



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

November 15, 2023

Chadhar Enterprise LLC
Attn: Muhammed Chadder, Registered Agent
201 Roosevelt Road
Walkerton, IN 46574

Chadhar Enterprise LLC
Attn: Muhammed Chadder, Registered Agent
Via email: machadder@gmail.com

Re: Violation Letter
Walkerton Express
201 Roosevelt Road
Walkerton, IN - St. Joseph County
UST Facility ID # **16102**

Dear Mr. Chadder:

An inspector from the Indiana Department of Environmental Management (IDEM), Underground Storage Tank (UST) Section, conducted an inspection of the site referenced above on October 24, 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.

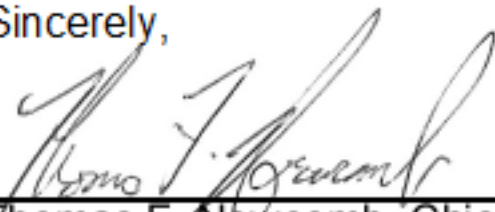
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at USTCompliance@idem.in.gov. Include in the subject line of the response the UST Facility ID # **16102**.

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

Direct any questions regarding the inspection to:

Compliance Manager: Loic Maniet
Phone: (317) 232-3592

Sincerely,



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

cc: Loic Maniet
Adam James
UST Facility ID File # 16102

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: Walkerton Express

UST FACILITY ID: 16102

ADDRESS: 201 Roosevelt Rd, Walkerton
St. Joseph County

INSPECTION DATE:
10/24/2023

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 with the current owner/operator information, correct release detection method for the piping and the correct status of the UST facility is required.

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 records were not submitted at initial request 09/12/2023 and required records were not provided during the inspection 10/24/2023.

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 9-6-5(b)– Failure to properly secure UST systems during temporary closure

Citation:

Pursuant to 329 IAC 9-6-5(b), when a UST system is temporarily closed for three (3) months or longer, the owner and operator shall leave vent lines open and functioning, cap and secure all other lines, pumps, manways and ancillary equipment.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because fuel ports are not locked/secured as required for temp closure status.

Corrective Action:

The owner and/or operator of the UST systems at this site shall immediately correct any deficiencies in properly securing the effected UST systems and submit proof of the corrections within thirty (30) days of receipt of this notice.

§ 280.31(b) – Failure to inspect CP system, frequency and criteria

Citation:

Pursuant to 40 CFR 280.31(b), all UST systems equipped with cathodic protection systems must be inspected for proper operation by a qualified cathodic protection tester in accordance with the following requirements:
(1) Frequency. All cathodic protection systems must be tested within 6 months of installation and at least every 3 years thereafter or according to another reasonable time frame established by the implementing agency; and
(2) Inspection criteria. The criteria that are used to determine that cathodic protection is adequate as required by this section must be in accordance with a code of practice developed by a nationally recognized association.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because corrosion protection test was not provided. In addition, the previous test from 12/07/2016 resulted in failure for DSL.

Corrective Action:

The owner and/or operator of the UST systems at this site shall submit to IDEM the required documents within fifteen (15) days of receipt of this notice or have their UST systems fully inspected by a qualified cathodic protection tester within fifteen (15) days and submit the results within thirty (30) days of 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 and B required for temp closure status was 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 and Class B 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: **16102**

Inspector's Name:	Adam James
Date:	October 24, 2023
Time In:	12:05
Time Out:	12:55
Inspection Type:	Initial

FACILITY NAME / LOCATION					
FACILITY NAME Walkerton Express			FACILITY ADDRESS (number and street) 201 Roosevelt Rd		
ADDRESS (line 2)		CITY	STATE	ZIP CODE	COUNTY
		Walkerton	IN	46754	St. Joseph
UST OWNER					
UST Owner Name (if in Individual Capacity) Chadhar Enterprise LLC				BUSINESS ID (From the Secretary of State) 2014042100083	
PREFIX	FIRST NAME	MI	LAST NAME		SUFFIX
Mr	Muhammad		Chaddher		
TELEPHONE NUMBER (574) 386-9333		EMAIL ADDRESS machaddher@gmail.com			
UST OPERATOR					
UST Operator Name (if in Individual Capacity) Chadhar Enterprise LLC				BUSINESS ID (From the Secretary of State) 2014042100083	
PREFIX	FIRST NAME	MI	LAST NAME		SUFFIX
Mr	Muhammad		Chaddher		
TELEPHONE NUMBER (574) 386-9333		EMAIL ADDRESS machaddher@gmail.com			
PROPERTY OWNER					
UST Property Owner Name (if in Individual Capacity) Chaddher Petroleum LLC c/o Brooks Legal LLC				BUSINESS ID (From the Secretary of State) 2007110100045	
PREFIX	FIRST NAME	MI	LAST NAME		SUFFIX
TELEPHONE NUMBER (574) 386-9333		EMAIL ADDRESS machaddher@gmail.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 with the current owner information, correct release detection method for the piping and the correct status of the UST facility is required.					
O/O is in compliance with reporting & record keeping requirements			YES	<input checked="" type="checkbox"/> NO	UNK
No records submitted on initial request 09/12/2023 and no records collected on site.					
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	<input checked="" type="checkbox"/> NO	N/A UNK
Fuel ports are not locked/secured.					
O/O has met all financial responsibility requirements			<input checked="" type="checkbox"/> YES	NO	N/A UNK
40 CFR 280, Subpart A installation requirements (partially excluded) met			<input checked="" type="checkbox"/> YES	NO	N/A UNK
40 CFR 280, Subpart B installation and upgrade requirements met			<input checked="" type="checkbox"/> YES	NO	UNK
40 CFR 280, Subpart C spill/overfill control requirements met			<input checked="" type="checkbox"/> YES	NO	N/A UNK
40 CFR 280, Subpart C compatibility requirements met			<input checked="" type="checkbox"/> YES	NO	N/A UNK
40 CFR 280, Subpart C O&M and testing requirements met			YES	<input checked="" type="checkbox"/> NO	UNK
Corrosion protection test ((Last test expired on 12/07/2019. (DSL - failed last test.))					
40 CFR 280, Subpart D release detection requirements met			<input checked="" type="checkbox"/> YES	NO	UNK
40 CFR 280, Subpart J operator training requirements met			YES	<input checked="" type="checkbox"/> NO	UNK
Operator Certificate A and B					

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) Steel STIP3 USTs installed in September 1991
- One (1) 8K REG N GSL
- One (1) 8K REG S GSL
- One (1) 6K PREM GSL
- One (1) 1K 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 32 years old, out of warranty and the owner should already be planning on removing or replacing them soon. Please review the announcement at the following web address regarding the tank replacement 50% reimbursement program: www.in.gov/idem/tanks/underground-storage-tanks/announcements/.

- Piping is FG DW and pressurized (per inspection, Environ Geoflex Green DW)

RD UST = ATG

RD Piping = LLD, LTT

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

ATG Certification = N

Overfill Protection Test = N

Spill bucket Test = N

Containment Sumps Test (not required) = N

Chaddher Petroleum LLC purchased property on 4/1/2019 - no updated NF on file

Chadhar Enterprise LLC (dissolved 2018)

Last known CP (Galvanic) 12/7/2016 - DSL Failed

Site was in enforcement - case may not be closed

Site History:

Site is an inactive service station. Four (4) USTs were removed in 1990 (No Closure Report on file). The site has been in "temp closure" since 2013. Based on street views, store has been rebuilt but no dispensers visible as of 2023. DSL UST failed CP test in 2016, no indication of repair/retest since 2016. Per milestones, Mr. Chaddher contacted Mr. Jeff Scull in 2022 regarding closure of USTs.

Contact Information

Muhammad Chaddher machaddher@gmail.com

Documentation not provided at the time of the file review:

- Updated NF (NF 12/16/2016, Approval 12/22/2016 - incorrect RD method piping, incorrect UST status)
- Certificate of Financial Responsibility
- Operator Certificates
- Release Detection Records
- Line and leak detector test
- Corrosion Protection test (Galvanic) - last 2016
- ATG/Probes certification
- Spill bucket test
- Overfill test
- Monthly walkthrough
- Annual inspection

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.

Inspector Notes: Facility is not active. Repair work appears to be taking place inside the facility, although there was no one on site. The spill buckets and vapor recovery ports all have new concrete. Spill buckets appear appear to have been replaced. Facility might be returning to active status.

- USTs were checked for fluids utilizing fuel and water paste. The presence of fluids appears to be lower than 1 inch in all USTs. The fuel ports are not locked.

- A phone call from the previous owner took place post inspection. He stated that the property was sold to a new owner, and he was helping with the corrective action. No records of owner change are on file.

- Piping appears to be green Environ GeoFlex.

- 1K DSL UST is located to the west of the main facility.

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

1. Minor fluids were observed in spill buckets and sumps. Fluids should be removed from spill buckets and sumps.
2. Four (4) USTs were removed in 1990 but proper closure information was never provided. Until proper closure has been completed, this will remain an open issue with this facility.

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. An updated notification form with the current owner information, correct release detection method for the piping and the correct status of the UST facility is required.
4. Records were not submitted at initial request 09/12/2023 and required records were not provided during the inspection 10/24/2023.
5. Fuel ports are not locked/secured as required for temp closure status
6. Corrosion protection test was not provided. In addition, the previous test from 12/07/2016 resulted in failure for DSL.
7. Operator Certificates A and B required for temp closure status was 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.

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):

- Updated NF (NF 12/16/2016, Approval 12/22/2016 - incorrect RD method piping, incorrect UST status)
- Operator Certificates A and B
- Corrosion Protection test (Galvanic) - last 2016
- Confirmation fuel ports are properly secured during temp closure status.

CM Note: Upon re-entering in service, owner will need to submit an updated Notification Form to IDEM with the correct status of the USTs. Please note that all other test will be required to be performed once the USTs are back in service. Owner should check current rule to see which testing is applicable to this facility or contact IDEM for additional information.