



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

July 1, 2024

Family Express Corporation
Attn: Danielle Carlson, Registered Agent
213 State Road 49
Valparaiso, IN 46383

Family Express Corporation
Attn: Keith Slater and Haley Feiler
Via email: petro@familyexpress.com
hfeiler@familyexpress.com

Re: Violation Letter
Family Express Purdue #33
1812 Northwestern Avenue
West Lafayette, Tippecanoe County
UST Facility ID # **25442**

Dear Mses. Carlson, Feiler, and Mr. Slater:

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 4, 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.

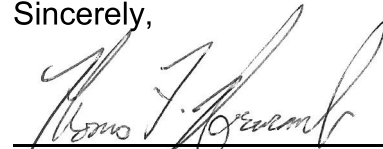
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at USTCompliance@idem.in.gov. Include in the subject line of the response the UST Facility ID # **25442**.

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

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
Tristan Voge
UST Facility ID File # 25442

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: Family Express Purdue #33	UST FACILITY ID:25442
ADDRESS: 1812 Northwestern Ave West Lafayette Tippecanoe County	INSPECTION DATE: 06/04/2024

VIOLATIONS NOTED IN THIS INSPECTION

§ 280.43(g) – Failure to perform Interstitial Monitoring to standard

Citation:

Pursuant to 40 CFR 280.43(g), 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:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because the double walled piping appeared to be capped and would not function as designed.

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)(2) – Failure to provide release detection that is installed and calibrated to manufacturer's instructions
Citation:
Pursuant to 40 CFR 280.40(a)(2), 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:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because the submitted ATG sensor functionality testing resulted in a fail for the premium/E85 and diesel UST interstitial sensors. The sensors would not be capable of detecting a leak if needed</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 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.



**UNDERGROUND STORAGE
TANK INSPECTION REPORT**

INDIANA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

UST FAC ID: **25442**

Inspector's Name:	Tristan Voge
Date:	June 4, 2024
Time In:	08:50
Time Out:	09:15
Inspection Type:	Initial

FACILITY NAME / LOCATION

FACILITY NAME Family Express Purdue #33		FACILITY ADDRESS (number and street) 1812 Northwestern Ave		
ADDRESS (line 2)	CITY West Lafayette	STATE IN	ZIP CODE 47906	COUNTY Tippecanoe

UST OWNER

UST Owner Name (If in Individual Capacity) Family Express Corporation				BUSINESS ID (From the Secretary of State) 197601-574
PREFIX Ms.	FIRST NAME Danielle	MI S	LAST NAME Carlson	SUFFIX
TELEPHONE NUMBER (219) 462-0144	EMAIL ADDRESS			

UST OPERATOR

UST Operator Name (If in Individual Capacity) Family Express Corporation				BUSINESS ID (From the Secretary of State) 197601-574
PREFIX Mr.	FIRST NAME Keith	MI	LAST NAME Slater	SUFFIX
TELEPHONE NUMBER (219) 462-0144	EMAIL ADDRESS petro@familyexpress.com			

PROPERTY OWNER

UST Property Owner Name (If in Individual Capacity) Family Express Corporation				BUSINESS ID (From the Secretary of State) 197601-574
PREFIX Ms.	FIRST NAME Haley	MI	LAST NAME Feiler	SUFFIX
TELEPHONE NUMBER (219) 462-0144	EMAIL ADDRESS hfeiler@familyexpress.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 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"/>	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 checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	UNK	
40 CFR 280, Subpart D release detection requirements met	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK	
Piping & DSL/PREM UST interstitial monitoring not to standard. Piping capped, UST failed test.							
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) actual FG DW USTs installed in June 2015 (14K split 8K/6K)
- One (1) 14K REG
- One (1) 6K PREM (T2 C1)
- One (1) 8K E85 (T2 C2)
- One (1) 10K DSL
- Piping is FG DW and pressurized

RD UST = INT, SIR

RD Piping = INT, SIR, LLD

Overfill/Spill = Spill Buckets + Auto Shutoff + Alarm

ATG Certification = Y (8/15/23)

Overfill Protection Test = Y (8/15/23, 3/18/24)

Spill bucket Test = Y (3/18/24)

Containment Sumps Test Required = Y (3/18/24)

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

Last known Liner inspection - N/A

Site History:

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

- NF 8/4/20, approval 3/3/22

Contact Information

Keith Slater, petro@familyexpress.com

Haley Feiler, hfeiler@familyexpress.com

Documentation provided at the time of the file review:

- Certificate of Financial Responsibility 1/19/24 - 1/19/25
- Operator Certificates A, B, C
- UST RD (INT) 6/23 - 5/24
- Piping RD (INT) 6/23 - 5/24
- SIR 5/23 - 4/24
- LLD 8/15/23
- ATG/Probe + Sensors 8/15/23 : DSL & PREM interstitial sensor failed
- Spill Bucket Test 3/18/24
- Overfill Test 8/15/23 (All Alarms)
- Overfill Test 3/18/24 (All Auto : REG & PREM failed)
- STP/UDC 3/18/24
- Monthly Walkthroughs 5/23 - 4/24
- Annual Walkthrough 8/15/23

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Inspection Notes

- During the inspection 06/2024 UST/piping INT RD records collected from the ATGs. No other documentation was collected or provided on site.

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

- Overfill Test report date 3/18/24 had failed test results for the REG & PREM auto shutoff. Passing alarm tests were provided. The auto shutoff should be repaired or replaced as needed.
- All spill buckets contained fluid that should be cleaned out and monitored as needed.
- All STP containment sumps contained fluid that should be cleaned out and monitored as needed. The source of the fluid should be determined and remediated as needed.

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 double walled piping appeared to be capped and would not function as designed
2. ATG sensor functionality testing resulted in a fail for the premium/E85 and diesel UST interstitial sensors. The sensors would not be capable of detecting a leak if 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:

- Documentation of proper interstitial monitoring release detection installation for the piping and USTs