



# 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

December 17, 2025

Michael Ganz, President of  
USA Truck Stop, Inc., UST Owner  
And Operator  
120 Montana  
Beverly Shores, Indiana 46301  
[Mganz63@yahoo.com](mailto:Mganz63@yahoo.com)

Michael Ganz, Registered Agent for  
USA Truck Stop, Inc.  
863 E. Vera  
P.O. Box 694  
Beverly Shores, Indiana 46301

Michael Ganz, President of  
Westville Real Estate Company, LLC  
Property Owner  
P.O. Box 694  
Beverly Shores, Indiana 46301

Michael Ganz, Registered Agent  
Westville Real Estate Company, LLC  
806 E. Vera  
Beverly Shores, Indiana 46301

Dear Mr. Ganz:

Re: Notice of Final Settlement Offer  
Indiana Department of  
Environmental Management

v.

USA Truck Stop, Inc. and Westville Real Estate Company, LLC  
Case No. 2025-30756-U  
FID No. 18372  
Westville, LaPorte County

On July 16, 2025, the Indiana Department of Environmental Management (IDEM) issued to USA Truck Stop, Inc. and Westville Real Estate Company, LLC a Notice of Violation and proposed Agreed Order for the purpose of resolving the outstanding violations specified within the Notice of Violation.

The Notice of Violation was received by Michael Ganz on July 29, 2025. To date, IDEM has not received a response to the proposed Agreed Order to settle this enforcement action.

Please review the enclosed proposed Agreed Order, arrange signatures in the appropriate blocks on the signature page, and return the entire document, within 10 business days of issuance of this letter, to:

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

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

*We appreciate your input!*



La 06/01/2025 10:11:00 AM

Because more than sixty (60) days have passed since issuance of the Notice of Violation, IDEM is entitled to, pursuant to IC 13-30-3-3, issue a Notice and Order of the Commissioner, as described in Ind. Code § 13-30-3-4, to USA Truck Stop, Inc. and Westville Real Estate Company, LLC at any time. It should be understood that the civil penalty for purposes of a Notice and Order of the Commissioner will be assessed pursuant to IDEM's Civil Penalty Rule, 329 IAC 1-3.

If you have any questions regarding this notice, please contact Jodi Pisula, Senior Environmental Manager, Land Enforcement Section, at 317-234-5208 or via email at [jpisula@idem.IN.gov](mailto:jpisula@idem.IN.gov).

Sincerely,



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

Enclosure

cc: LaPorte County Health Department  
Loic Maniet, UST Compliance Technical Expert  
Adam James, UST Compliance Inspector  
Michele Murday Pariso, Director, NWRO  
Charles Breitenfeldt, Deputy Director, NWRO  
IDEM Virtual File Cabinet



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**Mike Braun**  
*Governor*

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*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. 2025-30756-U
	)	
USA TRUCK STOP, INC. AND WESTVILLE	)	
REAL ESTATE COMPANY, LLC,	)	
	)	
	)	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 Indiana Code (“IC”) 13-13-1-1.
2. Respondent USA Truck Stop, Inc. owns and operates Underground Storage Tank (“UST”) systems, with UST Facility ID 18372, located at 9954 S. Flynn Road in Westville, LaPorte County, Indiana (the “Site”).
3. Respondent Westville Real Estate Company, LLC owns parcel #46-09-28-352-002.000-028 located at the Site. The UST systems are installed at the Site.



4. Respondents own and operate two (2) 10,000-gallon regular unleaded (“RUL”) USTs which are manifolded, the second tank being a drone tank (tank connected via suction/siphon line to another tank), one (1) 10,000-gallon premium unleaded (“PUL”) UST, and two (2) 12,000-gallon diesel USTs which are manifolded, the second tank being a drone tank (tank connected via suction/siphon line to another tank). All USTs are steel, upgraded to impressed current cathodic protection (“ICCP”) in 2009. The piping is single walled, fiberglass, and pressurized.
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”) on July 16, 2025 via certified mail to:

Michael Ganz, President  
USA Truck Stop, Inc., UST Owner  
And Operator  
120 Montana  
Beverly Shores, Indiana 46301  
[Mganz63@yahoo.com](mailto:Mganz63@yahoo.com)

Michael Ganz, Registered Agent  
USA Truck Stop, Inc.  
863 E. Vera  
P.O. Box 694  
Beverly Shores, Indiana 46301

Michael Ganz, President  
Westville Real Estate Company, LLC  
Property Owner  
P.O. Box 694  
Beverly Shores, Indiana 46301

Michael Ganz, Registered Agent  
Westville Real Estate Company, LLC  
806 E. Vera  
Beverly Shores, Indiana 46301

7. Indiana has incorporated the majority of the federal UST regulations pursuant to 329 Indiana Administrative Code (“IAC”) 1-1-1.
8. During an investigation including an inspection on January 26, 2024, conducted by a representative of IDEM, the following violations were found:
  - a. Pursuant to 329 IAC 9-2-2(c), an owner and operator required to submit a form under subsection (a)(2) shall provide all the information required in subsection (b) on a form approved by the Indiana archives and records administration for use by the department and shall indicate the type of notification on the form.  
  
As noted during the inspection, Respondents failed to submit a complete notification form with all required information including correct ICCP install date, correct overfill prevention method, correct UST system configuration, and status of diesel drone UST was not provided.
  - b. Pursuant to 40 Code of Federal Regulations (“CFR”) 280.31(c), UST systems with impressed current cathodic protection systems must also be inspected every 60 days to ensure the equipment is running properly.  
  
As noted during the inspection, Respondents failed to inspect the impressed current cathodic protection system every 60 days as required. Specifically, the

rectifier log was not provided.

- c. Pursuant to 40 CFR 280.20(c)(1)(i), to prevent spilling and overfilling associated with product transfer to the UST system, owners and operators must use the following spill and overfill prevention equipment:

- (i) Spill prevention equipment that will prevent release of product to the environment when the transfer hose is detached from the fill pipe (for example, a spill catchment basin).

As noted during the inspection, Respondents failed to maintain appropriate spill prevention equipment. Specifically, liquid was observed in the RUL satellite and PUL spill buckets preventing the equipment from performing as designed in the event of a spill during product delivery. The diesel satellite spill bucket was also observed to be cracked.

Documentation submitted May 12, 2025 showing that the RUL N, RUL S, and PUL spill buckets failed testing dated March 11, 2024.

- d. Pursuant to 40 CFR 280.20(c)(1)(ii), to prevent spilling and overfilling associated with product transfer to the UST system, owners and operators must use the following spill and overfill prevention equipment:

- (ii) Overfill prevention equipment that will:
- (A) Automatically shut off flow into the tank when the tank is no more than 95 percent full; or
  - (B) Alert the transfer operator when the tank is no more than 90 percent full by restricting the flow into the tank or triggering a high-level alarm; or
  - (C) Restrict flow 30 minutes prior to overfilling, alert the transfer operator with a high-level alarm one minute before overfilling, or automatically shut off flow into the tank so that none of the fittings located on top of the tank are exposed to product due to overfilling.

As noted during the inspection, Respondents failed to properly maintain appropriate overfill prevention equipment. Specifically, there is a history of ball float valves ("BFV"), and automatic shutoff ("ASD") was observed with no indication that the ASD was adjusted properly to account for possible interference by the BFV.

- e. Pursuant to 40 CFR 280.43(d), equipment for automatic tank gauging that tests for the loss of product and conducts inventory control must meet the following requirements:

- (1) The automatic product level monitor test can detect a 0.2 gallon per hour leak rate from any portion of the tank that routinely contains product;
- (2) The automatic tank gauging equipment must meet the inventory control (or other test of equivalent performance) requirements of § 280.43(a); and
- (3) The test must be performed with the system operating in one of the following modes:
  - (i) In-tank static testing conducted at least once every 30 days; or

- (ii) Continuous in-tank leak detection operating on an uninterrupted basis or operating within a process that allows the system to gather incremental measurements to determine the leak status of the tank at least once every 30 days.

As noted during the inspection, Respondents failed to perform automatic tank gauging in accordance with applicable requirements. Specifically, UST values were improperly programmed for exact tank volumes as opposed to being programmed according to the tank charts.

- f. Pursuant to 40 CFR 280.35(a)(2), overfill prevention equipment must be inspected at least once every three years. At a minimum, the inspection must ensure that overfill prevention equipment is set to activate at the correct level specified in § 280.20(c) and will activate when regulated substance reaches that level. Inspections must be conducted in accordance with one of the criteria in paragraph (a)(1)(ii)(A) through (C) of this section.

As noted during the inspection, Respondents failed to inspect overfill prevention equipment at least once every three years.

- g. Pursuant to 40 CFR 280.34(a)(3), owners and operators must submit the following information to the implementing agency: reports of all releases including suspected releases (§ 280.50), spills and overfills (§ 280.53) and confirmed releases (§ 280.61).

As noted during the inspection, Respondents failed to submit to IDEM required release reports where an active high-water alarm for the RUL drone and PUL USTs was noted. An inventory report dated January 24, 2024 showed the PUL with 0.87 inches of high water and the diesel master at 1.24 inches of high water. The RUL UST showed no water within the UST. An inventory report dated January 26, 2024 showed the RUL drone at 2.04 inches of high water, the PUL at 0.87 inches of high water, the diesel main at 1.24 inches of high water, and the diesel drone at 0.8 inches of high water. The diesel dispenser UDCs contained approximately 30 inches of product per fuel reactive paste, which is above penetration point.

Documentation submitted on May 12, 2025 showing passing tank tightness testing (“TTT”) for only the RUL S UST.

- h. Pursuant to 40 CFR 280.34, owners and operators of UST systems must cooperate fully with inspections, monitoring and testing conducted by the implementing agency, as well as requests for document submission, testing, and monitoring by the owner or operator pursuant to section 9005 of Subtitle I of the Solid Waste Disposal Act, as amended.

As noted during the inspection, Respondents failed to submit the documentation requested by IDEM’s November 23, 2022 letter as required.

9. 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, Respondents acknowledge notice of this right and waive 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 rules listed in the findings of fact above.
3. Effective immediately, Respondents shall comply with 40 CFR 280.34. Specifically, Respondents shall cooperate fully with inspections, monitoring and testing conducted by the implementing agency, as well as requests for document submission, testing, and monitoring by the owner or operator pursuant to section 9005 of Subtitle I of the Solid Waste Disposal Act, as amended.
4. Within thirty (30) days of the Effective Date, Respondent[s] shall comply with 329 IAC 9-2-2(c) and 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 [jpisula@idem.IN.gov](mailto:jpisula@idem.IN.gov). Include a Facility ID# in the subject line and pdf file name of the email, so documents can be processed accordingly.
5. 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.
6. Within thirty (30) days of the Effective Date, Respondents shall comply with 40 CFR 280.31(c). Specifically, Respondents shall submit the required documents or have the UST systems fully inspected by a qualified cathodic protection tester and submit the documentation and/or results to the IDEM case manager at the address specified below.
7. Within thirty (30) days of the Effective Date, Respondents shall comply with 40 CFR 280.20(c)(1)(i). Specifically, Respondents shall contract with an appropriately certified contractor to install or replace absent or substandard spill prevention equipment and submit the documentation and/or results to the IDEM case manager at the address specified below.
8. Within thirty (30) days of the Effective Date, Respondents shall comply with 40 CFR 280.20(c)(1)(ii). Specifically, Respondents shall contract with an appropriately certified contractor to install or replace absent or substandard overfill prevention equipment after consulting IDEM Fact Sheet “Coincident Use of Overfill Prevention Devices in Underground Storage Tanks”, available at:

[https://www.in.gov/idem/files/factsheet\\_olq\\_ust\\_overfill-prevention.pdf](https://www.in.gov/idem/files/factsheet_olq_ust_overfill-prevention.pdf) and submit the documentation and/or results to the IDEM case manager at the address specified below.

9. Within thirty (30) days of the Effective Date, Respondents shall comply with 40 CFR 280.43(d). Specifically, Respondents shall have any UST system found to have had automatic tank gauging not performing to the standard tightness tested by a contractor with appropriate certification and submit the documentation and/or results to the IDEM case manager at the address specified below.
10. Within thirty (30) days of the Effective Date, Respondents shall comply with 40 CFR 280.35(a)(2). Specifically, Respondents shall contract with an appropriately certified contractor to inspect, repair and test all overfill prevention equipment in accordance with a standard of practice referenced in the rule and submit the documentation and/or results to the IDEM case manager at the address specified below.
11. Within thirty (30) days of the Effective Date, Respondents shall comply with 40 CFR 280.34(a)(3). Specifically, Respondents shall submit all required release reports to the IDEM case manager at the address specified below.
12. All submittals required by this Agreed Order, unless Respondent is notified otherwise in writing by IDEM, shall be sent to:

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

13. Pursuant to IC 13-30-4-1, Respondents are assessed and agree to pay a civil penalty of Twenty-Four Thousand One Hundred Dollars (\$24,100.00), 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, 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.

14. 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:

<b><u>Paragraph</u></b>	<b><u>Stipulated Penalty</u></b>
Order paragraph #4	\$100.00 per week
Order paragraph #5	\$100.00 per week
Order paragraph #6	\$100.00 per week
Order paragraph #7	\$100.00 per week
Order paragraph #8	\$100.00 per week
Order paragraph #9	\$100.00 per week
Order paragraph #10	\$100.00 per week
Order paragraph #11	\$500.00 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.

15. 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 the 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.
16. 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 13 above.
17. Signatories to this Agreed Order certify that they are fully authorized to execute this Agreed Order and legally bind the party they represent.

18. 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.
19. No change in ownership, corporate, or partnership status of Respondents shall in any way alter the Respondents' status or responsibilities under this Agreed Order.
20. Respondents shall ensure that all contractors, firms, and other persons performing work under this Agreed Order comply with the terms of this Agreed Order.
21. 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.
22. 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.
23. 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.
24. 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.
25. 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.
26. This Agreed Order shall remain in effect until IDEM issues a Resolution of Case letter to Respondents.

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USA Truck Stop, Inc. and Westville Real Estate Company, LLC

Case No. 2025-30756-U

Page 9

**TECHNICAL RECOMMENDATION:**  
Department of Environmental Management

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

Date: 12/17/2025

**RESPONDENT:**  
USA Truck Stop, Inc.

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

**COUNSEL FOR RESPONDENT:**

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

**RESPONDENT:**  
Westville Real Estate Company, LLC

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