



## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

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Eric J. Holcomb  
Governor

Brian C. Rockensuess  
Commissioner

March 2, 2022

Trustees of Indiana University  
1800 N Range Rd  
Bloomington, IN 47408  
Via email: [bdot@iu.edu](mailto:bdot@iu.edu)

IU Health Bloomington Inc.  
Attn: Erin Lewis, Registered Agent  
340 W 10th St  
Indianapolis, IN 46206

Re: Violation Letter  
IU Health Bloomington Hospital  
2651 E Discovery Pkwy  
Bloomington, Monroe County  
UST Facility ID # **40063**

Dear owners and operators:

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 23, 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.

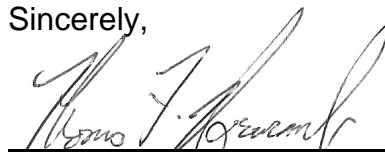
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at [USTCompliance@idem.in.gov](mailto:USTCompliance@idem.in.gov). Include in the subject line of the response the UST Facility ID # **40063**.

Inspector: Tristan Voge  
Phone: (317) 719-2574

Direct any questions regarding the inspection to:

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

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: Carrie Maniet  
Tristan Voge  
UST Facility ID File # 40063  
IU Bloomington Hospital  
Attn: Erin Lewis, [elewis7@iuhealth.org](mailto:elewis7@iuhealth.org)  
Attn: David Carroll, [dcarroll1@iuhealth.org](mailto:dcarroll1@iuhealth.org)  
Attn: [facops@indiana.edu](mailto:facops@indiana.edu)

### 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>IU Health Bloomington Hospital</b>	UST FACILITY ID: <b>40063</b>
ADDRESS: <b>2651 E Discovery Pkwy, Bloomington, Monroe County</b>	INSPECTION DATE: <b>02/23/2022</b>

### VIOLATIONS NOTED IN THIS INSPECTION

#### IC 13-23-12-1 Failure to Pay UST Fees

##### Citation:

Pursuant to IC 13-23-12-1, each year, if an underground storage tank has not been closed before January 1 of the year under rules adopted under IC 13-23-1-2; or a requirement imposed by the commissioner before the adoption of rules under IC 13-23-1-2; the owner of the underground storage tank shall pay to the department an annual registration fee.

The annual registration fee required by this section is ninety dollars (\$90) for each underground petroleum storage tank or two hundred forty-five dollars (\$245) for each underground storage tank containing regulated substances other than petroleum.

If an underground storage tank consists of a single tank in which there are separate compartments, a separate fee shall be paid under subsection (b) for each compartment within the single tank. If an underground storage tank consists of a combination of tanks, a separate fee shall be paid under subsection (b) for each compartment within each tank in the combination of tanks.

For tanks that contain separate compartments and that were in use before July 1, 2014, the payment of a single annual fee of ninety dollars (\$90) for a tank containing separate compartments shall be deemed to satisfy the requirements of subsection.

##### Violation Details:

*The owner and/or operator of the UST system(s) at this site are in violation of this rule because the 2021 tank fees were due 05/2021.*

##### Corrective Action:

The owner and/or operator of the UST systems at this site shall pay the required fees to the Indiana Department of Environmental Management within fifteen (15) days of receipt of this notice.

**329 IAC 9-2-2(c) – Failure to register/notify with complete information**

Citation:

Pursuant to 329 IAC 9-2-2(c), an owner required to submit a notification under this section shall provide:

- (1) a notification for each UST owned;
- (2) complete information required on the form for each UST owned; and
- (3) if applicable, a separate notification form for each separate place of operation at which the USTs are located.

Violation Details:

*The owner and/or operator of the UST system(s) at this site are in violation of this rule because Notification Form submitted 11/3/2020 does not have accurate release detection details for tanks or piping.*

Corrective Action:

The owner and/or operator of the UST systems at this site shall fill out and submit to IDEM a correct and complete copy of the appropriate state form with required attachments, within fifteen (15) days of receipt of this notice.

**§ 280.34 – Reporting and recordkeeping (general provisions)**

Citation:

Pursuant to 40 CFR 280.34, owners and operators of UST systems must cooperate fully with inspections, monitoring and testing conducted by the implementing agency, as well as requests for document submission, testing, and monitoring by the owner or operator pursuant to section 9005 of Subtitle I of the Solid Waste Disposal Act, as amended.

Violation Details:

*The owner and/or operator of the UST system(s) at this site are in violation of this rule because the owner and/or operator did not respond to IDEM's records request dated 11/17/2021.*

Corrective Action:

The owner and/or operator of the UST systems at this site shall immediately perform the monitoring or testing required by the rules and/or submit the requested documentation within seven (7) days of receipt of this notice.

**329 IAC 9-8-11(b) – Failure to demonstrate the ability to pay the deductible amount**

**Citation:**

Pursuant to 329 IAC 9-8-11(b), an owner or operator of:

- (1) twelve (12) or fewer USTs shall demonstrate the ability to pay the applicable deductible amount under IC 13-23-9-1.3; or
- (2) more than twelve (12) USTs shall demonstrate the ability to pay two (2) times the applicable deductible amount under IC 13-23-9-1.3.

**Violation Details:**

*The owner and/or operator of the UST system(s) at this site are in violation of this rule because a mechanism of financial responsibility was not provided.*

**Corrective Action:**

The owner and/or operator of the UST systems at this site shall submit a copy of the instrument proving they have the coverage required by this rule within thirty (30) 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), 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 a periodic spill and containments sumps used for interstitial monitoring test 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.

**§ 280.35(a)(2) – Failure to perform periodic testing of overfill prevention equipment**

**Citation:**

Pursuant to 40 CFR 280.35(a)(2), overfill prevention equipment must be inspected at least once every three years. At a minimum, the inspection must ensure that overfill prevention equipment is set to activate at the correct level specified in § 280.20(c) and will activate when regulated substance reaches that level. Inspections must be conducted in accordance with one of the criteria in paragraph (a)(1)(ii)(A) through (C) of this section.

**Violation Details:**

*The owner and/or operator of the UST system(s) at this site are in violation of this rule because a periodic overfill prevention equipment test report 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 overfill prevention equipment. Documentation, to include photographs, inspection, repair, measurements and testing results, showing the overfill prevention equipment is fully functional and set at the correct level 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 07/2021-02/2022 monthly walkthrough inspections were not provided.*

**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.

**§ 280.40(a)(3)(i) – Failure to perform annual tests of ATG**

**Citation:**

Pursuant to 40 CFR 280.40(a)(3)(i), 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:

(i) Automatic tank gauge and other controllers: test alarm; verify system configuration; test battery backup.

**Violation Details:**

*The owner and/or operator of the UST system(s) at this site are in violation of this rule because an annual ATG functionality test report 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 gauge or other controllers 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.

**§ 280.40(a)(3)(ii) – Failure to perform annual tests of probes & sensors**

**Citation:**

Pursuant to 40 CFR 280.40(a)(3)(ii), 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 an annual probes and sensors test report 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.

**§ 280.41(b)(1)(i)(A) – Failure to equip piping with or test automatic leak detectors**

**Citation:**

Pursuant to 40 CFR 280.41(b)(1)(i)(A), 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 be equipped with an automatic line leak detector conducted in accordance with § 280.44(a).

**Violation Details:**

*The owner and/or operator of the UST system(s) at this site are in violation of this rule because an annual ATG probes and interstitial sensors test report was not provided.*

**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 its automatic leak detector tested 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.



**§ 280.245 – Failure to maintain list of designated operators and/or training records**

**Citation:**

Pursuant to 40 CFR 280.245, 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:**

*The owner and/or operator of the UST system(s) at this site are in violation of this rule because A, B and C operator certificates were not provided.*

**Corrective Action:**

The owner or operator of the UST systems at this site shall submit a list of those employees designated to be Class A, Class B and 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: **40063**

Inspector's Name:	Tristan Voge
Date:	February 23, 2022
Time In:	11:30 am
Time Out:	12:15 pm
Inspection Type:	Initial

FACILITY NAME / LOCATION					
FACILITY NAME IU Health Bloomington Hospital		FACILITY ADDRESS (number and street) 2651 E Discovery Pkwy			
ADDRESS (line 2)	CITY Bloomington	STATE IN	ZIP CODE 47408	COUNTY Monroe	
UST OWNER					
UST Owner Name (Business Name as registered with the Secretary of State) IU Health Bloomington Inc.				BUSINESS ID (From the Secretary of State) 198702-922	
PREFIX	FIRST NAME Erin	MI	LAST NAME Lewis		SUFFIX
TELEPHONE NUMBER (812) 855-4271		EMAIL ADDRESS elewis7@iuhealth.org			
UST OPERATOR					
UST Operator Name (Business Name as registered with the Secretary of State) IU Health Bloomington Inc.				BUSINESS ID (From the Secretary of State) 198702-922	
PREFIX	FIRST NAME David	MI	LAST NAME Carroll		SUFFIX
TELEPHONE NUMBER (812) 353-5290		EMAIL ADDRESS dcarroll1@iuhealth.org			
PROPERTY OWNER					
UST Property Owner Name (Business Name as registered with the Secretary of State) Trustees of Indiana University				BUSINESS ID (From the Secretary of State)	
PREFIX	FIRST NAME	MI	LAST NAME		SUFFIX
TELEPHONE NUMBER		EMAIL ADDRESS facops@indiana.edu			
COMPLIANCE ELEMENTS					
All USTs properly registered, on file and fees paid			YES	<input checked="" type="checkbox"/> NO	UNK
2021 tank fees were due 05/2021.					
O/O is in compliance with reporting & record keeping requirements			YES	<input checked="" type="checkbox"/> NO	UNK
The owner and/or operator did not respond to IDEM's records request dated 11/17/2021.					
O/O is in compliance with release reporting or investigation			YES	NO	<input checked="" type="checkbox"/> N/A
O/O is in compliance with all UST closure requirements			YES	NO	<input checked="" type="checkbox"/> N/A
O/O has met all financial responsibility requirements			YES	<input checked="" type="checkbox"/> NO	N/A
A mechanism of financial responsibility was not provided.					
40 CFR 280, Subpart A installation requirements (partially excluded) met			YES	NO	<input checked="" type="checkbox"/> N/A
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
40 CFR 280, Subpart C compatibility requirements met			<input checked="" type="checkbox"/> YES	NO	N/A
40 CFR 280, Subpart C O&M and testing requirements met			YES	<input checked="" type="checkbox"/> NO	UNK
Periodic spill/sump/overfill equipment test reports 07/2021-02/2022 monthly walkthrough inspections not provided.					
40 CFR 280, Subpart D release detection requirements met			YES	<input checked="" type="checkbox"/> NO	UNK
Annual ATG, probes and sensors, and leak detector test reports were not provided.					
40 CFR 280, Subpart J operator training requirements met			YES	<input checked="" type="checkbox"/> NO	UNK
A, B and C operator certificates were not provided.					

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 - DW FG - Installed 4/19/2019

Two (2) 35K DSL

Piping - DW Flex - Pressurized

RD UST - ATG

RD Piping - ATG

Spill protection/Overfill - Spill bucket - Flapper & Alarm

ATG Certification = N

Overfill Protection Test = N

Spill bucket Test = N

Containment Sumps Test Required = Y

Site is an active Hospital

Any Site history or concerns - Notification form does not reflect required IM for tanks or piping or have GPS location of tanks. Facility brand new and not showing on maps.

Documentation received -

Notification form - 11/3/2020 (Review not noted)

No additional documents received at time of review

Documentation needed -

RD UST monthly results -

RD Piping

LD

Annual ATG test

Annual test of probes and sensors

Overfill test required every 3 years

Spill bucket test required every 3 years

Containment sump testing required for IM

Monthly walk through July-Current month

Operator certificate - A-B-C

FR

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

- N/A

Inspection Notes

- No documentation was collected on site.

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 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. The 2021 tank fees were due 05/2021.
2. Notification Form provided does not contain accurate site details for release detection for tanks or piping.
3. Owner and/or operator did not respond to IDEM's records request dated 11/17/2021.
4. A mechanism of financial responsibility was not provided.
5. A periodic spill and containment sump test was not provided.
6. A periodic overfill prevention equipment test was not provided.
7. 07/2021-02/2022 monthly walkthrough inspections were not provided.
8. An annual ATG functionality test was not provided.
9. An annual probes and sensors test was not provided.
10. An annual leak detector test was not provided.
11. A, B and C operator certificates were not provided.

The following are RECORDS to be submitted to [USTCompliance@idem.IN.gov](mailto: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):

- 2021 tank fees
- Accurate Notification Form
- A mechanism of financial responsibility
- A periodic spill and sump equipment test report
- A periodic overfill prevention equipment test report
- 07/2021-02/2022 monthly walkthrough inspections
- An annual ATG functionality test report
- An annual probes and sensors test report
- An annual leak detector test report
- A, B and C operator certificates