



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

April 5, 2022

PB Petroleum Inc
Attn: Jagjit Singh, Registered Agent
1603 Liberty Way
Hope, IN 47246

PB Petroleum Inc
Attn: Ranjit Singh
Via email: hopetobacco_7629@yahoo.com

Re: Violation Letter
Bulk 2729
704 Main St
Hope, Bartholomew County
UST Facility ID # **11879**

Dear Mr. Singh:

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 4, 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.

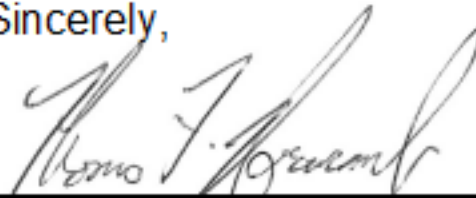
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at USTCompliance@idem.in.gov. Include in the subject line of the response the UST Facility ID # **11879**.

Inspector: Adam James
Phone: (317) 408-7187

Direct any questions regarding the inspection to:

Compliance Manager: Chuck Phipps
Phone: (317) 234-2808

Sincerely,



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

cc: Chuck Phipps
Adam James
UST Facility ID File # 11879

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: Hope Tobacco	UST FACILITY ID: 11879
ADDRESS: 704 Main Street Hope, Bartholomew County	INSPECTION DATE: 02/11/2022

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 the most recent submittal of the UST Notification Form sent 12/28/2016 was rejected. A corrected and accurate UST Notification Form resubmittal has not been received to date and is required.

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.

§ 280.35(a)(2) – Failure to perform periodic testing of overfill prevention equipment
Citation:
Pursuant to 40 CFR 280.35(a)(2), overfill prevention equipment must be inspected at least once every three years. At a minimum, the inspection must ensure that overfill prevention equipment is set to activate at the correct level specified in § 280.20(c) and will activate when regulated substance reaches that level. Inspections must be conducted in accordance with one of the criteria in paragraph (a)(1)(ii)(A) through (C) of this section.
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because documentation of periodic test results were not provided.</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 inspect, repair and test all overfill prevention equipment. Documentation, to include photographs, inspection, repair, measurements and testing results, showing the overfill prevention equipment is fully functional and set at the correct level must be submitted within forty five (45) days of the 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:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because documentation of monthly walkthrough(s) was not provided.</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.

§ 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 operator A, B, and C certificates were not provided.

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: **11879**

Inspector's Name:	Adam James
Date:	February 11, 2022
Time In:	10:45
Time Out:	12:30
Inspection Type:	Initial

FACILITY NAME / LOCATION

FACILITY NAME Bulk 2729		FACILITY ADDRESS (number and street) 704 Main Street			
ADDRESS (line 2)	CITY	STATE	ZIP CODE	COUNTY	
	Hope	IN	47246	Bartholomew	

UST OWNER

UST Owner Name (Business Name as registered with the Secretary of State) PB Petroleum Inc				BUSINESS ID (From the Secretary of State) 2011101400413	
PREFIX	FIRST NAME	MI	LAST NAME	SUFFIX	
Mr.	Ranjit		Singh		
TELEPHONE NUMBER (812) 375-4398		EMAIL ADDRESS hopetobacco_7629@yahoo.com			

UST OPERATOR

UST Operator Name (Business Name as registered with the Secretary of State) PB Petroleum Inc				BUSINESS ID (From the Secretary of State) 2011101400413	
PREFIX	FIRST NAME	MI	LAST NAME	SUFFIX	
Mr.	Ranjit		Singh		
TELEPHONE NUMBER (812) 546-5780		EMAIL ADDRESS hopetobacco_7629@yahoo.com			

PROPERTY OWNER

UST Property Owner Name (Business Name as registered with the Secretary of State) PB Petroleum Inc				BUSINESS ID (From the Secretary of State) 2011101400413	
PREFIX	FIRST NAME	MI	LAST NAME	SUFFIX	
Mr.	Ranjit		Singh		
TELEPHONE NUMBER (812) 546-5780		EMAIL ADDRESS hopetobacco_7629@yahoo.com			

COMPLIANCE ELEMENTS

All USTs properly registered and up-to-date notification form on file	<input type="checkbox"/>	<input checked="" type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNK
Most recent NF submitted on 12/28/2016 - rejected w/ no resubmittal				
O/O is in compliance with reporting & record keeping requirements	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> UNK
Owner provided release detection records in response to records request				
O/O is in compliance with release reporting or investigation	<input type="checkbox"/>	<input checked="" 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"/>	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A
O/O has met all financial responsibility requirements	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
40 CFR 280, Subpart A installation requirements (partially excluded) met	<input checked="" type="checkbox"/>	<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"/>	<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"/>	<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"/>	<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 type="checkbox"/>	<input checked="" type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNK
Corrosion Protection Test (Expired August 2021), Overfill Prevention Test, (30) day Walkthrough				
40 CFR 280, Subpart D release detection requirements met	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> UNK
40 CFR 280, Subpart J operator training requirements met	<input type="checkbox"/>	<input checked="" type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNK
Operator Certificate A, B & C				

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: (6) Underground Storage Tank systems:

- 6k - Steel UST - Gasoline - Installed 1/12/1989
- 6k - Steel UST - Gasoline - Installed 1/12/1989
- 6k - Steel UST - Diesel - Installed 1/12/1989
- 2k - Steel UST - Kerosene - Installed 1/12/1989
- 2k - Steel UST - Kerosene - Installed 1/12/1989
- 12k - FG UST - Gasoline - Installed 8/20/1996

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 26 and 33 years old and the owner should start planning on removing or replacing them soon.

Corrosion Protection: (Galvanic) - Sacrificial Anodes
Piping: Enviro-Flex* - Pressurized

RD UST = SIR
RD Piping = SIR
Overfill/Spill = Catchment Basins, Flapper Valves

ATG Certification required = Y
Overfill Protection Test required = Y
Spill bucket Test required = Y
Containment Sumps Test Required = N

Site History:

Site is an active service station with fueling capabilities. The most recent Notification Form that was submitted on 12/28/2016 was rejected for multiple reasons and the owner never submitted a corrected form. There are multiple forms that indicate Enviro-Flex piping is installed at the facility. The recent inspections indicate "Flex" piping. Inspector will need to verify if Enviro-Flex piping is still installed.

LUST Incident: 200507516 - NFA Granted 11/30/2018
(3) Tanks were previously removed 1/1/1989

Documentation provided at the time of the file review:
SIR Records

Inspector Notes: Facility is now known as Hope Tobacco.

Compliance documentation sent to inspector after initial inspection included Line Leak Detector Test, Line Tightness Test, Spill Bucket Test, Corrosion Protection & Financial Responsibility Documentation. All previous violation(s) associated with these documents originally cited are now in compliance.

-Upon arrival, ATG Unit was not functioning and an active inventory report could not be collected on site. SIR is the release detection method for the UST system, however if the ATG Unit is part of the SIR method of release detection then it would be in violation of meeting performance requirements for the release detection method. If SIR is being utilized without the ATG Unit as part of the monitoring system then this is an acceptable method of release detection.

- The original spill bucket(s) for the 6k Steel UST(s) at this site have been sealed or are no longer in use with remote fill ports that are now the primary fill ports for the 6k Steel UST(s).

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

1. Both KERO spill bucket(s) & UDC(s) (5/6 & KERO) contain fluids. Remove fluids and monitor spill bucket(s) & UDC(s). Used fuel filter at the base of UDC 3/4. Remove used fuel filter from UDC.
2. Vapor recovery for 12k REG has cracks and tears & the vent cap is missing the seal. Replace cap & vapor recovery with proper seal(s) so vapor &/or fluids may not enter/exit the UST.
3. Booting in UDC(s) & STP sump(s) is not tight and secured to the base of the walls of the containment unit. This may allow fluids to enter/exit the UDC which may lead to a release.

The following are VIOLATIONS discovered during the inspection that will need to be corrected to avoid further action and achieve compliance with the state underground storage tank program. Submit all Compliance Documents to USTCompliance@idem.IN.gov with FID in subject line.

4. Updated Notification Form - Previous notification form was rejected 12/28/2016 and Resubmittal of an UST Notification form is required.
5. Corrosion Protection Test - Corrosion Protection test results were not provided. Previous CP Testing documentation expired on August 2021. Testing documentation shows an inclusive result for 6k PREM with retest submitted. (Passing CP test results were provided after inspection)
6. Overfill Prevention Test - Documentation of overfill prevention equipment test result was not provided.
7. (30) day Walkthrough Inspection - Documentation of (30) day walkthrough inspections from July of 2021 to present is required.
8. Operator Certificate A, B & C - Documentation of certificates A, B & C were not provided.

*Reminder: Updates to the rule defining underground storage tank regulations are here. Updates affect regulations regarding: sump and spill bucket testing, operator training, monthly walkthrough inspections and more. Be sure to check www.in.gov/idem/tanks for the latest information regarding compliance of your underground storage tank system.