



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

April 29, 2022

Hindi Petroleum Group Inc
Attn: Hasan Hindi, Registered Agent
993 Deer Lake Dr
Carmel, IN 46032

H & S Trading Company
Attn: Hasan Hindi, Registered Agent
993 Deer Lake Dr
Carmel, IN 46032

Re: Violation Letter
Westlane Shell
7203 N Michigan Rd
Indianapolis, Marion County
UST Facility ID # **194**

Dear Mr. Hindi:

An inspector from the Indiana Department of Environmental Management (IDEM), Underground Storage Tank (UST) Section, conducted an inspection of the site referenced above on April 8, 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.

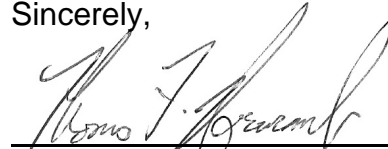
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at USTCompliance@idem.in.gov. Include in the subject line of the response the UST Facility ID # 194.

Inspector: Brandon Davis
Phone: (317) 464-7666

Direct any questions regarding the inspection to:

Compliance Manager: Caitlin Shaffer
Phone: (317) 234-4112

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: Caitlin Shaffer
Brandon Davis
UST Facility ID File # 194
Westlane Shell
Attn: Hasan Hindi
Via email: hasanhindi@att.net

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: Westlane Shell	UST FACILITY ID: 194
ADDRESS: 7203 N. Michigan Road Indianapolis, IN 46268 - Marion County	INSPECTION DATE: 4/8/2022

VIOLATIONS NOTED IN THIS INSPECTION

§ 280.20(c)(1)(i) – Failure to have spill prevention equipment that will prevent release

Citation:

Pursuant to 40 CFR 280.20(c)(1)(i), 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:

(i) Spill prevention equipment that will prevent release of product to the environment when the transfer hose is detached from the fill pipe (for example, a spill catchment basin).

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because at the time of inspection, all (3) spill buckets were more than half full of liquid. (RUL contained Fuel; PREM and MID contained water)

Corrective Action:

The owner and/or operator of the UST systems at this site shall, within thirty (30) days of receipt of this notice, remove and properly dispose of all liquid within each spill bucket to ensure they will perform as designed at preventing a release into the environment in the event of a spill or overfill. The UST owner and/or operator must submit proof that the spill prevention equipment has been installed within forty five (45) days of 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 documentation detailing the periodic testing of the overfill prevention equipment (Flapper Valves) needs to be submitted to IDEM.

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 documentation detailing the monthly walkthrough inspections from July 2021 - March 2022 needs to be provided to IDEM.

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:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because documentation detailing the annual ATG Functionality test needs to be provided to IDEM.</i>
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:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because documentation detailing the annual Probes Functionality test needs to be provided to IDEM.</i>
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(a)(1) – Failure to monitor tanks every 30 days if installed before 9/2/2009

Citation:

Pursuant to 40 CFR 280.41(a)(1), considering previous Indiana rule at 329 IAC 9-3-1.3 (repealed 2018), tanks installed on or before September 2, 2009 must be monitored for releases at least every 30 days using one of the methods listed in § 280.43(d) through (i).

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because (12) Months of Release Detection records (CSLD records) for all (3) Tanks need to be provided to IDEM.

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 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.

§ 280.41(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 Line Leak Detector test results need to be provided to IDEM.

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.



UNDERGROUND STORAGE TANK INSPECTION REPORT

INDIANA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

UST FAC ID: **194**

Inspector's Name:	Brandon Davis
Date:	April 8, 2022
Time In:	10:09
Time Out:	11:16
Inspection Type:	Initial

FACILITY NAME / LOCATION							
FACILITY NAME Westlane Shell		FACILITY ADDRESS (number and street) 7203 N Michigan Rd					
ADDRESS (line 2)	CITY Indianapolis	STATE IN	ZIP CODE 46268	COUNTY Marion			
UST OWNER							
UST Owner Name (Business Name as registered with the Secretary of State) H & S Trading Company			BUSINESS ID (From the Secretary of State) 2005112900368				
PREFIX Mr.	FIRST NAME Hasan	MI	LAST NAME Hindi		SUFFIX		
TELEPHONE NUMBER (317) 435-8204		EMAIL ADDRESS hasanhindi@att.net					
UST OPERATOR							
UST Operator Name (Business Name as registered with the Secretary of State) H & S Trading Company			BUSINESS ID (From the Secretary of State) 2005112900368				
PREFIX Mr.	FIRST NAME Hasan	MI	LAST NAME Hindi		SUFFIX		
TELEPHONE NUMBER (317) 435-8204		EMAIL ADDRESS hasanhindi@att.net					
PROPERTY OWNER							
UST Property Owner Name (Business Name as registered with the Secretary of State) Hindi Petroleum Group Inc			BUSINESS ID (From the Secretary of State) 2015041700397				
PREFIX	FIRST NAME Hasan	MI	LAST NAME Hindi		SUFFIX		
TELEPHONE NUMBER (317) 435-8204		EMAIL ADDRESS hasanhindi@att.net					
COMPLIANCE ELEMENTS							
All USTs properly registered and up-to-date notification form on file			<input checked="" type="checkbox"/>	YES	NO	UNK	
UST Fees are current;							
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	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 type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	UNK
RUL spill bucket > 1/2 of fuel and PREM and MID > 1/2 full of water							
40 CFR 280, Subpart C spill/overflow 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 type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	UNK
Periodic tests (overflow); Monthly walkthrough inspections;							
40 CFR 280, Subpart D release detection requirements met			<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO	UNK
ATG + Probes test results; (12) Months RD records - Tanks; Line Leak Detector results							
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) DW fiberglass USTs installed in 1990

- 12k - RUL
- 12k - PREM
- 12k - MID

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 32 years old and the owner should start planning on removing or replacing them soon.

Piping is DW fiberglass and Pressurized

RD UST = ATG

RD Piping = ELLD; ATG

Overfill/Spill = Spill Buckets, Flapper Valves

ATG Certification = No

Overfill Protection Test = No

Spill bucket Test = Yes 1/1/2022

Site History:

- Four (4) tanks were previously in use, removed in 1990. Closure report on file
- LUST Incident: #199011531 - NFA granted 6/15/2010

Documentation provided at the time of the file review:

- NF submitted [10/31/2017]
- Financial Responsibility mechanism [Certificate of Insurance 3/23/2022 - 3/23/2023]
- A, B and C operator certificates
- Line Tightness results [3/21/2022]
- Spill Bucket results [1/11/2022]

Inspector Notes:

- Each UST's drop tube had flapper valves installed.
- Inspector asked the attendants for any recent compliance testing results, none were provided.
- DW piping and tanks, but Interstitial Monitoring is not required or selected as a form of release detection.

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

- The STP sumps for the RUL, MID and PREM tanks all contained water.
- The MID tank's spill bucket is showing signs of buckling. This should be monitored and repaired or replaced as needed.

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 to avoid further action and achieve compliance with the state underground storage tank program. Submit all Compliance Documents to USTCompliance@idem.IN.gov with FID in subject line.

1. At the time of inspection, the RUL tank's spill bucket was more than half full of fuel and the MID and PREM tanks' spill buckets were more than half full of water. These spill buckets would not work as designed in preventing a release in the event of a spill or overfill. The UST Owner and/or Operator should remove and properly dispose of this fuel and water and provide documentation to IDEM detailing these buckets have been cleaned.
2. Documentation detailing the periodic testing of the overfill prevention equipment (Flapper Valves) needs to be submitted to IDEM.
3. Documentation detailing the monthly walkthrough inspections from July 2021 - March 2022 needs to be provided to IDEM.
4. Documentation detailing the annual ATG Functionality test needs to be provided to IDEM.
5. Documentation detailing the annual Probes Functionality test needs to be provided to IDEM.
6. (12) Months of Release Detection records (CSLD records) for all (3) Tanks need to be provided to IDEM.
7. Up-to-date Line Leak Detector test results need to be provided to IDEM.