



## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

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**Eric J. Holcomb**  
Governor

**Bruno L. Pigott**  
Commissioner

January 5, 2022

7-Eleven Inc.  
c/o Corporate Creations Network Inc.  
8520 Allison Pointe Blvd #220  
Indianapolis, IN 46250

7-Eleven Inc.  
Attn: Scott Johnson  
Via email: [scott.johnson@7-11.com](mailto:scott.johnson@7-11.com)

Re: Violation Letter  
7-11 Store No 32581  
1000 S Main St  
Goshen, Elkhart County  
UST Facility ID # **9072**

Dear Mr. Johnson:

An inspector from the Indiana Department of Environmental Management (IDEM), Underground Storage Tank (UST) Section, conducted an inspection of the site referenced above on December 1, 2021.

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 UST's 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.

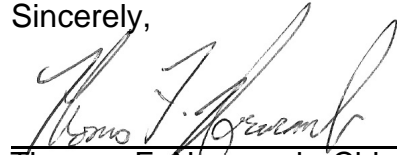
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at [USTCompliance@idem.in.gov](mailto:USTCompliance@idem.in.gov). Include in the subject line of the response the UST Facility ID # **9072**.

Inspector: John Metz  
Phone: (317) 296-0383

Direct any questions regarding the inspection to:

Compliance Manager: Loic Maniet  
Phone: (317) 232-3592

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas F. Newcomb", is written over a horizontal line.

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

cc: Loic Maniet  
John Metz  
UST Facility ID File # 9072

## 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: <b>7-11 Store 32581</b>	UST FACILITY ID: <b>9072</b>
ADDRESS: <b>1000 S Main St, Goshen, Elkhart County</b>	INSPECTION DATE: <b>12/01/2021</b>

## VIOLATIONS NOTED IN THIS INSPECTION

### § 280.34(a)(3) – Failure to submit release report

#### Citation:

Pursuant to 40 CFR 280.34(a)(3), owners and operators must submit the following information to the implementing agency: reports of all releases including suspected releases (§ 280.50), spills and overfills (§ 280.53), and confirmed releases (§ 280.61).

#### Violation Details:

*The owner and/or operator of the UST system(s) at this site are in violation of this rule because when dispenser #5/6 was damaged and fuel spilled into the gravel, causing the staining that is still visible, it should have been reported as a suspected release within 24 hours.*

#### Corrective Action:

The owner and operator of the UST systems at this site shall report a release within twenty four (24) hours of receipt of this notice by calling (317) 233-7745 or (888) 233-7745. The owner and operator shall submit documentation within fifteen (15) days detailing their investigation and clean up under 329 IAC 9-4-4.



# UNDERGROUND STORAGE TANK INSPECTION REPORT

INDIANA DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT

UST FAC ID: **9072**

Inspector's Name:	John Metz
Date:	December 1, 2021
Time In:	12:55
Time Out:	13:25
Inspection Type:	Initial

FACILITY NAME / LOCATION								
FACILITY NAME 7-11 Store 32581		FACILITY ADDRESS (number and street) 1000 S Main St						
ADDRESS (line 2)	CITY Goshen	STATE IN	ZIP CODE 46526	COUNTY Elkhart				
UST OWNER								
UST Owner Name (If in Individual Capacity) 7-Eleven Inc			BUSINESS ID (From the Secretary of State) 196905-329					
PREFIX Mr	FIRST NAME Scott	MI	LAST NAME Johnson		SUFFIX			
TELEPHONE NUMBER (972) 828-0711		EMAIL ADDRESS scott.johnson@7-11.com						
UST OPERATOR								
UST Operator Name (If in Individual Capacity) 7-Eleven Inc			BUSINESS ID (From the Secretary of State) 196905-329					
PREFIX Mr	FIRST NAME Scott	MI	LAST NAME Johnson		SUFFIX			
TELEPHONE NUMBER (972) 828-0711		EMAIL ADDRESS scott.johnson@7-11.com						
PROPERTY OWNER								
UST Property Owner Name (If in Individual Capacity) 7-Eleven Inc			BUSINESS ID (From the Secretary of State) 196905-329					
PREFIX Mr	FIRST NAME Scott	MI	LAST NAME Johnson		SUFFIX			
TELEPHONE NUMBER (972) 828-0711		EMAIL ADDRESS scott.johnson@7-11.com						
COMPLIANCE ELEMENTS								
All USTs properly registered and up-to-date notification form on file			<input checked="" type="checkbox"/>	YES	NO	UNK		
O/O is in compliance with reporting & record keeping requirements			<input checked="" type="checkbox"/>	YES	NO	UNK		
O/O is in compliance with release reporting or investigation			<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	N/A	UNK
Stained gravel under dispenser #5/6 should have been reported after line was damaged			<input checked="" type="checkbox"/>	YES	NO	N/A	UNK	
O/O is in compliance with all UST closure requirements			<input checked="" type="checkbox"/>	YES	NO	N/A	UNK	
O/O has met all financial responsibility requirements			<input checked="" type="checkbox"/>	YES	NO	N/A	UNK	
40 CFR 280, Subpart A installation requirements (partially excluded) met			<input checked="" type="checkbox"/>	YES	NO	N/A	UNK	
40 CFR 280, Subpart B installation and upgrade requirements met			<input checked="" type="checkbox"/>	YES	NO	UNK		
40 CFR 280, Subpart C spill/overfill control requirements met			<input checked="" type="checkbox"/>	YES	NO	N/A	UNK	
40 CFR 280, Subpart C compatibility requirements met			<input checked="" type="checkbox"/>	YES	NO	N/A	UNK	
40 CFR 280, Subpart C O&M and testing requirements met			<input checked="" type="checkbox"/>	YES	NO	UNK		
40 CFR 280, Subpart D release detection requirements met			<input checked="" type="checkbox"/>	YES	NO	UNK		
40 CFR 280, Subpart J operator training requirements met			<input checked="" type="checkbox"/>	YES	NO	UNK		

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
- One (1) 10K REG GSL CLAD installed in January 1992
- One (1) 8K PREM GSL FG DW installed in April 2002

Section Chief Note: The normal operational lifespan of a UST before failing is 25 to 30 years old. The USTs at this site are now 20 and 30 years old and the owner should start planning on removing or replacing them soon.

- Piping is Flex DW and pressurized

RD UST = ATG

RD Piping = LLD, LTT

Overfill/Spill = Spill Buckets + Auto Shutoff (consistent)

ATG Certification = Y (1/6/2021)

Overfill Protection Test = Y (1/16/2020)

Spill bucket Test = Y (1/16/2020)

Containment Sumps Test (not required) = N

**Site History:**

Site is an active service station. One (1) UST was removed in January 1992 (Closure NF in VFC), one (1) was removed in 1999 (Closure Report in VFC), and three (3) were removed in 2002 (No Closure Report but extensive ISC and Remediation related to the closure of those USTs). Based on all the investigation work completed, the 3 USTs would be considered closed.

**Contact Information**

Scott Johnson scott.johnson@7-11.com

**Documentation provided at the time of the file review:**

- (NF 8/5/2014, Approval 6/15/2017 - tank data ok)
- Certificate of Financial Responsibility (Insurance 12/2020 to 12/2021)
- Operator Certificates A, B, C
- Release Detection Records (REG, PREM) CSLD 11/2020 to 11/2021 (volumes correct)
- Release Detection Records INT (PREM) 11/2020 to 11/2021
- Release Detection Records STP Sum (PREM) 11/2020 to 11/2021
- Line and leak detector test (1/6/2021) REG, PREM
- ATG/Probes certification 1/6/2021
- Spill bucket test (REG, PREM) 1/16/2020
- Overfill test (REG, PREM) 1/16/2020 - Auto
- Monthly Walkthrough 1/2021 to 10/2021

**Inspection Note:**

- Although interstitial monitoring is not a required method for this facility. The premium drain tube for the interstitial space has a valve/gauge connected at the end. A cap was noted which would prevent liquid from freely draining into the STP as required for proper interstitial monitoring. This would invalidate all interstitial monitoring records for the piping. If interstitial monitoring is to be used as a form of release detection, the cap should be removed.

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

1. The Regular Gas spill bucket contained some fluid.
2. The Premium STP sump contained fuel.
3. UDCs #1/2 and 3/4 had seepage on piping.

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:

4. When dispenser #5/6 was damaged and fuel spilled into the gravel, causing the staining that is still visible, it should have been reported as a suspected release within 24 hours.