



## 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

September 3, 2024

### VIA ELECTRONIC MAIL

#### UST OWNER

Mr. Joey Cupp  
Pilot Travel Centers LLC  
5508 Lonas Drive  
Knoxville, TN 37909  
[Joey.cupp@pilottravelcenters.com](mailto:Joey.cupp@pilottravelcenters.com)

#### UST OPERATOR

Mr. Mike Chapman  
Pilot Travel Center #035  
6424 West Brick Road  
South Bend, IN 46628  
[mike.chapman@pilottravelcenters.com](mailto:mike.chapman@pilottravelcenters.com)

#### PROPERTY OWNER

Mr. Joey Cupp  
Pilot Travel Centers LLC  
5508 Lonas Drive  
Knoxville, TN 37909  
[Joey.cupp@pilottravelcenters.com](mailto:Joey.cupp@pilottravelcenters.com)

#### Re: **Initial Site Characterization Request**

Pilot Travel Center #035  
6424 West Brick Road  
South Bend, IN, 46628  
St. Joseph County  
Facility ID #668  
Incident #202408506

#### To Whom it May Concern:

A release from an Underground Storage Tank (UST) at Pilot Travel Center #035 located at 6424 West Brick Road in South Bend, Indiana was reported by Tony Barentine, Atlas Technical Consultants LLC on August 29, 2024. Your compliance must proceed in accordance with IC 13-23-13-1 and 40 CFR 280 Subpart F,<sup>1</sup>.

### Initial Site Characterization

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<sup>1</sup> IDEM has incorporated the majority of the federal underground storage tank regulations of 40 Code Fed. Reg. (CFR) Part 280 via 329 Ind. Admin. Code 9-1-1. All CFR citations refer to the regulation as incorporated.



Visit [on.IN.gov/survey](https://on.IN.gov/survey) or scan the QR code to provide feedback.

*We appreciate your input!*



The purpose of the ISC is to gather information regarding the release and surrounding area, including, but not limited to, evaluation of potential pathways for migration, and evaluation of receptors. Pursuant to IC 13-23-13-1, when necessary and feasible as determined by a qualified environmental professional (QEP) (as defined in IC 13-11-2-177.7), an ISC must include:

1. Site-specific geologic information obtained from a minimum of three (3) continuously sampled soil borings;
2. Hydrogeologic information, including depth to groundwater and groundwater flow directions and gradients, obtained from a minimum of three (3) monitoring wells screened across the water table; and
3. Other pertinent information as outlined in 40 CFR 280.63 and be consistent with the Risk-based Closure Guide (R2, Waste #0046-R2) and the Petroleum Remediation Program Guide (PRPG, Waste-0082). These non-rule policy documents are available at [www.in.gov/idem/tanks/2329.htm](http://www.in.gov/idem/tanks/2329.htm).

The borings and wells should be installed in areas most likely to be contaminated.

Per IC 13-23-13-1, a QEP, on behalf of the owner or operator of an UST from which there has been a release of petroleum, may submit for approval by the commissioner an alternative procedure for ISC and request a waiver of the requirement. Proof of QEP credentials must be provided. For clarity and to ensure UST Owner engagement, the QEP should copy the UST Owner on any correspondence. The commissioner may approve the request for a waiver and alternative procedure only if the alternative procedure provides substantially equal protection for human health and the environment. Your QEP must submit the waiver request for an alternative procedure as soon as sufficient environmental data are obtained to make the determination that an alternative procedure meets the requirements of IC 13-23-13-1.

Pursuant to 40 CFR 280.63 you must assemble information about the site and nature of the release, including information gathered while confirming the release or completing the initial abatement measures in 40 CFR 280.60, 280.61 and 280.62. This information must include, but is not necessarily limited to the following:

1. Data on the nature and estimated quantity of the release;
2. Data from available sources and/or site investigations concerning the following factors: Surrounding populations, water quality, use and approximate locations of wells potentially affected by the release, subsurface soil conditions, locations of subsurface sewers, climatological conditions, land use;
3. Results of the site check required under 40 CFR 280.62(a)(5) (or 40 CFR 280.52 or 280.72, whichever is applicable); and
4. Results of free product investigations required under 40 CFR 280.62(a)(6), to be used by Owners and Operators to determine whether free product must be recovered under 40 CFR 280.64.

#### **40 CFR 280.65 Investigations for soil and groundwater cleanup (Further Site Investigations)**

If an ISC does not fully define the nature and extent of the contaminant plume, additional investigation shall be performed in accordance with 40 CFR 280.65 or when necessary and feasible as determined by a QEP. If this is the case for this particular release, a Further Site Investigation (FSI) Report will be required and the ISC Report must contain a work plan for the FSI. The work plan should detail additional activities that are proposed and should provide a schedule of the FSI activities.

In order to determine the full extent and location of soils contaminated by the release and the presence and concentrations of dissolved product contamination in the groundwater, owners and operators must conduct release investigations of the release, the release site, and the surrounding area possibly affected by the release if any of the following conditions exist:

1. There is evidence that groundwater wells have been affected by the release (e.g., as found during release confirmation or previous corrective action measures);
2. Free product is found to need recovery in compliance with 40 CFR 280.64;
3. There is evidence that contaminated soils may be in contact with groundwater (e.g., as found during conduct of the initial response measures or investigations required under 40 CFR 280.60 through 280.64); and
4. The implementing agency requests an investigation, based on the potential effects of contaminated soil or groundwater on nearby surface water and groundwater resources.

Releases requiring an FSI to complete site characterization will be given a deadline 365 days from the date the release was discovered to determine the full nature and extent of soil and groundwater contamination and submit documentation to IDEM. If delineation requires more than one mobilization and sampling event, the owner or operator should continue with delineation until the delineation process is completed and then submit a comprehensive FSI Report within the 365-day deadline set by IDEM. Interim report and work plan submittal and IDEM review is not required. However, IDEM advises that you receive project manager approval for an FSI work plan (entailing a one page summary of proposed work and a site map with proposed sampling locations) to assist with showing reasonableness and cost effectiveness for the purposes of the Excess Liability Trust Fund (ELTF). The IDEM project manager assigned to your site will be available to provide informal guidance via telephone, email, or on-site support during the step out process.

#### **Additional IDEM expectations**

In order to facilitate complete site characterization within a year, IDEM requests that staff be notified of all investigative site work in a timely manner. Early staff involvement with the site investigation will assist in efforts to develop a complete conceptual site model within the year timeframe. Please inform the project manager via email or telephone (listed below) as field work dates for investigations are scheduled.

## **Conclusions**

Within 60 days of the release confirmation an Initial Site Characterization (ISC) Report must be submitted to IDEM. **The due date for the ISC Report is October 28, 2024. No extensions will be granted.**

All ISC Reports must be submitted in the ISC Report Format and include an ISC Checklist and ISC Cover Sheet for IDEM to complete their review. IDEM's goal is to review all ISC reports within sixty days (60) days of receipt and return the evaluated checklist. All items marked as inadequate on the returned and signed ISC Checklist must be addressed in the timeframe required in IDEM correspondence.

IDEM requests Petroleum Remediation Section (PRS) correspondence, reports, and related documents under 15 MB be submitted electronically to: [LeakingUST@IDEM.in.gov](mailto:LeakingUST@IDEM.in.gov). Paper copies and CDs are no longer necessary as previously required in OLQ Document Submittal Guidelines. Please label the email and attached documents as directed below:

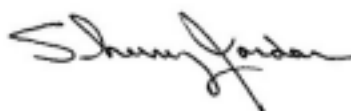
- Email Subject Line: REPORT NAME (ie. 1Q 2023 QMR, ISC, FSI, etc.)\_FID (insert number)\_LUST (insert number)\_DATE (yyyymmdd)
- Document/File Name: REPORT NAME (ie. 1Q 2023 QMR, ISC, FSI, etc.)\_FID (insert number)\_LUST (insert number)\_DATE (yyyymmdd)

For more information regarding, sampling and analysis requirements or technical information, visit the LUST Home page at [www.in.gov/idem/tanks/2333.htm](http://www.in.gov/idem/tanks/2333.htm) or contact the site project manager.

Failure to submit this information within the specified timeframe may result in a referral to IDEM Enforcement.

If you have any questions, please contact Morgan Willis at (317) 232-6695 or toll free from within Indiana at (800) 451-6027. She can also be reached at: [miwillis@idem.IN.gov](mailto:miwillis@idem.IN.gov).

Sincerely,



Sherry Jordan  
Release Coordinator  
Petroleum Remediation Section  
Petroleum Branch  
Office of Land Quality

Ecopy: IDEM File  
St. Joseph County Health Department  
Northern Regional Office  
Tony Barentine, Atlas Technical Consultants LLC

**Ellis, Roberta**

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**From:** Joey Cupp <Joey.Cupp@pilottravelcenters.com>  
**Sent:** Wednesday, September 4, 2024 1:02 PM  
**To:** Ellis, Roberta  
**Subject:** Re: IDEM PRS CORRESPONDENCE FID 668 ISC REQ

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

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Received.

Joey Cupp  
865-300-6150



**Joey Cupp**  
Sr Director, Environmental  
Joey.Cupp@pilottravelcenters.com  
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On Sep 4, 2024, at 11:38 AM, Ellis, Roberta <REllis@idem.in.gov> wrote:

### RETURN E-MAIL RECEIPT REQUESTED

The IDEM Petroleum Remediation Branch is now sending formal communication (signed letters) via electronic mail (e-mail). IDEM has provided electronic copies of our letters to consultants for several years and are now also providing our correspondence via e-mail to the Registered UST Owner/Operator or Responsible Party. The UST Branch will only utilize the US Postal Service if e-mail is not available. We believe that this approach is not



only more economically responsible, but will also allow us to reach our customers in a more timely manner.

In that regard, IDEM is requesting a return receipt via email indicating that the correspondence has been received for our records. Please review and respond appropriately to the attached IDEM correspondence per IDEM document submittal guidelines. We hope to continue working with you to improve our customer service. Please notify IDEM if you have a preferred email address for this correspondence or regarding any e-mail address changes. If you have any questions please feel free to contact me at 317/232-8900 or Shay Hartley at 317/234-5160.

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Bobbi Ellis  
Administrative  
Assistant  
Remediation Section  
Petroleum Branch | Office of Land Quality  
Petroleum  
Indiana Department of Environmental Management  
<image003.png>

(317) 232-8900 | [rellis@idem.IN.gov](mailto:rellis@idem.IN.gov)

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