



## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

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Eric J. Holcomb  
Governor

Brian C. Rockensuess  
Commissioner

May 23, 2023

Yorktown Investments LLC  
Attn: Jupinder Singh, Registered Agent  
901 Kossuth St  
Lafayette, IN 47905

GPS Oil Inc  
Attn: Avtar Singh, Registered Agent  
23742 US Hwy 23  
Elkhart, IN 46517

Re: Violation Letter  
Ricker Petro Mart 25  
8913 W Smith St  
Yorktown, Delaware County  
UST Facility ID # **2933**

Dear Messrs. Singh and Mundi:

An inspector from the Indiana Department of Environmental Management (IDEM), Underground Storage Tank (UST) Section, conducted an inspection of the site referenced above on May 4, 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.

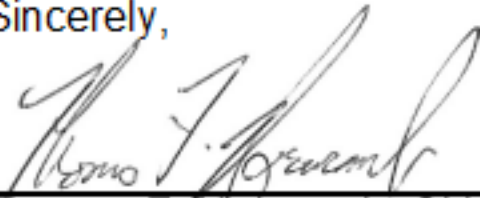
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at [USTCompliance@idem.in.gov](mailto:USTCompliance@idem.in.gov). Include in the subject line of the response the UST Facility ID # **2933**.

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

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  
Adam James  
UST Facility ID File # 2933  
Evershine Market Inc  
Attn: Amandeep Mundi  
15264 Clear St  
Noblesville, IN 46060

Attn: Amandeep Mundi, [zidjattdi@yahoo.com](mailto:zidjattdi@yahoo.com)  
Attn: Jupinder Singh, [jmann765@yahoo.com](mailto:jmann765@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:** Ricker Petro Mart 25

**UST FACILITY ID:** 2933

**ADDRESS:** 8913 W Smith St, Yorktown  
Delaware County

**INSPECTION DATE:**  
05/04/2023

**VIOLATIONS NOTED IN THIS INSPECTION**

**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 documentation 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.

<b>§ 280.41(b)(2) – Failure to perform monthly monitoring on piping installed after 9/2/2009, except proper European</b>
<b>Citation:</b>
Pursuant to 40 CFR 280.41(b)(2), piping installed or replaced after April 11, 2016 (previously cited as September 2, 2009 under 329 IAC 9-2-1(2)(D)) must meet one of the following: (i) Pressurized piping must be monitored for releases at least every 30 days in accordance with § 280.43(g) and be equipped with an automatic line leak detector in accordance with § 280.44(a) (ii) Suction piping must be monitored for releases at least every 30 days in accordance with § 280.43(g).
<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 monthly interstitial monitoring release detection records for the piping were not provided.</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 by not having records of interstitial monitoring 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.

<b>§ 280.20(c)(1)(i) – Failure to have spill prevention equipment that will prevent release</b>
<b>Citation:</b>
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).
<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 excess liquids were observed in the spill buckets preventing the equipment from performing as designed in the event of a spill during product delivery.</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 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>§ 280.20(c)(1)(ii) – Failure to have overfill prevention equipment installed or installed properly</b>
<b>Citation:</b>
Pursuant to 40 CFR 280.20(c)(1)(ii), 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: (ii) Overfill 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 overfilling, alert the transfer operator with a high level alarm one minute before overfilling, 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 overfilling.
<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 site has a history of ball floats and currently has auto shut off devices.</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 install or replace absent or substandard overfill prevention equipment that will operate as required. The UST owner and/or operator must submit proof that the overfill prevention equipment has been installed properly to the 90% or 95% fill level as required by the type of equipment within forty five (45) days of receipt of this notice. In the case where an owner has changed the overfill prevention equipment from a flow restrictor (ball float) to an auto-shutoff device, the owner must document the entire flow restrictor has been removed or that the automatic shut off device is installed at 90% or lower.

<b>§ 280.30(a)</b> – Failure to ensure a release does not occur and/or transfer operation is monitored constantly
<b>Citation:</b>
Pursuant to 40 CFR 280.30(a), owners and operators must ensure that releases due to spilling or overfilling do not occur. The owner and operator must ensure that the volume available in the tank is greater than the volume of product to be transferred to the tank before the transfer is made and that the transfer operation is monitored constantly to prevent overfilling and spilling.
<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 obstruction was observed in PREM drop tube preventing overfill device from functioning as design.</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 physically remove and inspect the automatic shut-off devices in the fill pipes of the tanks to ensure they were not damaged by a foreign object. The UST owner and/or operator must submit proof that the overfill prevention equipment is fully functional and has been installed at the correct level within forty five (45) days of receipt of this notice.

<b>§ 280.43(g) – Failure to perform Interstitial Monitoring to standard</b>
<b>Citation:</b> Pursuant to 40 CFR 280.43(g), interstitial monitoring between the UST system and a secondary barrier immediately around or beneath it may be used, but only if the system is designed, constructed, and installed to detect a leak from any portion of the tank that routinely contains product and also meets one of the following requirements: (1) For double walled UST systems, the sampling or testing method can detect a leak through the inner wall in any portion of the tank that routinely contains product; (2) For UST systems with a secondary barrier within the excavation zone, the sampling or testing method used can detect a leak between the UST system and the secondary barrier.
<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 sensors are not installed in the containment sumps and the test booting is capped.</i>
<b>Corrective Action:</b> The owner and/or operator of the UST systems at this site shall have any UST or piping that contains a regulated amount of product and found to not have been monitored every thirty (30) days correctly while using interstitial monitoring 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.

**§ 280.35(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 spill bucket and containment sump test required for interstitial monitoring 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 overflow prevention equipment**

**Citation:**

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.

**Violation Details:**

*The owner and/or operator of the UST system(s) at this site are in violation of this rule because overflow prevention test 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 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 ATG unit test 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 probe and sensor test 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>§ 280.36(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 monthly walkthroughs May 2022 - May 2023 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.

<b>§ 280.36(a)(1)(ii) – Failure to perform annual walkthrough inspections</b>
<b>Citation:</b>
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.
<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 annual walkthrough inspection was 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 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: **2933**

Inspector's Name:	Adam James
Date:	May 4, 2023
Time In:	11:25 am
Time Out:	12:05 pm
Inspection Type:	Initial

**FACILITY NAME / LOCATION**

FACILITY NAME Ricker Petro Mart 25		FACILITY ADDRESS (number and street) 8913 W Smith St			
ADDRESS (line 2)	CITY Yorktown	STATE IN	ZIP CODE 47396	COUNTY Delaware	

**UST OWNER**

UST Owner Name (Business Name as registered with the Secretary of State) GPS Oil Inc				BUSINESS ID (From the Secretary of State) 2006072100119	
PREFIX	FIRST NAME Syed	MI	LAST NAME Uzzama		SUFFIX
TELEPHONE NUMBER (847) 990-0695		EMAIL ADDRESS syedzama@aol.com			

**UST OPERATOR**

UST Operator Name (Business Name as registered with the Secretary of State) Evershine Market Inc				BUSINESS ID (From the Secretary of State) 202009041420940	
PREFIX	FIRST NAME Amandeep	MI	LAST NAME Mundi		SUFFIX
TELEPHONE NUMBER (765) 702-8255		EMAIL ADDRESS zidjattdi@yahoo.com			

**PROPERTY OWNER**

UST Property Owner Name (Business Name as registered with the Secretary of State) Yorktown Investments LLC				BUSINESS ID (From the Secretary of State) 202205061590397	
PREFIX	FIRST NAME Jupinder	MI	LAST NAME Singh		SUFFIX
TELEPHONE NUMBER		EMAIL ADDRESS jmann765@yahoo.com			

**COMPLIANCE ELEMENTS**

All USTs properly registered, on file and fees paid	<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	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	UNK
O/O has met all financial responsibility requirements	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	N/A	UNK
Financial responsibility documentation							
40 CFR 280, Subpart A installation requirements (partially excluded) met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	UNK
40 CFR 280, Subpart B installation and upgrade requirements met	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK	
History of ball float and auto installed. These (2) methods of overfill prevention can interfere with each other.							
40 CFR 280, Subpart C spill/overfill control requirements met	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	N/A	UNK
An obstruction was observed in PREM drop tube preventing overfill device from functioning as design.							
40 CFR 280, Subpart C compatibility requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	UNK
40 CFR 280, Subpart C O&M and testing requirements met	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK	
Spill bucket/sump/UDC test, Overfill prevention test, Monthly and annual walkthrough inspections							
40 CFR 280, Subpart D release detection requirements met	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK	
Monthly IM release detection records (piping), Line leak detector test, ATG/probe/sensor test, No sensors							
40 CFR 280, Subpart J operator training requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<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 - Two (2) USTs - FG - Installed 5/1/1997  
Two (2) 10K GSL

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 years old and the owner should already be planning on removing or replacing them soon.

Piping is - FG - Pressurized (Piping updated 2020)

RD UST - ATG

RD Piping - IM - LD

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

ATG Certification = N

Overfill Protection Test = N

Spill bucket Test = N

Containment Sumps Test Required Y

Site is an active gas station

Any Site history or concerns - Site has not addressed coincident OF.

Three (3) USTs removed 2/1/1992 (Closure report on file)

Documentation received -

Notification form - 10/14/2021 (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:

1. Debris was observed in the sumps and UDCs. Debris should be removed from sumps and UDCs along with being periodically monitored.

Inspector Notes: Sensors are not installed in the STP sumps. In addition, the test booting is capped to prevent fluids from into the sump as design. Chase booting in the dispenser UDCs are loose and/or has cracks and tears. Jumpers are installed between the t-sections of piping and the end lines are capped.

- Records request made on site. Operator certificates A, B and C were 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.

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:

2. Documentation of financial responsibility was not provided.
3. Monthly interstitial monitoring release detection records for the piping are incomplete.
4. Excess liquids were observed in the spill buckets preventing the equipment from performing as designed in the event of a spill during product delivery.
5. Site has a history of ball floats and currently has auto shut off devices. Approved coincident use of overfill or documentation of ball float removal is needed.
6. An obstruction was observed in PREM drop tube preventing overfill device from functioning as design.
7. Sensors are not installed in the STP sumps and the test booting is capped. In addition, the case booting in the dispensers are open.
8. Spill bucket/sump/UDC test required for interstitial monitoring was not provided.
9. Overfill prevention test was not provided.
10. ATG unit and probe/sensor test was not provided.
11. Monthly walkthroughs May 2022 - May 2023 were not provided.
12. Annual walkthrough inspection for 2022 - 2023 was 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 (update accordingly):

- Monthly IM release detection records (Incomplete)
- Financial responsibility documentation
- Spill bucket/sump/UDC test
- Overfill prevention test
- ATG unit and probe/sensor test
- Monthly and annual walkthrough inspections
- Confirmation that fluids have been removed from spill buckets
- Confirmation of ball float removal or auto adjustment
- Confirmation that the obstruction has been removed from PREM drop tube
- Confirmation that sensors are installed in the STP sumps, test booting in the sumps are not capped and the dispenser chase booting is tight