



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-8027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

October 2, 2024

Via Certified Mail: # 7017 2400 0000 0747 3677

Scott Gass, EHS Manager – Environmental
Compliance
Advanced Auto Parts, New Castle DC 69 a/k/a
Carquest Distribution Center 9957
299 E CR 300 S
New Castle, Indiana 47362
scott.gass@advance-auto.com

Dear Mr. Gass:

Re: Adoption of Agreed Order
Commissioner, Indiana Department of Environmental Management
v.
Advanced Auto Parts, New Castle DC 69 aka
Carquest Distribution Center 9957
Case No. 2023-29837-H

The Agreed Order pertaining to the case referenced above has been approved for adoption by the Indiana Department of Environmental Management. A copy of the finalized agreement is enclosed for your records.

Please note the terms of compliance contained in the Agreed Order. The time frames for compliance are effective upon receipt of this letter. The invoice for payment of the civil penalty is attached. Thank you for your cooperation in resolving this matter. If you have any questions, please contact Christina Halloran at (317) 233-5546 or via email at challora@idem.IN.gov.

Sincerely,

Jennifer Reno, Chief
Land Enforcement Section
Compliance Branch
Office of Land Quality

Enclosure

cc: Henry County Health Department
Vanessa Landolina, Advanced Auto Parts, Environmental Director
vanessa.landolin@advace-auto.com
Theresa Pichtel, IDEM, OLQ, Hazardous Waste Compliance Section

IDEM Virtual Cabinet



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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(800) 451-6027 • (317) 232-0603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

STATE OF INDIANA) SS: BEFORE THE INDIANA DEPARTMENT OF
)
COUNTY OF MARION) ENVIRONMENTAL MANAGEMENT

COMMISSIONER OF THE DEPARTMENT)
OF ENVIRONMENTAL MANAGEMENT,)

Complainant,)

v.) Case No. 2023-29837-H

CARQUEST PRODUCTS, INC. AND)
ADVANCED AUTO PARTS, NEW CASTLE)
DC 69 A/K/A CARQUEST DISTRIBUTION)
CENTER 9957)

Respondents,)

AGREED ORDER

Complainant and Respondents desire to settle and compromise this action without hearing or adjudication of any issue of fact or law, and consent to the entry of the following Findings of Fact and Order. Pursuant to Indiana Code (“IC”) 13-30-3-3, entry into the terms of this Agreed Order does not constitute an admission of any violation contained herein. Respondents’ entry into this Agreed Order shall not constitute a waiver of any defense, legal or equitable, which Respondents may have in any future administrative or judicial proceeding, except a proceeding to enforce this order.

I. FINDINGS OF FACT

1. Complainant is the Commissioner (“Complainant”) of the Indiana Department of Environmental Management (“IDEM”), a department of the State of Indiana created by IC 13-13-1-1.
2. Respondents are Carquest Products, Inc. and Advanced Auto Parts, New Castle DC 69 a/k/a Carquest Distribution Center 9957, which own/operate the facility, with Environmental Protection Agency (“EPA”) ID No. INR 000 129 999, located at 299 E. CR 300 S., in New Castle, Henry County, Indiana (“Site”).
3. IDEM has jurisdiction over the parties and the subject matter of this action.

4. Pursuant to IC 13-30-3-3, IDEM issued a Notice of Violation ("NOV") to:

Mr. Todd C. Hack
Carquest Products, Inc. and
Advanced Auto Parts, New Castle DC 69
a/k/a Carquest Distribution Center 9957
P.O. Box G
New Castle, IN 47362

Mr. John Albano, Registered Agent
Carquest Products, Inc.
Corporation Service Company
251 E. Ohio St., Ste. 500
Indianapolis, IN 46204

5. Respondents notified EPA of Small Quantity Generator Hazardous Waste Activities.
6. Respondents operate as a distribution facility for Advanced Auto stores. Hazardous waste is generated from customer returns and damaged/expired products. Respondents' generator status can fluctuate throughout the year based on the various stores' activities.
7. Respondents notified IDEM on June 2, 2022, of a planned episodic generation event of hazardous waste. IDEM sent Respondents an Acknowledgement – Episodic Generation letter dated June 13, 2022.
8. 329 Indiana Administrative Code ("IAC") 3.1 incorporates federal hazardous waste management requirements found in 40 Code of Federal Regulations ("CFR") Parts 260 through 270 and Part 273, including those identified below.
9. During an investigation including an inspection on November 20, 2023 conducted by a representative of IDEM, the following violations were found:
- a. Pursuant to 40 CFR 262.11, a person who generates a solid waste, as defined in 40 CFR 261.2, must make an accurate determination as to whether that waste is a hazardous waste in order to ensure wastes are properly managed according to applicable RCRA regulations.
- (c) If the waste is not excluded under 40 CFR 261.4, the person must then use knowledge of the waste to determine whether the waste meets any of the listing descriptions under subpart D of 40 CFR part 261. Acceptable knowledge that may be used in making an accurate determination as to whether the waste is listed may include waste origin, composition, the process producing the waste, feedstock, and other reliable and relevant information. If the waste is listed, the person may file a delisting petition under 40 CFR 260.20 and 260.22 to demonstrate to the Administrator that the waste from this particular site or operation is not a hazardous waste.
- (g) If the waste is determined to be hazardous, small quantity generators and large quantity generators must identify all applicable EPA hazardous waste numbers (EPA hazardous waste codes) in subparts C and D of part 261 of this chapter. Prior to shipping the waste off site, the generator also must mark its containers

with all applicable EPA hazardous waste numbers (EPA hazardous waste codes) according to § 262.32.

As noted during the inspection, Respondents made an improper waste determination and used improper waste codes for unusable, expired, and/or damaged waste products. The unusable products were manifested and reported on annual reports, the 2022 episodic generation notification, etc., as spent solvents F002, F003 and/or F005.

An improper waste determination was also made for expired/unusable hand sanitizer (D001). The waste was characterized as an ethanol solution to be reclaimed.

Respondent via electronic mail provided documentation on May 21, 2024, of the final disposition of the hand sanitizer. The hand sanitizer was sent to Parallel Products of Kentucky which is permitted by the Bureau of Alcohol, Tobacco, and Firearms. IDEM agrees that the hand sanitizer was being transported properly on a bill of lading to a permitted facility to be recycled.

- b. Pursuant to 40 CFR 262.13, a generator must determine its generator category. A generator's category is based on the amount of hazardous waste generated each month and may change from month to month.

As noted during the inspection, Respondents did not correctly determine its large quantity generator category. Respondents inaccurately notified as an episodic generator in June 2022 for waste generation activities and waste streams that are consistent with their normal activities and normally generated hazardous waste. Respondents' representative stated that there was nothing different about the event other than the amount of waste generated. Two thousand and two hundred and eighty-three (2,283) pounds of hazardous wastes were characterized on the episodic generation notification as (D001, F002, F003) wastes and shipped as (D001, D005, D007, D008, D018, D035) on Manifest# 200218959CLE. Examples of manifests showing the typical waste streams generated by the facility as well as the manifest used for the August 2022 shipment were obtained during the inspection.

Also noted during the inspection, Respondents shipped twenty-eight thousand seven hundred and thirty-three (28,733) pounds of hand sanitizer to Chemtron on 11/10/22 without managing the hand sanitizer as hazardous waste (D001). Respondents specifically asked Clean Earth to find an avenue for disposal that would avoid having to count the hand sanitizer as hazardous waste and increase Respondents generator status. On 11/10/22, twenty-eight thousand seven hundred and thirty-three (28,733) pounds of hand sanitizer were shipped from Respondents facility to Chemtron Corporation in Avon, Ohio. Based on the shipping and receiving documents, the waste was received by Chemtron on 11/11/22. Per Respondents' representatives, Chemtron shreds bottles containing hand sanitizer, captures the liquid, and sends the liquid portion offsite to be

reclaimed. However, a certificate was issued to Respondents from Chemtron stating that the waste received on, "...November 12, 2022, from Advanced Auto Parts DC (Manifest Tracking Number 017520688FLE) described on shipping document number (D246763) was properly disposed of and/or recycled...". The waste was not properly shipped as hazardous waste with the appropriate EPA hazardous waste code (D001), nor is there any documentation to show that the ethanol was legitimately reclaimed by a facility permitted by the Bureau of Alcohol, Tobacco, and Firearms. Documentation showing how Chemtron managed the hand sanitizer has been requested; however, per Respondents' representative, Chemtron does not specifically know how the waste from an individual shipment is managed. Respondents provided an email correspondence, manifest (to Chemtron, 35850 Schneider Court, Avon, OH), weigh ticket (from Chemtron, 33565 Pin Oak Parkway, Avon OH), Chemtron certification and invoice, and Clean Earth quote.

Respondent via electronic mail provided documentation on May 21, 2024, of the final disposition of the hand sanitizer. The hand sanitizer was sent to Parallel Products of Kentucky which is permitted by the Bureau of Alcohol, Tobacco, and Firearms. IDEM agrees that the hand sanitizer was being transported properly on a bill of lading to a permitted facility to be recycled.

- c. Pursuant to 329 IAC 3.1-1-10, every hazardous waste generator, transporter, or owner or operator of a hazardous waste facility shall notify the commissioner of its activities subject to this article on forms provided by the commissioner unless the activity is exempt from the notification requirements for very small quantity generators under 329 IAC 3.1-6.

As noted during the inspection, Respondents did not accurately notify IDEM of its generator activities. See paragraph 9.b. above for details.

- d. Pursuant to 40 CFR 262.17(a)(6) referencing 40 CFR 262.261, (a)The contingency plan must describe the actions facility personnel must take to comply with 262.260 and 262.265 in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility. (c)The plan must describe arrangements agreed to with the local police department, fire department, or other emergency response teams, emergency response contractors, equipment suppliers, local hospitals or, if applicable, the Local Emergency Planning Committee, pursuant to 262.256. (d) The plan must list names and emergency telephone numbers of all persons qualified to act as emergency coordinator, and this list must be kept up to date. Where more than one person is listed, one must be named as primary and others must be listed in the order in which they will assume responsibility as alternates. In situations where the generator facility has an emergency coordinator continuously on duty because it operates 24 hours per day, every day of the year, the plan may list the staffed position (e.g., operations manager, shift coordinator, shift operations supervisor) as well as an emergency telephone number that can be guaranteed to be answered at all times. (e) The plan

must include a list of all emergency equipment at the facility (such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment), where this equipment is required. This list must be kept up to date. In addition, the plan must include the location and a physical description of each item on the list, and a brief outline of its capabilities. (f) The plan must include an evacuation plan for generator personnel where there is a possibility that evacuation could be necessary. This plan must describe signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes (in cases where the primary routes could be blocked by releases of hazardous waste or fires).

As noted during the inspection, Respondents did have an emergency response plan that was generic for the various Advanced Auto Parts facilities; however, per Respondents' representative, page 15 of New Castle DC 69 plan had the appropriate contact information for internal contacts. However, the plan did not include required information specific to Respondents facility, e.g., equipment lists and locations, evacuation plans, agreements with local authorities, etc.

It was noted at the time of the inspection that the emergency coordinators and other emergency response agencies' phone numbers were posted on the wall just outside of the Chemical Storage Room/Hazardous Waste Area.

- c. Pursuant to 40 CFR 262.17(a)(6) referencing 40 CFR 262.262(b), a large quantity generator that first becomes subject to these provisions after the adoption of this rule or a large quantity generator that is otherwise amending its contingency plan must at that time submit a quick reference guide of the contingency plan to the local emergency responders identified at paragraph (a) of this section or, as appropriate, the Local Emergency Planning Committee. The quick reference guide must include the following elements:
- (1) The types/names of hazardous wastes in layman's terms and the associated hazard associated with each hazardous waste present at any one time (e.g., toxic paint wastes, spent ignitable solvent, corrosive acid);
 - (2) The estimated maximum amount of each hazardous waste that may be present at any one time;
 - (3) The identification of any hazardous wastes where exposure would require unique or special treatment by medical or hospital staff;
 - (4) A map of the facility showing where hazardous wastes are generated, accumulated and treated and routes for accessing these wastes;
 - (5) A street map of the facility in relation to surrounding businesses, schools and residential areas to understand how best to get to the facility and also evacuate citizens and workers;
 - (6) The locations of water supply (e.g., fire hydrant and its flow rate);
 - (7) The identification of on-site notification systems (e.g., a fire alarm that rings off site, smoke alarms); and
 - (8) The name of the emergency coordinator(s) and 7/24-hour emergency telephone number(s) or, in the case of a facility where an emergency coordinator is continuously on duty, the emergency telephone number for the emergency

coordinator

(c) Generators must update, if necessary, their quick reference guides, whenever the contingency plan is amended and submit these documents to the local emergency responders identified in paragraph (a) of this section or, as appropriate, the Local Emergency Planning Committee.

As noted during the inspection, Respondents did not have a quick reference guide.

- f. Pursuant to IC 13-22-4-3.1(c) (c) A person that:
- (1) in any one (1) or more calendar months of a calendar year generates:
 - (A) more than one thousand (1,000) kilograms of hazardous waste;
 - (B) at least one (1) kilogram of acute hazardous waste; or
 - (C) at least one hundred (100) kilograms of material from the cleanup spillage of acute hazardous waste;
 - (2) accumulates at least six thousand (6,000) kilograms of hazardous waste or at least one (1) kilogram of acute hazardous waste; or
 - (3) is a treatment, storage, or disposal facility; shall, before March 1 of each year, submit to the department either the biennial report required by the United States Environmental Protection Agency concerning the person's waste activities during the previous calendar year, or an annual report on forms provided by the department, containing no more than a compilation of information from the Uniform Hazardous Waste Manifest form described in section 1(a) of this chapter, that summarizes the person's hazardous waste shipments during the previous calendar year.

As noted during the inspection, Respondents operated as a large quantity generator in 2022 and did submit the required annual report in 2023 for hazardous waste generated in 2022 however, it did not include the two thousand two hundred and eighty-three (2,283) pounds of hazardous wastes shipped as (D001, D005, D007, D008, D018, D035) on Manifest Tracking Number 200218959CLE, and four "empty drums" that actually totally contained nine hundred and thirty-eight (938) pounds of paint waste (D001) shipped on Manifest Tracking Number 200104401CLE.

- g. Pursuant to 40 CFR 262.20, a generator that transports, or offers for transport a hazardous waste for offsite treatment, storage, or disposal, or a treatment, storage, or disposal facility that offers for transport a rejected hazardous waste load, must prepare a Manifest on EPA Form 8700-22, and, if necessary, EPA Form 8700-22A. See instructions for completing EPA Form 8700-22 at: https://www.epa.gov/sites/default/files/2020-04/documents/manifest_instructions_web.pdf

As noted during the inspection, a hazardous waste manifest was used for the shipment of 28,733 pounds of hazardous waste hand sanitizer (D001) on 11/10/22; however, the waste was not shipped as hazardous waste nor was the EPA waste code listed on the manifest (Manifest Tracking Number 017520688 FLE).

Respondent provided documentation on May 21, 2024 of the final disposition of the hand sanitizer. The hand sanitizer was sent to Parallel Products of Kentucky which is permitted by the Bureau of Alcohol, Tobacco, and Firearms.

Waste codes most representative of the properties of the waste must be entered. As noted during the inspection, waste codes that did not represent the unusable (expired or damaged) products were used. Spent solvent, F-listed codes F003 and F005 were listed in Item 13 of the manifest (Manifest Tracking Number 200218959CLE).

Respondent stated in an email dated June 19, 2024, the spent solvents F-listed codes F003 and F005 were for "damaged" containers assumed to have leaked.

Also noted during the inspection, the waste description for Manifest Tracking Number 200104401CLE, shipped on 3/14 22, incorrectly listed the drums as 4, "empty drums" weighing nine hundred and thirty-eight (938) pounds, but the drums contained paint waste (D001). Additionally, the waste code was not listed on the manifest (Manifest Tracking Number 200104401CLE). The designated facility managed the waste as D001 hazardous waste.

- b. Pursuant to 40 CFR 262.230, Applicability. This subpart is applicable to very small quantity generators and small quantity generators as defined in 40 CFR 260.10, 40 CFR 262.231:

Pursuant to 40 CFR 262.231, episodic event means an activity or activities, either planned or unplanned, that does not normally occur during generator operations, resulting in an increase in the generation of hazardous wastes that exceeds the calendar month quantity limits for the generator's usual category.

As noted during the inspection, Respondents inaccurately notified as an episodic generator in June 2022 for waste generation activities and waste streams that are consistent with their normal activities and normally generated waste streams. Respondents' representative stated that there was nothing different about the event other than the amount of waste generated, 2,283 pounds of hazardous wastes were characterized on the episodic generation notification as (D001, F002, F003) wastes and shipped as (D001, D005, D007, D008, D018, D035) on Manifest 200218959CLE. Examples of manifests showing the typical waste streams generated by the facility as well as the manifest used for the August 2022 shipment.

10. Orders of the Commissioner are subject to administrative review by the Office of Environmental Adjudication under IC 4-21.5; however, in recognition of the settlement reached, Respondents acknowledge notice of this right and waives any right to administrative and judicial review of this Agreed Order.

II. ORDER

1. **This Agreed Order shall be effective (“Effective Date”) when it is approved by Complainant or Complainant’s delegate and has been received by Respondents. This Agreed Order shall have no force or effect until the Effective Date.**
2. **Respondents shall comply with the statutes and rules listed in the findings of fact above.**
3. **Upon the Effective Date, Respondents shall comply with 40 CFR 262.11. Specifically, Respondents shall ensure in the future to identify all applicable waste codes associated with the hazardous waste and if it is determined that a hazardous waste is excluded, or exempt Respondents shall have available upon request the appropriate documentation to demonstrate that the material is not a waste.**
4. **Upon the Effective Date, Respondents shall comply with 40 CFR 262.261(b) and 40 CFR 262.262(b). Specifically, Respondents shall develop and maintain a contingency plan and quick reference guide specific to their facility when they generate large quantity amounts of hazardous waste in a calendar month.**
5. **Upon the Effective Date of the Agreed Order, Respondents shall comply with 40 CFR 262.13. Specifically, Respondents shall determine their generator category monthly and comply with the applicable regulations.**
6. **Within thirty (30) days of the Effective Date, Respondents shall submit to eManifest the March 14, 2022 [Manifest Tracking Number 200104401C1E] to reflect the proper US DOT Description in Item 9b and the proper waste code in Item 13. In addition, Respondents shall submit corrected copies of the manifests to all transporters and designated facilities that received the manifests.**
7. **Within thirty (30) days of the Effective Date, Respondents shall submit an amended annual manifest report for 2022 to include the corrected manifest in Order 6 and the waste paint (D001, D005, D008, D007, D035) generated in 2022. The Annual Report for 2022 hazardous waste activity must be submitted electronically via the Annual Report module in RCRAinfo. Instructions can be found here: <https://www.in.gov/idem/waste/resources/annual-report-and-biennial-report/>. RCRAinfo may be accessed at: <https://rcrainfo.epa.gov/rcrainfoprod/action/secured/login>.**
8. **Upon the Effective Date, Respondents shall comply with 40 CFR 262.230. Specifically, Respondents shall ensure in the future that an episodic generation meets the definition of an episodic event according to 40 CFR 262.231.**
9. **All submittals required by this Agreed Order, unless IDLM notifies the Respondents otherwise in writing, shall be sent to:**

Christina Halloran, Enforcement Case Manager
Office of Land Quality
Indiana Department of Environmental Management
100 North Senate Avenue
Indianapolis, IN 46204-2251

10. Pursuant to IC 13-30-4-1, Respondents are assessed and agree to pay a civil penalty of Four Thousand Dollars (\$4,000), for which Respondents are jointly and severally liable. After this Agreed Order is adopted (signed by the Assistant Commissioner of the Office of Land Quality), Respondents shall pay by the due date printed on the Invoice that will be attached to the adopted Agreed Order.

Civil and stipulated penalties are payable to the "Indiana Department of Environmental Management" by:

Mail:

Civil penalties are payable by check to the "Indiana Department of Environmental Management." Checks shall include the Case Number of this action and shall be mailed to:

Indiana Department of Environmental Management
Accounts Receivable
P.O. Box 3295
Indianapolis, IN 46206

Online:

Accounts Receivable is accepting payments online by e-Check, Master Card, Visa or Discover. Please visit www.IN.gov/IDEM. Under Online Services, click Online Payment options and follow the prompts. A processing fee of \$0.40 plus 2.06% will be charged for credit card payments. A processing fee of \$0.15 will be charged for eCheck payments. The Case Number is required to complete the process.

Phone:

You may also call us at 317-234-3099 and follow the instructions for Master Card, Visa or Discover payments. A processing fee of \$0.40 plus 2.06% will be charged for credit card payments. A processing fee of \$0.15 will be charged for eCheck payments. The Case Number is required to complete the process.

11. In the event the terms and conditions of the following paragraphs are violated, Complainant may assess, and Respondents shall pay a stipulated penalty in the following amount:

<u>Paragraph</u>	<u>Stipulated Penalty</u>
Order paragraph #6	\$100 per week
Order paragraph #7	\$100 per week

12. Stipulated penalties shall be due and payable no later than the thirtieth day after Respondents receive written notice that Complainant has determined a stipulated penalty is due; at which time, a separate invoice will be issued. Complainant may notify Respondents at any time that a stipulated penalty is due. Failure to notify Respondents in writing in a timely manner of a stipulated penalty assessment shall not waive Complainant's right to collect such stipulated penalty or preclude Complainant from seeking additional relief against Respondents for violation of this Agreed Order. Neither assessment nor payment of stipulated penalties shall preclude Complainant from seeking additional relief against Respondents for a violation of this Agreed Order; such additional relief includes any remedies or sanctions available pursuant to Indiana law, including, but not limited to, civil penalties pursuant to IC 13-30-4. Respondents are jointly and severally liable for all stipulated penalty assessments.
13. In the event that the monies due to IDEM pursuant to this Agreed Order are not paid on or before their Due Date, Respondents shall pay an additional penalty of 10 percent, payable to "Indiana Department of Environmental Management" and shall be payable to IDEM in the manner specified in Paragraph 10, above.
14. Signatories to this Agreed Order certify that they are fully authorized to execute this Agreed Order and legally bind the party they represent.
15. This Agreed Order shall jointly and severally apply to and be binding upon Respondents and all successors and assigns. Respondents shall provide a copy of this Agreed Order, if in force, to any subsequent owners, successors, or assigns before ownership rights are transferred.
16. No change in ownership, corporate, or partnership status of Respondents shall in any way alter the Respondents' status or responsibilities under this Agreed Order.
17. Respondents shall ensure that all contractors, firms, and other persons performing work under this Agreed Order comply with the terms of this Agreed Order.
18. In the event that any terms of this Agreed Order are found to be invalid, the remaining terms shall remain in full force and effect and shall be construed and enforced as if this Agreed Order did not contain the invalid terms.
19. This Agreed Order is not and shall not be interpreted to be a permit or a modification of an existing permit. This Agreed Order, and IDEM's review or approval of any submittal made by Respondents pursuant to this Agreed Order, shall not in any way relieve Respondents of the obligation to comply with the requirements of any applicable permits or any applicable Federal or State laws or regulations.
20. Complainant does not, by its approval of this Agreed Order, warrant or aver in any manner that Respondents' compliance with any aspect of this Agreed Order will result in compliance with the provisions of any permit, order, or any applicable Federal or State law or regulation. Additionally, IDEM or anyone acting on its behalf shall not be held

liable for any costs or penalties Respondents may incur as a result of Respondents' efforts to comply with this Agreed Order.

21. Nothing in this Agreed Order shall prevent or limit IDEM's rights to obtain penalties or injunctive relief under any applicable Federal or State law or regulation, except that IDEM may not, and hereby waives its right to seek additional civil penalties for the violations specified in the NOV.
22. Nothing in this Agreed Order shall prevent IDEM or anyone acting on its behalf from communicating with the U.S. Environmental Protection Agency (U.S. EPA) or any other agency or entity about any matters relating to this enforcement action. IDEM or anyone acting on its behalf shall not be held liable for any costs or penalties Respondents may incur as a result of such communications with the U.S. EPA or any other agency or entity.
23. This Agreed Order shall remain in effect until IDEM issues a Resolution of Case letter to Respondents.

REMAINDER OF PAGE LEFT BLANK INTENTIONALLY

TECHNICAL RECOMMENDATION:
Department of Environmental Management

By: *Jennifer Reno*
Jennifer Reno, Chief
Land Enforcement Section
Compliance Branch
Office of Land Quality

Date: 9/3/2024

RESPONDENT:

By: *Scott Gass*
Printed: Scott Gass
Title: EHS Manager

Date: 9/3/2024

COUNSEL FOR RESPONDENT:

By: _____
Printed: _____
Date: _____

APPROVED AND ADOPTED BY THE INDIANA DEPARTMENT OF ENVIRONMENTAL
MANAGEMENT THIS 27th DAY OF September, 2024

For the Commissioner:

Brian Wolff
Brian Wolff
Assistant Commissioner
Office of Land Quality

INVOICE

Please Remit To:

INDIANA DEPT. OF ENVIRONMENTAL MANAGEMENT
PO BOX 3295
INDIANAPOLIS IN 46206-3295

Page: 1
Invoice No: 000375679
Invoice Date: 10/02/2024
Customer Number: CST100041335
Bill Type: 075
Payment Terms: NET 30
Due Date: 11/01/2024

Bill To:

CARQUEST PRODUCTS INC
SCOTT GASS, EHS MANAGER
299 EAST CR 300 SOUTH
NEW CASTLE IN 47362

AMOUNT DUE: 4,000.00 USD

Amount Remitted

Note Address Changes Above Email Address: _____

Write the invoice number on your check and return the upper portion of this invoice.

For billing questions, please email us at BILLING@IDEM.IN.GOV

Line	Adj	Identifier	Description	Quantity	UOM	Unit Amt	Net Amount
1		2023-29837-H	AGREED ORDER	1.00	EA	4,000.00	4,000.00
<p>- Accounts Receivable is accepting payments online by e-Check, MasterCard, Visa, American Express or Discover. Please visit www.in.gov/idem. Under Online Services, click Online Payment options and follow the prompts.</p> <p>-You may also call us at 317-234-3099 to pay by MasterCard, Visa, American Express or Discover.</p> <p>-A processing fee of \$0.40 plus 2.06% will be charged for credit card payments. A processing fee of \$0.15 will be charged for eCheck payments.</p> <p>- Pursuant to the Agreed Order for the Case Number noted above in the identifier field, please remit the civil penalty within thirty (30) days of the effective date of the Agreed Order.</p>							
TOTAL AMOUNT DUE :						4,000.00	

Please write the invoice number on your check and return the upper portion of this invoice with remittance.

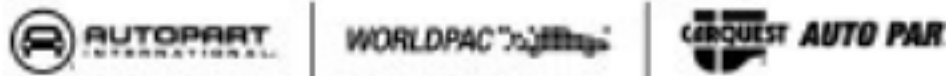
BATES, DONNA

From: SCOTT GASS <scott.gass@advance-auto.com>
Sent: Wednesday, October 2, 2024 2:43 PM
To: BATES, DONNA; vanessa.landolin@advace-auto.com
Cc: kcronk@henryco.net; Halloran, Chris; PICHTEL, THERESA
Subject: RE: Copy of Adoption of Agreed Order. Advanced Auto Parts, New Castle DC 69 aka Carquest Distribution Center 9957. Case No. 2023-29837-H.

EXTERNAL EMAIL: This email was sent from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Thanks Donna. We are in receipt of the order.

Scott Gass
EHS Manager – Environmental Compliance
(423) 240-4850



From: BATES, DONNA <DBATES@idem.IN.gov>
Sent: Wednesday, October 2, 2024 1:36 PM
To: SCOTT GASS <scott.gass@advance-auto.com>; vanessa.landolin@advace-auto.com
Cc: kcronk@henryco.net; Halloran, Chris <CHALLORA@idem.IN.gov>; PICHTEL, THERESA <TPICHTEL@idem.IN.gov>
Subject: Copy of Adoption of Agreed Order. Advanced Auto Parts, New Castle DC 69 aka Carquest Distribution Center 9957. Case No. 2023-29837-H.

Dear Interested Parties:

Please find the attached copy of Adoption of Agreed Order regarding Advanced Auto Parts, New Castle DC 69 aka Carquest Distribution Center 9957. **Once you have received this email would you please respond back to me (via e-mail) that you have received the document for our records.**

Thank you.



Donna Bates
Administrative Assistant

(317) 233-5529 • dbates@idem.IN.gov | www.idem.IN.gov



SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

A. Signature Agent
 Address

X *[Signature]*

B. Received by (Printed Name) C. Date of Delivery

Joe Downs *10-4-24*

1. Article Addressed to:

60-02L 1833 DBATES 29837-H
SCOTT GASS EHS MANAGER
ADVANCED AUTO PARTS NEW CASTLE DC 69
AKA CARQUEST DISTRIBUTION CTR 9957
299 E CR 300 S
NEW CASTLE IN 47362

D. Is delivery address different from Item 1? Yes
If YES, enter delivery address below: No



9590 9402 6131 0209 6498 56

- Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - All Restricted Delivery
- Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restr. Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation
 - Signature Confirmation Restricted Delivery

2. Article Number (Transfer from service label)

7017 2400 0000 0747 3677