



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

July 3, 2024

Black Branch Terminals LLC
Attn Angela J Maidment
3901 W Broad St
Richmond, VA 23230

Estes Express Lines Corporation
c/o Corporation Service Company
135 N Pennsylvania St., Suite 1610
Indianapolis, IN 46204

Re: Violation Letter
Estes Express Lines
747 Commerce Pkwy E Dr
Greenwood, Johnson
UST Facility ID # **24288**

Dear Ms. Maidment and Mr. Carr:

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. Include in the subject line of the response the UST Facility ID # **24288**.

Inspector: Danny Rice
Phone: (317) 646-5160

Direct any questions regarding the inspection to:

Compliance Manager: Carrie Maniet
Phone: (317) 233-3533

Sincerely,



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

cc: Carrie Maniet
Danny Rice
UST Facility ID File # 24288
Estes Express Lines
Attn: Curtis Carr
Via email: curtis.carr@estes-express.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: Estes Express Lines	UST FACILITY ID: 24288
ADDRESS: 747 Commerce Pkwy E Dr Greenwood, IN 46143 Johnson County	INSPECTION DATE: 06/24/2024

VIOLATIONS NOTED IN THIS INSPECTION

§ 280.41(b)(2) – Failure to perform monthly monitoring on piping installed after 9/2/2009, except proper European

Citation:

Pursuant to 40 CFR 280.41(b)(2), as incorporated, piping installed or replaced after April 11, 2016 (previously cited as September 2, 2009 under 329 IAC 9-2-1(2)(D)) must meet one of the following:

- (i) Pressurized piping must be monitored for releases at least every 30 days in accordance with § 280.43(g) and be equipped with an automatic line leak detector in accordance with § 280.44(a)
- (ii) Suction piping must be monitored for releases at least every 30 days in accordance with § 280.43(g).

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because interstitial monitoring for the 2018 piping was not provided .

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 and found to not have been monitored every thirty (30) days by not having records of 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)(3)(ii) – Failure to perform annual tests of probes & sensors

Citation:

Pursuant to 40 CFR 280.40(a)(3)(ii), as incorporated, owners and operators of UST systems must provide a method, or combination of methods, of release detection that beginning on October 13, 2018, is operated and maintained, and electronic and mechanical components are tested for proper operation, in accordance with one of the following: manufacturer's instructions; a code of practice developed by a nationally recognized association or independent testing laboratory; or requirements determined by the implementing agency to be no less protective of human health and the environment than the two options listed in paragraphs (a)(1) and (2) of this section. A test of the proper operation must be performed at least annually and, at a minimum, as applicable to the facility, cover the following components and criteria:
(ii) Probes and sensors: inspect for residual buildup; ensure floats move freely; ensure shaft is not damaged; ensure cables are free of kinks and breaks; test alarm operability and communication with controller.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because sensor testing for the STP sump sensor was not provided.

Corrective Action:

The owner and/or operator of the UST systems at this site shall have all components of the automatic tank gauging probes and sensors tested for proper operation within thirty (30) days of receipt of this notice and submit the results within forty five (45) days of receipt of this notice.

§ 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 testing for containment sumps used for interstitial monitoring 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.

§ 280.20(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 a stick was observed in the DSL 1 drop tube, overfill would not function as intended.

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.

§ 280.43(g) – Failure to perform Interstitial Monitoring to standard
Citation:
Pursuant to 40 CFR 280.43(g), as incorporated, 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:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because interstitial monitoring is not to standard due to pipe booting in STP sump is tight and valve is plugged, and dispenser 3 UDC needs to be pumped out and kept dry.</i>
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.

§ 280.245 – 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:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because operator certifications class C were 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: **24288**

Inspector's Name:	Danny Rice
Date:	June 24, 2024
Time In:	8:00 am
Time Out:	8:30 am
Inspection Type:	Initial

FACILITY NAME / LOCATION

FACILITY NAME Estes Express Lines		FACILITY ADDRESS (number and street) 747 Commerce Pkwy E Dr		
ADDRESS (line 2)	CITY Greenwood	STATE IN	ZIP CODE 46143	COUNTY Johnson

UST OWNER

UST Owner Name (Business Name as registered with the Secretary of State) Estes Express Lines Corporation		BUSINESS ID (From the Secretary of State) 2008013100210		
PREFIX	FIRST NAME Curtis	MI	LAST NAME Carr	SUFFIX
TELEPHONE NUMBER (804) 353-1900		EMAIL ADDRESS curtis.carr@estes-express.com		

UST OPERATOR

UST Operator Name (Business Name as registered with the Secretary of State) Estes Express Lines Corporation		BUSINESS ID (From the Secretary of State) 2008013100210		
PREFIX	FIRST NAME Curtis	MI	LAST NAME Carr	SUFFIX
TELEPHONE NUMBER (804) 353-1900		EMAIL ADDRESS curtis.carr@estes-express.com		

PROPERTY OWNER

UST Property Owner Name (Business Name as registered with the Secretary of State) Black Branch Terminals LLC		BUSINESS ID (From the Secretary of State)		
PREFIX	FIRST NAME Angela	MI	LAST NAME Maidment	SUFFIX
TELEPHONE NUMBER		EMAIL ADDRESS		

COMPLIANCE ELEMENTS

All USTs properly registered, on file and fees paid	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	UNK	
Current							
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 checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO	<input 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/overflow control requirements met	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	N/A	UNK
Stick in tank 1 fill tube							
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	
STP testing needed for Interstitial monitoring, tank 1 overfill testing (once stick is removed)							
40 CFR 280, Subpart D release detection requirements met	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK	
ATG sensor testing(Sump 1), release detection for Piping (Interstitial). Interstitial monitoring is not to standard.							
40 CFR 280, Subpart J operator training requirements met	<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	UNK	
Operator class C training certification							

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) USTs - CLAD - Installed 8/11/1999

Two (2) 20K DSL (Manifolded)

Piping is - FG - Pressurized

RD UST - ATG

RD Piping - ATG - LD

Spill protection/Overfill - Spill bucket - Flapper - Alarm

ATG Certification = Y

Overfill Protection Test = Y

Spill bucket Test = Y

Containment Sumps Test Required Y

Site is an active fulfillment center

Any Site history or concerns - Fuel lines from STP to "Master #3" replaced in 2018 and will be required to be DW with INT.

Documentation received -

Notification form -

RD UST monthly results 6/2023-5/2024 Pass

TTT 5/24/2024 Pass

RD Piping 4/24/2024 Pass

LD 4/24/2024 Pass

Annual ATG/probes test 4/24/2024

Overfill test 4/24/2024 Pass

Spill bucket test 4/24/2024 Pass

Monthly walk through 4/2023-4/2024

Annual walk through (Met monthly)

Operator certificate - A-B

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.

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

- Small amounts of liquid found in spill bucket 1&2. 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) Release detection interstitial monitoring for piping was not provided.
- 2) Sensor testing for the STP sump sensor was not provided.
- 3) Testing for containment sumps used for interstitial monitoring was not provided.
- 4) Stick was observed in the DSL 1 drop tube, overfill would not function as intended.
- 5) Interstitial monitoring is not to standard, pipe booting in STP sump is tight and valve is plugged, and dispenser 3 UDC needs to be pumped out and kept dry.
- 6) Operator class C certification was 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:

- 12 months of interstitial monitoring records for piping
- Interstitial sensor testing results
- Containment sump
- Stick removed and overfill re tested
- Interstitial monitoring brought to standard and line tightness test
- Operator class C certification