



# 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](http://www.idem.IN.gov)

Eric J. Holcomb  
*Governor*

Brian C. Rockensuess  
*Commissioner*

January 18, 2024

Anabi Real Estate Development LLC  
c/o Paracorp Incorporated  
320 N Meridian, Ste 817  
Indianapolis, IN 46204

Midwest Convenience, Inc.  
c/o Paracorp Incorporated  
320 N Meridian, Ste 817  
Indianapolis, IN 46204

Re: Violation Letter  
Rebel #878  
3200 Old US Hwy 20 E  
Elkhart, Elkhart County  
UST Facility ID # **639**

Dear Messrs Anabi:

An inspector from the Indiana Department of Environmental Management (IDEM), Underground Storage Tank (UST) Section, conducted an inspection of the site referenced above on January 5, 2024.

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: [REDACTED]

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.

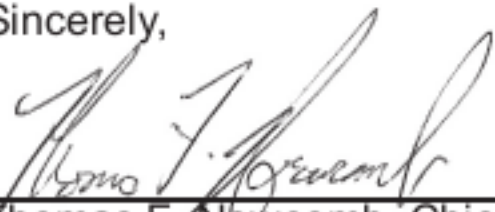
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at [USTCompliance@idem.in.gov](mailto:USTCompliance@idem.in.gov). Include in the subject line of the response the UST Facility ID # 639.

Inspector: Todd Settles  
Phone: (219) 314-1653

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  
Todd Settles  
UST Facility ID File # 639  
Rebel #878 via email  
cdevellerez@rebelcstores.com  
compliance@rebelcstores

**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: Rebel #878**

**UST FACILITY ID: 639**

**ADDRESS: 3200 Old US 20  
Elkhart, IN 46516**

**INSPECTION DATE: 1/5/2024**

**VIOLATIONS NOTED IN THIS INSPECTION**

**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:**

*The owner and/or operator of the UST system(s) at this site are in violation of this rule because the REG North STP sump is full of fluid to the extent metal connectors*

**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.

**UNDERGROUND STORAGE  
TANK INSPECTION REPORT**

INDIANA DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT

UST FAC ID:

Inspector's Name:	<input type="text"/>
Date:	<input type="text"/>
Time In:	<input type="text"/>
Time Out:	<input type="text"/>
Inspection Type:	<input type="text"/>

**FACILITY NAME / LOCATION**

FACILITY NAME		FACILITY ADDRESS (number and street)		
ADDRESS (line 2)	CITY	STATE	ZIP CODE	COUNTY

**UST OWNER**

				BUSINESS ID (From the Secretary of State)
PREFIX	FIRST NAME	MI	LAST NAME	SUFFIX
TELEPHONE NUMBER		EMAIL ADDRESS		

**UST OPERATOR**

				BUSINESS ID (From the Secretary of State)
PREFIX	FIRST NAME	MI	LAST NAME	SUFFIX
TELEPHONE NUMBER		EMAIL ADDRESS		

**PROPERTY OWNER**

				BUSINESS ID (From the Secretary of State)
PREFIX	FIRST NAME	MI	LAST NAME	SUFFIX
TELEPHONE NUMBER		EMAIL ADDRESS		

**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 checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input 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 type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input checked="" 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"/>	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 checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>		<input type="checkbox"/>	UNK
40 CFR 280, Subpart D release detection requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<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"/>	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.

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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.