



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

100 N. Senate Avenue • Indianapolis, IN 46204  
(800) 451-6027 • (317) 232-8603 • Fax (317) 233-6647 • [www.idem.in.gov](http://www.idem.in.gov)

Mike Braun  
Governor

Clint Woods  
Commissioner

October 29, 2025

**Via Certified Mail:**

**9589 0710 5270 1822 6840 00**

Dalvir Shermar, Member  
PB32 Oil LLC  
12979 Dewitt Drive  
Fishers, IN 46037  
postexxon@yahoo.com

**Via Certified Mail:**

**9589 0710 5270 1822 6840 17**

Pattar & Co. CPA, Inc., Registered Agent  
PB32 Oil LLC  
1455 E Southport Road, Suite A-1  
Indianapolis, IN 46227

Dear Mr. Shermar:

Re: Notice of Violation and Proposed Agreed Order  
PB32 Oil LLC  
Case No. 2025-30841-U  
FID No.50139  
Fortville, Hancock County

**Qualified offer of settlement: inadmissible per Rule 408 of the Ind. Rules of Evidence. IDEM asserts that any offer to compromise a claim or any acceptance of such offer does not bind or obligate the parties of this enforcement action in the absence of a final order of the agency.**

IDEM conducted an investigation of the site with FID #50139 and has made a preliminary determination that violations of environmental management laws, rules, and/or permit exist. Per IC 13-30-3-3, enclosed please find a Notice of Violation that sets forth the alleged violations and a proposed Agreed Order which constitutes a qualified offer of settlement.

Please note, per IC 13-23-1-4(b), the Commissioner may determine whether an underground storage tank ("UST") is eligible for delivery, deposit, or acceptance of a regulated substance, and may issue a temporary order to prohibit the use of the UST that is deemed ineligible and demand compliance if the facility is in violation of requirements described in IC 13-23-1-4(b)(2)(A), (B), and/or (C) that regulate USTs. You may have already received or may receive in the future a separate correspondence from IDEM regarding this delivery prohibition.

You may request a settlement conference to discuss the allegations and the actions necessary to correct and resolve the violations, which may include injunctive relief and the establishment of a compliance schedule. Payment of a civil penalty will also be discussed. The civil penalty amount noted in the proposed Agreed Order contains a preliminary penalty figure for settlement discussion purposes only and is based on penalty calculations associated with the alleged violations set forth in the Notice of Violation.

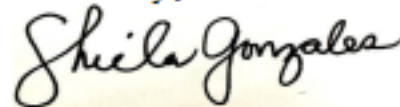


The individual signing the enclosed Agreed Order should be fully authorized to execute the document and legally bind the parties. The timely entry into an Agreed Order, which saves you and IDEM time and resources, may lead to a reduction in the civil penalty.

IDEM is not required to extend the offer of entry into an Agreed Order for more than 60 days. You may enter into an Agreed Order without admitting that the violations occurred. Additionally, to encourage a timely agreement, IDEM may offer a one-time twenty percent reduction (20%) to the Civil Penalty for 60 days after receipt of this Notice of Violation.

If an Agreed Order is not entered into, IDEM may proceed to issue a unilateral notice and order requiring compliance with the environmental laws, rules, and/or permit, including payment of a civil penalty. Please contact me at (317) 234-6951 or via email at [sgonzale@idem.IN.gov](mailto:sgonzale@idem.IN.gov) if you have any questions or if you wish to request a settlement conference.

Sincerely,



Shiela Gonzales, Case Manager  
Land Enforcement Section  
Compliance Branch  
Office of Land Quality

Enclosures

cc: Hancock County Health Department  
Loic Maniet, UST Compliance Technical Expert  
John Rozycki, UST Compliance Inspector  
IDEM Virtual File Cabinet



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Mike Braun  
Governor

Clint Woods  
Commissioner

## NOTICE OF VIOLATION

Dalvir Shermar, Member  
PB32 Oil LLC, Property and UST Owner  
12979 Dewitt Drive  
Fishers, IN 46037  
[posterxxon@yahoo.com](mailto:posterxxon@yahoo.com)

Pattar & Co. CPA, Inc., Registered Agent  
PB32 Oil LLC  
1455 E Southport Road, Suite A-1  
Indianapolis, IN 46227

Case No. 2025-30841-U

Pursuant to Indiana Code ("IC") 13-30-3-3, the Indiana Department of Environmental Management ("IDEM") issues this Notice of Violation. Based on an investigation including an inspection conducted on January 13, 2025, the Indiana Department of Environmental Management ("IDEM") has reason to believe that PB32 Oil LLC ("Respondent") violated an environmental rule. The violation is based on the following:

1. Respondent owns the Underground Storage Tank ("UST") systems, with UST Facility ID 50139, located at 625 W Broadway Street, parcel #30-02-16-200-001.006-017, in Fortville, Hancock County, Indiana (the "Site").
2. Respondent owns one (1) gasoline, one (1) diesel compartmented UST (C:1) and one (1) premium compartmented UST (C:2). The piping is unknown and exact attributes of the USTs are not known due to initial registration being not submitted.
3. Owner as defined in IC 13-11-2-150(a)(1)(A) means, for an UST that was in use on November 8, 1984 or brought into use after November 8, 1984 for the storage, use, or dispensing of regulated substances, a person who owns the UST or the real property that is the UST site, or both. According to the Hancock County Assessor's Office, Respondent is the owner of the Site.
4. A Violation Letter was issued to Respondent on March 12, 2025, which required Respondent to submit an Initial Registration/Notification form within seven (7) days of receipt of the Violation Letter. Respondent failed to respond to the Violation Letter.
5. Indiana has incorporated the majority of the federal UST regulations pursuant to 329 Indiana Administrative Code ("IAC") 1-1-1.
6. Pursuant to Pursuant to 329 Indiana Administrative Code ("IAC") 9-2-2(b), an owner required to submit a form under subsection (a)(1) shall provide the following information on a form approved by the Indiana archives and records administration for use by the department:

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

*We appreciate your input!*

Letterhead 8/21/16 012104



- (1) Facility name, type, location, and contact information.
- (2) Information on the owner and operator of the UST.
- (3) Ownership effective date.
- (4) Contact information for an individual at the facility if different than the owner or operator.
- (5) Owner and operator certification.
- (6) Source of financial responsibility.
- (7) Information on the deeded or active land contract property owner and certification, as applicable.
- (8) Information on the individual preparing the notification form.
- (9) Contractor information, including contractor certification and their Indiana department of homeland security, division of fire and building safety (or IDEM pursuant to P.L. 176-2023, Sec. 33, eff. 7/1/2023) certification number.
- (10) Indication whether the following actions have taken place:
  - (A) Installation has been inspected by a registered engineer and registration identification number provided.
  - (B) Manufacturer's installation checklists have been completed and included with the notification form submitted to the department.
  - (C) Installer has been certified by a tank and piping manufacturer.
  - (D) Work has been inspected by the Indiana department of homeland security, division of fire and building safety.
- (11) Name and contact information of potentially interested parties that the department may contact regarding the site.
- (12) A map of the facility site.
- (13) Identification of each UST at the facility.
- (14) Status of each UST and status date.
- (15) Information on:
  - (A) the substances currently or last stored in the UST;
  - (B) UST construction attributes;
  - (C) UST corrosion protection;
  - (D) piping construction and protection;
  - (E) UST and piping release detection; and
  - (F) spill and overflow prevention equipment.

As noted during the inspection Respondent failed to submit an initial registration/complete notification form with all required information.

In accordance with IC 13-30-3-3, the Commissioner herein provides notice that the violation may exist and offers an opportunity to enter into an Agreed Order providing for the action required to correct the violation and, as necessary and appropriate, for the payment of a civil penalty. The Commissioner is not required to extend this offer for more than sixty (60) days.

As provided in IC 13-30-3-3, an alleged violator may enter into an Agreed Order without admitting that the violation occurred. IDEM encourages settlement by Agreed Order, thereby resulting in quicker correction of the environmental violation and avoidance of extensive litigation. Timely settlement by Agreed Order may result in a reduced civil penalty. Also,

settlement discussions will allow the opportunity to present any mitigating factors that may be relevant to the violation.

If an Agreed Order is not entered into within sixty (60) days of receipt of this Notice of Violation, the Commissioner may issue a Notice and Order under IC 13-30-3-4 containing the action that must be taken to correct the violation and requiring the payment of an appropriate civil penalty. Pursuant to IC 13-23-14-3, the Commissioner may assess penalties of up to \$10,000 per day for each underground storage tank.

Please contact Shiela Gonzales at 317-234-6951 or [sgonzale@idem.IN.gov](mailto:sgonzale@idem.IN.gov) within fifteen (15) days after receipt of this Notice to discuss resolution of this matter.

For the Commissioner:



Lori Freeman, Branch Chief  
Compliance Branch  
Office of Land Quality

Date: October 23, 2025



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Mike Braun
Governor

Clint Woods
Commissioner

STATE OF INDIANA )
COUNTY OF MARION )
COMMISSIONER OF THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, )
Complainant, )
v. ) Case No. 2025-30841-U
PB32 OIL LLC, )
Respondent. )

AGREED ORDER

Complainant and Respondent 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. Respondent's entry into this Agreed Order shall not constitute a waiver of any defense, legal or equitable, which Respondent 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 Indiana Code ("IC") 13-13-1-1.
2. Respondent is PB32 Oil LLC ("Respondent"), which owns/operates the facility with Facility ID No. 50139, located at 625 W Broadway Street, in Fortville, Hancock County, Indiana ("Site").
3. Respondent owns the Underground Storage Tank ("UST") system(s), with UST Facility ID 50139, located at 625 W Broadway Street, Parcel # 30-02-16-200-001.006-017, in Fortville, Hancock County, Indiana (the "Site").



4. Respondent owns one (1) gasoline, one (1) diesel compartmented UST (C:1), one (1) premium compartmented UST (C:2), possibly installed at least since June 2023. The operator of the USTs and piping are unknown. Exact attributes and installation dates are not known due to initial registration not being submitted.
5. IDEM has jurisdiction over the parties and the subject matter of this action.
6. Pursuant to IC 13-30-3-3, IDEM issued a Notice of Violation ("NOV") via certified mail to:

Dalvir Sherma, Member  
PB32 Oil LLC  
12979 Dewitt Drive  
Fishers, IN 46037  
[postexxon@yahoo.com](mailto:postexxon@yahoo.com)

Pattar & Co. CPA, Inc., Registered Agent  
PB32 Oil LLC  
1455 E Southport Road, Suite A-1  
Indianapolis, IN 46227

7. During an investigation including an inspection on January 13, 2025, conducted by a representative of IDEM, the following violations were found:
  - a. Pursuant to 329 Indiana Administrative Code ("IAC") 9-2-2(b), an owner required to submit a form under subsection (a)(1) shall provide the following information on a form approved by the Indiana archives and records administration for use by the department:
    - (1) Facility name, type, location, and contact information.
    - (2) Information on the owner and operator of the UST.
    - (3) Ownership effective date.
    - (4) Contact information for an individual at the facility if different than the owner or operator.
    - (5) Owner and operator certification.
    - (6) Source of financial responsibility.
    - (7) Information on the deeded or active land contract property owner and certification, as applicable.
    - (8) Information on the individual preparing the notification form.
    - (9) Contractor information, including contractor certification and their Indiana department of homeland security, division of fire and building safety (or IDEM pursuant to P.L. 176-2023, Sec. 33, eff. 7/1/2023) certification number.
    - (10) Indication whether the following actions have taken place:
      - (A) Installation has been inspected by a registered engineer and registration identification number provided.
      - (B) Manufacturer's installation checklists have been completed and included with the notification form submitted to the department.
      - (C) Installer has been certified by a tank and piping manufacturer.
      - (D) Work has been inspected by the Indiana department of homeland security, division of fire and building safety.
    - (11) Name and contact information of potentially interested parties that the department may contact regarding the site.
    - (12) A map of the facility site.
    - (13) Identification of each UST at the facility.

- (14) Status of each UST and status date.
- (15) Information on:
  - (A) the substances currently or last stored in the UST;
  - (B) UST construction attributes;
  - (C) UST corrosion protection;
  - (D) piping construction and protection;
  - (E) UST and piping release detection; and
  - (F) spill and overflow prevention equipment.

As noted during the inspection Respondent failed to submit an initial registration/complete notification form with all required information.

- 8. Orders of the Commissioner are subject to administrative review by the Office of Administrative Law Proceedings under IC 4-21.5; however, in recognition of the settlement reached, Respondent acknowledges 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 Respondent. This Agreed Order shall have no force or effect until the Effective Date.
- 2. Respondent shall comply with the rule listed in the findings of fact above.
- 3. Within thirty (30) days of the Effective Date, Respondent shall comply with 329 IAC 9-2-2(b). Specifically, Respondent shall accurately complete the most recent version of the appropriate state form with required attachments and submit to IDEM via email to [USTRegistration@idem.IN.gov](mailto:USTRegistration@idem.IN.gov) and [sgonzale@idem.IN.gov](mailto:sgonzale@idem.IN.gov). Include a Facility ID# in the subject line and pdf file name of the email, so documents can be processed accordingly.
- 4. Within fifteen (15) days of notification from IDEM that the submitted form required in the immediately preceding paragraph is inadequate, Respondent shall submit a corrected form to be approved by IDEM. Stipulated penalties, as described below may be assessed for continued submittal of inadequate forms.
- 5. All submittals required by this Agreed Order, unless Respondent is notified otherwise in writing by IDEM, shall be sent to:

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

- 6. Pursuant to IC 13-30-4-1, Respondent is assessed and agrees to pay a civil penalty of Ten Thousand Dollars (\$10,000.00). After this Agreed Order is adopted (signed by the

Assistant Commissioner of the Office of Land Quality), Respondent 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, American Express, or Discover. Please visit <https://www.in.gov/idem/resources/e-services/online-payment-options/>. Under Transaction Item, choose Invoice 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 e-Check payments. The Case Number is required to complete the process.

For any questions or assistance regarding payments, please contact IDEM's Accounts Receivable Team at (317) 233-2394.

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

<u>Paragraph</u>	<u>Stipulated Penalty</u>
Order paragraph 3	\$100.00 per week
Order paragraph 4	\$100.00 per week

Stipulated penalties shall begin to be assessed on the date after the Effective Date and shall continue until the documentation is submitted as required by the associated paragraph.

8. Stipulated penalties shall be due and payable no later than the thirtieth day after Respondent receives written notice that Complainant has determined a stipulated penalty is due; at which time, a separate invoice will be issued. Complainant may notify Respondent at any time that a stipulated penalty is due. Failure to notify Respondent 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 Respondent for violation of this Agreed Order. Neither assessment nor payment of stipulated penalties shall preclude Complainant from seeking

- additional relief against Respondent 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.
9. In the event that the monies due to IDEM pursuant to this Agreed Order are not paid on or before their Due Date, Respondent 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 6, above.
  10. Signatories to this Agreed Order certify that they are fully authorized to execute this Agreed Order and legally bind the party they represent.
  11. This Agreed Order shall apply to and be binding upon Respondent and all successors and assigns. Respondent shall provide a copy of this Agreed Order, if in force, to any subsequent owners, successors, or assigns before ownership rights are transferred.
  12. No change in ownership, corporate, or partnership status of Respondent shall in any way alter the Respondent's status or responsibilities under this Agreed Order.
  13. Respondent shall ensure that all contractors, firms, and other persons performing work under this Agreed Order comply with the terms of this Agreed Order.
  14. 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.
  15. 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 Respondent pursuant to this Agreed Order, shall not in any way relieve Respondent of the obligation to comply with the requirements of any applicable permits or any applicable Federal or State laws or regulations.
  16. Complainant does not, by its approval of this Agreed Order, warrant or aver in any manner that Respondent's 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 Respondent may incur as a result of Respondent's efforts to comply with this Agreed Order.
  17. 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 violation specified in the NOV.
  18. 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 Respondent may

incur as a result of such communications with the U.S. EPA or any other agency or entity.

19. This Agreed Order shall remain in effect until IDEM issues a Resolution of Case letter to Respondent.

**REMAINDER OF PAGE LEFT BLANK INTENTIONALLY**

**TECHNICAL RECOMMENDATION:**  
Department of Environmental Management

**RESPONDENT:**  
PB32 Oil LLC

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

By: \_\_\_\_\_  
Printed: \_\_\_\_\_  
Title: \_\_\_\_\_

Date: 9/23/2025

Date: \_\_\_\_\_

**COUNSEL FOR RESPONDENT:**

By: \_\_\_\_\_  
Printed: \_\_\_\_\_  
Date: \_\_\_\_\_

APPROVED AND ADOPTED BY THE INDIANA DEPARTMENT OF ENVIRONMENTAL  
MANAGEMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

For the Commissioner:

\_\_\_\_\_  
Brian Wolff  
Assistant Commissioner  
Office of Land Quality

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INDIANAPOLIS, IN 46204

December 3, 2025, 12:33 pm

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Preparing for Delivery

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November 4, 2025

#### Arrived at USPS Regional Facility

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October 29, 2025, 7:54 pm

Feedback

[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)

[Text & Email Updates](#) \*

**USPS Tracking Plus®**

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\*

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**FAQs**