



## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

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Eric J. Holcomb  
Governor

Brian C. Rockensuess  
Commissioner

April 11, 2022

National Oil & Gas Inc  
Attn: Josh Collins, Registered Agent  
2829 E State Road 124  
Bluffton, IN 46714

Hamilton Lake Petroleum Corp  
Attn: Manveer Fnu, Registered Agent  
2990 Bristoe Ln  
Fort Wayne, IN 46814

Re: Violation Letter  
Four Corner of Hamilton/Hamilton Deli  
7305 S Wayne St  
Hamilton, Steuben County  
UST Facility ID # **5889**

Dear Messrs. Collins and Fnu:

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 24, 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.

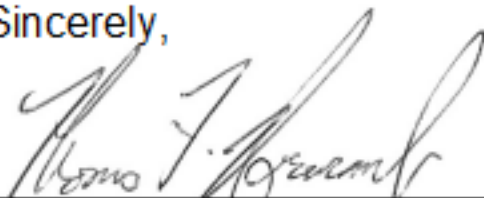
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at [USTCompliance@idem.in.gov](mailto:USTCompliance@idem.in.gov). Include in the subject line of the response the UST Facility ID # **5889**.

Inspector: Tristan Voge  
Phone: (317) 719-2574

Direct any questions regarding the inspection to:

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

Sincerely,



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

cc: Carrie Maniet  
Tristan Voge  
UST Facility ID File # 5889  
Hamilton Deli Marathon  
Attn: Josh Collins, [jcollins@natloil.com](mailto:jcollins@natloil.com)  
Attn: Manveer Fnu, [hamiltonpetroleum@gmail.com](mailto:hamiltonpetroleum@gmail.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: Four Corner of Hamilton/Hamilton Deli</b>	<b>UST FACILITY ID: 5889</b>
<b>ADDRESS: 7305 S Wayne St, Hamilton, Steuben County</b>	<b>INSPECTION DATE: 03/24/2022</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 with the correct corrosion protection information indicated.*

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 9-8-11(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 a copy of the insurance policy was not 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.

<b>§ 280.20(c)(1)(i) – Failure to have spill prevention equipment that will prevent release</b>
Citation:
Pursuant to 40 CFR 280.20(c)(1)(i), to prevent spilling and overfilling associated with product transfer to the UST system, owners and operators must use the following spill and overfill prevention equipment: (i) Spill prevention equipment that will prevent release of product to the environment when the transfer hose is detached from the fill pipe (for example, a spill catchment basin).
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because during the inspection dated 03/24/2022 the PREM spill bucket appeared corroded and over half filled with fluid and would not function as designed in the event of a spill or overfill event.</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 install or replace absent or substandard spill prevention equipment that will prevent the release of product to the environment. The UST owner and/or operator must submit proof that the spill prevention equipment has been installed within forty five (45) days of receipt of this notice.
<b>§ 280.21(b)(1)(ii) – Failure to inspect tank liner or close tank</b>
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 no liner inspection was 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 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.

<b>§ 280.21(c) – Failure to have CP for metal piping in contact with the ground and designed by corrosion expert</b>
Citation:
Pursuant to 40 CFR 280.21(c), metal piping that routinely contains regulated substances and is in contact with the ground must be cathodically protected in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory and must meet the requirements of § 280.20(b)(2)(ii), (iii), and (iv).
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because during the inspection dated 03/24/2022 metal components of the piping at the diesel dispenser 5/6 were observed to be in contact with soil with no clear form of corrosion protection present.</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 and corrosion expert to determine if the piping or metal components are substandard and if the field-installed cathodic protection system was designed correctly. 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 permanently close the affected piping or components.

<b>§ 280.35(a)(1) – Failure to perform periodic testing of spill prevention equipment and containment sumps used for IM</b>
Citation:
Pursuant to 40 CFR 280.35(a)(1), owners and operators of UST systems with spill and overflow 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:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because a periodic spill prevention equipment test report was 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 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.

<b>§ 280.35(a)(2) – Failure to perform periodic testing of overfill prevention equipment</b>
<b>Citation:</b> 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.
<b>Violation Details:</b> <i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because a periodic overfill prevention equipment test report was not provided.</i>
<b>Corrective Action:</b> 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.

<b>§ 280.40(a)(3)(i) – Failure to perform annual tests of ATG</b>
<b>Citation:</b> Pursuant to 40 CFR 280.40(a)(3)(i), 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: (i) Automatic tank gauge and other controllers: test alarm; verify system configuration; test battery backup.
<b>Violation Details:</b> <i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because an annual ATG functionality test report was not provided.</i>
<b>Corrective Action:</b> The owner and/or operator of the UST systems at this site shall have all components of the automatic tank gauge or other controllers 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>§ 280.40(a)(3)(ii) – Failure to perform annual tests of probes &amp; sensors</b>
<b>Citation:</b>
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.
<b>Violation Details:</b>
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because an annual ATG probes test report was not provided.</i>
<b>Corrective Action:</b>
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>§ 280.41(a)(1) – Failure to monitor tanks every 30 days if installed before 9/2/2009</b>
<b>Citation:</b>
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).
<b>Violation Details:</b>
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because twelve (12) months of release detection records for the USTs was not provided or available from the ATG.</i>
<b>Corrective Action:</b>
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.



**UNDERGROUND STORAGE  
TANK INSPECTION REPORT**

INDIANA DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT

UST FAC ID: **5889**

Inspector's Name:	Tristan Voge
Date:	March 24, 2022
Time In:	12:15
Time Out:	13:00
Inspection Type:	Initial

FACILITY NAME / LOCATION					
FACILITY NAME Four Corner of Hamilton/Hamilton Deli			FACILITY ADDRESS (number and street) 7305 S Wayne St		
ADDRESS (line 2)		CITY Hamilton	STATE IN	ZIP CODE 46742	COUNTY Steuben
UST OWNER					
UST Owner Name (if in Individual Capacity) National Oil & Gas Inc				BUSINESS ID (From the Secretary of State) 194043-120	
PREFIX	FIRST NAME Josh	MI	LAST NAME Collins		SUFFIX
TELEPHONE NUMBER (260) 824-2220		EMAIL ADDRESS jcollins@natloil.com			
UST OPERATOR					
UST Operator Name (if in Individual Capacity) Hamilton Lake Petroleum Corp				BUSINESS ID (From the Secretary of State) 202104281485320	
PREFIX	FIRST NAME Manveer	MI	LAST NAME Fnu		SUFFIX
TELEPHONE NUMBER (260) 466-7786		EMAIL ADDRESS hamiltonpetroleum@gmail.com			
PROPERTY OWNER					
UST Property Owner Name (if in Individual Capacity) National Oil & Gas Inc				BUSINESS ID (From the Secretary of State) 194043-120	
PREFIX	FIRST NAME Josh	MI	LAST NAME Collins		SUFFIX
TELEPHONE NUMBER (260) 824-2220		EMAIL ADDRESS jcollins@natloil.com			
COMPLIANCE ELEMENTS					
All USTs properly registered and up-to-date notification form on file			YES	<input checked="" type="checkbox"/> NO	UNK
An updated notification form is needed with the correct corrosion protection information indicated.					
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
O/O is in compliance with all UST closure requirements			YES	NO	<input checked="" type="checkbox"/> N/A
O/O has met all financial responsibility requirements			YES	<input checked="" type="checkbox"/> NO	N/A
A copy of the insurance policy was not provided.					
40 CFR 280, Subpart A installation requirements (partially excluded) met			YES	NO	<input checked="" type="checkbox"/> N/A
40 CFR 280, Subpart B installation and upgrade requirements met			YES	<input checked="" type="checkbox"/> NO	UNK
Metal components of the piping at the DSL dispenser in contact with soil with no CP present.					
40 CFR 280, Subpart C spill/overflow control requirements met			YES	<input checked="" type="checkbox"/> NO	N/A
The PREM spill bucket is corroded and would not function as designed in a spill/overflow event.					
40 CFR 280, Subpart C compatibility requirements met			<input checked="" type="checkbox"/> YES	NO	N/A
40 CFR 280, Subpart C O&M and testing requirements met			YES	<input checked="" type="checkbox"/> NO	UNK
Periodic spill/overflow prevention equipment test report was not provided.					
40 CFR 280, Subpart D release detection requirements met			YES	<input checked="" type="checkbox"/> NO	UNK
ATG/probes/sensors test reports & twelve (12) months of UST release detection not provided.					
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 three (3) USTs - Steel - Installed 1/1/1985

Two (2) 8K GSL

One (1) 1K DSL

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 37 years old and the owner should start planning on removing or replacing them now.

Piping - Flex - Pressurized (DSL European)

RD UST - ATG

CP UST - Liner installed 1995

RD Piping - LTT - LD

Spill protection/Overfill - Spill bucket - Ball floats

ATG Certification = N

Overfill Protection Test = N

Spill bucket Test = N

Containment Sumps Test Required N

Last known Liner inspection for 8K USTs 9/18/2019

Any Site history or concerns - Received Galvanic CP test for 1K DSL, all NF up to 2015 list CP as liner and CP not selected on 2021 NF for 1K UST, 1st located CP test is dated 8/22/2010, unknown when Galvanic installed on 1K UST and no liner inspection was found on file.

Documentation received -

Notification form - 11/17/2021 (Approved)

RD UST monthly results - 8 months

RD Piping LTT 6/24/2021 Pass

LD 6/24/2021 Pass

CP UST 9/18/2019 Liner inspection for 8K USTs - 7/8/2019 Galvanic 1K

Monthly walk through 9/2021-3/2022

Operator certificate - A-B-C

FR Letter stating insurance policy

Inspection Notes

- Dispenser 7 has piping that runs underground through a chase tube to a KER AST.

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

- Both STP containment sumps were completely filled with fluid and should be cleaned out and monitored as needed. The source of the product should be determined and remediated as needed.

- Dispenser 1/2 and 3/4 UDCs contained fluid that should be cleaned out and monitored as needed. The source of the fluid and product should be determined and remediated as needed.

- Dispenser 1/2 had an active leak that was slowly dripping into the UDC.

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 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 is needed with the correct corrosion protection for the USTs information and installation dates indicated. Prior notification form does not indicate a form of corrosion protection was indicated for the steel diesel UST.
2. A copy of the insurance policy was not provided.
3. During the inspection dated 03/24/2022 the PREM spill bucket appeared corroded and over half filled with fluid and would not function as designed in the event of a spill or overfill event. The ring was unattached as
4. During the inspection dated 03/24/2022 metal components of the piping at the diesel dispenser 5/6 were observed to be in contact with soil with no clear form of corrosion protection present.
5. Liner inspection needed for 1K DSL UST
5. A periodic spill prevention equipment test report was not provided.
6. A periodic overfill prevention equipment test report was not provided.
7. An annual ATG functionality test report was not provided.
8. An annual probes and sensors functionality test report was not provided.
9. Twelve (12) months of release detection records for the USTs was not provided or available from the ATG.

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 (update accordingly):

- An updated notification form
- A copy of the insurance policy
- Documentation of proper spill prevention equipment installation
- Documentation of proper corrosion protection for the piping in contact with soil
- A periodic spill prevention equipment test report
- A periodic overfill prevention equipment test report
- An annual ATG functionality test report
- An annual probes and sensors functionality test report
- Twelve (12) months of release detection records for the USTs