



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

, June

AT & T Communications of Indiana, Inc.
c/o CT Corporation System
334 N Senate Ave
Indianapolis, IN 46204

AT & T Communications of Indiana, Inc.
Attn: Deronica Lamb
Via email: dr1429@att.com

Re: Violation Letter
N20338
112 W North St
Indianapolis, Marion County
UST Facility ID # **16243**

Dear Owner and Operator:

An inspector from the Indiana Department of Environmental Management (IDEM), Underground Storage Tank (UST) Section, conducted an inspection of the site referenced above on June 12, 2024.

The inspection was conducted pursuant to Indiana Code (IC) 13-14-2-2 to determine compliance with the provisions of IC 13-23 and 329 IAC 9. In accordance with IC 13-14-5, a summary of the inspection is provided below:

Type of Inspection: Initial

Results of Inspection: Violations were discovered and require a submittal.

Within thirty (30) days of receipt of this letter, documentation demonstrating compliance with each of the requirements listed in the attached Inspection Report and Description of Violations (DOV) must be submitted to IDEM. Failure to submit this documentation may lead to this facility being referred for enforcement.

An enforcement action may include civil penalties of up to \$10,000 per UST. Enforcement actions may also affect the owner's and/or operator's eligibility for reimbursement from the Excess Liability Trust Fund (ELTF). Additionally, IDEM may deem the USTs at this facility ineligible for delivery, deposit or acceptance of regulated substances pursuant to IC 13-23-1-4. Finally, federal and criminal penalties may apply for failure to provide required notification; or submitting false information pursuant to IC 13-23-14-2 and liable under IC 13-30-10.

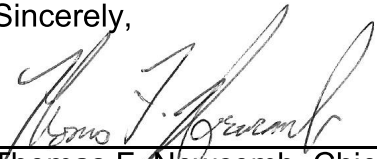
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at USTCompliance@idem.in.gov. Include in the subject line of the response the UST Facility ID # **16243**.

Inspector: Danny Rice
Phone: (317) 646-5160

Direct any questions regarding the inspection to:

Compliance Manager: Loic Maniet
Phone: (317) 232-3592

Sincerely,



Thomas F. Newcomb, Chief
UST Compliance Section
Office of Land Quality

cc: Loic Maniet
Danny Rice
UST Facility ID File # 16243

DESCRIPTION OF VIOLATIONS

This inspection or records review revealed that the owner and/or operator of this facility is in violation of Indiana UST Rule 329 IAC 9. 329 Indiana Administrative Code (“IAC”) 9 incorporates certain federal underground storage tank requirements found in 40 Code of Federal Regulations (“CFR”) Part 280, including those identified below. The Description of Violations (DOV) and corrective measures are as follows:

FACILITY NAME: N20338	UST FACILITY ID: 16243
ADDRESS: 112 W North St Indianapolis IN 46204 Marion County	INSPECTION DATE: 06/12/2024

VIOLATIONS NOTED IN THIS INSPECTION

329 IAC 9-2-2(c) – Failure to register/notify with complete information

Citation:

Pursuant to 329 IAC 9-2-2(c), an owner required to submit a notification under this section shall provide:

- (1) a notification for each UST owned;
- (2) complete information required on the form for each UST owned; and
- (3) if applicable, a separate notification form for each separate place of operation at which the USTs are located.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because, based on the inspection, the piping is not a true double walled piping and interstitial monitoring would not qualify as a primary release detection method. Therefore, an updated notification form with line tightness test as the primary release detection method as required for an American Suction system is needed.

Corrective Action:

The owner and/or operator of the UST systems at this site shall fill out and submit to IDEM a correct and complete copy of the appropriate state form with required attachments, within fifteen (15) days of receipt of this notice.

§ 280.41(a)(1) – Failure to monitor tanks every 30 days if installed before 9/2/2009

Citation:

Pursuant to 40 CFR 280.41(a)(1), considering previous Indiana rule at 329 IAC 9-3-1.3 (repealed 2018), tanks installed on or before September 2, 2009 must be monitored for releases at least every 30 days using one of the methods listed in § 280.43(d) through (i).

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because twelve (12) months of interstitial monitoring records for the UST were not provided.

Corrective Action:

The owner and/or operator of the UST systems at this site shall have any UST or line that contains a regulated amount of product and found to not have been monitored every thirty (30) days tightness tested within thirty (30) days of receipt of this notice and submit the results within forty five (45) days of receipt of this notice. The owner and/or operator shall continue to perform proper monthly release detection and submit the results monthly for a period of six (6) months after the receipt of this notice.

The information contained on this page is based upon a review of files related to this site and/or observations from an underground storage tank inspector. This page may contain information not specifically related to possible violations found during the review or inspection and is meant to give the owners and/or operator specific information to assist them.

Site Maintains:

- One (1) 6K FG DW UST (re-tanked 7/9/1997) originally installed in January 1986
- Piping is FG DW and AM suction (could be copper through a chase)

RD UST = ATG, INT

RD Piping = INT

Overfill/Spill = Spill Buckets + Alarm (consistent)

ATG Certification = N

Overfill Protection Test = N

Spill bucket Test = N

Containment Sumps Test (Required since INT primary) = N

UST has a remote fill port locate in the sidewalk (next to fence) - UST is on the other side of fence (under metal grid) (located along Emmett St)

Site History:

Site is an AT&T Facility with a UST for generator. One (1) 6K was closed in place in 1997 (Closure Report in VFC) but the other UST had "tank" built in it so it could be converted to an actual double walled UST in 1997. At this time, it is unclear if the outer shell was utilized as the secondary layer or not. If not, the install date would remain 1986. If a true tank in a tank system, the install date would be 1997. From the last inspection in 2020, the concrete above the UST appeared to be sinking with a major crack.

Contact Information

Deronica Lamb, dr1429@att.com

Documentation not provided at the time of the file review:

- (NF 6/17/2015, Approval 12/15/2015 - could not locate)
- Operator Certificates
- Release Detection Records INT (UST and piping)
- ATG/Sensor test
- Spill bucket, Sump test
- Overfill test
- Monthly walkthrough
- Annual inspection

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CM Note:

-Main line is a copper line within a chase and not an actual double walled piping. Therefore, interstitial monitoring records for the piping would not qualify as a valid form of release detection for this system.

- Based on data provided, the UST is a true double walled UST which appear to utilize the existing shell as the outer wall. Therefore, the original install date of the UST is still applicable.

- The main UST did not appear to have an active fill port. The system is utilizing the remote fill port.

- The RD records provided did not clearly indicate the type of release detection method (0.2 gph???)

The following are AREAS OF CONCERN found during the inspection that will need to be addressed by the owner and/or operator:

- Concrete outside the UST area is cracked and sinking. The remote fill port is located on the outside concrete slab and could sustain damage if the concrete continues to sink.

The following are VIOLATIONS discovered during the inspection that will need to be corrected within 30 days of receipt of this inspection report to avoid further action and achieve compliance with the state underground storage tank program:

1) Updated notification form with correct piping information is needed. (Piping is not double walled, Line tightness testing is required as primary for American Suction system)

2) 12 months of interstitial monitoring records for tank was not provided.

The following are RECORDS to be submitted to the inspector within 30 days of receipt of this inspection report to avoid further action and achieve compliance with the state underground storage tank program (update accordingly):

- Updated Notification form

- Release Detection Records INT UST