



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

Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

April 4, 2023

SLB Bros Properties LLC
Attn: Lakhwinder Singh, Registered Agent
10282 Doubletree Dr S
Crown Point, IN 46307

Punjabi Inc
Attn: Lakhwinder Singh, Registered Agent
10282 Doubletree Dr S
Crown Point, IN 46307

Re: Violation Letter
Marathon 211
115 W CR 950 S
Cloverdale, Putnam County
UST Facility ID # **22989**

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 March 14, 2023.

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 USTs 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 # **22989**.

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 # 22989
Marathon 211
Attn: Lakhwinder Singh
Via email: lakhy@comcast.net

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: Marathon 211	UST FACILITY ID: 22989
ADDRESS: 115 W CR 950 S, Cloverdale, Putnam County	INSPECTION DATE: 3/14/2023

VIOLATIONS NOTED IN THIS INSPECTION

§ 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 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:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because periodic testing of the spill prevention equipment was not provided.

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.

§ 280.35(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 periodic testing of the overfill prevention equipment 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 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)(ii) – Failure to perform annual walkthrough inspections
Citation:
Pursuant to 40 CFR 280.36(a)(1)(ii), to properly operate and maintain UST systems, not later than June 28, 2021 owners and operators must conduct a walkthrough inspection annually that, at a minimum, checks containment sumps and hand held release detection equipment.
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because annual walkthrough inspection 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 annual 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: **22989**

Inspector's Name:	Matt Rozycki
Date:	March 14, 2023
Time In:	10:25
Time Out:	10:55
Inspection Type:	Initial

FACILITY NAME / LOCATION

FACILITY NAME Marathon 211		FACILITY ADDRESS (number and street) 115 W CR 950 S			
ADDRESS (line 2)	CITY Cloverdale	STATE IN	ZIP CODE 46120	COUNTY Putnam	

UST OWNER

UST Owner Name (if in Individual Capacity) SLB Bros Properties LLC				BUSINESS ID (From the Secretary of State) 2011042800018	
PREFIX Mr	FIRST NAME Lakhwinder	MI	LAST NAME Singh	SUFFIX	
TELEPHONE NUMBER (219) 331-1099		EMAIL ADDRESS lakhy@comcast.net			

UST OPERATOR

UST Operator Name (if in Individual Capacity) Punjabi Inc				BUSINESS ID (From the Secretary of State) 2011121200633	
PREFIX Mr	FIRST NAME Lakhwinder	MI	LAST NAME Singh	SUFFIX	
TELEPHONE NUMBER (219) 331-1099		EMAIL ADDRESS lakhy@comcast.net			

PROPERTY OWNER

UST Property Owner Name (if in Individual Capacity) SLB Bros Properties LLC				BUSINESS ID (From the Secretary of State) 2011042800018	
PREFIX Mr	FIRST NAME Lakhwinder	MI	LAST NAME Singh	SUFFIX	
TELEPHONE NUMBER (219) 331-1099		EMAIL ADDRESS lakhy@comcast.net			

COMPLIANCE ELEMENTS

All USTs properly registered and up-to-date notification form on file	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	UNK		
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	<input type="checkbox"/>	UNK
O/O is in compliance with all UST closure requirements	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>	UNK
O/O has met all financial responsibility requirements	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	<input type="checkbox"/>	UNK
40 CFR 280, Subpart A installation requirements (partially excluded) met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	<input type="checkbox"/>	UNK
40 CFR 280, Subpart B installation and upgrade requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	UNK
40 CFR 280, Subpart C spill/overfill control requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	<input type="checkbox"/>	UNK
40 CFR 280, Subpart C compatibility requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	<input type="checkbox"/>	UNK
40 CFR 280, Subpart C O&M and testing requirements met	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	UNK
Spill bucket testing, overfill functionality, annual walkthrough								
40 CFR 280, Subpart D release detection requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	UNK
40 CFR 280, Subpart J operator training requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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) FG SW USTs installed in February 1999
- One (1) 15K REG GSL
- One (1) 8K PREM GSL
- One (1) 4K 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 24 years old and the owner should already be planning on removing or replacing them soon.

- Piping is OPW Pisces Flex SW and pressurized

RD UST = ATG

RD Piping = LLD, LTT, ATG

Overfill/Spill = Spill Buckets + Auto Shutoff (consistent)

ATG Certification = Y (11/29/2022)

Overfill Protection Test = N

Spill bucket Test = N

Containment Sumps Test (not required) = N

Site History: Site is an active service station. There is no prior UST history at this site.

Documentation provided at the time of the file review:

NF 12/21/2020 (Approval 3/8/2022 - Tank data ok)

Certificate of Financial Responsibility (Letter of Credit 11/2022 to 11/2023)

Operator Certificates A, B, C

Release Detection Records (REG, PREM, DSL) - Leak test status not showing pass

Line and leak detector test (REG, PREM, DSL) 11/29/2022

ATG/Probes test 11/29/2022

Monthly Walkthrough Inspections 1/2022 to 1/2023

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, they should be monitored and cleaned out as needed
2. The STP sumps also contained a small amount of fluid, they too should be monitored and cleaned out as needed
3. The most recent monthly walkthrough was not available, these walkthroughs should be performed each month and maintained on site

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. Spill bucket testing was not provided
2. Overfill functionality testing was not provided
3. The most recent annual walkthrough was not provided

The following are RECORDS to be submitted to the inspector 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):

- Spill bucket test
- Overfill test
- Annual walkthrough inspection