



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

MDC Coastal 6 LLC
c/o Corporation Service Company
135 N Pennsylvania St., Suite 1610
Indianapolis, IN 46204

FedEx Ground Packing System Inc
c/o CT Corporation System
334 N Senate Ave
Indianapolis, IN 46204

Re: Violation Letter
FedEx Ground North Indianapolis
10301 Bennett Pkwy
Zionsville, Boone County
UST Facility ID # **25398**

Dear Mr. Eads:

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 6, 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.

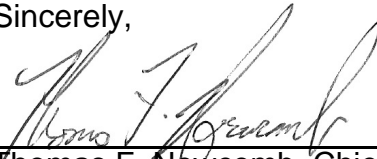
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at USTCompliance@idem.in.gov. Include in the subject line of the response the UST Facility ID # **25398**.

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

Direct any questions regarding the inspection to:

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

Sincerely,



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

cc: Loic Maniet
John Metz
UST Facility ID File # 25398
FedEx Ground Packing System Inc
Attn: Troy Eads
Via email: environmental@fedex.com

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: FedEx Ground North Indianapolis	UST FACILITY ID: 25398
ADDRESS: 10301 Bennett Pkwy, Zionsville, Boone County	INSPECTION DATE: 04/06/2022

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 systems at this site are in violation of this rule because they have not paid any tank fees for 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:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because their Notification Form has incorrect property ownership information.</i>
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.

§ 280.41(a)(2) – Failure to monitor (IM) tanks every 30 days if installed after 9/2/2009
Citation:
Pursuant to 40 CFR 280.41(a)(2), and previously 329 IAC 9-3-1.3 (repealed 2018), tanks installed after September 2, 2009 must be monitored for releases at least every 30 days using the method listed in § 280.43(g).
Violation Details:
<i>The owner and/or operator of the UST system(s) at this site are in violation of this rule because twelve (12) months of interstitial monitoring records were not available.</i>
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 by not having records of 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.

§ 280.41(b)(2) – Failure to perform monthly monitoring on piping installed after 9/2/2009, except proper European

Citation:

Pursuant to 40 CFR 280.41(b)(2), piping installed or replaced after April 11, 2016 (previously cited as September 2, 2009 under 329 IAC 9-2-1(2)(D)) must meet one of the following:

- (i) Pressurized piping must be monitored for releases at least every 30 days in accordance with § 280.43(g) and be equipped with an automatic line leak detector in accordance with § 280.44(a)
- (ii) Suction piping must be monitored for releases at least every 30 days in accordance with § 280.43(g).

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because twelve (12) months of interstitial monitoring records were not provided.

Corrective Action:

The owner and/or operator of the UST systems at this site 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.



UNDERGROUND STORAGE TANK INSPECTION REPORT

INDIANA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

UST FAC ID: **25398**

Inspector's Name:	John Metz
Date:	April 6, 2022
Time In:	11:55
Time Out:	13:15
Inspection Type:	Initial

FACILITY NAME / LOCATION					
FACILITY NAME FedEx Ground North Indianapolis		FACILITY ADDRESS (number and street) 10301 Bennett Pkwy			
ADDRESS (line 2)	CITY Zionsville	STATE IN	ZIP CODE 46077	COUNTY Boone	
UST OWNER					
UST Owner Name (If in Individual Capacity) FedEx Ground Package System Inc			BUSINESS ID (From the Secretary of State) 1988061204		
PREFIX Mr	FIRST NAME Troy	MI	LAST NAME Eads		SUFFIX
TELEPHONE NUMBER (412) 262-7375		EMAIL ADDRESS environmental@fedex.com			
UST OPERATOR					
UST Operator Name (If in Individual Capacity) FedEx Ground Packing System Inc			BUSINESS ID (From the Secretary of State) 1988061204		
PREFIX Mr	FIRST NAME Stephen	MI	LAST NAME Hunt		SUFFIX
TELEPHONE NUMBER (317) 873-7655		EMAIL ADDRESS stephen.hunt@fedex.com			
PROPERTY OWNER					
UST Property Owner Name (If in Individual Capacity) MDC Coastal 6 LLC			BUSINESS ID (From the Secretary of State) 201608251156046		
PREFIX	FIRST NAME	MI	LAST NAME		SUFFIX
TELEPHONE NUMBER (630) 368-2348		EMAIL ADDRESS			
COMPLIANCE ELEMENTS					
All USTs properly registered and up-to-date notification form on file			<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNK
Need new Notification Form to reflect property ownership change in 2016					
O/O is in compliance with reporting & record keeping requirements			<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> UNK
O/O is in compliance with release reporting or investigation			<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A
O/O is in compliance with all UST closure requirements			<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A
O/O has met all financial responsibility requirements			<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
40 CFR 280, Subpart A installation requirements (partially excluded) met			<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
40 CFR 280, Subpart B installation and upgrade requirements met			<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> UNK
40 CFR 280, Subpart C spill/overfill control requirements met			<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
40 CFR 280, Subpart C compatibility requirements met			<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
40 CFR 280, Subpart C O&M and testing requirements met			<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> UNK
40 CFR 280, Subpart D release detection requirements met			<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> UNK
RD records INT for both tanks and piping (12 months)					
40 CFR 280, Subpart J operator training requirements met			<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> 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:

- One (1) 20K DSL FG DW UST installed in September 2013
- Piping is FG DW and Pressurized

RD UST = INT

RD Piping = N/A

Overfill/Spill = Spill Buckets + Ball Float (Consistent) + Alarm (consistent)

ATG Certification = Y (4/5/2022)

Overfill Protection Test = Y (4/9/2021)

Spill bucket Test = Y (10/14/2021)

Containment Sumps Test (required) = Y (4/9/2021)

Site History:

Site is a Fedex facility with fueling capability. There is no prior UST history at this site.

Contact Information

Troy Eads environmental@fedex.com

Documentation not provided at the time of the file review:

- Updated NF (NF 11/14/2014, Approval 11/26/2014 - property ownership has changed in 2016)
- Certificate of Financial Responsibility
- Fees 2021
- Operator Certificates
- Release Detection Records INT (UST and piping)
- Leak Detector test
- Spill bucket / UDC / STP testing
- ATG/Sensors test
- Overfill test
- Walkthrough

CM Note:

- Owner submitted documentation after inspection:
- FR, Spill bucket test DSL 10/14/2021, spill bucket test 4/9/2021 (fail), LLD 4/9/2021, ATG Certification 4/9/2021, Overfill Alarm test 4/9/2021, Sump inspection 4/9/2021 (visual only), LLD 4/5/2022, LTT (main + satellite) 4/5/2022, ATG/Probes/sensors 4/5/2022, STP/UDC test 4/9/2021, Monthly walkthroughs
- Overfill alarm visible within feet of UST.
- Line tightness test completed on 4/6/2022 - will only require owner to submit records for upcoming month

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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 fill port cap was broken.
2. The spill bucket contained some fluid.
3. The STP sump contained a small amount of fuel.

The following are RECORDS to be submitted to the inspector within 30 days of receipt of this inspection report to avoid further action and achieve compliance with the state underground storage tank program:

4. Updated Notification Form with correct property owner information
5. 2021 tank fees
6. 12 months of interstitial release detection for USTs
7. Continue to submit INT records for piping. LTT was provided and would address prior missing records but will need upcoming records to ensure piping is properly monitored.