
	<b>INITIAL REGISTRATION FOR ABOVEGROUND STORAGE TANK SYSTEMS</b> State Form 5-253 (7-23) Indiana Department of Environmental Management Petroleum Branch	<b>RETURN COMPLETED FORMS TO:</b> Indiana Department of Environmental Management AST@idem.in.gov	
Registration of aboveground storage tanks (ASTs) is required for purposes of eligibility related to the Excess Liability Trust Fund and for purposes of billing related to the annual registration fee required by IC 13-23-12-1. Facilities that have previously registered underground storage tanks and have been assigned a Facility ID Number should utilize the Notification for Aboveground Storage Tanks Form and use the previously assigned Facility ID Number to add ASTs to the facility record.			
<b>A FACILITY NAME / LOCATION</b>			
FACILITY NAME		LATITUDE (37.710101 to 41.866773)	LONGITUDE (-88.165351 to -84.671035)
Toney Oil Company LLC		38.343760	-86.362565
FACILITY ADDRESS (number and street)		PARCEL NUMBER	
East Goodman Ridge Road		13-07-13-127-001.000-006	
CITY	STATE	ZIP CODE	COUNTY
Marengo	IN	47140	Crawford
		TELEPHONE NUMBER	
		(812) 734-5377	
<b>B TYPE OF FACILITY (Check all that apply)</b>			
<input checked="" type="checkbox"/> Bulk Plant Facility <input type="checkbox"/> PSA Facility <input type="checkbox"/> Primary Airport <input type="checkbox"/> Nonprimary Airport			
<b>C PREPARED BY</b>			
PREFIX	FIRST NAME	MI	LAST NAME
	Eric	M.	Toney
ADDRESS		CITY	STATE
396 N. Main Street		Marengo	IN
		ZIP CODE	
		47140	
TELEPHONE NUMBER		JOB TITLE	E-MAIL ADDRESS
(812) 365-2120		Member	etoney2007@gmail.com
I swear or affirm, under penalty of perjury as specified by IC 35-44.1-2-1 and other penalties specified by IC 13-30-10 and IC 13-23-14-2, that the statements and representations in this document are true, accurate, and complete.			
SIGNATURE			DATE (MM/DD/YYYY)
			07/03/2024
<b>D AST OWNER</b>			
TYPE OF OWNER			
<input type="checkbox"/> Federal Government <input type="checkbox"/> State Government <input type="checkbox"/> City / Local Government			
<input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Private <input type="checkbox"/> Other:			
Option 1: AST OWNER NAME (Business Name as registered with the Secretary of State)		BUSINESS ID (From the Secretary of State)	
Option 2: AST OWNER NAME (If a Public Agency or other entity)			
Option 3: AST OWNER NAME (If in Individual Capacity)			
PREFIX	FIRST NAME	MI	LAST NAME
	Eric and Errol		Toney
AST OWNER ADDRESS (Listed in Options 1-3)			
PRINCIPAL OFFICE ADDRESS or PRIMARY RESIDENTIAL ADDRESS (Number and Street, no P.O. Box)		ADDRESS (line 2)	
396 N. Main Street			
CITY	STATE	ZIP CODE	EFFECTIVE DATE OF OWNERSHIP (MM/DD/YYYY)
Marengo	IN	47140	04/06/2022
TELEPHONE NUMBER		EMAIL ADDRESS (Individual Only)	JOB TITLE (Individual Only)
(812) 734-5377		etoney2007@gmail.com	Members
CONTACT FOR BUSINESS / PUBLIC AGENCY (Listed in Option 1 or 2)			
PREFIX	FIRST NAME	MI	LAST NAME
PRINCIPAL OFFICE ADDRESS or PRIMARY RESIDENTIAL ADDRESS (Number and Street, no P.O. Box)		ADDRESS (line 2)	
CITY	STATE	ZIP CODE	JOB TITLE
TELEPHONE NUMBER		EMAIL ADDRESS	

FACILITY NAME				
Toney Oil Company LLC				
<b>E</b>	<b>AST OPERATOR</b>			
TYPE OF OPERATOR				
<input type="checkbox"/>	Federal Government	<input type="checkbox"/>	State Government	<input type="checkbox"/>
<input type="checkbox"/>	Commercial	<input checked="" type="checkbox"/>	Private	<input type="checkbox"/>
			City / Local Government	
			Other:	
Option 1: AST OPERATOR NAME (Business Name as registered with the Secretary of State)			BUSINESS ID (From the Secretary of State)	
Toney Oil Company LLC			20130122000201	
Option 2: AST OPERATOR NAME (If a Public Agency or other entity)				
Option 3: AST OPERATOR NAME (If in Individual Capacity)				
PREFIX	FIRST NAME	MI	LAST NAME	SUFFIX
AST OPERATOR ADDRESS (Listed in Options 1-3)				
PRINCIPAL OFFICE ADDRESS or PRIMARY RESIDENTIAL ADDRESS (Number and Street, no P.O. Box)			ADDRESS (line 2)	
396 N. Main Street				
CITY	STATE	ZIP CODE	DATE BEGAN OPERATING (MM/DD/YYYY)	
Marengo	IN	47140	01/01/1992	
TELEPHONE NUMBER		EMAIL ADDRESS		JOB TITLE
(812) 734-5377		etoney2007@gmail.com		Member
CONTACT FOR BUSINESS / PUBLIC AGENCY (Listed in Option 1 or 2)				
PREFIX	FIRST NAME	MI	LAST NAME	SUFFIX
	Eric	M.	Toney	
PRINCIPAL OFFICE ADDRESS or PRIMARY RESIDENTIAL ADDRESS (Number and Street, no P.O. Box)			ADDRESS (line 2)	
396 N. Main Street				
CITY	STATE	ZIP CODE	JOB TITLE	
Marengo	IN	47140	Member	
TELEPHONE NUMBER		EMAIL ADDRESS		
(812) 734-5377		etoney2007@gmail.com		
<b>F</b>	<b>FACILITY CONTACT</b>			
CONTACT INDIVIDUAL NAME				
PREFIX	FIRST NAME	MI	LAST NAME	SUFFIX
	Eric	M.	Toney	
PRINCIPAL OFFICE ADDRESS or PRIMARY RESIDENTIAL ADDRESS (Number and Street, no P.O. Box)			ADDRESS (line 2)	
396 N. Main Street				
CITY	STATE	ZIP CODE	JOB TITLE	
Marengo	IN	47140	Member	
TELEPHONE NUMBER		EMAIL ADDRESS		
(812) 734-5377		etoney2007@gmail.com		

FACILITY NAME <b>Toney Oil Company LLC</b>				
<b>G</b>	<b>DEEDED PROPERTY OWNER</b>			
TYPE OF OWNER				
<input type="checkbox"/> Federal Government	<input type="checkbox"/> State Government	<input type="checkbox"/> City / Local Government		
<input type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Private	<input type="checkbox"/> Other:		
Option 1: PROPERTY OWNER NAME (Business Name as registered with the Secretary of State)		BUSINESS ID (From the Secretary of State)		
Option 2: PROPERTY OWNER NAME (If a Public Agency or other entity)				
Option 3: PROPERTY OWNER NAME (If in Individual Capacity)				
PREFIX	FIRST NAME <b>Eric and Enol</b>	MI	LAST NAME <b>Toney</b>	SUFFIX
PROPERTY OWNER ADDRESS (Listed in Options 1-3)				
PRINCIPAL OFFICE ADDRESS or PRIMARY RESIDENTIAL ADDRESS (Number and Street, no P.O. Box)		ADDRESS (line 2)		
<b>2866 S SR 66</b>				
CITY <b>Marengo</b>	STATE <b>IN</b>	ZIP CODE <b>47140</b>	EFFECTIVE DATE OF OWNERSHIP (MM/DD/YYYY) <b>04/06/2022</b>	
TELEPHONE NUMBER <b>(812) 734-5377</b>	EMAIL ADDRESS <b>etoney2007@gmail.com</b>		JOB TITLE <b>Members</b>	
CONTACT FOR BUSINESS / PUBLIC AGENCY (Listed in Option 1 or 2)				
PREFIX	FIRST NAME	MI	LAST NAME	SUFFIX
PRINCIPAL OFFICE ADDRESS or PRIMARY RESIDENTIAL ADDRESS (Number and Street, no P.O. Box)		ADDRESS (line 2)		
CITY	STATE	ZIP CODE	JOB TITLE	
TELEPHONE NUMBER	EMAIL ADDRESS			
<b>H</b>	<b>ACTIVE LAND CONTRACT PROPERTY OWNER (If applicable)</b>			
TYPE OF OWNER				
<input type="checkbox"/> Federal Government	<input type="checkbox"/> State Government	<input type="checkbox"/> City / Local Government		
<input type="checkbox"/> Commercial	<input type="checkbox"/> Private	<input type="checkbox"/> Other:		
Option 1: PROPERTY OWNER NAME (Business Name as registered with the Secretary of State)		BUSINESS ID (From the Secretary of State)		
Option 2: PROPERTY OWNER NAME (If a Public Agency or other entity)				
Option 3: PROPERTY OWNER NAME (If in Individual Capacity)				
PREFIX	FIRST NAME	MI	LAST NAME	SUFFIX
PROPERTY OWNER ADDRESS (Listed in Options 1-3)				
PRINCIPAL OFFICE ADDRESS or PRIMARY RESIDENTIAL ADDRESS (Number and Street, no P.O. Box)		ADDRESS (line 2)		
CITY	STATE	ZIP CODE	EFFECTIVE DATE OF OWNERSHIP (MM/DD/YYYY)	
TELEPHONE NUMBER	JOB TITLE	EMAIL ADDRESS	PROPOSED END DATE (MM/DD/YYYY)	
CONTACT FOR BUSINESS / PUBLIC AGENCY (Listed in Option 1 or 2)				
PREFIX	FIRST NAME	MI	LAST NAME	SUFFIX
PRINCIPAL OFFICE ADDRESS or PRIMARY RESIDENTIAL ADDRESS (Number and Street, no P.O. Box)		ADDRESS (line 2)		
CITY	STATE	ZIP CODE	JOB TITLE	
TELEPHONE NUMBER	EMAIL ADDRESS			

FACILITY NAME Toney Oil Company LLC	
<b>I   POTENTIALLY INTERESTED PARTIES</b>	
INTERESTED PARTY NAME Patrick "Cory" Smith	E-MAIL ADDRESS csmith@sesciences.com
INTERESTED PARTY NAME Andrea Kochert Townsend	E-MAIL ADDRESS atownsend@psrb.com
INTERESTED PARTY NAME	E-MAIL ADDRESS
<b>J   FACILITY SITE MAP</b>	
<p><i>In the space below, sketch the facility (tanks, piping, tank manway locations, vents, pump islands, buildings, etc.). Include tank sizes and type of product stored. Label streets or other landmarks. Show North direction.</i></p> <div style="border: 1px solid black; height: 600px; width: 100%;"></div>	

FACILITY NAME <b>Toney Oil Company LLC</b>				
Complete one column for each tank or compartment. See instructions for compartment identification numbering.				
<b>K</b>	<b>IDENTIFICATION OF ABOVEGROUND STORAGE TANKS</b>			
IDEM AST REGISTRATION NUMBER	<b>1</b>	<b>2</b>	<b>3</b>	
PART OF A COMPARTMENTED AST (Y/N)	NO	NO	NO	
NUMBER OF COMPARTMENTS IN AST				
COMPARTMENT IDENTIFICATION NUMBER				
(mm/dd/yyyy) DATE INSTALLED	01/01/1992	01/01/1992	01/01/1992	
(mm/dd/yyyy) DATE FIRST BROUGHT INTO USE	01/01/1992	01/01/1992	01/01/1992	
(gallons) ESTIMATED TOTAL CAPACITY	10,000	8,000	2,000	
MANIFOLDED (Y/N)	NO	NO	NO	
MANIFOLDED TO COMPARTMENT ID NUMBER				
<b>L</b>	<b>STATUS OF ABOVEGROUND STORAGE TANKS</b>			
CURRENT STATUS	TEMP CLOSED	TEMP CLOSED	TEMP CLOSED	
(mm/dd/yyyy) STATUS DATE	06/20/2024	06/20/2024	06/20/2024	
<b>M</b>	<b>SUBSTANCES CURRENTLY OR LAST STORED IN ABOVEGROUND STORAGE TANKS</b>			
PETROLEUM	DSL - Diesel	OTH - Specify	KER - Kerosene	
MAXIMUM ETHANOL %				
MAXIMUM BIOFUEL %				
(specify) OTHER		#1 Fuel Oil		
PRODUCT IS COMPATIBLE WITH TANK (Y/N)	YES	YES	YES	
<b>N</b>	<b>ABOVEGROUND STORAGE TANK CONSTRUCTION ATTRIBUTES</b>			
MANUFACTURER	Unknown	Unknown	Unknown	
MODEL	Unknown	Unknown	Unknown	
MATERIAL OF CONSTRUCTION	Steel	Steel	Steel	
SECONDARY CONTAINMENT	Not Applicable	Not Applicable	Not Applicable	
<b>O</b>	<b>ABOVEGROUND STORAGE TANK CORROSION PROTECTION</b>			
CORROSION PROTECTION TYPE	Not Applicable	Not Applicable	Not Applicable	
(mm/dd/yyyy) ANODE INSTALLATION DATE				
INTERIOR LINING	NO	NO	NO	
(mm/dd/yyyy) LINER INSTALLATION DATE				
(specify) OTHER				
<b>P</b>	<b>PIPING CONSTRUCTION AND PROTECTION</b>			
MANUFACTURER	Unknown	Unknown	Unknown	
MODEL	Unknown	Unknown	Unknown	
(mm/dd/yyyy) DATE INSTALLED	01/01/1992	01/01/1992	01/01/1992	
MATERIAL	Steel	Steel	Steel	
SECONDARY CONTAINMENT	Not Applicable	Not Applicable	Not Applicable	
CORROSION PROTECTION TYPE	Not Applicable	Not Applicable	Not Applicable	
(mm/dd/yyyy) ANODE INSTALLATION DATE				
PRODUCT IS COMPATIBLE WITH PIPING (Y/N)	YES	YES	YES	
PRODUCT DELIVERY METHOD	European Suction	European Suction	European Suction	

FACILITY NAME				
Toney Oil Company LLC				
IDEM AST REGISTRATION NUMBER		1	2	3
COMPARTMENT IDENTIFICATION NUMBER				
Q	ABOVEGROUND STORAGE TANK RELEASE DETECTION			
PRIMARY AST RELEASE DETECTION		Manual Tank Gaugi	Manual Tank Gaugi	Manual Tank Gaugi
MANUFACTURER				
MODEL				
R	SPILL AND OVERFILL PREVENTION EQUIPMENT			
SPILL PREVENTION EQUIPMENT		N/A	N/A	N/A
(mm/dd/yyyy) DATE INSTALLED				
MANUFACTURER				
MODEL				
FILL LATITUDE				
FILL LONGITUDE				
OVERFILL PREVENTION EQUIPMENT		N/A	N/A	N/A
(mm/dd/yyyy) DATE INSTALLED				
MANUFACTURER				
MODEL				
% ULLAGE SET POINT				

FACILITY NAME

Toney Oil Company LLC

Complete one column for each tank or compartment. See instructions for compartment identification numbering.

K IDENTIFICATION OF ABOVEGROUND STORAGE TANKS				
IDEM AST REGISTRATION NUMBER				
PART OF A COMPARTMENTED AST (Y/N)				
NUMBER OF COMPARTMENTS IN AST				
COMPARTMENT IDENTIFICATION NUMBER				
(mm/dd/yyyy) DATE INSTALLED				
(mm/dd/yyyy) DATE FIRST BROUGHT INTO USE				
(gallons) ESTIMATED TOTAL CAPACITY				
MANIFOLDED (Y/N)				
MANIFOLDED TO COMPARTMENT ID NUMBER				
L STATUS OF ABOVEGROUND STORAGE TANKS				
CURRENT STATUS				
(mm/dd/yyyy) STATUS DATE				
M SUBSTANCES CURRENTLY OR LAST STORED IN ABOVEGROUND STORAGE TANKS				
PETROLEUM				
MAXIMUM ETHANOL %				
MAXIMUM BIOFUEL %				
(specify) OTHER				
PRODUCT IS COMPATIBLE WITH TANK (Y/N)				
N ABOVEGROUND STORAGE TANK CONSTRUCTION ATTRIBUTES				
MANUFACTURER				
MODEL				
MATERIAL OF CONSTRUCTION				
SECONDARY CONTAINMENT				
O ABOVEGROUND STORAGE TANK CORROSION PROTECTION				
CORROSION PROTECTION TYPE				
(mm/dd/yyyy) ANODE INSTALLATION DATE				
INTERIOR LINING				
(mm/dd/yyyy) LINER INSTALLATION DATE				
(specify) OTHER				
P PIPING CONSTRUCTION AND PROTECTION				
MANUFACTURER				
MODEL				
(mm/dd/yyyy) DATE INSTALLED				
MATERIAL				
SECONDARY CONTAINMENT				
CORROSION PROTECTION TYPE				
(mm/dd/yyyy) ANODE INSTALLATION DATE				
PRODUCT IS COMPATIBLE WITH PIPING (Y/N)				
PRODUCT DELIVERY METHOD				

FACILITY NAME				
Toney Oil Company LLC				
IDEM AST REGISTRATION NUMBER				
COMPARTMENT IDENTIFICATION NUMBER				
<b>Q</b>	<b>ABOVEGROUND STORAGE TANK RELEASE DETECTION</b>			
PRIMARY AST RELEASE DETECTION				
MANUFACTURER				
MODEL				
<b>R</b>	<b>SPILL AND OVERFILL PREVENTION EQUIPMENT</b>			
SPILL PREVENTION EQUIPMENT				
(mm/dd/yyyy) DATE INSTALLED				
MANUFACTURER				
MODEL				
FILL LATITUDE				
FILL LONGITUDE				
OVERFILL PREVENTION EQUIPMENT				
(mm/dd/yyyy) DATE INSTALLED				
MANUFACTURER				
MODEL				
% ULLAGE SET POINT				

**Stewart, Angela**

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**Subject:** RE: FID #50117 Revised Registration Forms

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**From:** Cory Smith <[csmith@sesciences.com](mailto:csmith@sesciences.com)>  
**Sent:** Wednesday, July 3, 2024 12:17 PM  
**To:** Andrea Townsend <[atownsend@psrb.com](mailto:atownsend@psrb.com)>; VEATCH, TIM <[TVEATCH@idem.IN.gov](mailto:TVEATCH@idem.IN.gov)>  
**Cc:** Browne, Rita <[RBrowne@idem.IN.gov](mailto:RBrowne@idem.IN.gov)>; Bowman, Christina M (IDEM) <[CMBowman@idem.IN.gov](mailto:CMBowman@idem.IN.gov)>; Newcomb, Tom <[TNEWCOMB@idem.IN.gov](mailto:TNEWCOMB@idem.IN.gov)>  
**Subject:** RE: FID #50117 Registration Forms

All,

Please find attached the revised forms as requested.

Thank you!

**P. Cory Smith**  
Senior Project Manager



Specialty Earth Sciences, LLC

1050 Summit Drive

Carmel, Indiana 46032

[www.sesciences.com](http://www.sesciences.com)

[csmith@sesciences.com](mailto:csmith@sesciences.com)

Carmel Office: (317) 688-1212

New Albany Office: (812) 945-0733

Cell: (765) 620-3834

Fax: (812) 945-0735

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**From:** Andrea Townsend <[atownsend@psrb.com](mailto:atownsend@psrb.com)>  
**Sent:** Wednesday, July 3, 2024 11:27 AM  
**To:** VEATCH, TIM <[TVEATCH@idem.IN.gov](mailto:TVEATCH@idem.IN.gov)>  
**Cc:** Cory Smith <[csmith@sesciences.com](mailto:csmith@sesciences.com)>; Browne, Rita <[RBrowne@idem.IN.gov](mailto:RBrowne@idem.IN.gov)>; Bowman, Christina M (IDEM) <[CMBowman@idem.IN.gov](mailto:CMBowman@idem.IN.gov)>; Newcomb, Tom <[TNEWCOMB@idem.IN.gov](mailto:TNEWCOMB@idem.IN.gov)>  
**Subject:** RE: FID #50117 Registration Forms

Thank you. So, to avoid reductions in amounts available in ELTF, which we want to do, is it IDEM's position that Eric and Errol Toney need to pay the UST fees back to 2014 and the AST fees back to 2023, even though they acquired both in 2022? I haven't had this situation before. Will IDEM be providing a tank fee assessment in the near future?

Thank you.

Andrea

Andrea Kochert Townsend

Partner

**Plews Shadley Racher & Braun LLP**

Phone: (317) 637-0700 Ext. 210

Email: [atownsend@psrb.com](mailto:atownsend@psrb.com)



Plews Shadley  
Racher & Braun

*Attorneys at Law*

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**From:** VEATCH, TIM <[TVEATCH@idem.IN.gov](mailto:TVEATCH@idem.IN.gov)>

**Sent:** Wednesday, July 3, 2024 11:16 AM

**To:** Andrea Townsend <[atownsend@psrb.com](mailto:atownsend@psrb.com)>

**Cc:** Cory Smith <[csmith@sesciences.com](mailto:csmith@sesciences.com)>; Browne, Rita <[RBrowne@idem.IN.gov](mailto:RBrowne@idem.IN.gov)>; Bowman, Christina M (IDEM) <[CMBowman@idem.IN.gov](mailto:CMBowman@idem.IN.gov)>; Newcomb, Tom <[TNEWCOMB@idem.IN.gov](mailto:TNEWCOMB@idem.IN.gov)>

**Subject:** RE: FID #50117 Registration Forms

Hi Andrea,

Fees haven't been a part of eligibility requirements since 2016. However, fees currently come into play regarding the ELTF as follows below:

**C 13-23-9-1.3 Reductions in amount available from ELTF for eligible release discovered after June 30, 2016; registration fees due in 2014 or later**

Sec. 1.3. (a) The total amount otherwise available from the ELTF in connection with an eligible release discovered on or after July 1, 2016, shall be reduced by:

(1) a deductible amount of fifteen thousand dollars (\$15,000); and

(2) if any annual registration fees that were due in 2014 or a later year are not paid in full before the submittal of the initial site characterization as required by the rules adopted by the environmental rules board, an additional amount under subsection (b).

(b) The additional amount referred to in subsection (a)(2) is the sum of:

(1) all annual registration fees due under [IC 13-23-12-1](#) for USTs and ASTs, as applicable, located at the facility from which the release occurred that:

(A) were due in 2014 or a later year; and

(B) have not been paid; plus

(2) an additional amount of one thousand dollars (\$1,000) for each annual registration fee imposed by [IC 13-23-12-1](#) on a UST and AST, as applicable, located at the facility from which the release occurred that:

(A) was due in 2014 or a later year; and

(B) was not paid in the year the fee was originally due.

*As added by P.L. 96-2016, SEC.32. Amended by P.L.200-2017, SEC.14; P.L.176-2023, SEC.42.*



Timothy E. Veatch  
*Chief, Petroleum Branch*  
Indiana Department of Environmental  
Management

 |  |  |  |  | [www.idem.IN.gov](http://www.idem.IN.gov)

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**From:** Andrea Townsend <[atownsend@psrb.com](mailto:atownsend@psrb.com)>  
**Sent:** Wednesday, July 3, 2024 10:59 AM  
**To:** VEATCH, TIM <[TVEATCH@idem.IN.gov](mailto:TVEATCH@idem.IN.gov)>  
**Cc:** Cory Smith <[csmith@sesciences.com](mailto:csmith@sesciences.com)>; Browne, Rita <[RBrowne@idem.IN.gov](mailto:RBrowne@idem.IN.gov)>; Bowman, Christina M (IDEM) <[CMBowman@idem.IN.gov](mailto:CMBowman@idem.IN.gov)>; Newcomb, Tom <[TNEWCOMB@idem.IN.gov](mailto:TNEWCOMB@idem.IN.gov)>  
**Subject:** RE: FID #50117 Registration Forms

Thank you Tim. Cory will revise and resubmit today.

Does IDEM have guidance regarding the tank fees owed for ELTF eligibility? ELTF eligibility is a priority.

Thank you.

Andrea

Andrea Kochert Townsend  
Partner  
**Plews Shadley Racher & Braun LLP**  
Phone: (317) 637-0700 Ext. 210  
Email: [atownsend@psrb.com](mailto:atownsend@psrb.com)



Plews Shadley  
Racher & Braun  
*Attorneys at Law*

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**From:** VEATCH, TIM <[TVEATCH@idem.IN.gov](mailto:TVEATCH@idem.IN.gov)>  
**Sent:** Wednesday, July 3, 2024 10:48 AM  
**To:** Andrea Townsend <[atownsend@psrb.com](mailto:atownsend@psrb.com)>  
**Cc:** Cory Smith <[csmith@sesciences.com](mailto:csmith@sesciences.com)>; Browne, Rita <[RBrowne@idem.IN.gov](mailto:RBrowne@idem.IN.gov)>; Bowman, Christina M (IDEM) <[CMBowman@idem.IN.gov](mailto:CMBowman@idem.IN.gov)>; Newcomb, Tom <[TNEWCOMB@idem.IN.gov](mailto:TNEWCOMB@idem.IN.gov)>  
**Subject:** RE: FID #50117 Registration Forms

Hi Andrea,

It sounds appropriate based on your analysis to utilize the individuals Eric and Errol deleting Option 1 and filling out Option 3 for Individuals. Just the Registration Forms, Intent to Close, and 50% Eligibility Application need to be updated. You do not need to complete the Notification Form. Regarding Tank Fees due, do Eric and Errol want to pay all tank fees owed? Thank you for the quick response. Have a good holiday.



Timothy E. Veatch  
*Chief, Petroleum Branch*  
Indiana Department of Environmental  
Management

 |  |  |  |  | [www.idem.IN.gov](http://www.idem.IN.gov)

• (317) 234-0980 • [tveatch@idem.IN.gov](mailto:tveatch@idem.IN.gov)

---

**From:** Andrea Townsend <[atownsend@psrb.com](mailto:atownsend@psrb.com)>

**Sent:** Wednesday, July 3, 2024 9:22 AM

**To:** VEATCH, TIM <[TVEATCH@idem.IN.gov](mailto:TVEATCH@idem.IN.gov)>

**Cc:** Cory Smith <[csmith@sesciences.com](mailto:csmith@sesciences.com)>; Browne, Rita <[RBrowne@idem.IN.gov](mailto:RBrowne@idem.IN.gov)>; Bowman, Christina M (IDEM) <[CMBowman@idem.IN.gov](mailto:CMBowman@idem.IN.gov)>; Newcomb, Tom <[TNEWCOMB@idem.IN.gov](mailto:TNEWCOMB@idem.IN.gov)>

**Subject:** RE: FID #50117 Registration Forms

**Importance:** High

Tim, looks like we just need to delete the information following Option 1 for the two registration forms for the ASTs and USTs and go with just using Option 3. Toney Oil Company LLC was created in 2013, so that post-dates both the installation of the USTs and ASTs. Eric and Errol acquired the real estate on 4/6/2022, so that's when they acquired the USTs and ASTs. Then, we'll revise the 50% eligibility application for decommissioning and the 30-day notification forms to match (also deleting the Option 1 information).

From our review of the Indiana Secretary of State records and talking with Eric, "Toney Oil Company" was never a separately registered business entity, and each prior owner operated personally perhaps using the name as a dba. We can confirm more details if needed.

We are very interested in getting these forms corrected to IDEM's requests and approved asap, so, if you are available, please reply by email or call Cory at 765-620-3834, so we can get these corrected and submitted today. I am available to join by cell 765-427-0341.

Thank you.

Andrea

Andrea Kochert Townsend  
Partner

**Plews Shadley Racher & Braun LLP**

Phone: (317) 637-0700 Ext. 210

Email: [atownsend@psrb.com](mailto:atownsend@psrb.com)



Plews Shadley  
Racher & Braun

*Attorneys at Law*

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**From:** VEATCH, TIM <[TVEATCH@idem.IN.gov](mailto:TVEATCH@idem.IN.gov)>

**Sent:** Wednesday, July 3, 2024 8:06 AM

**To:** Andrea Townsend <[atownsend@psrb.com](mailto:atownsend@psrb.com)>

**Cc:** Cory Smith <[csmith@sesciences.com](mailto:csmith@sesciences.com)>; Browne, Rita <[RBrowne@idem.IN.gov](mailto:RBrowne@idem.IN.gov)>; Bowman, Christina M (IDEM) <[CMBowman@idem.IN.gov](mailto:CMBowman@idem.IN.gov)>; Newcomb, Tom <[TNEWCOMB@idem.IN.gov](mailto:TNEWCOMB@idem.IN.gov)>

**Subject:** RE: FID #50117 Registration Forms

Hi Andrea,

Sorry I must have just missed your email last night. The question is pretty simple at this point so maybe we can take care of this over email. I don't want to disrupt your vacation. We are trying to understand your intention to register either a business or an individual. Please see the example below:

The registration forms for both the USTs and ASTs have been filled out with both Option 1 and Option 3 for the UST Owner, etc. This is incorrect and we are trying to determine if you are trying to register individuals Eric and Errol as the Owner or are you trying to register Toney Oil Company LLC as the Owner. This is the same question for both the ASTs and USTs. Option 1 is to list a Business; you have listed both Eric and Errol who are individuals. The Business ID provided is for Toney Oil Company LLC. The Effective Date of Ownership is listed as 04/06/2022 which is the date the individuals Eric and Errol took deed to the property.

If trying to list Toney Oil Company as the owner the effective date of ownership is incorrect. If the UST Owner is Toney Oil Company LLC, the company address, or principal address should be used. Option 3 is also filled out with Eric and Errol listed as the Owner. Only Option 1 for Businesses, Option 2 for Public Agencies, or Option 3 for Individuals should be completed on the form for each of the UST Owner Sections, UST Operator Sections, and UST Property Owner Sections. The effective date of ownership for the tanks should also be looked at more closely. It's my understanding that Toney Oil Company installed all of the tanks on the property, so the effective date of ownership is most likely the date the tanks were installed for the UST/AST Owner sections. IDEM has provided detailed instructions to help owners and operators fill out these forms and can be found on our forms page of our website.

Once this is determined we need to make sure that the subsequent forms are also filled out correctly (intent to close and 50% eligibility application) these must match the registration information. I'm hopeful with a little more information we can get these processed. Please let me know if you have additional questions. Thanks.

<b>D</b>					<b>UST OWNER</b>				
TYPE OF OWNER									
<input type="checkbox"/> Federal Government			<input type="checkbox"/> State Government			<input type="checkbox"/> City / Local Government			
<input type="checkbox"/> Commercial			<input checked="" type="checkbox"/> Private			<input type="checkbox"/> Other:			
Option 1: UST OWNER NAME (Business Name as registered with the Secretary of State)						BUSINESS ID (From the Secretary of State)			
Eric and Errol Toney						20130122000201			
Option 2: UST OWNER NAME (If a Public Agency or other entity)									
Option 3: UST OWNER NAME (If in Individual Capacity)									
PREFIX	FIRST NAME			MI	LAST NAME			SUFFIX	
	Eric and Errol				Toney				
UST OWNER ADDRESS (Listed in Options 1-3)									
PRINCIPAL OFFICE ADDRESS or PRIMARY RESIDENTIAL ADDRESS (Number and Street, no P.O. Box)						ADDRESS (line 2)			
396 N. Main Street									
CITY			STATE	ZIP CODE		EFFECTIVE DATE OF OWNERSHIP (MM/DD/YYYY)			
Marengo			IN	47140		04/06/2022			
TELEPHONE NUMBER			EMAIL ADDRESS (Option 3 Individual Capacity)			JOB TITLE (Option 3 Individual Capacity)			
(812) 734-5377			etoney2007@gmail.com			Members			
CONTACT FOR BUSINESS / PUBLIC AGENCY (Listed in Option 1 or 2)									
PREFIX	FIRST NAME			MI	LAST NAME			SUFFIX	
	Eric			M.	Toney				
PRINCIPAL OFFICE ADDRESS or PRIMARY RESIDENTIAL ADDRESS (Number and Street, no P.O. Box)						ADDRESS (line 2)			
396 N. Main Street									
CITY			STATE	ZIP CODE		JOB TITLE			
Marengo			IN	47140		Member			
TELEPHONE NUMBER			EMAIL ADDRESS						
(812) 734-5377			etoney2007@gmail.com						



Timothy E. Veatch  
 Chief, Petroleum Branch  
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 Management

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**From:** Andrea Townsend <[atownsend@psrb.com](mailto:atownsend@psrb.com)>  
**Sent:** Tuesday, July 2, 2024 5:28 PM  
**To:** VEATCH, TIM <[TVEATCH@idem.IN.gov](mailto:TVEATCH@idem.IN.gov)>  
**Cc:** Cory Smith <[csmith@sesciences.com](mailto:csmith@sesciences.com)>  
**Subject:** RE: FID #50117

Tim, we've done our best to fill out the forms with the information we have. Do you have time to discuss yet today? Tomorrow morning, we're free other than 9:30am. You also can direct any questions to Cory Smith, copied, as well.

I'm travelling tomorrow to a vacation, but this is top priority for us, so please discuss with Cory if I'm not available.

Thank you.

Andrea

Andrea Kochert Townsend

Partner

**Plews Shadley Racher & Braun LLP**

Phone: (317) 637-0700 Ext. 210

Email: [atownsend@psrb.com](mailto:atownsend@psrb.com)



Plews Shadley  
Racher & Braun

*Attorneys at Law*

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**From:** VEATCH, TIM <[TVEATCH@idem.IN.gov](mailto:TVEATCH@idem.IN.gov)>

**Sent:** Tuesday, July 2, 2024 5:01 PM

**To:** Andrea Townsend <[atownsend@psrb.com](mailto:atownsend@psrb.com)>

**Subject:** FID #50117

Hi Andrea,

Would you happen to have time tomorrow to discuss the Registration forms for this facility. There are some issues with the way that the forms have been completed and I want to understand your intent. Thanks.



Timothy E. Veatch

*Chief, Petroleum Branch*

Indiana Department of Environmental  
Management

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