



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

July 2, 2024

RARA SAHIB Inc
Attn: Manpal Singh, Registered Agent
7237 Vale Drive
Schereville, IN 46375

Daisy and D Inc
Attn: Manpal Singh, Registered Agent
7273 Vale Dive
Schereville, IN 46375

Re: Violation Letter
Sixers #53
5285 Broadway
Gary, Lake County
UST Facility ID # **11402**

Dear Mr. Singh:

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 # **11402**.

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 # 11402
Sixers #53
Attn: Manpal Singh, sixers53@gmail.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: Sixers #53	UST FACILITY ID: 11402
ADDRESS: 5285 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:
<i>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 in section 'I' is needed.</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.

§ 280.20(d) – Failure to properly install UST system in accordance with a nationally recognized code of practice
Citation:
Pursuant to 40 CFR 280.20(d), the UST system must be properly installed in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory and 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 corrosion protection system for piping metal connectors and flex connectors in all dispenser under dispenser containments failed testing performed 10/12/21 and no repairs and retest documentation has been submitted.</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, submit documentation proving the UST systems were installed in accordance with a code of practice developed by a nationally recognized association or independent testing laboratory and in accordance with the manufacturer's instructions or notify IDEM of their intent to permanently close all affected UST systems.

329 IAC 9-2-2(f) – Failure to ensure work done by certified contractor
Citation:
Pursuant to 329 IAC 9-2-2(f), All owners and operators of UST systems shall ensure that the person who performs tank system installations, testing, upgrades, closures, removals, and change-in-service is certified by the department of homeland security, division of fire and building safety. The certified person who performs the work shall certify on the notification form that the work performed complies with methods specified in this article and 40 CFR 280, Subpart C.
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because overfill and spill bucket testing for the PREM UST dated 10/12/21 was conducted by a technician who was not properly certified.</i>
Corrective Action:
The owner and/or operator of the UST systems at this site shall have all testing that is invalid due to uncertified contractors completed by an Indiana certified contractor within 45 days of receipt of this notice.

§ 280.32(b)(1) – Failure to demonstrate compatibility of entire UST system
Citation:
Pursuant to 40 CFR 280.32(b)(1), owners and operators with UST systems storing these regulated substances must demonstrate compatibility of the UST system (including the tank, piping, containment sumps, pumping equipment, release detection equipment, spill equipment, and overfill equipment).
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because documentation showing compatibility of the UST system with product stored has not been provided.</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 submit documentation to IDEM proving the required UST system components are fully compatible with the product found stored in the tanks during the inspection. If the owner and/or operator cannot prove compatibility, they must immediately cease storing the substance in the UST system until such a time as they can prove compatibility, upgrade the UST system or switch the product to one that is compatible. The UST owner and/or operator must submit proof of compliance with these requirements within forty five (45) days of 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 operator training certificate C was not provided.</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 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: **11402**

Inspector's Name:	Todd Settles
Date:	June 20, 2024
Time In:	10:45
Time Out:	12:30
Inspection Type:	Initial

FACILITY NAME / LOCATION

FACILITY NAME Sixers #53		FACILITY ADDRESS (number and street) 5285 Broadway		
ADDRESS (line 2)	CITY Merrillville	STATE IN	ZIP CODE 46410	COUNTY Lake

UST OWNER

UST Owner Name (If in Individual Capacity) Daisy and D Inc				BUSINESS ID (From the Secretary of State) 2005092700057	
PREFIX Mr.	FIRST NAME Manpal	MI	LAST NAME Singh	SUFFIX	
TELEPHONE NUMBER (219) 512-2981		EMAIL ADDRESS sixers53@gmail.com			

UST OPERATOR

UST Operator Name (If in Individual Capacity) Daisy and D Inc				BUSINESS ID (From the Secretary of State) 2005092700057	
PREFIX Mr.	FIRST NAME Manpal	MI	LAST NAME Singh	SUFFIX	
TELEPHONE NUMBER (219) 512-2981		EMAIL ADDRESS sixers53@gmail.com			

PROPERTY OWNER

UST Property Owner Name (If in Individual Capacity) RARA SAHIB Inc				BUSINESS ID (From the Secretary of State) 2010111800041	
PREFIX Mr.	FIRST NAME Manpal	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"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Notification Form needs updated property owner information									
O/O is in compliance with reporting & record keeping requirements	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O/O is in compliance with release reporting or investigation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O/O is in compliance with all UST closure requirements	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
O/O has met all financial responsibility requirements	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
40 CFR 280, Subpart A installation requirements (partially excluded) met	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
40 CFR 280, Subpart B installation and upgrade requirements met	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Metal flex connectors in UDCs fail CP testing									
40 CFR 280, Subpart C spill/overfill control requirements met	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
40 CFR 280, Subpart C compatibility requirements met	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Documentation showing tank compatibility with product stored has not been provided									
40 CFR 280, Subpart C O&M and testing requirements met	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Spill bucket and overfill testing for PREM performed 10/12/21 technician not properly certified									
40 CFR 280, Subpart D release detection requirements met	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
40 CFR 280, Subpart J operator training requirements met	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Operator certificates C was not provided									

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 April 1976
- One (1) 8K PREM
- One (1) 8K REG N (Manifolded)
- One (1) 8K REG S (Manifolded)
- Piping is FG SW and pressurized

RD UST = ATG

RD Piping = LLD, LTT

Overfill/Spill = Spill Buckets + Auto Shutoff

ATG Certification = Y (10/12/21)

Overfill Protection Test = Y (10/12/21, 4/19/22)

Spill bucket Test = Y (10/12/21, 4/19/22)

Containment Sumps Test Not Required

Last known CP (Galvanic (10/12/21)) - Flex connectors in UDCs and all failed

Last known Liner inspection - N/A

Site History:

Site is an active service station. There is no prior UST history at this site. A violation letter was sent 9/14/21 and the site has not returned to compliance. Daisy and D Inc. is in an admin dissolved status with the secretary of state.

Contact Information

Manpal Singh, sixers53@gmail.com

Documentation provided at the time of the file review:

- Certificate of Financial Responsibility
- Operator Certificates A, B
- LTT 10/12/21 : Expired
- LLD 10/12/21 : Expired
- Corrosion Protection test 10/12/21 (Flex connectors in UDCs - all failed)
- ATG/Probe 10/12/21 : Expired
- Spill Bucket Test 10/12/21 : REG N and REG S Failed - Testing was done by a tech who is not properly certified
- Spill Bucket Test 4/19/22 (REG N and REG S Passed)
- Overfill Test 10/12/21 : REG N failed - Testing was done by a tech who is not properly certified
- Overfill Test 4/19/22 (REG N and REG S Passed) - Auto shut off devices adjusted to 90%
- Annual Walkthrough 10/12/21 : Expired
- Invoice for replacing the REG N and REG S spill bucket and REG N overfill 4/19/22

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Inspection Notes:

- Midwest Tank testing was on site performing annual testing at time of inspection.

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

- Fluid in REG N and PREM spill buckets. Drain fluid, monitor and clean 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) Notification Form is needed to reflect updated property owner information
- 2) Corrosion Protection system for piping metal connectors and flex connectors in all UDCs failed testing performed 10/12/2021.
- 3) Failure to ensure work done by certified contractor - overfill and spill bucket testing for the PREM UST dated 10/12/21 was conducted by a technician who is not properly certified
- 4) Failure to demonstrate compatibility of entire UST system - documentation showing compatibility of the UST system with product stored has not been provided
- 5) Operator training certificate C 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:

- Updated notification form
- Documentation showing repair/replacement of corrosion protection system and passing retesting for piping metal connectors and flex connectors in all UDCs or alternative corrective action.
- Spill bucket testing - testing performed 10/21/21 technician was not properly certified (PREM only)
- Overfill testing - testing performed 10/21/21 technician was not properly certified (PREM only)
- Compatibility documentation for all USTs
- Operator Certificates C