



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

July 2, 2024

Prince Petroleum Inc
Attn: Daljit Singh, Registered Agent
8858 Doubletree Drive N
Crown Point, IN 46307

Crystal Foods Corporation
Attn: Zahid Iqbal, Registered Agent
12440 Pennsylvania Pl
Crown Point, IN 46307

Re: Violation Letter
Crystal Food Corporation
6851 Broadway
Merrillville, Lake County
UST Facility ID # **22613**

Dear Messrs. Singh and Iqbal:

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 20, 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.

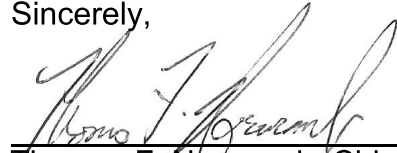
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at USTCompliance@idem.in.gov. Include in the subject line of the response the UST Facility ID # **22613**.

Inspector: Todd Settles
Phone: (219) 314-1653

Direct any questions regarding the inspection to:

Compliance Manager: Jordan Ware
Phone: (317) 232-2045

Sincerely,



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

cc: Jordan Ware
Todd Settles
UST Facility ID File # 22613
Crystal Food Corporation
Attn: Zahid Iqbal
Via email: crystalfd@yahoo.com

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: Crystal Food Corporation

UST FACILITY ID: 22613

ADDRESS: 6851 Broadway
Merrillville, IN 46410
Lake County

INSPECTION DATE: 6/20/2024

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 a notification form with updated property owner information is needed in section 'I'.

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(b)(1)(i)(B) – Failure to perform annual piping LTT or monthly monitoring

Citation:

Pursuant to 40 CFR 280.41(b)(1)(i)(B), pressurized underground piping installed on or before April 11, 2016 (previously cited as September 2, 2009 under 329 IAC 9-2-1(2)(D)) that routinely contains regulated substances must have an annual line tightness test conducted in accordance with § 280.44(b) or have monthly monitoring conducted in accordance with § 280.44(c).

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because line tightness testing or twelve (12) months of piping release detection records were not provided.

Corrective Action:
The owner and/or operator of the UST systems at this site shall have any piping that contains a regulated amount of product and found to not have had appropriate monthly monitoring or an annual line tightness test within the 12 months prior to inspection 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.

§ 280.20(b) – Failure to install, design, construct or protect piping from corrosion
Citation:
Pursuant to 40 CFR 280.20(b), the piping that routinely contains regulated substances and is in contact with the ground must be properly designed, constructed, and protected from corrosion in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory.
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because piping metal connectors and flex connectors are in contact with soil under all dispensers without a clear form of corrosion protection.</i>
Corrective Action:
The owner and/or operator of the UST systems at this site shall, within fifteen (15) days of receipt of this notice, contract with a certified contractor to determine if the piping or metal components in contact with the ground are substandard and what steps will be taken to provide corrosion protection. The UST owner and/or operator must inform IDEM of the proposed work within thirty (30) days of receipt of this notice and receive approval before completing the work. The work must be completed within forty five (45) days of receipt of this notice. If the piping or metal components are determined to be substandard, the UST owner and/or operator shall immediately notify IDEM of their intent to remove or replace the affected components.

§ 280.40(a)(3)(iii) – Failure to perform annual tests of ALLD
Citation:
Pursuant to 40 CFR 280.40(a)(3)(iii), owners and operators of UST systems must provide a method, or combination of methods, of release detection that beginning on October 13, 2018, is operated and maintained, and electronic and mechanical components are tested for proper operation, in accordance with one of the following: manufacturer’s instructions; a code of practice developed by a nationally recognized association or independent testing laboratory; or requirements determined by the implementing agency to be no less protective of human health and the environment than the two options listed in paragraphs (a)(1) and (2) of this section. A test of the proper operation must be performed at least annually and, at a minimum, as applicable to the facility, cover the following components and criteria: (iii) Automatic line leak detector: test operation to meet criteria in § 280.44(a) by simulating a leak.
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because leak detector testing was not provided.</i>
Corrective Action:
The owner and/or operator of the UST systems at this site shall have the automatic line leak detectors tested for proper operation by simulating a leak within thirty (30) days of receipt of this notice and submit the results within forty five (45) days of receipt of this notice.

§ 280.40(a)(3)(i) – Failure to perform annual tests of ATG
Citation:
Pursuant to 40 CFR 280.40(a)(3)(i), owners and operators of UST systems must provide a method, or combination of methods, of release detection that beginning on October 13, 2018, is operated and maintained, and electronic and mechanical components are tested for proper operation, in accordance with one of the following: manufacturer’s instructions; a code of practice developed by a nationally recognized association or independent testing laboratory; or requirements determined by the implementing agency to be no less protective of human health and the environment than the two options listed in paragraphs (a)(1) and (2) of this section. A test of the proper operation must be performed at least annually and, at a minimum, as applicable to the facility, cover the following components and criteria: (i) Automatic tank gauge and other controllers: test alarm; verify system configuration; test battery backup.
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because ATG functionality testing was not provided.</i>
Corrective Action:
The owner and/or operator of the UST systems at this site shall have all components of the automatic tank gauge or other controllers tested for proper operation within thirty (30) days of receipt of this notice and submit the results within forty five (45) days of receipt of this notice.

§ 280.40(a)(3)(ii) – Failure to perform annual tests of probes & sensors
Citation:
Pursuant to 40 CFR 280.40(a)(3)(ii), owners and operators of UST systems must provide a method, or combination of methods, of release detection that beginning on October 13, 2018, is operated and maintained, and electronic and mechanical components are tested for proper operation, in accordance with one of the following: manufacturer’s instructions; a code of practice developed by a nationally recognized association or independent testing laboratory; or requirements determined by the implementing agency to be no less protective of human health and the environment than the two options listed in paragraphs (a)(1) and (2) of this section. A test of the proper operation must be performed at least annually and, at a minimum, as applicable to the facility, cover the following components and criteria: (ii) Probes and sensors: inspect for residual buildup; ensure floats move freely; ensure shaft is not damaged; ensure cables are free of kinks and breaks; test alarm operability and communication with controller.
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because probes functionality testing was not provided.</i>
Corrective Action:
The owner and/or operator of the UST systems at this site shall have all components of the automatic tank gauging probes tested for proper operation within thirty (30) days of receipt of this notice and submit the results within forty five (45) days of receipt of this notice.

§ 280.43(d) – Failure to perform Automatic Tank Gauging to standard
Citation:
<p>Pursuant to 40 CFR 280.43(d), as incorporated, equipment for automatic tank gauging that tests for the loss of product and conducts inventory control must meet the following requirements:</p> <ul style="list-style-type: none">(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:<ul style="list-style-type: none">(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.
Violation Details:
<p><i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because the ATG does not appear to be programmed to the standard volumes as it has the tanks programmed to a higher volume than what is expected for fiberglass tanks.</i></p>
Corrective Action:
<p>The owner and/or operator of the UST systems at this site shall have any UST system found to have had automatic tank gauging not performed to the standard 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 of the UST systems at this site shall have a certified contractor inspect, reprogram, repair or otherwise correct the deficiencies of the automatic tank gauging system within thirty (30) days of receipt of this notice and submit the results within forty five (45) days of receipt of this notice.</p>

§ 280.35(a)(2) – Failure to perform periodic testing of overfill prevention equipment
Citation:
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.
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because overfill testing was not provided.</i>
Corrective Action:
The owner and/or operator of the UST systems at this site shall, within thirty (30) days of receipt of this notice, contract with a certified contractor to inspect, repair and test all overfill prevention equipment. Documentation, to include photographs, inspection, repair, measurements and testing results, showing the overfill prevention equipment is fully functional and set at the correct level must be submitted within forty five (45) days of the receipt of this notice.

§ 280.36(a)(1)(ii) – Failure to perform annual walkthrough inspections
Citation:
Pursuant to 40 CFR 280.36(a)(1)(ii), to properly operate and maintain UST systems, not later than June 28, 2021 owners and operators must conduct a walkthrough inspection annually that, at a minimum, checks containment sumps and hand held release detection equipment.
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because an annual walkthrough was not provided.</i>
Corrective Action:
The owner and/or operator of the UST systems at this site shall, within seven (7) days of receipt of this notice, perform the annual walkthrough inspection for all UST systems at the site in accordance with a standard of practice referenced in the rule. Documentation, to include photographs, inspection forms, repair documents, and waste disposal records, showing the walkthrough inspection has been completed must be submitted within forty five (45) days of the receipt of this notice.

§ 280.245 – Failure to maintain list of designated operators and/or training records
Citation:
Pursuant to 40 CFR 280.245, owners and operators of underground storage tank systems must maintain a list of designated Class A, Class B, and Class C operators and maintain records verifying that training and retraining, as applicable, have been completed, in accordance with § 280.34.
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because documentation for the operator C certification that ensures that the course from JMM Management Group LLC covers all required information by the federal rule is needed.</i>
Corrective Action:
The owner or operator of the UST systems at this site shall submit a list of those employees designated to be Class A, Class B and Class C operators. Those so designated must be trained and certification of that training submitted within thirty (30) days of receipt of this notice.



**UNDERGROUND STORAGE
TANK INSPECTION REPORT**

INDIANA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

UST FAC ID: **22613**

Inspector's Name:	Todd Settles
Date:	June 20, 2024
Time In:	09:00
Time Out:	10:30
Inspection Type:	Initial

FACILITY NAME / LOCATION

FACILITY NAME Crystal Food Corporation		FACILITY ADDRESS (number and street) 6851 Broadway			
ADDRESS (line 2)	CITY Merrillville	STATE IN	ZIP CODE 46410	COUNTY Lake	

UST OWNER

UST Owner Name (If in Individual Capacity) Crystal Foods Corporation				BUSINESS ID (From the Secretary of State) 1994061505	
PREFIX Mr.	FIRST NAME Zahid	MI	LAST NAME Iqbal	SUFFIX	
TELEPHONE NUMBER (219) 588-4606		EMAIL ADDRESS crystalfd@yahoo.com			

UST OPERATOR

UST Operator Name (If in Individual Capacity) Crystal Foods Corporation				BUSINESS ID (From the Secretary of State) 1994061505	
PREFIX Mr.	FIRST NAME Zahid	MI	LAST NAME Iqbal	SUFFIX	
TELEPHONE NUMBER (219) 588-4606		EMAIL ADDRESS crystalfd@yahoo.com			

PROPERTY OWNER

UST Property Owner Name (If in Individual Capacity) Prince Petroleum Inc				BUSINESS ID (From the Secretary of State) 201805111257701	
PREFIX Mr.	FIRST NAME Daljit	MI	LAST NAME Singh	SUFFIX	
TELEPHONE NUMBER		EMAIL ADDRESS			

COMPLIANCE ELEMENTS

All USTs properly registered and up-to-date notification form on file	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK
Notification Form needs updated property owner information						
O/O is in compliance with reporting & record keeping requirements	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK
O/O is in compliance with release reporting or investigation						
<input type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>	N/A	UNK
O/O is in compliance with all UST closure requirements	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	UNK
O/O has met all financial responsibility requirements						
<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	UNK
40 CFR 280, Subpart A installation requirements (partially excluded) met						
<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	<input type="checkbox"/>	UNK
Piping metal connectors and flex connectors in contact with soil in all UDCs with no CP in place						
40 CFR 280, Subpart C spill/overflow control requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	UNK
40 CFR 280, Subpart C compatibility requirements met						
<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	UNK
40 CFR 280, Subpart C O&M and testing requirements met						
<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	<input type="checkbox"/>	UNK
Overfill testing, monthly/annual walkthroughs were not provided						
40 CFR 280, Subpart D release detection requirements met	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK
ATG/probes, line tightness, leak detector testing was not provided						
40 CFR 280, Subpart J operator training requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	UNK

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:

- Three (3) FG SW USTs installed in June 2007
- One (1) 10K REG (Primary)
- One (1) 6K REG (Drone)
- One (1) 6K PREM
- Piping is FG SW and pressurized

RD UST = ATG

RD Piping = LLD, LTT, ATG

Overfill/Spill = Spill Buckets + Ball Float

ATG Certification = N

Overfill Protection Test = N

Spill bucket Test = Y (9/20/23)

Containment Sumps Test Not Required

Last known CP (Impressed/Galvanic) - N/A

Last known Liner inspection - N/A

Site History:

Site is an active service station. Three (3) USTs were removed in 2007 (VFC Doc# 26989988). A violation letter was sent 9/28/20 and the site has not returned to compliance.

Contact Information

Zahid Iqbal, crystalfd@yahoo.com

Documentation not provided at the time of the file review:

- None

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.

Inspection Notes:

- Site had the concrete pad and spill buckets replaced in September 2023.
- Twelve (12) months of UST release detection records, spill bucket testing, 7/23 - 6/24 monthly walkthroughs, certificate of financial responsibility, and operator certificates A, B, C were obtained.

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

- Fluid in all spill buckets. Drain fluid, monitor and clean as needed.
- REG and REG drone STP sumps contain fluid and product mixture. There is a visible drip in the REG STP sump. Drain fluid, monitor for possible leak and clean. Make repairs as needed.
- Stick in the REG drone fill port drop tube. Remove stick and inspect for possible damage.
- Fluid in PREM STP sump. Drain fluid, monitor and clean as needed.
- Dispenser 5/6 has discoloration in pea gravel. Monitor for possible leak.

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) Notification Form is needed with updated property owner information
- 2) Line tightness testing was not provided
- 3) Failure to install, design, construct or protect piping from corrosion - piping metal connectors and flex connectors in contact with soil under all dispensers.
- 4) Leak detector testing was not provided
- 5) ATG functionality testing was not provided
- 6) Probe functionality testing was not provided
- 7) ATG to Standard: The ATG does not appear to be programmed to the standard volumes as it has the tanks programmed to a higher volume than what is expected for fiberglass tanks. A tank chart is needed to determine the exact values.
- 8) Overfill testing was not provided
- 9) Annual walkthrough was not provided
- 10) Operator C Certificate : Documentation for the operator C certification that ensures that the course from JMM Management Group LLC covers all required information by the federal rule is needed

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:

- Updated Notification Form
- Line tightness test
- Documentation of corrosion protection designed and installed by a corrosion protect expert for metal connectors and flex connectors under the dispensers or other corrective action
- Leak detector test
- ATG/Probe
- Documentation that the tank volumes have been properly programmed into the ATG in accordance with tank charts
- Overfill Test
- Annual Walkthrough
- Documentation for the operator C certification that ensures that the course from JMM Management Group LLC covers all required information by the federal rule