



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

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**Eric J. Holcomb**  
Governor

**Brian C. Rockensuess**  
Commissioner

July 5, 2024

Casey's Marketing Company  
c/o United Agent Group, Inc  
8520 Allison Pointe Blvd #220  
Indianapolis, IN 46250

Casey's Marketing Company  
Attn: Teri Mason  
Via email: [teri.mason@caseys.com](mailto:teri.mason@caseys.com)

Re: Violation Letter  
Caseys General Store 1993  
819 W National Ave  
West Terre Haute, Vigo County  
UST Facility ID # **22482**

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](mailto:USTCompliance@idem.in.gov). Include in the subject line of the response the UST Facility ID # **22482**.

Inspector: Brock Goodman  
Phone: (812) 582-9843

Direct any questions regarding the inspection to:

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

Sincerely,



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

cc: Loic Maniet  
Brock Goodman  
UST Facility ID File # 22482

### 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: <b>Caseys General Store 1993</b>	UST FACILITY ID: <b>22482</b>
ADDRESS: <b>819 West National Avenue West Terre Haute, IN 47885 Vigo County - Region 4</b>	INSPECTION DATE: <b>June 24, 2024</b>

### VIOLATIONS NOTED IN THIS INSPECTION

**§ 280.20(c)(1)(ii)** – Failure to have overfill prevention equipment installed or installed properly

Citation:

Pursuant to 40 CFR 280.20(c)(1)(ii), as incorporated, 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.

Violation Details:

*The owner and/or operator of the UST system(s) at this site are in violation of this rule because, per the last Notification Form on file, the DSL has an Auto Shutoff but none was present during the inspection. In addition, no overfill alarm was visible and, per prior documentation, ball float had been removed. Effectively, the DSL UST does not have any form of overfill protection installed at this time.*

**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 install or replace absent or substandard overfill prevention equipment that will operate as required. The UST owner and/or operator must submit proof that the overfill prevention equipment has been installed properly to the 90% or 95% fill level as required by the type of equipment within forty five (45) days of receipt of this notice. In the case where an owner has changed the overfill prevention equipment from a flow restrictor (ball float) to an auto-shutoff device, the owner must document the entire flow restrictor has been removed or that the automatic shut off device is installed at 90% or lower.

**§ 280.35(a)(1) – Failure to perform periodic testing of spill prevention equipment and containment sumps used for IM**

**Citation:**

Pursuant to 40 CFR 280.35(a)(1), as incorporated, owners and operators of UST systems with spill and overfill prevention equipment and containment sumps used for interstitial monitoring of piping must meet these requirements to ensure the equipment is operating properly and will prevent releases to the environment:  
(1) Spill prevention equipment (such as a catchment basin, spill bucket, or other spill containment device) and containment sumps used for interstitial monitoring of piping must prevent releases to the environment.

**Violation Details:**

*The owner and/or operator of the UST system(s) at this site are in violation of this rule because three (3) year spill bucket testing for all tanks was not provided.*

**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 spill prevention equipment and containment sumps. Documentation, to include photographs, inspection, repair and testing results, showing the spill prevention equipment and containment sumps are liquid tight must be submitted within forty five (45) days of the receipt of this notice.

**§ 280.35(a)(2) – Failure to perform periodic testing of overfill prevention equipment**

**Citation:**

Pursuant to 40 CFR 280.35(a)(2), as incorporated, 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:**

*The owner and/or operator of the UST system(s) at this site are in violation of this rule because three (3) year overfill device testing for all tanks was not provided.*

**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.

**§ 280.245 – Failure to maintain list of designated operators and/or training records**

**Citation:**

Pursuant to 40 CFR 280.245, as incorporated, 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:**

*The owner and/or operator of the UST system(s) at this site are in violation of this rule because certificates of training for class B and C operator were not provided.*

**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: **22482**

Inspector's Name:	Brock Goodman
Date:	June 24, 2024
Time In:	09:15
Time Out:	10:08
Inspection Type:	Initial

**FACILITY NAME / LOCATION**

FACILITY NAME Caseys General Store 1993		FACILITY ADDRESS (number and street) 819 W National Ave		
ADDRESS (line 2)	CITY West Terre Haute	STATE IN	ZIP CODE 47885	COUNTY Vigo

**UST OWNER**

UST Owner Name (If in Individual Capacity) Casey's Marketing Company				BUSINESS ID (From the Secretary of State) 2004042300016
PREFIX	FIRST NAME Teri	MI	LAST NAME Mason	SUFFIX
TELEPHONE NUMBER	EMAIL ADDRESS teri.mason@caseys.com			

**UST OPERATOR**

UST Operator Name (If in Individual Capacity) Casey's Marketing Company				BUSINESS ID (From the Secretary of State) 2004042300016
PREFIX	FIRST NAME Teri	MI	LAST NAME Mason	SUFFIX
TELEPHONE NUMBER	EMAIL ADDRESS teri.mason@caseys.com			

**PROPERTY OWNER**

UST Property Owner Name (If in Individual Capacity) Casey's Marketing Company				BUSINESS ID (From the Secretary of State) 2004042300016
PREFIX	FIRST NAME Teri	MI	LAST NAME Mason	SUFFIX
TELEPHONE NUMBER	EMAIL ADDRESS teri.mason@caseys.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"/>	N/A	UNK
O/O is in compliance with all UST closure requirements	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>	N/A	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 type="checkbox"/>	NO	<input checked="" type="checkbox"/>	N/A	UNK
40 CFR 280, Subpart B installation and upgrade requirements met	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK	
(1) No overfill equipment installed for DSL.							
40 CFR 280, Subpart C spill/overfill control requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	N/A	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"/>	UNK	
(1) Spill bucket testing. (2) Overfill device testing.							
40 CFR 280, Subpart D release detection requirements met	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	UNK	
40 CFR 280, Subpart J operator training requirements met	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK	
(1) Class B and C operator certificates							

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) FG SW USTs installed in May 1997
- One (1) 10K REG GSL
- One (1) 10K PREM GSL
- Piping is Ameron FG SW and pressurized

RD UST = ATG

RD Piping = LLD, ATG, INT (noted but not performed)

Overfill/Spill = Spill Buckets + Auto Shutoff (consistent) + Ball Float (removed)

ATG Certification = Y (6/5/2023)

Overfill Protection Test = N

Spill bucket Test = N

Containment Sumps Test (not required) = N

#### Site History:

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

#### Contact Information

Teri Mason [teri.mason@caseys.com](mailto:teri.mason@caseys.com)

#### Documentation provided at the time of the file review:

- (NF 8/15/2014, Approval 7/6/2015 - INT noted as part of piping RD but not performed)
- Leak detector test (REG, PREM) 6/5/2023
- ATG/Probes certification 6/5/2023
- Monthly walkthrough 6/2023 to 6/2024
- Annual walkthrough 9/28/2023

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Inspector notes:

I.) Upon arrival, inspector asked the owner/operator and/or manager at the time of inspection to provide any documentation on site related to the UST inspection to be made available for review.

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

- A.) The surface lid for the RUL is damaged. Replace.
- B.) All spill buckets, in addition to, the DSL STP sump contains liquid and/or debris. Clean and maintain.
- C.) Interstitial monitoring is noted as release detection on the most recent UST NF. Site is not set up for interstitial monitoring.

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.) Per NF, DSL has an Auto Shutoff but none was present during the inspection. In addition, no overfill alarm was visible and, per prior documentation, ball float had been removed. Effectively, the DSL UST does not have any form of overfill protection installed at this time.
- 2.) Spill bucket testing was not provided. \*\* Scheduled for July 7, 2024\*\*
- 3.) Overfill prevention equipment testing was not provided. \*\*Scheduled for July 7, 2024\*\*
- 4.) Class B and C operator certificates were not provided.

The following are RECORDS to be submitted to USTCompliance@idem.IN.gov with FID in subject line 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):

\*\*The numbered records request below corresponds with the number in the violations section.\*\*

- 1.) Provide documentation of the installation and testing of a proper overfill protection equipment (overfill alarm or Auto Shutoff device)
- 2.) Provide spill bucket testing documentation
- 3.) Provide overfill prevention equipment testing documentation
- 4.) Provide certificates of training for class B and C operators.