



# 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](http://www.idem.IN.gov)

**Eric J. Holcomb**  
Governor

**Brian C. Rockensuess**  
Commissioner

June 10, 2024

VIA CERTIFIED MAIL#9589 0710 5270 0682 2479 50  
Patriot Rail Services LLC, Member  
Lakeshore Railcar & Tanker Services LLC  
10752 Deerwood Park Blvd., Suite 300  
Jacksonville, FL 32256

VIA CERTIFIED MAIL#9589 0710 5270 0682 2479 67  
Corporation Service Company,  
Registered Agent  
135 North Pennsylvania Street, Suite 1610  
Indianapolis, IN 46204

Re: Notice of Violation and Proposed Agreed Order  
for Violation Identified via Compliance Review  
Lakeshore Railcar & Tanker Services LLC  
Plant ID No. 089-00469  
East Chicago, Lake County  
Case No. 2024-30194-A

Dear Patriot Rail Services LLC:

A representative of the Indiana Department of Environmental Management (“IDEM”), Office of Air Quality, conducted a compliance review of reports concerning Lakeshore Railcar & Tanker Services LLC located at 1150 E 145<sup>th</sup> St in East Chicago, Indiana. As a result of information obtained during that review, IDEM alleges that a violation of an environmental permit condition occurred. Specifically, Lakeshore Railcar & Tanker Services LLC failed to perform emission testing of the pressurized rail tank car purging/degreasing operation controlled by the flare.

In accordance with IC 13-30-3-3, this letter includes a Notice of Violation that sets forth the alleged violation and an Agreed Order that provides Lakeshore Railcar & Tanker Services LLC the opportunity to settle this enforcement action. IDEM encourages settlement by Agreed Order when possible to quickly correct environmental violations and avoid litigation.

The alleged violation identified in the Notice of Violation is among those that IDEM has determined qualifies for expedited enforcement. This means that the enclosed Agreed Order is non-negotiable, and it represents IDEM’s best settlement offer in this matter. The civil penalty included in the Agreed Order is the penalty amount that IDEM will accept only for the settlement of the alleged violation identified therein under its expedited enforcement program.

If Lakeshore Railcar & Tanker Services LLC agrees to settle this enforcement action in accordance with the enclosed Agreed Order, its responsible official should sign

and return the entire original Agreed Order within sixty (60) days of receipt to IDEM at the following address:

Natalie Ruiz, Case Manager  
Compliance and Enforcement Branch – Mail Code 61-53  
Indiana Department of Environmental Management  
100 North Senate Avenue  
Indianapolis, IN 46204-2251  
Nsruiz@idem.in.gov

The civil penalty should be sent to the address listed in the Agreed Order within fifteen (15) days of your receipt of a copy of the final adopted Agreed Order. The final adopted Agreed Order will be mailed to you after it is approved and signed by the Assistant Commissioner of IDEM's Office of Air Quality.

IDEM is not required to extend the offer of entry into the Agreed Order for more than sixty (60) days. Because Indiana law allows a source to enter into an Agreed Order without admitting that the violation occurred, the attached Agreed Order includes this non-admission language. (See line 3 of the first paragraph of the Agreed Order.) If the Agreed Order is not entered into, IDEM may proceed with additional enforcement action requiring compliance with the environmental permit condition and may seek monetary penalties in accordance with IDEM's Civil Penalty Policy (ID No. Enforcement 99-0002-NPD), which likely will result in a greater penalty than the penalty amount offered in this Agreed Order.

Please contact Natalie Ruiz, Case Manager, of my staff at 317-752-7860 or nsruiz@idem.in.gov if you have any questions.

Sincerely,



Janusz Johnson, Branch Chief  
Compliance and Enforcement  
Office of Air Quality

cc: Clint Morris, General Manager, [Clint.morris@patriotrail.com](mailto:Clint.morris@patriotrail.com)  
Lake County Health Department  
Natalie Ruiz, Compliance and Enforcement Branch, Office of Air Quality  
Cliff Yukawa, Compliance and Enforcement Branch, Office of Air Quality  
Randy Hoffman, Compliance and Enforcement Branch, Office of Air Quality



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June 10, 2024

## NOTICE OF VIOLATION

Patriot Rail Services LLC, Member  
Lakeshore Railcar & Tanker Services LLC  
10752 Deerwood Park Blvd., Suite 300  
Jacksonville, FL 32256

Corporation Service Company,  
Registered Agent  
135 North Pennsylvania Street, Suite 1610  
Indianapolis, IN 46204

Case No. 2024-30194-A

Based on an investigation, the Indiana Department of Environmental Management (“IDEM”) has reason to believe that Lakeshore Railcar & Tanker Services LLC (“Respondent”) has violated an environmental permit condition. The violation is based on the following:

1. Respondent owns and operates a stationary rail tank car, railcar, and truck tanker cleaning facility with Plant ID No. 089-00469 located at 1150 E 145th St in East Chicago, Lake County, Indiana (the “Site”).
2. Pursuant to Federally Enforceable State Operating Permit No. 089-43729-00469 (“Permit”), Condition D.1.7, Respondent shall perform emissions testing of the pressurized rail tank car purging/degreasing operation controlled by the flare not later than five (5) years from the most recent valid compliance demonstration.

Respondent failed to perform emissions testing of the pressurized rail tank car purging/degreasing operation controlled by the flare no later than March 13, 2023, in violation of Permit Condition D.1.7.

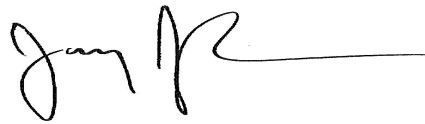
In accordance with IC 13-30-3-3, the Commissioner herein provides notice that a violation may exist and offers an opportunity to enter into an Agreed Order providing for the actions required to correct the violation and for the payment of a civil penalty for the violation. The Commissioner is not required to extend this offer for more than sixty (60) days. An Agreed Order for your consideration is attached. As noted on the attached Agreed Order, it is a qualified offer of settlement of this matter and, therefore, is inadmissible pursuant to Indiana’s Rules of Evidence.

As provided in IC 13-30-3-3, an alleged violator may enter into an Agreed Order without admitting that the violation occurred. IDEM encourages settlement by Agreed Order to quickly correct environmental violations and to avoid litigation.

If the Agreed Order is not entered into within sixty (60) days of receipt of this Notice of Violation, the Commissioner may proceed with additional enforcement action requiring compliance with the environmental permit condition and may seek additional monetary penalties in accordance with IDEM's Civil Penalty Policy (ID No. Enforcement 99-0002-NPD). Pursuant to IC 13-30-4-1, the Commissioner may assess penalties of up to \$25,000 per day for each violation.

Please contact Natalie Ruiz, Case Manager, of my staff at 317-752-7860 or nsruiz@idem.in.gov if you have any questions.

For the Commissioner:




Date: 6-10-24

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Janusz Johnson, Chief  
Compliance and Enforcement Branch  
Office of Air Quality

cc: Clint Morris, General Manager, Clint.morris@patriotrail.com  
Lake County Health Department  
Natalie Ruiz, Compliance and Enforcement Branch, Office of Air Quality  
Cliff Yukawa, Compliance and Enforcement Branch, Office of Air Quality  
Randy Hoffman, Compliance and Enforcement Branch, Office of Air Quality

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<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature <i>Maria Colina</i> <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee	
1. Article Addressed to:  <div style="border: 1px solid black; padding: 5px;">             60-02-A/gjr NOV/PAO 2024-30194-A              CORPORATION SERVICE CO              REGISTERED AGENT              135 N PENNSYLVANIA ST STE 1610              INDIANAPOLIS IN 46204           </div>	B. Received by (Printed Name)	C. Date of Delivery
 9590 9402 8243 3030 3290 49	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No  <div style="text-align: center; border: 1px solid black; border-radius: 50%; padding: 10px; width: fit-content; margin: auto;">             JUN 13 2024           </div>	
2. Article Number (Transfer from service label) <b>9589 0710 5270 0682 2479 67</b>	3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Registered Mail™ <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery	
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