



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

July 3, 2024

Indy Holdings LLC
Attn: Lakhwant Singh, Registered Agent
6535 Cressando Place
Indianapolis, IN 46259

Washington Five Star Petroleum, Inc.
Attn: Rupinder Multani, Registered Agent
2427 W Washington St
Indianapolis, IN 46241

Re: Violation Letter
Washington BP 2
2427 W Washington St
Indianapolis, Marion County
UST Facility ID # **40003**

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 24, 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.

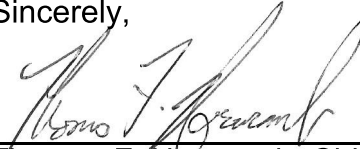
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at USTCompliance@idem.in.gov. Include in the subject line of the response the UST Facility ID # 40003.

Inspector: Tristan Voge
Phone: (317) 719-2574

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
Tristan Voge
UST Facility ID File # 40003
Washington Five Star Petroleum, Inc.
Attn: Rupinder Multani, Registered Agent
Via email: bpfivestar@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: Washington BP 2	UST FACILITY ID: 40003
ADDRESS: 2427 W Washington St Indianapolis, 46222 Marion County	INSPECTION DATE: 06/24/2024

VIOLATIONS NOTED IN THIS INSPECTION

§ 280.40(a)(2) – Failure to provide release detection that is installed and calibrated to manufacturer's instructions

Citation:

Pursuant to 40 CFR 280.40(a)(2), as incorporated, owners and operators of UST systems must provide a method, or combination of methods, of release detection that is installed and calibrated in accordance with the manufacturer's instructions.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because the interstitial sensors in the DSL and PREM STP sensors are non functional and would not provide any proper release detection method for the piping as required for this system.

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 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 must also have a certified UST contractor inspect, repair and certify the release detection equipment is installed and calibrated in accordance with the manufacturer's instructions 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.

§ 280.41(b)(2) – Failure to perform monthly monitoring on piping installed after 9/2/2009, except proper European
Citation:
Pursuant to 40 CFR 280.41(b)(2), as incorporated, piping installed or replaced after April 11, 2016 (previously cited as September 2, 2009 under 329 IAC 9-2-1(2)(D)) must meet one of the following: (i) Pressurized piping must be monitored for releases at least every 30 days in accordance with § 280.43(g) and be equipped with an automatic line leak detector in accordance with § 280.44(a) (ii) Suction piping must be monitored for releases at least every 30 days in accordance with § 280.43(g).
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because twelve (12) passing months of interstitial monitoring release detection records for the premium and diesel piping was not provided.</i>
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 by not having records of interstitial monitoring 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.

§ 280.43(g) – Failure to perform Interstitial Monitoring to standard
Citation:
Pursuant to 40 CFR 280.43(g), as incorporated, interstitial monitoring between the UST system and a secondary barrier immediately around or beneath it may be used, but only if the system is designed, constructed, and installed to detect a leak from any portion of the tank that routinely contains product and also meets one of the following requirements: (1) For double walled UST systems, the sampling or testing method can detect a leak through the inner wall in any portion of the tank that routinely contains product; (2) For UST systems with a secondary barrier within the excavation zone, the sampling or testing method used can detect a leak between the UST system and the secondary barrier.
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because the PREM STP had an excessive amount of liquid which would interfere with proper interstitial monitoring for the piping. In addition, the interstitial sensors of the PREM and DSL STP sensors have been bad for several months and would not allow for proper release detection</i>

Corrective Action:

The owner and/or operator of the UST systems at this site shall have any UST or piping that contains a regulated amount of product and found to not have been monitored every thirty (30) days correctly while using interstitial monitoring 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.

§ 280.40(a)(3)(i) – Failure to perform annual tests of ATG

Citation:

Pursuant to 40 CFR 280.40(a)(3)(i), as incorporated, 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:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because an up to date annual ATG functionality test report was not provided.

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), as incorporated, 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 an up to date annual probes and sensors functionality test report 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 and sensors 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)(iii) – Failure to perform annual tests of ALLD
Citation:
Pursuant to 40 CFR 280.40(a)(3)(iii), as incorporated, 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 an up to date annual leak detector test report 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.

§ 280.36(a)(1)(ii) – Failure to perform annual walkthrough inspections
Citation:
Pursuant to 40 CFR 280.36(a)(1)(ii), as incorporated, 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 up to date annual walkthrough inspection 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.

§ 280.40(b) – Failure to report release when RD system indicates a release may have occurred
Citation: Pursuant to 40 CFR 280.40(b), as incorporated, when a release detection method operated in accordance with the performance standards in § 280.43, § 280.44, or subpart K of this part indicates a release may have occurred, owners and operators must notify the implementing agency in accordance with subpart E of this part.
Violation Details: <i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because the premium and diesel piping STP sensors have had "Fuel" status from 07/2023-06/2024.</i>
Corrective Action: The owner and operator of the UST systems at this site shall report a release within twenty four (24) hours of receipt of this notice by calling the Petroleum Remediation Section at 317-233-1519. The owner and operator shall submit documentation within fifteen (15) days detailing their investigation and clean up under 329 IAC 9-4-4.



**UNDERGROUND STORAGE
TANK INSPECTION REPORT**

INDIANA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

UST FAC ID: **40003**

Inspector's Name:	Tristan Voge
Date:	June 24, 2024
Time In:	11:15
Time Out:	11:50
Inspection Type:	Initial

FACILITY NAME / LOCATION

FACILITY NAME Washington BP 2		FACILITY ADDRESS (number and street) 2427 W Washington St		
ADDRESS (line 2)	CITY Indianapolis	STATE IN	ZIP CODE 46222	COUNTY Marion

UST OWNER

UST Owner Name (If in Individual Capacity) Indy Holdings LLC				BUSINESS ID (From the Secretary of State) 201608301156204
PREFIX	FIRST NAME Lakhwant	MI	LAST NAME Singh	SUFFIX
TELEPHONE NUMBER	EMAIL ADDRESS bpfivestar@yahoo.com			

UST OPERATOR

UST Operator Name (If in Individual Capacity) Washington Five Star Petroleum Inc				BUSINESS ID (From the Secretary of State) 2016012600993
PREFIX	FIRST NAME Rupinder	MI	LAST NAME Multani	SUFFIX
TELEPHONE NUMBER	EMAIL ADDRESS bpfivestar@yahoo.com			

PROPERTY OWNER

UST Property Owner Name (If in Individual Capacity) Indy Holdings LLC				BUSINESS ID (From the Secretary of State) 201608301156204
PREFIX	FIRST NAME Lakhwant	MI	LAST NAME Singh	SUFFIX
TELEPHONE NUMBER	EMAIL ADDRESS bpfivestar@yahoo.com			

COMPLIANCE ELEMENTS

All USTs properly registered and up-to-date notification form on file	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	UNK
O/O is in compliance with reporting & record keeping requirements	<input checked="" type="checkbox"/>	YES	<input 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"/>	UNK
PREM and DSL piping INT has had Fuel status from 07/2023-06/2024. "Bad sensor" indicated.						
O/O is in compliance with all UST closure requirements	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>	UNK
O/O has met all financial responsibility requirements	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	UNK
40 CFR 280, Subpart A installation requirements (partially excluded) met	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>	UNK
40 CFR 280, Subpart B installation and upgrade requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	UNK
40 CFR 280, Subpart C spill/overfill 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"/>	UNK
40 CFR 280, Subpart C O&M and testing requirements met	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK
An annual walkthrough inspection was not provided.						
40 CFR 280, Subpart D release detection requirements met	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK
Piping INT RD, ATG/probe/sensor/LLD test reports not provided. INT for piping not to standard.						
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:

- Two (2) actual Glassteel II DW USTs installed in July 2017 (one 8K split 4/4)
- One (1) 12K REG GSL
- One (1) 4K PREM GSL (T2 C1)
- One (1) 4K DSL (T2 C2)
- Piping is OPW Flex Work DW and pressurized

RD UST = ATG, INT

RD Piping = LLD, ATG, INT

Overfill/Spill = Spill Buckets + Auto Shutoff (consistent) + UDC

ATG Certification = N

Overfill Protection Test = Y (4/18/2023) - All Auto 95%

Spill bucket Test = Y (4/18/2023)

Containment Sumps Test (Required) = Y (4/18/2023)

Site History:

Site is an active service station. There is no prior UST history at this site.

Contact Information

Rupinder Multani bpfivestar@yahoo.com

Documentation provided at the time of the file review:

- NF 10/23/2019, no formal approval - tank data ok)
- Operator Certificates A, B, C
- Line and leak detector test (REG, PREM, DSL) 4/18/2023
- Spill bucket test (REG, PREM, DSL) 4/18/2023
- STP/UDC test 4/18/2023
- Overfill test (REG, PREM, DSL) 4/18/2023 - All Auto 95%
- Annual inspection 4/18/2023 - Emergency switch broken

Inspection Notes

- Twelve (12) months of UST and REG piping RD records and twelve (12) months of walkthroughs collected on site. No other documentation was collected on site.

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.

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

- All spill buckets contained fluid that should be cleaned out and monitored as needed.
- The DSL and PREM STP containment sumps contained fluid that should be cleaned out and monitored as needed.
- Dispenser 1/2 and 7/8 UDCs contained fluid and old product that should be cleaned out and monitored as needed. The source of the fluid should be determined and remediated as needed.
- An ELLD was present on the bottom of the DSL STP and appeared to still be connected to the main system even though a MLLD is currently installed. The ELLD should be properly disconnected.

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. The premium and diesel piping has had "Fuel" status from 07/2023-06/2024, reports indicate that the sensors are "bad".
2. Twelve (12) months of interstitial monitoring release detection records for the premium and diesel piping was not provided.
3. The PREM STP had an excessive amount of liquid which would interfere with proper interstitial monitoring for the piping. In addition, the interstitial sensors of the PREM and DSL USTs have been bad for several months and would not allow for proper release detection.
4. Annual ATG functionality test report was expired.
5. Annual probes and sensors functionality test report was expired
6. Annual leak detector test report was expired.
7. An up to date annual walkthrough inspection 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):

- Documentation of suspected release reported
- Documentation of proper INT RD installation for the piping
- Up to date Annual ATG functionality test report
- Up to date Annual probes and sensors functionality test report
- Up to date Annual leak detector test report
- Up to date annual walkthrough inspection