



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

August 15, 2023

Premier Ag Co-op
Attn: Harold Cooper, Registered Agent
811 West Second Street
Seymour, IN 47274

Premier Ag Co-op
Attn: Harold Cooper, Registered Agent
Via email: hcooper@premierag.com

Re: Violation Letter
Premier Ag Co-Op Inc
766 W Main Street
Greensburg, Decatur County
UST Facility ID # **1430**

Dear Messrs. Cooper and Hoene:

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 27, 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.

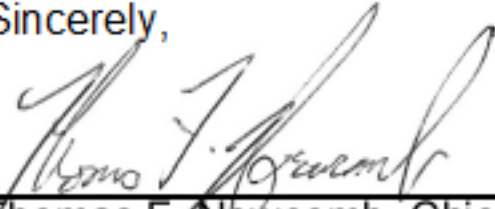
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at USTCompliance@idem.in.gov. Include in the subject line of the response the UST Facility ID # **1430**.

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

Direct any questions regarding the inspection to:

Compliance Manager: Jordan Ware
Phone: (317) 232-2045

Sincerely,



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

cc: Jordan Ware
Tristan Voge
UST Facility ID File # 1430
Premier Ag Co-op
Attn: Ben Hoene, bhoene@premierag.com
Attn: Jerry Boger, jboger@premierag.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: Premier Ag Co-Op Inc	UST FACILITY ID: 1430
ADDRESS: 766 W Main Street, Greensburg, Decatur County	INSPECTION DATE: 07/27/2023

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 UST/piping material, release detection and installation date indicated.

Corrective Action:

The owner and/or operator of the UST systems at this site shall fill out and submit to IDEM a correct and complete copy of the appropriate state form with required attachments, within fifteen (15) days of receipt of this notice.

§ 280.43(g) – Failure to perform Interstitial Monitoring to standard
Citation: 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.
Violation Details: <i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because during the inspection dated 07/27/2023 interstitial monitoring sensors were not observed at the STP Sumps or UDCs. In the event of a build up of fluid in the interstitial space it would drain into the secondary containment sump and would not trigger a sensor as designed.</i>
Corrective Action: 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 a valid periodic spill prevention equipment, STP, and UDC testing was not provided. Testing submitted is invalid per IDEM management.

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 a valid periodic overflow prevention equipment test report was not provided. Testing submitted is invalid per IDEM management.

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.

§ 280.40(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 interstitial monitoring sensor 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.



**UNDERGROUND STORAGE
TANK INSPECTION REPORT**

INDIANA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

UST FAC ID: **1430**

Inspector's Name:	Tristan Voge
Date:	July 27, 2023
Time In:	09:50
Time Out:	10:30
Inspection Type:	Initial

FACILITY NAME / LOCATION

FACILITY NAME Premier Ag Co-Op Inc		FACILITY ADDRESS (number and street) 766 W Main Street			
ADDRESS (line 2)	CITY Greensburg	STATE IN	ZIP CODE 47240	COUNTY Decatur	

UST OWNER

UST Owner Name (if in Individual Capacity) Premier Ag Co-op					BUSINESS ID (From the Secretary of State) 192525-005
PREFIX Mr.	FIRST NAME Harold	MI L	LAST NAME Cooper		SUFFIX
TELEPHONE NUMBER (812) 522-4911		EMAIL ADDRESS hcooper@premierag.com			

UST OPERATOR

UST Operator Name (if in Individual Capacity) Premier Ag Co-op					BUSINESS ID (From the Secretary of State) 192525-005
PREFIX Mr.	FIRST NAME Harold	MI L	LAST NAME Cooper		SUFFIX
TELEPHONE NUMBER (812) 522-4911		EMAIL ADDRESS hcooper@premierag.com			

PROPERTY OWNER

UST Property Owner Name (if in Individual Capacity) Premier Ag Co-op					BUSINESS ID (From the Secretary of State) 192525-005
PREFIX Mr.	FIRST NAME Harold	MI L	LAST NAME Cooper		SUFFIX
TELEPHONE NUMBER (812) 522-4911		EMAIL ADDRESS hcooper@premierag.com			

COMPLIANCE ELEMENTS

All USTs properly registered and up-to-date notification form on file	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK
An updated notification form is needed with correct UST/piping material, release detection and installation date indicated.						
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
O/O is in compliance with all UST closure requirements	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>	N/A
O/O has met all financial responsibility requirements	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A
40 CFR 280, Subpart A installation requirements (partially excluded) met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A
40 CFR 280, Subpart B installation and upgrade requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	UNK
40 CFR 280, Subpart C spill/overflow control requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A
40 CFR 280, Subpart C compatibility requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A
40 CFR 280, Subpart C O&M and testing requirements met	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK
A valid spill/sump and overflow equipment test report by a certified contractor was not provided.						
40 CFR 280, Subpart D release detection requirements met	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK
INT not to standard. ATG sensor test not provided.						
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:

- One (1) 12K REG FG SW UST installed 3/1996
- One (1) 10K PREM FG SW UST installed 3/1996
- One (1) 10K REG 2 FG SW UST installed 3/1996
- One (1) 12K REC 90 FG SW UST installed 10/2005
- One (1) 20K DSL FG SW UST installed 10/2005

Section Chief Note: The normal operational lifespan of a UST before failing is 25 to 30 years old. Three of the USTs at this site are now 27 years old and the owner should already be planning on removing or replacing them soon.

- Piping is FG DW and pressurized (upgraded in 4/2018 for all 1996 USTs)
- Piping is FG SW and pressurized (2005 USTs)

RD UST = ATG

RD Piping = ATG, INT, LTT, LLD

Overfill/Spill = Spill Buckets + Auto Shutoff + Alarm

ATG Certification = Y (6/28/23)

Overfill Protection Test = Y (2/23/22)

Spill bucket Test = Y (2/23/22)

Containment Sumps Test Required = Y (2/23/22)

Site History:

Site is an active service station. One (1) UST was removed in 1988 (VFC Doc# 23496439). Two (2) USTs were removed in 1989 (VFC Doc# 23496419). One (1) UST was removed in 1997 (VFC Doc# 23496556). Two (2) USTs were removed in 2000 (VFC Doc# 82623384). One (1) UST was removed in 2004 (VFC Doc# 23496575). Ball floats were verified as not present 4/2020 (VFC Doc# 83004586)

Contact Information

Harold Cooper, hcooper@premierag.com

Ben Hoene, bhoene@premierag.com

Jerry Boger, jboger@premierag.com

Documentation provided at the time of the file review:

- Certificate of Financial Responsibility 1/1/23 - 1/1/24
- Operator Certificates A, B, C
- UST RD (ATG) 6/22 - 7/23
- LTT 6/28/23 (REG, PREM, REC 90, DSL)
- LLD 6/28/23 (REG, PREM, REC 90, DSL)
- ATG/Probe 6/28/23
- Spill Bucket Test 2/23/22 : Testing invalid per IDEM management
- Overfill Test 2/23/22 : Testing invalid per IDEM management
- STP/UDC 2/23/22 : Testing invalid per IDEM management
- Monthly Walkthroughs 7/22 - 7/23
- Annual Walkthrough 6/28/23

Documentation not provided at the time of the file review:

- Updated NF (NF 2/15/21, approved 2/15/21 - Needs correct UST RD for all tanks - should not include INT, UST material for all tanks - should be FG SW, piping material should be FG DW for all piping, and correct install dates for the 2005 USTs)
- Piping RD (INT)

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.

Inspection Notes

- The provided notification form is not the updated 45223 form (R-10 / 3-23). The correct tank installation date information was incorrect.
- UNL USTs are manifolded.
- According to the INT records collected from the ATG on site indicates that there are 1-24 INT sensors present, no sensors were observed on site.
- A passing ATG and probes, LTT, LLD test reports and annual walkthrough were provided 07/28/2023.
- ATG sensor functionality test report was not provided.

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

- The DSL STP containment sump contained fluid that should be cleaned out and monitored as needed. The source of the fluid should be determined and remediated as needed.
- Dispenser 3/4, 7/8 and 9/10 and 10 coop dispenser UDCs contained fluid and product that should be cleaned out and monitored as needed. The source of the fluid should be determined and remediated as needed.
- Twelve (12) months of interstitial monitoring release detection records for the double walled piping installed after 09/02/2009 was not provided, however a passing line tightness test was conducted 6/28/23. It is required that monthly INT records be recorded and kept on file for the REG and PREM USTs.

The following are VIOLATIONS discovered during the inspection that will need to be corrected within 30 days of receipt of this inspection report to avoid further action and achieve compliance with the state underground storage tank program:

1. An updated notification form is needed with the correct UST/piping material, release detection and installation date indicated.
2. During the inspection dated 07/27/2023 interstitial monitoring sensors were not observed at the STPs or UDCs, in the event of a build up of fluid in the interstitial space it would drain into the secondary containment sump and would not trigger a sensor as designed.
3. A valid periodic spill prevention equipment, STP and UDC test report was not provided. Testing submitted is invalid per IDEM management.
4. A valid periodic overfill prevention equipment test report was not provided. Testing submitted is invalid per IDEM management.
5. An annual interstitial monitoring sensor functionality test report 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:

- An updated notification form
- Documentation proper of interstitial monitoring release detection installation
- A valid periodic spill prevention equipment test report
- A valid periodic overfill prevention equipment test report
- An annual interstitial monitoring release detection sensor functionality test report