



**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*

July 3, 2024

Tank Owner  
Morgan Street Holdings LLC  
125 Southway Blvd  
Kokomo, IN 46902

Property Owner  
Morgan Street Holdings LLC  
125 Southway Blvd  
Kokomo, IN 46902

Tank Operator  
MJ Market LLC  
1201 E Morgan St  
Kokomo, IN 46901  
[mjmarket730@gmail.com](mailto:mjmarket730@gmail.com)

Re: **Violation Letter**  
Sunoco Food Mart  
1201 E Morgan St  
Kokomo, IN 46901  
UST Facility ID #18602

To All Parties:

Personnel from the Indiana Department of Environmental Management (IDEM), Petroleum Branch, conducted a record review of the site referenced above on 6/28/2024.

The review of this site was conducted pursuant to Indiana Code (IC) 13-14-2-2 or using records required by 40 CFR 280.34 to determine compliance with the provisions of IC 13-23 and 329 IAC 9. Please note, IDEM has incorporated the majority of the federal underground storage tank regulations of 40 Code Fed. Reg. (CFR) Part 280 via 329 Ind. Admin. Code (IAC) 9-1-1. All CFR citations refer to the regulation as incorporated.

Results: Violations were discovered and require a submittal.

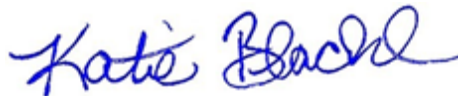
Within seven (7) days of receipt of this letter, documentation demonstrating compliance with each of the requirements listed in the attached Description of Violations (DOV) must be submitted to IDEM. Failure to submit this documentation may lead to this facility being referred to enforcement.

An enforcement action may include civil penalties of up to \$10,000 per underground storage tank (UST) per day of violation. Certain violations 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 the facility ineligible for delivery, deposit, or acceptance of regulated substances pursuant to IC 13-23-1-4. Finally, civil penalties may apply for failure to provide required notification; or submitting false information pursuant to IC 13-23-14-2 and criminal liability may attach pursuant to IC 13-30-10.

If required, an updated notification/initial registration form must be emailed to [USTRegistration@idem.in.gov](mailto:USTRegistration@idem.in.gov). Any other required information or tank related questions must be emailed to [USTCompliance@idem.in.gov](mailto:USTCompliance@idem.in.gov). The subject line of the email should be: FID #18602 Response to Violation Letter.

Thank you for your attention to this matter.

Sincerely,



Katie Blackburn, Chief  
UST Operations Section  
Petroleum Branch  
Office of Land Quality

Enclosure: Description of Violations  
ecopy: IDEM Files



DESCRIPTION OF VIOLATIONS	
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FACILITY NAME: Sunoco Food Mart	FACILITY ID #:18602
ADDRESS: 1201 E Morgan St Kokomo, 46901, Howard County	REVIEW DATE: 6/20/2024

This records review revealed that the owner and/or operator of this facility is in violation of Indiana UST Rule 329 IAC 9. The Description of Violations (DOV) and corrective measures are as follows:

VIOLATIONS NOTED IN THIS REVIEW
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<b>329 IAC 9-2-2(b)</b> – Failure to notify within 30 days of ownership
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Citation:
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Pursuant to 329 IAC 9-2-2(b), the owner of a UST system, UST, or tank shall submit a notification form to register the UST system, UST, or tank to the department within thirty (30) days of becoming the owner of, or bringing into use, the UST system, UST, or tank. Bringing a tank or UST system “into use” means the tank or UST system contains or has contained a regulated substance and has not been closed under 329 IAC 9-6.
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Violation Details:
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1. 1801 - Other - Other Ownership deficiency - Please contact Rita Browne at rbrowne@idem.in.gov with any questions about State Form 45223.
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Corrective Action:
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The owner and/or operator of the UST systems at this site shall submit to IDEM an accurately completed copy of State Form 45223 Notification for UST Systems including required attachments (i.e. deed and/or property card to show property ownership or other legal documents transferring UST ownership), within seven (7) days of receipt of this notice.
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