



## 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

March 29, 2022

Murphy Oil USA Inc  
c/o CT Corporation System  
334 N Senate Ave  
Indianapolis, IN 46204

Murphy Oil USA Inc  
Attn: Brad Weinischke  
Via email: [brad.weinischke@murphyusa.com](mailto:brad.weinischke@murphyusa.com)

Re: Violation Letter  
Murphy USA 6719  
3607 E Main St  
Richmond, Wayne County  
UST Facility ID # **24559**

Dear Mr. Weinischke:

An inspector from the Indiana Department of Environmental Management (IDEM), Underground Storage Tank (UST) Section, conducted an inspection of the site referenced above on March 9, 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.

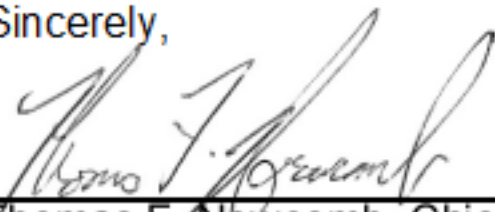
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at [USTCompliance@idem.in.gov](mailto:USTCompliance@idem.in.gov). Include in the subject line of the response the UST Facility ID # **24559**.

Inspector: Matt James  
Phone: (317) 750-2491

Direct any questions regarding the inspection to:

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

Sincerely,



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

cc: Loic Maniet  
Matt James  
UST Facility ID File # 24559

**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: <b>Murphy USA 6719</b>	UST FACILITY ID: <b>24559</b>
ADDRESS: <b>3607 E Main St Richmond, IN 47374</b>	INSPECTION DATE: <b>3/9/2022</b>

**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. The previous submittal was rejected. The form needs to include the correct type of overfill protection device installed and primary RD method being utilized for the UST and piping.*

**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.

**§ 280.41(b)(1)(i)(B) – Failure to perform annual piping LTT or monthly monitoring**

Citation:

Pursuant to 40 CFR 280.41(b)(1)(i)(B), pressurized underground piping installed on or before April 11, 2016 (previously cited as September 2, 2009 under 329 IAC 9-2-1(2)(D)) that routinely contains regulated substances must have an annual line tightness test conducted in accordance with § 280.44(b) or have monthly monitoring conducted in accordance with § 280.44(c).

Violation Details:

*The owner and/or operator of the UST system(s) at this site are in violation of this rule because, based on the Leak Detector test and inspection results, each REG UST is equipped with an STP which appeared to have a syphon line. However, the line tightness testing provided only include on REG line and it was unclear if an additional line was associated with the REG STPs. If each REG STPs has a line, each line must be tightness tested.*

Corrective Action:

The owner and/or operator of the UST systems at this site shall have any piping that contains a regulated amount of product and found to not have had appropriate monthly monitoring or an annual line tightness test within the 12 months prior to inspection 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.

**§ 280.20(c)(1)(ii) – Failure to have overflow prevention equipment installed or installed properly**

Citation:

Pursuant to 40 CFR 280.20(c)(1)(ii), to prevent spilling and overflowing associated with product transfer to the UST system, owners and operators must use the following spill and overflow prevention equipment:

(ii) Overflow prevention equipment that will:

(A) Automatically shut off flow into the tank when the tank is no more than 95 percent full; or

(B) Alert the transfer operator when the tank is no more than 90 percent full by restricting the flow into the tank or triggering a high-level alarm; or

(C) Restrict flow 30 minutes prior to overflowing, alert the transfer operator with a high level alarm one minute before overflowing, or automatically shut off flow into the tank so that none of the fittings located on top of the tank are exposed to product due to overflowing.

Violation Details:

*The owner and/or operator of the UST system(s) at this site are in violation of this rule because previous documentation submitted to IDEM indicated ball float vent valves were installed. UST inspector verified that flapper valves are currently installed. Please refer to the IDEM overflow protection fact sheet and provide verification.*

**Corrective Action:**

The owner and/or operator of the UST systems at this site shall, within thirty (30) days of receipt of this notice, refer to the IDEM overfill protection fact sheet and provide verification to IDEM.

**§ 280.35(a)(1) – Failure to perform periodic testing of spill prevention equipment and containment sumps used for IM**

**Citation:**

Pursuant to 40 CFR 280.35(a)(1), owners and operators of UST systems with spill and overfill prevention equipment and containment sumps used for interstitial monitoring of piping must meet these requirements to ensure the equipment is operating properly and will prevent releases to the environment:

(1) Spill prevention equipment (such as a catchment basin, spill bucket, or other spill containment device) and containment sumps used for interstitial monitoring of piping must prevent releases to the environment.

**Violation Details:**

*The owner and/or operator of the UST system(s) at this site are in violation of this rule because spill bucket testing results are needed. If IM is the primary release detection method for the piping, sump and UDC testing will also be needed.*

**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 inspect, repair and test all spill prevention equipment and containment sumps. Documentation, to include photographs, inspection, repair and testing results, showing the spill prevention equipment and containment sumps are liquid tight must be submitted within forty five (45) days of the receipt of this notice.

**§ 280.40(a)(3)(ii) – Failure to perform annual tests of probes & sensors**

Citation:

Pursuant to 40 CFR 280.40(a)(3)(ii), owners and operators of UST systems must provide a method, or combination of methods, of release detection that beginning on October 13, 2018, is operated and maintained, and electronic and mechanical components are tested for proper operation, in accordance with one of the following: manufacturer's instructions; a code of practice developed by a nationally recognized association or independent testing laboratory; or requirements determined by the implementing agency to be no less protective of human health and the environment than the two options listed in paragraphs (a)(1) and (2) of this section. A test of the proper operation must be performed at least annually and, at a minimum, as applicable to the facility, cover the following components and criteria:

(ii) Probes and sensors: inspect for residual buildup; ensure floats move freely; ensure shaft is not damaged; ensure cables are free of kinks and breaks; test alarm operability and communication with controller.

Violation Details:

*The owner and/or operator of the UST system(s) at this site are in violation of this rule because, based on the records provided, interstitial monitoring is the primary method of release detection for the USTs but the ATG/sensor testing report did not include complete testing information for the UST sensors (only a visual inspection).*

Corrective Action:

The owner and/or operator of the UST systems at this site shall have all components of the automatic tank gauging probes and sensors tested for proper operation within thirty (30) days of receipt of this notice and submit the results within forty five (45) days of receipt of this notice.

<b>§ 280.36(a)(1)(i) – Failure to perform 30 day walkthrough inspections</b>
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:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because 30 day walk through documentation is needed.</i>
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.



**UNDERGROUND STORAGE  
TANK INSPECTION REPORT**

INDIANA DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT

UST FAC ID: **24559**

Inspector's Name:	Matt James
Date:	March 9, 2022
Time In:	11:15
Time Out:	12:30
Inspection Type:	Initial

FACILITY NAME / LOCATION					
FACILITY NAME Murphy USA 6719			FACILITY ADDRESS (number and street) 3607 E Main St		
ADDRESS (line 2)		CITY	STATE	ZIP CODE	COUNTY
		Richmond	IN	47374	Wayne
UST OWNER					
UST Owner Name (if in Individual Capacity) Murphy Oil USA Inc				BUSINESS ID (From the Secretary of State) 1992121293	
PREFIX	FIRST NAME	MI	LAST NAME		SUFFIX
	Brad		Weinischke		
TELEPHONE NUMBER		EMAIL ADDRESS brad.weinischke@murphyusa.com			
UST OPERATOR					
UST Operator Name (if in Individual Capacity) Murphy Oil USA Inc				BUSINESS ID (From the Secretary of State) 1992121293	
PREFIX	FIRST NAME	MI	LAST NAME		SUFFIX
	Brad		Weinischke		
TELEPHONE NUMBER		EMAIL ADDRESS brad.weinischke@murphyusa.com			
PROPERTY OWNER					
UST Property Owner Name (if in Individual Capacity) Murphy Oil USA Inc				BUSINESS ID (From the Secretary of State) 1992121293	
PREFIX	FIRST NAME	MI	LAST NAME		SUFFIX
	Brad		Weinischke		
TELEPHONE NUMBER		EMAIL ADDRESS brad.weinischke@murphyusa.com			
COMPLIANCE ELEMENTS					
All USTs properly registered and up-to-date notification form on file			YES	<input checked="" type="checkbox"/> NO	UNK
Updated notification form is needed.					
O/O is in compliance with reporting & record keeping requirements			<input checked="" type="checkbox"/> YES	NO	UNK
O/O is in compliance with release reporting or investigation			YES	NO	<input checked="" type="checkbox"/> N/A UNK
O/O is in compliance with all UST closure requirements			YES	NO	<input checked="" type="checkbox"/> N/A UNK
O/O has met all financial responsibility requirements			<input checked="" type="checkbox"/> YES	NO	N/A UNK
40 CFR 280, Subpart A installation requirements (partially excluded) met			<input checked="" type="checkbox"/> YES	NO	N/A UNK
40 CFR 280, Subpart B installation and upgrade requirements met			<input checked="" type="checkbox"/> YES	NO	UNK
40 CFR 280, Subpart C spill/overfill control requirements met			YES	<input checked="" type="checkbox"/> NO	N/A UNK
Spill bucket testing results are needed. (UDC/STPs if INT main RD for piping)					
40 CFR 280, Subpart C compatibility requirements met			<input checked="" type="checkbox"/> YES	NO	N/A UNK
40 CFR 280, Subpart C O&M and testing requirements met			YES	<input checked="" type="checkbox"/> NO	UNK
Walk through testing results are needed					
40 CFR 280, Subpart D release detection requirements met			YES	<input checked="" type="checkbox"/> NO	UNK
Possible missing REG LTT based on UST system configuration, ATG/Sensors testing					
40 CFR 280, Subpart J operator training requirements met			<input checked="" type="checkbox"/> YES	NO	UNK

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 four (4) USTs - FG - Installed 9/27/2001 (Two (2) 21K Compartmented USTs)

- One (1) 14K REG GSL (T1 C1)

- One (1) 7K PREM GSL (T1 C2)

- One (1) 14K REG GSL (T2 C1)

- One (1) 7K DSL (T2 C2)

Piping - Green Environ DW Flex - Pressurized

RD UST - ATG

RD Piping - ATG - IM - LD

Spill protection/Overfill - Spill bucket - Ball floats & Flappers

ATG Certification = Y 9/30/2021

Overfill Protection Test = Y 9/30/2021

Spill bucket Test = N

Containment Sumps Test Required Y

Site is an active gas station

Any Site history or concerns - Notification Forms list ball floats and flappers and not separate out compartments in USTs. REG 1 UST sensors has several alarms in 2/19/2021 to 2/25/2021.

August Pribelsky licensed on date of testing

Documentation received -

Notification form 5/25/2016 (Rejected)

RD UST INT (REG/PREM, REG/DSL) - 2/2021 to 2/2022

RD STP Sensors (REG, PREM, REG, DSL) - 2/2021 to 2/2022 - Sensors not clearly labeled as STP sensors

RD Piping 9/30/2021 LTT (REG, PREM, DSL) - Possible manifold

LD (REG, REG, PREM, DSL) 9/30/2021 Pass

Annual ATG test with probes and sensors 9/30/2021 (2 tanks, 4 STP and 4 UDC sensors)

Overfill test 9/30/2021 Pass (Flappers) / (REG, REG, PREM, DSL)

Operator certificate - A-B-C

FR - Self insurance signed 4/10/2021

Documentation needed -

Spill bucket test required every 3 years

Containment sump testing required for IM (Per NF using IM but IM results not provided)

Monthly walk through July-Current month

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.

#### CM Notes

- REGs are manifolded per print out from ATG. However, they each have a pump with a syphon line. Need to confirm no additional independent line coming out from one of the REG pump.

- From inspection, sensors are present but some appear to be in poor condition. IM for piping is selected as a form of release detection for the piping but owner is also performing LTT.

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 vapor recovery caps for Regular #3 and the premium gasoline UST systems are damaged and need to be replaced.

The following are RECORDS to be submitted to [USTCompliance@idem.IN.gov](mailto: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:

3. An updated notification form needs to be submitted to IDEM. The previous submittal was rejected. The Notification Form needs to be updated with the correct primary form of release detection for the piping and correct type of overfill device needs to be listed as well.
4. Spill bucket testing results are needed.
5. Walk through documentation is needed.
6. Previous documentation submitted to IDEM indicated ball float vent valves were installed. UST inspector verified that flapper valves are currently installed. Please refer to the IDEM overfill protection fact sheet and provide verification.
7. Need confirmation of setup of both REG pump. Testing shows a leak detector tested for each REG pump but line tightness test report only had one REG line tested. If an additional line is connected to the REG pump, it must also be tightness tested.
8. If choosing to utilize IM as the primary form of release detection for the piping, sump testing and UDC testing will be required.
9. The ATG/Probes/Sensor test report did not include proper testing information for the interstitial sensors of the USTs. From the records provided, Interstitial monitoring is the primary form of release detection for the USTs. Therefore, a complete testing report of the UST sensors must be provided.