



## Indiana Department of Environmental Management

*We Protect Hoosiers and Our Environment.*

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**Eric J. Holcomb**  
*Governor*

**Brian Rockensuess**  
*Commissioner*

June 25, 2024

Via Certified Mail: 7002 0510 0002 7966 6753

Mr. Tony Pearson, Commander  
American Legion Lapel Post 212  
1600 Main Street  
P.O. Box 789  
Lapel, Indiana 46051

Dear Mr. Pearson:

**Re: Inspection Summary/ Noncompliance Letter**  
American Legion Lapel Post #212  
Lapel, Madison County

An inspection of the above-referenced facility or location was conducted by a representative of the Indiana Department of Environmental Management, Office of Water Quality, pursuant to IC 13-18-3-9. A summary of the inspection is provided below:

Date(s) of Inspection: June 20, 2024  
Type of Inspection: Complaint Investigation  
Inspection Results: Violations were observed.

The following concerns were noted:

A complaint report was received by IDEM that stated: "American Legion in Lapel for several years has been dumping their used cooking oil onto neighboring GetGo Convenience Store's property; they were told not to, but continue to do so; now you can see the oil in the ditch".

At the site, it was observed that pollutant-bearing waters, which appeared to contain fryer oil/grease had been dumped onto the ground at the edge of the American Legion's parking lot, and which had flowed onto the GetGo's property, including a roadside ditch that discharges to a storm drain. The water had evaporated, leaving obvious grease residue on the ground, and lawn grass had been killed in the area. (See Attached Photos).

The inspector spoke with Tony Pearson, Commander of American Legion Lapel Post #212. Mr. Pearson stated that kitchen workers at the Legion had cleaned out a deep fryer and had dumped the wash water. It was verified that Mr. Pearson had told Heather Fritch, GetGo Manager, that he would clean up the wash water residue from the ground, and Ms. Fritch indicated that she believed that he would do so.

This condition is a violation of IC 13-30-2-1, which states that:

A person may not do any of the following:

1. Discharge, emit, cause, allow, or threaten to discharge, emit, cause, or allow any contaminant or waste, including any noxious odor, either alone or in combination with contaminants from other sources, into: (A) the environment; or (B) any publicly owned treatment works; in any form that causes or would cause pollution that violates or would violate rules, standards, or discharge or emission requirements adopted by the appropriate board under the environmental management laws.
2. Increase the quantity or strength of a discharge of contaminants into the waters or construct or install a sewer or sewage treatment facility or a new outlet for contaminants into the waters of Indiana without prior approval of the department.
3. Deposit any contaminants upon the land in a place and manner that creates or would create a pollution hazard that violates or would violate a rule adopted by one of the boards.
3. Deposit or cause or allow the deposit of any contaminants or solid waste upon the land, except through the use of sanitary landfills, incineration, composting, garbage grinding, or another method acceptable to the solid waste management board.

Within 30 days of receipt of this letter, a written detailed response documenting correction of the concerns listed above and/or a plan for assuring future compliance must be submitted to this office. Failure to respond adequately to this letter may result in formal enforcement action. Please direct your response to this letter to our letterhead address or via email to [wwViolationResponse@idem.IN.gov](mailto:wwViolationResponse@idem.IN.gov). Any questions should be directed to Andy Schmidt at 317-691-1905 or by email to [atschmid@idem.IN.gov](mailto:atschmid@idem.IN.gov). Thank you for your attention to this matter.

Sincerely,

Handwritten signature of Kim Rohr in black ink, consisting of stylized initials 'KR' followed by a surname 'Rohr'.

Kim Rohr, Chief  
Wastewater Inspection Section  
Office of Water Quality

Enclosure

Cc: Heather Fritch, GetGo Manager

# Inspection Photographs



Facility: <b>American Legion Lapel Post #212</b>
Photographer: <b>Andy Schmidt</b>
Date: 6/20/2024      Time:
Others Present:
Location/Description: This photo shows the corner of the American Legion parking lot where the polluted water had been dumped.



Facility: <b>American Legion Lapel Post #212</b>
Photographer: <b>Andy Schmidt</b>
Date: 6/20/2024      Time:
Others Present:
Location/Description: This photo showed where the polluted water pooled and evaporated, leaving oil & grease residue on the ground.



Facility: <b>American Legion Lapel Post #212</b>
Photographer: <b>Andy Schmidt</b>
Date: 6/20/2024      Time:
Others Present:
Location/Description: This photo shows where the polluted water flowed onto the GetGo's lawn, and into the roadside ditch that flows into a storm drain.