



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

Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

February 28, 2022

Murphy Oil USA Inc
c/o CT Corporation System
334 N Senate Ave
Indianapolis, IN 46204

Murphy Oil USA Inc
Attn: Brad Weinischke
Via email: brad.weinischke@murphyusa.com

Re: Violation Letter
Murphy USA 6560
2301 N Oak Rd
Plymouth, Marshall County
UST Facility ID # **24418**

Dear Mr. Weinischke:

An inspector from the Indiana Department of Environmental Management (IDEM), Underground Storage Tank (UST) Section, conducted an inspection of the site referenced above on February 21, 2022.

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.

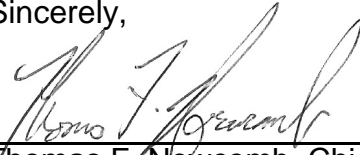
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at USTCompliance@idem.in.gov. Include in the subject line of the response the UST Facility ID # **24418**.

Inspector: Matt Rozycki
Phone: (317) 296-1853

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
Matt Rozycki
UST Facility ID File # 24418

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: Murphy USA 6560	UST FACILITY ID: 24418
ADDRESS: 2301 N Oak Rd, Plymouth, Marshall County	INSPECTION DATE: 2/21/2022

VIOLATIONS NOTED IN THIS INSPECTION

§ 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), 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 auto shut off and ball float coincidental use. The site has a history of ball floats, however; at the time of inspection, auto shut off devices were observed on site.

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.

§ 280.35(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), 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 STP containment sumps / UDCs used for interstitial monitoring were not tested.

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.

§ 280.36(a)(1)(i) – Failure to perform 30 day walkthrough inspections

Citation:

Pursuant to 40 CFR 280.36(a)(1)(i), to properly operate and maintain UST systems, not later than June 28, 2021, owners and operators must conduct a walkthrough inspection every 30 days that, at a minimum, checks spill prevention equipment and release detection equipment (Exception: spill prevention equipment at UST systems receiving deliveries at intervals greater than every 30 days may be checked prior to each delivery).

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because monthly walkthroughs have not been provided for July 2021 through January 2022.

Corrective Action:

The owner and/or operator of the UST systems at this site shall, within seven (7) days of receipt of this notice, perform the 30 day walkthrough inspection for all UST systems at the site in accordance with a standard of practice referenced in the rule. Documentation, to include photographs, inspection forms, repair documents, and waste disposal records, showing the walkthrough inspection has been completed must be submitted within forty five (45) days of the receipt of this notice.

§ 280.41(b)(1)(i)(B) – Failure to perform annual piping LTT or monthly monitoring

Citation:

Pursuant to 40 CFR 280.41(b)(1)(i)(B), pressurized underground piping installed on or before April 11, 2016 (previously cited as September 2, 2009 under 329 IAC 9-2-1(2)(D)) that routinely contains regulated substances must have an annual line tightness test conducted in accordance with § 280.44(b) or have monthly monitoring conducted in accordance with § 280.44(c).

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because complete interstitial monitoring monthly release detection records were not provided for the piping.

Corrective Action:

The owner and/or operator of the UST systems at this site shall have any piping that contains a regulated amount of product and found to not have had appropriate monthly monitoring or an annual line tightness test within the 12 months prior to inspection 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.

§ 280.43(g) – Failure to perform Interstitial Monitoring to standard
Citation:
<p>Pursuant to 40 CFR 280.43(g), 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:</p> <p>(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;</p> <p>(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.</p>
Violation Details:
<p><i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because the REG STP sumps were full of fluid and the UDCs all contained some fluid. To be up to standard all of sumps and UDCs must be dry and liquid tight to allow for the sensors to trigger a fuel alarm. The sensors in STP sumps and UDCs need to be placed at the lowest possible points containment sumps.</i></p>
Corrective Action:
<p>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.</p>



UNDERGROUND STORAGE TANK INSPECTION REPORT

INDIANA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

UST FAC ID: **24418**

Inspector's Name:	Matt Rozycki
Date:	February 21, 2022
Time In:	14:45
Time Out:	15:10
Inspection Type:	Initial

FACILITY NAME / LOCATION							
FACILITY NAME Murphy USA 6560		FACILITY ADDRESS (number and street) 2301 N Oak Rd					
ADDRESS (line 2)	CITY Plymouth	STATE IN	ZIP CODE 46563	COUNTY Madison			
UST OWNER							
UST Owner Name (If in Individual Capacity) Murphy Oil USA Inc			BUSINESS ID (From the Secretary of State) 1992121293				
PREFIX	FIRST NAME Brad	MI	LAST NAME Weinischke		SUFFIX		
TELEPHONE NUMBER		EMAIL ADDRESS brad.weinischke@murphyusa.com					
UST OPERATOR							
UST Operator Name (If in Individual Capacity) Murphy Oil USA Inc			BUSINESS ID (From the Secretary of State) 1992121293				
PREFIX	FIRST NAME Brad	MI	LAST NAME Weinischke		SUFFIX		
TELEPHONE NUMBER		EMAIL ADDRESS brad.weinischke@murphyusa.com					
PROPERTY OWNER							
UST Property Owner Name (If in Individual Capacity) Murphy Oil USA Inc			BUSINESS ID (From the Secretary of State) 1992121293				
PREFIX	FIRST NAME Brad	MI	LAST NAME Weinischke		SUFFIX		
TELEPHONE NUMBER		EMAIL ADDRESS brad.weinischke@murphyusa.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				YES	NO	N/A	UNK
O/O is in compliance with all UST closure requirements				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				YES	<input checked="" type="checkbox"/>	NO	UNK
Both REG STP sumps were full of fluid that may be continuous with backfill, Auto/BF coincident				YES	<input checked="" type="checkbox"/>	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				YES	<input checked="" type="checkbox"/>	NO	UNK
Containment sumps used for interstitial monitoring were not tested, monthly walkthroughs				YES	<input checked="" type="checkbox"/>	NO	UNK
40 CFR 280, Subpart D release detection requirements met				YES	<input checked="" type="checkbox"/>	NO	UNK
Release detection records were not provided for the piping, IM to standard				YES	<input checked="" type="checkbox"/>	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 three (3) USTs - DW FG - Installed 8/3/2000

One (1) 12K GSL

One (1) 8K GSL (Compartment 1)

One (1) 4K GSL (Compartment 2)

Piping - DW FG - Pressurized

RD UST - ATG - IM

RD Piping - IM - LD

Spill protection/Overfill - Spill bucket - Ball floats & Flapper

ATG Certification = Y 8/23/2021

Overfill Protection Test = Y 8/23/2021

Spill bucket Test = Y 10/14/2020

Containment Sumps Test Required Y

Site is an active gas station

Any Site history or concerns - 2 Most recent NFs list piping RD as IM. IM reports have monthly results for dispensers 1-2, 3-4 and 5-6, no monthly reports were received for STP sumps or dispenser 7-8, try to determine on site if sensor reports for dispensers 1-2, 3-4, 5-6 will meet monthly monitoring for piping. Due to no STP sump sensor reports left request for full piping RD.

Documentation received -

Notification form - 10/16/2015 (Initial approval)

RD UST IM monthly results 1/2021- 12/2021 (Missing Nov)

RD Piping IM monthly results - 1/2021-12/2021 (Only sensors for 3 UDCs)

LTT 10/14/2020 & 8/23/2021 (2 Pass 1 REG 1 PREM)

LD 10/14/2020 & 8/23/2021 (2 Pass) REF 1 PREM

CP for STPs 7/19/2020

ATG test with annular sensor 10/14/2020 & 8/23/2021

Overfill test 10/14/2020 (4K Failed) & 8/23/2021 All Pass

Spill bucket test 10/14/2020 Pass

Operator certificate - A-B-C

FR Self insurance expires 4/30/2022

Documentation needed -

RD Piping

Containment sump testing required for IM

Monthly walk through July-Current month

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:

1. The compartmented REG spill bucket had some warping, it should be monitored and replaced if a crack develops

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. Auto shut off and ball float coincidental use. The site has a history of ball floats, however; at the time of inspection, auto shut off devices were observed on site
2. Containment sumps / UDCs used for interstitial monitoring were not tested.
3. Monthly walkthrough inspections were not provided
4. Monthly release detection records for the piping was not provided
5. Interstitial monitoring is not being performed to standard. The REG STP sumps were full of fluid, to be up to standard all of the sumps and UDCs must be dry and liquid tight to allow for the sensors to trigger a fuel alarm, the UDCs all contained some fluid. It was observed that the UDCs were not liquid tight. The rubber booting sealing off the backfill from the UDCs was either cracked, or loosened in all of the UDCs. The sensors need to be placed at the lowest possible points in the STP sumps and UDCs.

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 (update accordingly):

- Monthly walkthroughs
- Containment sump testing for STPs and UDCs
- Monthly interstitial monitoring release detection records for the piping
- Documentation showing interstitial monitoring has been brought up to standard
- Ball float removal or auto shut off adjustment to 90%