



An Indiana Certified
Woman Business Enterprise (WBE)



July 1, 2024

Ms. Chris Bowman
SOW Coordinator, Petroleum Branch
Indiana Department of Environmental Management
100 N. Senate Avenue
Indianapolis, IN 46204

**Subject: Emergency Response Status Update
Toney Oil Company LLC
East Goodman Ridge Road / Parcel I.D. #13-07-13-127-001.000-006
Marengo, IN 47140
IDEM Facility ID #50117 / AST Incident #202406505**

Dear Ms. Bowman:

On behalf of Toney Oil Company LLC (Toney Oil), Specialty Earth Sciences, LLC (SE Sciences) is pleased to provide the following status update on the emergency response efforts undertaken to date at the East Goodman Ridge Road, Marengo, IN property (subject property or site). This status update is in response to the various requirements of the Indiana Department of Environmental Management (IDEM) which are included in the documents listed below.

A copy of the parcel map depicting property boundaries, obtained from the Beacon™ Crawford County, IN website, is included as **Attachment A**.

Included in **Attachment B** are **Figure 1**, *Site Location Map* which depicts the site and surrounding area on an aerial photograph base, and **Figure 2**, *AST and UST Location Map* which represents the aboveground storage tank (AST) and underground storage tank (UST) layouts. Note, the UST sizes, orientations and locations are estimated.

IDEM VFC DOCUMENTS

SE Sciences reviewed available documentation on the IDEM Virtual File Cabinet (VFC), and those provided by your office. Specifically, the following documents were reviewed:

- IDEM, *Emergency Response Incident Report*, dated March 4, 2024
- IDEM, *Petroleum Remediation Section Field Report*, dated June 4, 2024
- IDEM, *Violation Letter*, dated June 4, 2024
- IDEM, *Temporary Order to Prohibit Delivery to Underground Storage Tank*, dated June 11, 2024 (second version with affidavit dated June 13, 2024)
- IDEM, *Investigation due to Off-Site Impacts & Release Investigation and Confirmation Steps Request*, dated June 12, 2024

Within these documents are various orders, required next steps, and deadlines. This *Emergency Response Status Update* is being provided as an initial response to IDEM to address these matters.

SPILL BACKGROUND / INITIAL & FOLLOW-UP FIELD RESPONSES

According to the IDEM *Emergency Response Incident Report* (dated March 4, 2024), approximately 500 gallons of diesel fuel was released to the environment. A neighboring property owner, located at 276 N. Hardy Road, Marengo, IN, discovered the spill on March 4, 2024, and notified IDEM the next day.

The following was indicated in the *Emergency Response Incident Report*:

The previous night, 03/04/2024 an adjoining land owner found accumulation of diesel fuel on his property. The fuel was seeping into dry stream on property. The local EMA was contacted and he investigated. EMA Aaron Bye responded to the site. He found evidence that a diesel fuel release was occurring from an AST site up stream. Contact is made with Eric Toney owner/operator of the site. Mr. Toney responded to the site. Mr. Toney reported to IDEM OSC, Stinchfield that a suction hose had been left in the tank from an opening on the top of the tank. The hose was in the product on the inside of the tank. The other end of the hose was hung up on a ladder on the outside of the tank. Mr. Toney said that the ladder must have fell over. When the hose fell off the ladder it started a siphon from the tank. He estimated 500 gallons loss. Release had stopped.

03/05/24

Meet on site with Aaron Bye, Crawford County EMA and Eric Toney, Toney Oil. Diesel release from AST seeped into area around tank and also flowed over surface. Visual evidence indicated that the fuel that flowed over the surface traveled and estimated 200' northeast down hill on the Toney property then disappeared. A small amount of diesel then appeared an estimated 400' downstream in the dry ditch. The area is karst. Booms and pads are in place where the fuel is coming to surface.

03/07/2024

Booms and pads continue to be changed out as necessary. Further investigation of the AST release site finds visual evidence USTs on site. Plumbing from fuel racks/pumps on site go from above ground into ground. Fill caps/vents rising from ground are also found. Mr. Toney confirms that there are USTs at the site.

03/08-13-15/2024

Continue to change out pads and booms as needed. Only small amount of fuel coming to surface.

03/20/2024

Site visit with Brock Goodman UST Compliance Inspector. He confirms the existence of at least 4 USTs. Information is contained in his report.

04/05/2024

Site visit finds no free product coming to surface down gradient from release site. Booms removed.

05/23/2024

Site visit finds no visual signs of free product down gradient of release site.

After a follow-up visit to the site, IDEM tendered the June 4, 2024, *Petroleum Remediation Section Field Report*. The June 4, 2024, report provided additional spill and response details, and documents various conversations regarding the status of the ASTs and USTs. Photographs of the ASTs, USTs, and suggested spill pathway are also included with this report.

FOLLOW-UP RESPONSES

According to Mr. Eric Toney, absorbent pads and booms provided by IDEM were quickly placed near the AST where the spill originated, and along the spill pathway. The pads and booms were replaced routinely for a period of approximately two weeks.

Thereafter, multiple rain events occurred, during which time Mr. Toney continued to maintain the pads and booms. This process continued until no further evidence of diesel fuel was evident.

Mr. Toney indicated that periodic inspections of the spill pathway have occurred as recently as June 25. No visual evidence of the presence of diesel fuel was noted during these visits.

Cory Smith of SE Sciences accompanied you (Ms. Bowman) on a site walkover on June 13, 2024. The site walkover focused on observing the ASTs, USTs, and the spill pathway. Furthermore, USTs were "red tagged" during the walkover, meeting requirements of IDEM described in its *Temporary Order to Prohibit Delivery to Underground Storage Tank* letter (originally dated June 11, 2024).

During the walkover, spilled fluids (diesel fuel) were not observed at the site specific nor along the common property edge to the east (276 N. Hardy Road, Marengo, IN).

AST DECOMMISSIONING

Usable remaining petroleum fluids (kerosene, diesel and #1 fuel oil) in the ASTs will be transferred to ASTs at the gasoline service station, owned by the Toney's at 396 S. Main Street, Marengo, Indiana, for resale. Unusable fluids will be incorporated into the used oil tank at the service station for future off-site recycling. These efforts are scheduled to occur beginning the week of July 1, 2024.

UST LIQUIDS PUMPING

In an email correspondence from Ms. Julie Lang of IDEM on June 27, 2024, the following was stated; *"We did speak to Tim Veatch and he said if the tanks cannot be removed within the 60 days, he would like to at least see them pumped down to remove accumulated fuel/water."*

Thus, petroleum fluids will be removed from the USTs and handled like the AST fluids described above. Then, water will be removed from the USTs such that a void will be created in the USTs, with a goal of preventing the overall liquid level in the USTs from reaching capacity.

The liquid levels will be monitored through the time of closure, ensuring the voids in the USTs are maintained. Additional fluids recovery will be employed, as necessary. Documentation of fluids recovery and recycling/disposal will be provided to IDEM.

This work will need to be completed with the cooperation of IDEM, given the current "Red Tag" status.

WORK PLAN

In response to IDEM's letter titled *Investigation due to Off-Site Impacts & Release Investigation and Confirmation Steps Request* dated June 12, 2024, a *Site Check Work Plan & Timeline* for the site is being submitted separately in conjunction with this response.

Please contact us at 317.688.1212 if you have any questions or comments regarding this *Emergency Response Status Update*.

Sincerely,
SPECIALTY EARTH SCIENCES, LLC



Eric S. Lewis, LPG
Senior Geologist



P. Cory Smith
Senior Project Manager

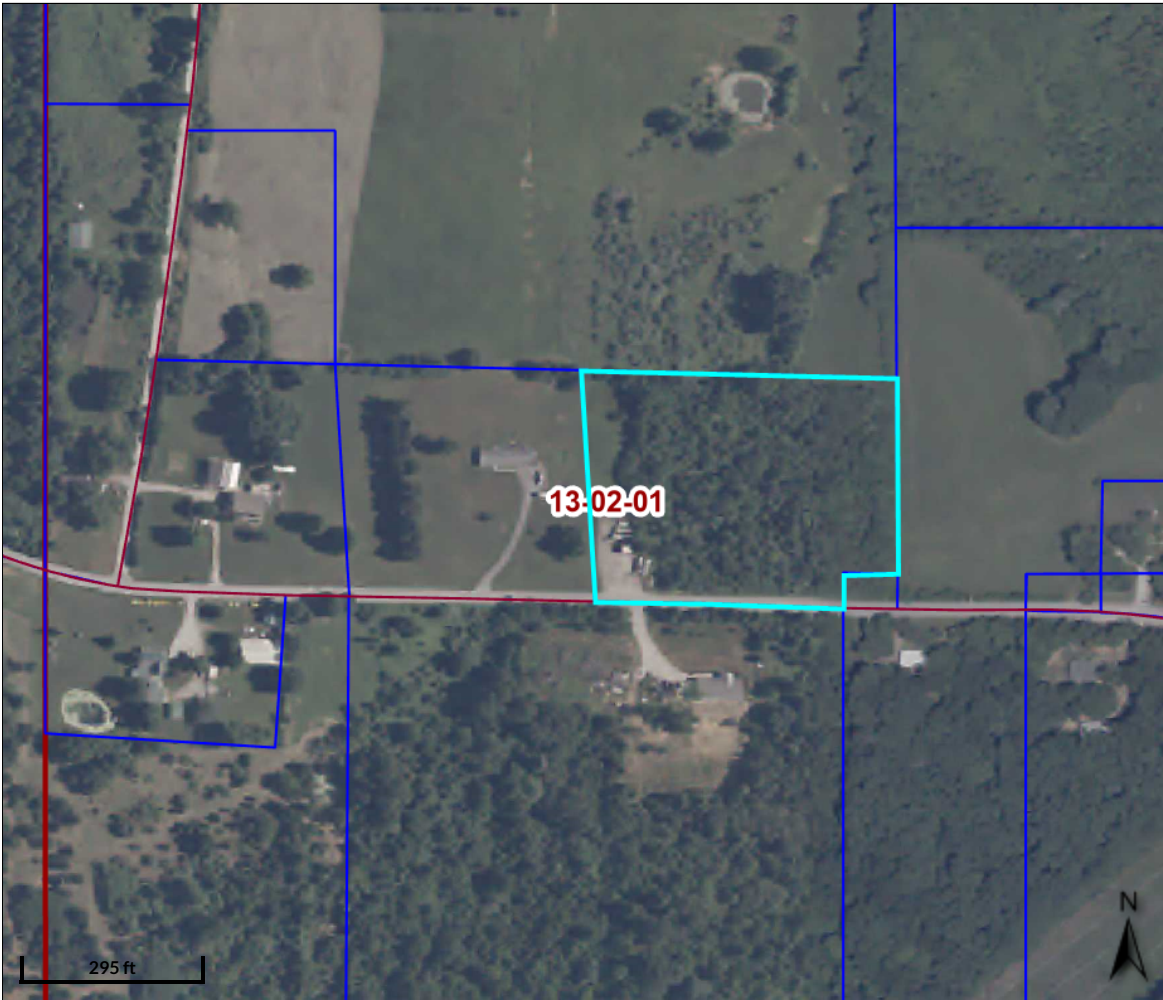
Cc: Messrs. Eric & Errol Toney, Toney Oil Company LLC
Ms. Andrea Kochert Townsend, PSRB
Mr. Tom Newcomb, IDEM
Mr. Tim Veatch, IDEM
Ms. Julie Lang, IDEM

Attachments:

Attachment A	Beacon™ Parcel Map
Attachment B	Figures

Attachment A

Beacon™ Parcel Map



Overview



Legend

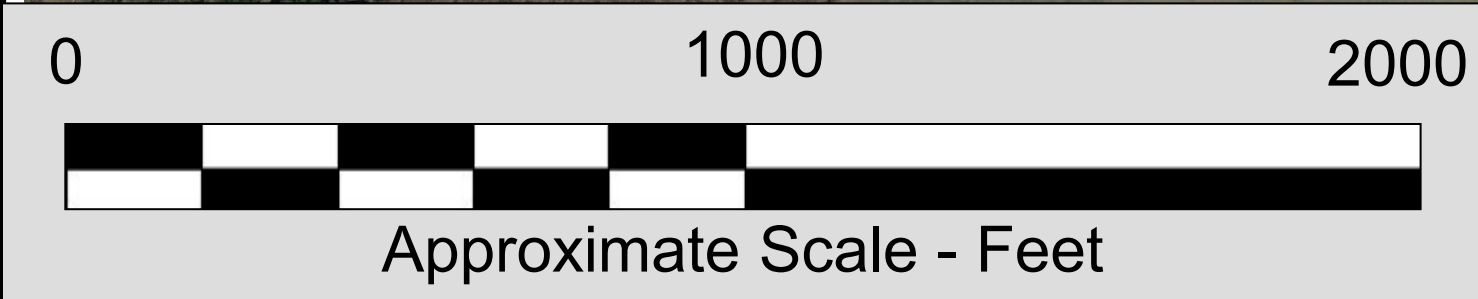
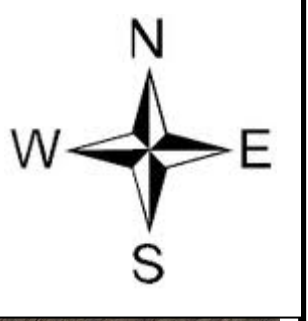
-  Parcels
-  Centerlines
-  Corporate Limits
-  Political Townships
-  Sections

Parcel ID	13-07-13-127-001.000-006	Alternate ID	RE-04-0400	Owner Address	Toney, Eric & Errol
Sec/Twp/Rng	n/a	Class	Agri Other agricultural use		2866 S State Rd 66
Property Address	EAST GOODMAN RIDGE ROAD MARENGO	Acreage	3.66		Marengo, IN 47140
District	006 LIBERTY TOWNSHIP				
Brief Tax Description	Pt Sw Nw 13-2-1e 3.66a				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 6/5/2024
 Last Data Uploaded: 6/5/2024 7:20:50 AM

Attachment B

Figures



SPECIALTY EARTH SCIENCES, LLC
1050 Summit Drive, Carmel Indiana 46032

East Goodman Ridge Road, Marengo, Indiana






Site Location Map

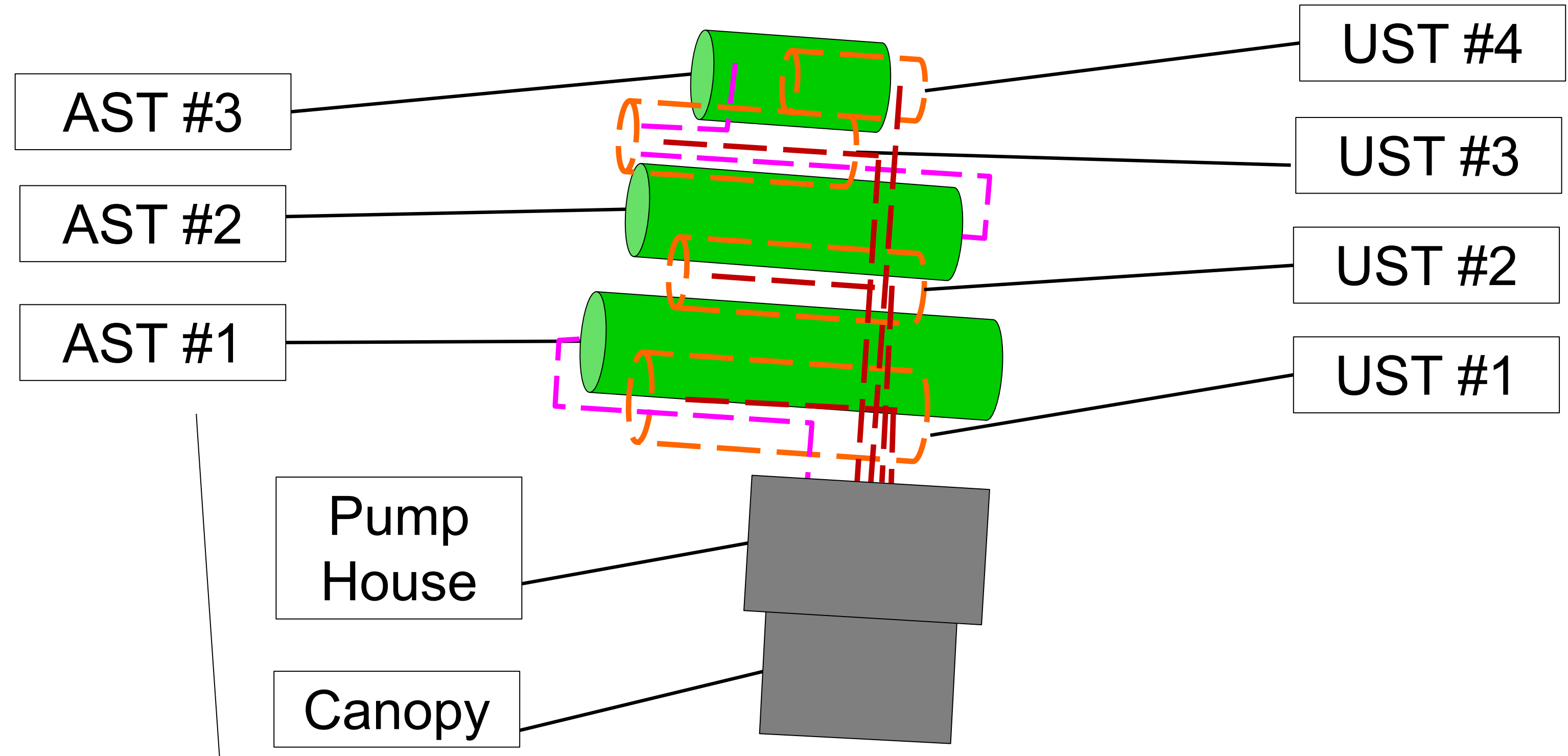
DATE 7/1/2024
SCALE As Shown
JOB NO.: 10475-24-481

FIGURE 1

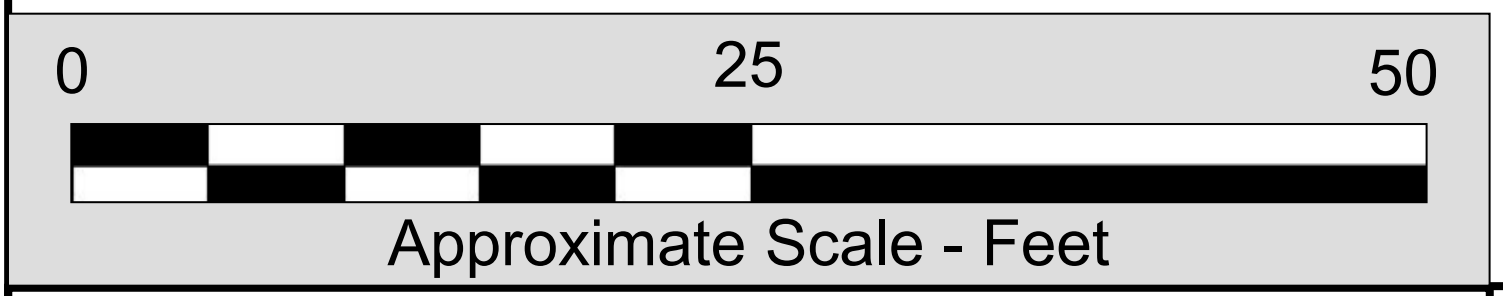


LEGEND

-  AST
-  UST (Approximate)
-  Property Boundary (Approximate)
-  AST Fill Pipe
-  UST Fill Pipe (Approximate)



Goodman Ridge Rd



REFERENCE:
AERIAL PHOTOGRAPH:
GOOGLE EARTH PRO (04,2013),
Accessed 6/26/2024



SPECIALTY EARTH SCIENCES, LLC
1050 Summit Drive, Carmel Indiana 46032

East Goodman Ridge Road, Marengo, Indiana

AST and UST Location Map

DATE 7/1/2024
SCALE As Shown
JOB NO.: 10475-24-481

FIGURE 2