



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

August 14, 2023

JLG Food Mart LLC
Attn: Guljinder Singh, Registered Agent
1105 Washington Street
Columbus, IN 47201

JLG Food Mart LLC
Attn: Guljinder Singh, Registered Agent
Via email: winderharry@yahoo.com

Re: Violation Letter
Phillip 66
4 S State Street
N Vernon, IN 47265, Jennings County
UST Facility ID # **15941**

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 July 25, 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.

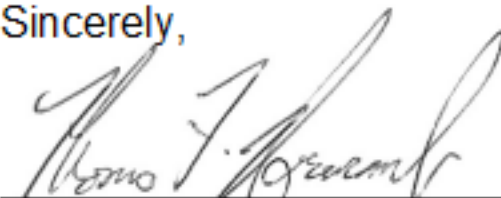
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at USTCompliance@idem.in.gov. Include in the subject line of the response the UST Facility ID # **15941**.

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

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
Adam James
UST Facility ID File # 15941

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: Phillips 66

UST FACILITY ID: 15941

**ADDRESS: 4 S State St, North Vernon
Jennings County**

**INSPECTION DATE:
07/25/2023**

VIOLATIONS NOTED IN THIS INSPECTION

IC 13-23-12-1 Failure to Pay UST Fees

Citation:

Pursuant to IC 13-23-12-1, each year, if an underground storage tank has not been closed before January 1 of the year under rules adopted under IC 13-23-1-2; or a requirement imposed by the commissioner before the adoption of rules under IC 13-23-1-2; the owner of the underground storage tank shall pay to the department an annual registration fee.

The annual registration fee required by this section is ninety dollars (\$90) for each underground petroleum storage tank or two hundred forty-five dollars (\$245) for each underground storage tank containing regulated substances other than petroleum.

If an underground storage tank consists of a single tank in which there are separate compartments, a separate fee shall be paid under subsection (b) for each compartment within the single tank. If an underground storage tank consists of a combination of tanks, a separate fee shall be paid under subsection (b) for each compartment within each tank in the combination of tanks.

For tanks that contain separate compartments and that were in use before July 1, 2014, the payment of a single annual fee of ninety dollars (\$90) for a tank containing separate compartments shall be deemed to satisfy the requirements of subsection.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because UST fees for 2021 have not been paid. Total amount past due \$360.00.

Corrective Action:

The owner and/or operator of the UST systems at this site shall pay the required fees to the Indiana Department of Environmental Management within fifteen (15) days of receipt of this notice.

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:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because an updated notification form with the correct release detection method for the USTs and piping along with any addition information on the UST system is required.</i>
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:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because records were not submitted at initial request 07/03/2022 and required records were not provided during the inspection 07/25/2023.</i>
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:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because financial responsibility documentation was not provided.</i>
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.

§ 280.40(a)(1) – Failure to provide release detection for any portion of the tank & piping
Citation:
Pursuant to 40 CFR 280.40(a)(1), owners and operators of UST systems must provide a method, or combination of methods, of release detection that can detect a release from any portion of the tank and the connected underground piping that routinely contains product.
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because UST facility is currently not appear to be performing release detection records in accordance with recognized practices and standards for UST or piping.</i>
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 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.

§ 280.40(a)(3)(iii) – Failure to perform annual tests of ALLD
Citation: 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.
Violation Details: <i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because REG North, REG South and PREM line leak detector test was not provided.</i>
Corrective Action: 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.

§ 280.20(b) – Failure to install, design, construct or protect piping from corrosion
Citation:
Pursuant to 40 CFR 280.20(b), the piping that routinely contains regulated substances and is in contact with the ground must be properly designed, constructed, and protected from corrosion in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory.
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because STPs and metal piping components in risers are completely covered by mud/soil with no observable corrosion protection installed.</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 to determine if the piping or metal components in contact with the ground are substandard and what steps will be taken to provide corrosion protection. The UST owner and/or operator must inform IDEM of the proposed work within thirty (30) days of receipt of this notice and receive approval before completing the work. 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 remove or replace the affected components.

§ 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:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because cracks were observed in the REG North, PREM and DSL spill buckets preventing the equipment from performing as designed in the event of a spill or overfill.</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.

§ 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 overfill 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 spill bucket test 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. Documentation, to include photographs, inspection, repair and testing results, showing the spill prevention equipment 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:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because overfill 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 overfill prevention equipment. Documentation, to include photographs, inspection, repair, measurements and testing results, showing the overfill prevention equipment is fully functional and set at the correct level must be submitted within forty five (45) days of the receipt of this notice.

§ 280.36(a)(1)(i) – Failure to perform 30 day walkthrough inspections

Citation:

Pursuant to 40 CFR 280.36(a)(1)(i), to properly operate and maintain UST systems, not later than June 28, 2021, owners and operators must conduct a walkthrough inspection every 30 days that, at a minimum, checks spill prevention equipment and release detection equipment (Exception: spill prevention equipment at UST systems receiving deliveries at intervals greater than every 30 days may be checked prior to each delivery).

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because monthly walkthroughs July 2022 - July 2023 were not provided.

Corrective Action:

The owner and/or operator of the UST systems at this site shall, within seven (7) days of receipt of this notice, perform the 30 day walkthrough inspection for all UST systems at the site in accordance with a standard of practice referenced in the rule. Documentation, to include photographs, inspection forms, repair documents, and waste disposal records, showing the walkthrough inspection has been completed must be submitted within forty five (45) days of the receipt of this notice.

§ 280.36(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:

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.

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.

§ 280.245 – Failure to maintain list of designated operators and/or training records

Citation:

Pursuant to 40 CFR 280.245, owners and operators of underground storage tank systems must maintain a list of designated Class A, Class B, and Class C operators and maintain records verifying that training and retraining, as applicable, have been completed, in accordance with § 280.34.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because Operator Certificates A, B and C 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: **15941**

Inspector's Name:	Adam James
Date:	July 25, 2023
Time In:	11:05
Time Out:	12:00
Inspection Type:	Initial

FACILITY NAME / LOCATION

FACILITY NAME Phillips 66		FACILITY ADDRESS (number and street) 4 S State St			
ADDRESS (line 2)	CITY North Vernon	STATE IN	ZIP CODE 47265	COUNTY Jennings	

UST OWNER

UST Owner Name (Business Name as registered with the Secretary of State) JLG Food Mart LLC		BUSINESS ID (From the Secretary of State) 2011010400408			
PREFIX Mr	FIRST NAME Guljinder	MI	LAST NAME Singh	SUFFIX	
TELEPHONE NUMBER (805) 304-5516		EMAIL ADDRESS garylobana@yahoo.com			

UST OPERATOR

UST Operator Name (Business Name as registered with the Secretary of State) JLG Food Mart LLC		BUSINESS ID (From the Secretary of State) 2011010400408			
PREFIX Mr	FIRST NAME Guljinder	MI	LAST NAME Singh	SUFFIX	
TELEPHONE NUMBER (805) 304-5516		EMAIL ADDRESS garylobana@yahoo.com			

PROPERTY OWNER

UST Property Owner Name (Business Name as registered with the Secretary of State) SpotShine, Inc		BUSINESS ID (From the Secretary of State) 2010081800818			
PREFIX Mr	FIRST NAME Balwinder	MI	LAST NAME Singh	SUFFIX	
TELEPHONE NUMBER (805) 304-5516		EMAIL ADDRESS garylobana@yahoo.com			

COMPLIANCE ELEMENTS

All USTs properly registered and up-to-date notification form on file	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK	<input type="checkbox"/>
UST fees for 2021 have not been paid. Total amount past due \$360.00. An updated notification form with the correct release detection method for the USTs is required.						
O/O is in compliance with reporting & record keeping requirements	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK	<input type="checkbox"/>
No records were submitted on initial request 07/03/2023 and no records collected on site.						
O/O is in compliance with release reporting or investigation	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>	N/A	UNK
O/O is in compliance with all UST closure requirements	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/> UNK
DSL UST is not in use. UST contains more than 1 inch of product & must be treated as active.						
O/O has met all financial responsibility requirements	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	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	N/A	UNK
40 CFR 280, Subpart B installation and upgrade requirements met	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK	<input type="checkbox"/>
Metal piping components in contact with backfill. REG N, PREM & DSL spill buckets are cracked						
40 CFR 280, Subpart C spill/overfill control requirements met	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	N/A	UNK
40 CFR 280, Subpart C compatibility requirements met	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	N/A	UNK
40 CFR 280, Subpart C O&M and testing requirements met	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK	<input type="checkbox"/>
Spill bucket test, Overfill prevention test, Monthly and annual walkthrough inspections						
40 CFR 280, Subpart D release detection requirements met	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK	<input type="checkbox"/>
Invalid RD method MTG, Monthly SIR release detection records (piping), Line leak detector test						
40 CFR 280, Subpart J operator training requirements met	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK	<input type="checkbox"/>
Operator Certificate A, B and C						

The information contained on this page is based upon a review of files related to this site and/or observations from an underground storage tank inspector. This page may contain information not specifically related to possible violations found during the review or inspection and is meant to give the owners and/or operator specific information to assist them.

Site Maintains - Four (4) - SW FG - USTs installed in 8/1988

- One (1) 15K REG GSL
- One (1) 12K MID GSL
- One (1) 12K 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 35 years old, out of warranty and the owner should already be planning on removing or replacing them soon.

Piping is - Enviroflex - Pressurized (upgraded 1/31/1997)

RD UST = SIR
RD Piping = SIR - LTT - SIR
Overfill/Spill = Spill Buckets - Flapper
ATG Certification = N
Overfill Protection Test = N
Spill bucket Test = N
Containment Sumps Test Required N

Site is an active service station

Any Site history or concerns - File review found no discrepancies

Documentation received -
Notification form - 9/29/2017 (Review not noted)
No additional documents received at time of review

Inspector Notes: Previous NF (02/19/2014) states that MTG is the RD method for the USTs and SIR is the RD method for the piping. USTs are too large to perform MTG as RD method.

- Facility does not have an ATG unit installed. Observation of the tank pit appears to have probes installed, however this could not be confirmed.
- Operators stated that the USTs are sticked, but did not record the data or send the information to a 3rd party as required for SIR.
- DSL UST and dispenser are currently not in use. UST fuel port is not locked and fluids present within the UST measure over 1 inch. UST must be treated as active. Delivery method for DSL is EU suction.

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

1. REG south spill bucket contains fluids that should be removed.
2. STP sumps contained liquid and should be cleaned and monitored.

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:

3. UST fees for 2021 have not been paid. Total amount past due \$360.00.
4. An updated notification form with the correct release detection method for the USTs and piping along with any addition information on the UST system is required.
5. Records were not submitted at initial request 07/03/2022 and required records were not provided during the inspection 07/25/2023.
6. Financial responsibility documentation was not provided.
7. UST facility is currently not performing release detection in accordance with recognized practices and standards for USTs or piping.
8. Monthly SIR release detection records for REG North, REG South and PREM piping were not provided.
9. REG North, REG South and PREM line leak detector test was not provided.
10. Facility is not recording stick measurements and sending data off to a 3rd party for verification.
11. STPs and metal piping components in risers are completely covered by mud/soil with no observable corrosion protection installed.
12. Cracks were observed in the REG North, PREM and DSL spill buckets preventing the equipment from performing as designed in the event of a spill or overfill.
13. Spill bucket test was not provided.
14. Overfill prevention test was not provided.
15. Monthly walkthroughs July 2022 - July 2023 were not provided.
16. Annual walkthrough inspection for 2022 - 2023 was not provided.
17. Operator Certificates A, B and C were not provided.

The following are RECORDS to be submitted to 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:

- Updated Notification Form
- UST fees for 2021
- Financial responsibility documentation
- Documentation supporting approved UST and piping release detection is being performed.
- Line leak detector test
- Spill bucket test
- Overfill prevention test
- Monthly and annual walkthrough inspections
- Operator Certificate A, B and C
- Confirmation that STPs and metal piping components are no longer in contact with the soil/backfill.
- Confirmation of REG North, PREM and DSL spill buckets repair/replacement