



## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

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Eric J. Holcomb  
Governor

Brian C. Rockensuess  
Commissioner

June 16, 2022

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

Alesai LLC  
Attn: Yasser Ahmed, Registered Agent  
203 W Diamond St  
Kendallville, IN 46755

Re: Violation Letter  
Ramseys Express 3  
1340 S Main St  
Auburn, De Kalb County  
UST Facility ID # **506**

Dear Messrs. Collins, Ahmed, and Alesai:

An inspector from the Indiana Department of Environmental Management (IDEM), Underground Storage Tank (UST) Section, conducted an inspection of the site referenced above on June 8, 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.

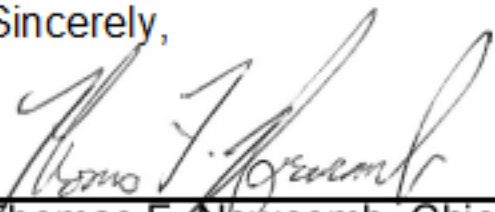
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at [USTCompliance@idem.in.gov](mailto:USTCompliance@idem.in.gov). Include in the subject line of the response the UST Facility ID # **506**.

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 # 506  
Ramseys Express 3  
Attn: Josh Collins, [jcollins@natloil.com](mailto:jcollins@natloil.com)  
Attn: Abdul Alesai, [sky1010220@yahoo.com](mailto:sky1010220@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:

FACILITY NAME: <b>Ramseys Express 3</b>	UST FACILITY ID: <b>506</b>
ADDRESS: <b>1340 S Main St, Auburn, De Kalb County</b>	INSPECTION DATE: <b>06/08/2022</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 piping information and installation date.*

**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.

#### **§ 280.34 – Reporting and recordkeeping (general provisions)**

**Citation:**

Pursuant to 40 CFR 280.34, owners and operators of UST systems must cooperate fully with inspections, monitoring and testing conducted by the implementing agency, as well as requests for document submission, testing, and monitoring by the owner or operator pursuant to section 9005 of Subtitle I of the Solid Waste Disposal Act, as amended.

**Violation Details:**

*The owner and/or operator of the UST system(s) at this site are in violation of this rule because they did not respond to IDEM's records request dated 05/19/2022.*

**Corrective Action:**

The owner and/or operator of the UST systems at this site shall immediately perform the monitoring or testing required by the rules and/or submit the requested documentation within seven (7) 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 mechanism of financial responsibility 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.

**§ 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 twelve (12) months of release detection records for the diesel UST was not provided.*

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.

**§ 280.41(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 twelve (12) months of release detection records for the piping or an annual line tightness test report was not provided.*

**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)(i) – Failure to have spill prevention equipment that will prevent release**

**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:**

*The owner and/or operator of the UST system(s) at this site are in violation of this rule because during the inspection dated 06/08/2022 the unleaded and premium spill buckets are cracked and the race and diesel spill buckets were filled with fluid and would not function as designed in the event of a spill or overfill.*

**Corrective Action:**

The owner and/or operator of the UST systems at this site shall, within thirty (30) days of receipt of this notice, submit documentation of clean spill buckets and 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>§ 280.35(a)(1) – Failure to perform periodic testing of spill prevention equipment and containment sumps used for IM</b>
<b>Citation:</b>
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.
<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 periodic spill 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 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 overflow prevention equipment</b>
<b>Citation:</b>
Pursuant to 40 CFR 280.35(a)(2), overflow prevention equipment must be inspected at least once every three years. At a minimum, the inspection must ensure that overflow 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 overflow 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 overflow prevention equipment. Documentation, to include photographs, inspection, repair, measurements and testing results, showing the overflow 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.

**§ 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 an annual probes functionality test report was not provided.*

**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>§ 280.40(a)(3)(iii) – Failure to perform annual tests of ALLD</b>
<b>Citation:</b>
Pursuant to 40 CFR 280.40(a)(3)(iii), 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: (iii) Automatic line leak detector: test operation to meet criteria in § 280.44(a) by simulating a leak.
<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 leak detector test report was not provided.</i>
<b>Corrective Action:</b>
The owner and/or operator of the UST systems at this site shall have the automatic line leak detectors tested for proper operation by simulating a leak 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>
<b>Citation:</b>
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).
<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 07/2021-06/2022 monthly walkthrough inspections were not provided.</i>
<b>Corrective Action:</b>
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 an A, B and C operator 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: **506**

Inspector's Name:	Tristan Voge
Date:	June 8, 2022
Time In:	11:10
Time Out:	11:40
Inspection Type:	Initial

FACILITY NAME / LOCATION					
FACILITY NAME Ramseys Express 3			FACILITY ADDRESS (number and street) 1340 S Main St		
ADDRESS (line 2)		CITY Auburn	STATE IN	ZIP CODE 46706	COUNTY De Kalb
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		EMAIL ADDRESS jcollins@natloil.com			
UST OPERATOR					
UST Operator Name (if in Individual Capacity) Alesai LLC				BUSINESS ID (From the Secretary of State) 2010011900241	
PREFIX	FIRST NAME Yasser	MI	LAST NAME Ahmed		SUFFIX
TELEPHONE NUMBER		EMAIL ADDRESS sky1010220@yahoo.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		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 piping installation information and date. Two generations of piping observed.					
O/O is in compliance with reporting & record keeping requirements			YES	<input checked="" type="checkbox"/> NO	UNK
The owner and/or operator did not respond to IDEM's records request dated 05/19/2022.					
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			YES	NO <input checked="" type="checkbox"/> N/A	UNK
A mechanism of financial responsibility was not provided.					
40 CFR 280, Subpart A installation requirements (partially excluded) met			YES	NO <input checked="" type="checkbox"/> N/A	UNK
40 CFR 280, Subpart B installation and upgrade requirements met			YES	NO <input checked="" type="checkbox"/>	UNK
UNL/PREM spill buckets cracked, RACE/DSL spill buckets filled with fluid, will not function.					
40 CFR 280, Subpart C spill/overflow control requirements met			<input checked="" type="checkbox"/> YES	NO	N/A
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	NO <input checked="" type="checkbox"/>	UNK
Periodic spill/overflow equipment test reports 07/2021-06/2022 monthly walkthrough not provided.					
40 CFR 280, Subpart D release detection requirements met			YES	NO <input checked="" type="checkbox"/>	UNK
Annual ATG/probes/leak detector test reports, Twelve (12) months of piping RD not provided.					
40 CFR 280, Subpart J operator training requirements met			YES	NO <input checked="" type="checkbox"/>	UNK
A, B and 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 four (4) USTs

Two (2) - FG - Installed 11/8/1993

One (1) 10K GSL

One (1) 8K GSL

Two (2) - FG - Installed 11/1/2004

One (1) 7K DSL

One (1) 3K GSL

Section Chief Note: The normal operational lifespan of a UST before failing is 25 to 30 years old. Two of the USTs at this site are now 29 years old and the owner should start planning on removing or replacing them soon.

Piping - Flex - Pressurized

RD UST - ATG

RD Piping - LTT - LD

Spill protection/Overfill - Spill bucket

ATG Certification = N

Overfill Protection Test = N

Spill bucket Test = N

Containment Sumps Test Required N

Site is an active gas station

Any Site history or concerns - Notification Forms on file do not list required overfill.

Four USTs closed 10/1/1993 (Closure NF on file)

One UST closed 8/30/2004 (Closure incomplete)

Documentation received -

Notification form - 8/30/2017 (Approved)

No additional documents received at time of review

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

- All STP containment sumps and UDCs contained fluid that should be cleaned out and monitored as needed. The source of the fluid should be determined and remediated as needed.
- All spill buckets contain fluid that should be cleaned out and monitored as needed.
- ATG reports have several line failures, cause of failures should be investigated and corrected.
- The UNL vapor recovery valve did not appear to seal properly and had tooling marks present. The valve should be repaired or replaced as needed. The lid would not seal properly, this could be a potential location for water intrusion into the tank.
- The PREM vapor recovery valve did not appear to seal properly and should be repaired or replaced as needed.

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 overfill protection information.
2. The owner and/or operator did not respond to IDEM's records request dated 05/19/2022.
3. A mechanism of financial responsibility was not provided.
4. Twelve (12) months of release detection records for the diesel UST was not provided.
5. Twelve (12) months of release detection records for the piping or an annual line tightness test report was not provided.
6. During the inspection dated 06/08/2022 the unleaded and premium spill buckets are cracked and the race and diesel spill buckets were filled with fluid and would not function as designed in the event of a spill or overfill.
7. A periodic spill prevention equipment test report was not provided.
8. A periodic overfill prevention equipment test report was not provided.
9. An annual ATG functionality test report was not provided.
10. An annual probes functionality test report was not provided.
11. An annual leak detector test report was not provided.
12. 07/2021-06/2022 monthly walkthrough inspections were not provided.
13. A, B and C operator certificates were not provided.

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:

- An updated notification form
- A mechanism of financial responsibility
- Twelve (12) months of release detection records for the diesel UST
- Twelve (12) months of release detection records for the piping or an annual line tightness test report
- Documentation of clean spill buckets
- Documentation of proper spill bucket installation
- A periodic spill prevention equipment test report
- A periodic overfill prevention equipment test report
- An annual ATG functionality test report
- An annual probes functionality test report
- An annual leak detector test report
- 07/2021-06/2022 monthly walkthrough inspections
- A, B and C operator certificates