NFs or at site. Details of the two 1K USTs will be needed. AST by remediation shed appears on map views between 2007-2008 and would not be referenced as a USTs prior to this in error. Site has a history of ball floats.

Documentation received -

Notification form - 7/8/2016 (Initial approval)

No additional documents received at time of review

Liner inspections from 2012 & 2017 pulled from file

Documentation needed -

Release Detection UST monthly results

Compatibility for the 8K FG UST

Liner inspections

Monthly walk through July-Current month

Operator certificate - A-B-C

FR

***The owner told me the REG tanks are manifolded and the PREM tanks are manifolded. Line testing & ATG print out shows the PREM is manifolded but the REG are individual. On site the 1st REG STP is presumably under the dirt in the photo after the ATG. The 2nd REG STP appears to not exist at all. The LLD shows that both REGs were tested. No alarm noted outside

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 buckets contained some fluid and debris, they should be monitored and cleaned out as needed to ensure they can contain a spill
2. The main PREM tank had a damaged vapor recovery port, it should be replaced to ensure a proper seal
3. The wrapping around the metal components of piping under the dispensers should be monitored and tightened as needed

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. An updated notification form reflecting the proper overfill / system information
2. Closure documents for two 1k USTs were not provided
3. A current financial responsibility mechanism was not provided
4. Both REG appeared to have metal components of the piping in contact with backfill
5. Need compatibility documents for 8K REG UST
6. Monthly walkthrough inspections were not provided
7. Missing March-July 2021 monthly records for the tanks
8. Operator A B & C certificates were not provided

The following are RECORDS to be submitted to USTCompliance@idem.IN.gov with FID in subject line 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):

- Release Detection UST monthly results
- Compatibility for the 8K FG UST
- Liner inspection for 1K USTs
- Monthly walk through July-Current month
- Operator certificate - A-B-C
- Financial responsibility
- Updated notification form
- Proof metal components of piping are corrosion protected
- Closure documents