



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

May 2, 2022

Jaipreet Investment Corporation
Attn: Jasvir Singh, Registered Agent
11863 E 300 S
Zionsville, IN 46077

J & R Petroleum Inc
Attn: Ravinder Kaur, Registered Agent
11863 E 300 S
Zionsville, IN 46077

Re: Violation Letter
Swifty Service Station 155
2319 National Rd W
Richmond, Wayne County
UST Facility ID # **245**

Dear Mr. Singh and Ms. Kaur:

An inspector from the Indiana Department of Environmental Management (IDEM), Underground Storage Tank (UST) Section, conducted an inspection of the site referenced above on March 28, 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.

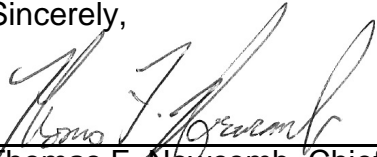
Thank you for your attention to this matter. Please submit the required documents to the UST Section via email at USTCompliance@idem.in.gov. Include in the subject line of the response the UST Facility ID # **245**.

Inspector: Matthew James
Phone: (317) 750-2491

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
Matthew James
UST Facility ID File # 245
former Swiftly 155
Attn: Jasvir Singh, jacksingh6640@yahoo.com
Attn: Ravinder Kaur, jacksplace2705@gmail.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: Swifty Service #155	UST FACILITY ID: 245
ADDRESS: 2319 National Rd W Richmond, IN 47374	INSPECTION DATE: 3/28/2022

VIOLATIONS NOTED IN THIS INSPECTION

329 IAC 9-6-5(b)– Failure to properly secure UST systems during temporary closure

Citation:

Pursuant to 329 IAC 9-6-5(b), when a UST system is temporarily closed for three (3) months or longer, the owner and operator shall leave vent lines open and functioning, cap and secure all other lines, pumps, manways and ancillary equipment.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because the tanks and dispesners are not properly secured.

Corrective Action:

The owner and/or operator of the UST systems at this site shall immediately correct any deficiencies in properly securing the effected UST systems and submit proof of the corrections within thirty (30) 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 during the 2016 inspection, REG USTs had 4" of product, PREM had 1.5" of product, and KER had 5" of product. However, during the recent inspection, REGs, PREM, and KER USTs were found to have less than 1" of product with the exception of the KER which had 1.5" but no disposal documentation was provided or available to IDEM.

Corrective Action:

The owner and/or operator of the UST systems at this site shall submit copies of the fuel disposal documentation for all USTs within thirty (30) days of receipt of this notice.

§ 280.31(b) – Failure to inspect CP system, frequency and criteria

Citation:

Pursuant to 40 CFR 280.31(b), all UST systems equipped with cathodic protection systems must be inspected for proper operation by a qualified cathodic protection tester in accordance with the following requirements:

- (1) Frequency. All cathodic protection systems must be tested within 6 months of installation and at least every 3 years thereafter or according to another reasonable time frame established by the implementing agency; and
- (2) Inspection criteria. The criteria that are used to determine that cathodic protection is adequate as required by this section must be in accordance with a code of practice developed by a nationally recognized association.

Violation Details:

The owner and/or operator of the UST system(s) at this site are in violation of this rule because the DSL UST failed the CP test on March 3, 2022, but no documentation of repairs and retest has been provided.

Corrective Action:

The owner and/or operator of the UST systems at this site shall submit to IDEM the required documents within fifteen (15) days of receipt of this notice or have their UST systems fully inspected by a qualified cathodic protection tester within fifteen (15) days and submit the results within thirty (30) days of receipt of this notice.



UNDERGROUND STORAGE TANK INSPECTION REPORT

INDIANA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT

UST FAC ID: **245**

Inspector's Name:	Matt James
Date:	March 28, 2022
Time In:	01:40
Time Out:	02:20
Inspection Type:	Initial

FACILITY NAME / LOCATION								
FACILITY NAME Swifty Service Station #155			FACILITY ADDRESS (number and street) 2319 National Rd W					
ADDRESS (line 2)	CITY	STATE	ZIP CODE	COUNTY				
	Richmond	IN	47374	Wayne				
UST OWNER								
UST Owner Name (If in Individual Capacity) Jaipreet Investment Corp				BUSINESS ID (From the Secretary of State) 2010052800145				
PREFIX Mr	FIRST NAME Jasvir	MI	LAST NAME Singh		SUFFIX			
TELEPHONE NUMBER (812) 344-4870		EMAIL ADDRESS jacksingh6640@yahoo.com						
UST OPERATOR								
UST Operator Name (If in Individual Capacity) not operating				BUSINESS ID (From the Secretary of State)				
PREFIX	FIRST NAME	MI	LAST NAME		SUFFIX			
TELEPHONE NUMBER		EMAIL ADDRESS						
PROPERTY OWNER								
UST Property Owner Name (If in Individual Capacity) Jairpreet Investment Corp				BUSINESS ID (From the Secretary of State) 2010052800145				
PREFIX Mr	FIRST NAME Jasvir	MI	LAST NAME Singh		SUFFIX			
TELEPHONE NUMBER (812) 344-4870		EMAIL ADDRESS jacksingh6640@yahoo.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				YES	<input checked="" type="checkbox"/>	NO	UNK	
no product disposal documentation								
O/O is in compliance with release reporting or investigation				YES	NO	<input checked="" type="checkbox"/>	N/A	UNK
O/O is in compliance with all UST closure requirements				YES	<input checked="" type="checkbox"/>	NO	N/A	UNK
Tanks and dispensers are not secured								
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				YES	<input checked="" type="checkbox"/>	NO	UNK	
Failed CP test DSL 3/3/2022								
40 CFR 280, Subpart D release detection requirements met			<input checked="" type="checkbox"/>	YES	NO		UNK	
Tanks in temp closure.								
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:

- Four (4) Steel STIP3 USTs (all in temp closure 3/8/2021)
- One (1) 10K REG GSL installed in October 1990
- One (1) 10K PREM GSL installed in July 1987
- One (1) 10K DSL installed in October 1984
- One (1) 6K KER installed in October 1990

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, 35 and 38 years old and the owner should start planning on removing or replacing them immediately.

- Piping is Flex DW and pressurized (piping may have upgraded around 1998/1999)

RD UST = ATG

RD Piping = LLD, LTT, ATG

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

ATG Certification = N

Overfill Protection Test = N

Spill bucket Test = N

Containment Sumps Test (not required) = N

Last known CP 1/10/2012

Tank officially in Temp Closure per NF 3/8/2021

Site History:

Site is an inactive service station. Three (3) USTs were removed in 1990 (Closure NF in VFC).

Contact Information

Jasvir Singh, jacksingh6640@yahoo.com

Documentation provided at the time of the file review:

- (NF 3/25/2021, Approval 5/21/2021 - tank data ok)
- Certificate of Financial Responsibility
- Operator Certificates A
- Corrosion Protection test (REG, PREM, DSL, KER) 3/3/2022 - Fail DSL

CM Note: the facility was previously in enforcement for failure to maintain CP and RD. In 2016, the facility was inspected and the REG USTs had 4" of product, PREM had 1.5" of product, and the KER had 5". In response to the Enforcement case, the owner provided Tank Tightness Test and CP Test in July 2017 which were noted as passing the agreed order.

During the inspection, the USTs were found to have less than 1" of product with the exception of the KER. However, no disposal documentation was provided. Since the USTs were tightness test in 2017, the lower amount of product is unlikely to be related to a tank failure and was likely removed at one point.

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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. All spill buckets contained fluids/debris. If the tanks are brought back into service all spill buckets will need to be cleaned out.
2. Three of the sump compartments contained fluids. One of them contained 4.5 inches of fuel but the fuel did not go over any of the penetration points within that STP. It is recommended to have the fuel removed from the sump.
3. There were two vapor recovery ports that did not have caps. This is an entry point for water to enter the tanks and caps need to be installed.
4. The regular gasoline UST system contained 1.5 inches of product. In order for tanks to be considered in proper temporary closure the tank needs to have an inch or less of product.

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:

5. Please submit verification showing the tanks and dispensers have been properly secured.
6. Disposal documentation of Product from REG, REG, PREM, and KER. For the KER, the product amount remaining should brought down to 1" or less.
7. The DSL UST failed the CP test on March 3/3/2022. Documentation of repair and retest for the DSL UST must be provided.